

# **The Elections Code of the Associated Students**

**University of California, Santa Barbara**

***2019-2020***

*Excerpts of the Constitution & By-Laws of the Associated Students Legal Code.*

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# **The Constitution of the Associated Students of the University of California Santa Barbara**

## **PREAMBLE**

We, the undergraduate students of the University of California, Santa Barbara, in order to provide for the promotion, regulation, and maintenance of the general and educational welfare, do ordain and establish this Constitution.

## **ARTICLE I - NAME**

The name of the organization shall be "The Associated Students of the University of California, Santa Barbara," herein referred to as the "Associated Students" or the "ASUCSB."

## **ARTICLE II – STUDENT BILL OF RIGHTS**

- A) All students shall have the right to an affordable education.
- B) All students shall have the right to affordable housing.
- C) All registered undergraduate students shall have the right to be active participants of ASUCSB.
  - 1) All students have the right to a vote in all ASUCSB Elections.
  - 2) Any student can hold an appointed position in A.S. and be employed by A.S. concurrently.
- D) All students shall have the right to be free from violence on this campus and in Isla Vista.
  - 1) All students shall have the right to Safe Spaces on campus.
- E) All students shall have the right to the freedom of speech and expression.
  - 1) All students shall have the right to peacefully protest the UC Santa Barbara Associated Students, the UC Santa Barbara Administration, the UC Regents, the County of Santa Barbara, the State of California, the United States Federal Government, and all other entities as they so choose on the UCSB campus.
  - 2) Students shall have the right to be free of unwarranted aggression during protests.
- F) All students shall have the right to the status of innocent in all grievances with the University of California, Santa Barbara until proven guilty.
  - 1) All students shall have the right to due process with any grievance with the University of California, Santa Barbara. If the University accuses any student of misconduct, they have the right to be represented at any stage of the proceedings. Students may be represented by anyone of their choosing. Students have the right to see their disciplinary file before responding to the accusation, and students have the right to refuse to answer any questions posed to them at any time. Students also have the right to a hearing (closed or open to the public, as they choose) and a right to appeal. The students' representatives have the right to cross-examine witnesses testifying against them, and to call witnesses and present evidence on their behalf. Students' choice to exercise their rights may not be used against them.
- G) All students shall have the right to be free from discrimination and harassment on the basis of race, gender, sex, ethnicity, religion, national origin, disability, sexual orientation, status within or outside the university, or political belief in all activities sponsored or conducted by the University, its affiliates, ASUCSB, or campus student groups.
  - 1) ASUCSB shall not pass any Bill or Resolution that discriminates against students nor support

any entity that discriminates against students.

- H) Students shall have the right to receive fair and equitable treatment in academics. This includes college and departmental admissions, enrollment, and access to assistance and other services. Students have the right to have their work graded fairly and without regard to non-academic criteria. If students believe that their work was graded unfairly, or if their academic rights have been infringed in any way, students have the right to pursue recourse, such as grievance or an appeal. Students have the right to be advised on their options and be represented when they pursue such recourse.
- I) All students shall have the right to free access of all University information, including the operating budget, with the exception of information that infringes on the privacy of any individual or group of individuals.
- J) All students shall have the right to a voice on all Administrative Advisory Committees and Academic Senate Committees.
- K) All students shall have the right to adequate study spaces on campus.
- L) All students shall have the right to have their input heard in the selection of establishments and businesses in our community.
- M) All students shall have the right to easily accessible services on campus.
- N) All students shall have the right to responsible allocation of student fees by Associated Students.
- O) All students shall have the right to have their input heard in the selection of non-student Regents.
- P) All AS student employees shall have the right to bargain for a higher wage at least once per year of employment.
- Q) Student Initiated Fees shall not be retroactively taxed by any campus or system wide entity.
- R) ASUCSB acknowledges that there are other rights notwithstanding this Bill of Rights.

### **ARTICLE III – PRECEDENCE OF THE CONSTITUTION**

The official documents of the Associated Students shall be the **A.S. Constitution, A.S. By - Laws, and A.S. Standing Policies**. They shall be compiled together and collectively be known as the **ASUCSB Legal Code**. Distribution of power and authority among these documents shall be allotted in the following order: **A.S. CONSTITUTION, A.S. BY-LAWS, and A.S. STANDING POLICIES**. With reference to this order, any contradiction which arises between these documents and the work contained therein, shall be decided in favor of the document higher in rank order. The wording of the lesser document involved shall automatically be void and struck from the document.

### **ARTICLE IV - MEMBERSHIP**

All regularly registered undergraduate students carrying a study load of six (6) or more units shall pay the Associated Students Membership Fee at the time of fee payment to University officials for Fall, Winter, Spring and Summer quarters. Associated Students Members shall be entitled to vote in all ASUCSB Elections, seek an elective ASUCSB office, participate in all ASUCSB activities, and benefit from all ASUCSB services and programs. Associated Students Members shall neither seek more than one (1) elective office concurrently nor hold more than one (1) elective office concurrently.

### **ARTICLE V - FEES**

### SECTION 1. MONITORING OF STUDENT FEES

Associated Students shall have the authority and responsibility to oversee the use of existing fees, as well as monitoring the proliferation of fees.

### SECTION 2. NEW FEES

All new Associated Students fees must be submitted as a ballot measure to be voted on by the Associated Students in a general or special election, with at least twenty percent (20%) of the Associated Students' Membership voting. If a fee is put on the ballot by petition, a vote of fifty percent plus one (50% + 1) shall be necessary for the adoption of the fee. If a fee is put on the ballot by a vote of the Senate a vote of sixty percent (60%) shall be necessary for the adoption of the fee.

### SECTION 3. EXISTING FEES

Existing lock-in fees must be placed on the ballot for reaffirmation every two (2) years following the adoption of the fee. Such fees can only be cancelled with a sixty percent (60%) vote in opposition to the continuation of the fee, with a least twenty (20%) of the Associated Students' Membership voting.

## ARTICLE VI- LEGISLATIVE DEPARTMENT BRANCH

### SECTION 1. LEGISLATIVE AUTHORITY

The Legislative Authority shall be vested in the Senate, which shall be the supreme policy-making body of the Associated Students and shall promote the welfare and interests of the Members of the Associated Students, subject to the limitations herein enumerated.

### SECTION 2. MEMBERSHIP

- A) The voting members of the Senate shall be defined as the total number of the elected Representatives of the Associated Students. Each Senator shall be elected by a plurality of their respective constituencies.
- B) The Presiding Officer of the Senate may vote only to break a tie vote.
- C) A First Presiding Senator Pro-Tempore and Second Presiding Senator Pro-Tempore shall be nominated by the Internal Vice President and approved by a two-thirds (2/3) majority of the voting membership of the Senate by the second (2nd) regular meeting following the installation of officers and may vote in all matters.
- D) The line of succession for the Presiding Office of the Senate shall be the First Presiding Senator Pro-Tempore followed by the Second Presiding Senator Pro-Tempore.

### SECTION 3. DISTRIBUTION OF ELECTED REPRESENTATIVES

- A) Residential Senators
  - 1) The distribution of the residential senators shall be based upon a fixed number of senators representing each constituency.
  - 2) Five (5) On-Campus Senators shall represent undergraduate students residing in university residence halls.
  - 3) Twelve (12) Off-Campus Senators shall represent undergraduate students residing off-campus.

- 4) One (1) University Owned Housing Senator shall represent undergraduate students residing in university owned housing.

B) Collegiate Senators

- 1) The distribution of Collegiate Senators shall be based upon a fixed number of senators representing each of the university's colleges.
- 2) A Senator must study within the college he/she represents, and will be responsible for representing the academic interests of their constituents.
- 3) Four (4) College of Letters and Sciences Senators shall represent the College of Letters and Sciences.
- 4) One (1) College of Engineering Senator shall represent the College of Engineering.
- 5) One (1) College of Creative Studies Senator shall represent the College of Creative Studies.

C) Transfer Senator

- 1) One (1) Transfer Senator shall represent undergraduate students who have transferred to the university from another collegiate institution.

**SECTION 4. DUTIES & POWERS**

The Senate shall:

- A) Supervise and maintain the policies, properties and conduct of the Associated Students.
- B) Have authority over the responsibility for all Associated Students' revenues and expenditures.
- C) Approve by majority vote (50% + 1) the annual budget.
- D) Approve and publish the annual audit by a Certified Public Accountant chosen by the Executive Director and subject to the majority approval (50% +1) of the Senate members present.
- E) Keep minutes of all proceedings.
- F) Ratify all appointments of the President, Presiding Officer, and the Judicial Council by a majority vote (50% + 1) of the Senate members present, unless otherwise provided herein.
- G) Be empowered to authorize all boards, commissions, Committees, and other agencies of the Associated Students, which shall:
  - 1) Aid in the execution of the policies and programs of the Associated Students.
  - 2) Have the power of legislative initiative.
  - 3) Report regularly to the Senate.
  - 4) Keep records of all proceedings.
- H) Be empowered to establish and disband sub Judicial Council(s) as provided herein.
- I) Be empowered to investigate all matters pertaining to their legislative function.
- J) Be empowered to override a Presidential veto by a two-thirds (2/3) majority approval of the voting membership.
  - 1) Have the power to enact a phone vote if the vetoed legislation is deemed urgent in nature.
- K) Be empowered to authorize the expenditure of investment reserve funds by a three- fourths (3/4)

majority approval of the voting membership.

- L) Be empowered to dismiss appointees of the President, the Presiding Officer, and the Judicial Council by a two-thirds (2/3) majority approval of the voting membership, unless otherwise provided herein.

#### **SECTION 5. SESSIONS, MEETING, & QUORUM**

- A) Sessions: Each session of the Senate shall commence with the last regular meeting of Spring quarter.
- B) Meetings: The Senate shall regularly meet at least once a week during periods of regular instruction, herein referred to as "school weeks." Special meetings may be called by the Presiding Officer of the Senate, by petition of at least one-sixth (1/6) of the voting membership of the Senate, or by petition signed by two percent (2%) of the Associated Students' membership.
- C) Quorum: A quorum shall consist of a majority (50% + 1) of the voting membership of the Senate.

### **ARTICLE VII - EXECUTIVE DEPARTMENT BRANCH**

#### **SECTION 1. EXECUTIVE AUTHORITY**

The Executive Authority shall be vested in one (1) President, one (1) Internal Vice President, one (1) External Vice President for Local Affairs, and one (1) External Vice President for Statewide Affairs, (1) Student Advocate General together with such boards, commissions, Committees, and other agencies authorized by the Senate to execute the policies and programs of the Associated Students therein established.

#### **SECTION 2. EXECUTIVE OFFICERS**

The Executive Officers of the Associated Students shall be elected annually by a majority vote (50% + 1) of the Associated Students' Membership.

A) The President shall:

- 1) Be the Chief Executive Officer of the Associated Students and shall coordinate and be responsible for the functioning of the A.S. Executive Director.
- 2) Serve as official representative of the Associated Students in all campus, system wide, local, state and federal matters, unless otherwise provided herein.
- 3) Deal with all student affairs.
- 4) Appoint the Chair people of all boards, commissions, Committees, and other agencies of the Executive Department from the membership of the Associated Students.
- 5) Name the Chairperson of the Judicial Council from its membership subject to a two-thirds (2/3) majority approval of the voting membership of the Senate.
- 6) Appoint the membership of Judicial Council, subject to a two-thirds (2/3) majority approval of the voting membership of the Senate, from the membership of the Associated Students in the event that a seat on Judicial Council becomes vacant.
- 7) Appoint all student representatives to University administration, faculty, staff, or other advisory bodies.
- 8) Formulate an annual budget to be submitted to the Senate for approval by the fifth (5th) regular meeting of Spring quarter.
- 9) Be a non-voting ex-officio member of all boards, commissions, Committees, and other agencies of the Executive Department.



10) Be empowered to veto main motions of the Senate within two (2) days of its adoption.

11) Be empowered to appoint a Cabinet of Advisors not subject to Senate ratification.

B) The Internal Vice President Affairs shall:

- 1) Serve as the Presiding Officer of the Senate except when the office of the President becomes vacant.
- 2) Serve as the representative of Associated Students in all internal affairs.
- 3) Advise and inform the President and the Senate on all campus matters.
- 4) Be responsible for facilitating the monitoring of the proliferation of student fees throughout the university.
- 5) Serve as the official liaison between Associated Students, the Office of Student Life, and Registered Campus Organizations.
- 6) Serve as the official overseer and reference for all interactions between the Senate Liaisons and their BCU's. They must also train the Senators in how to be liaisons.
- 7) In the event that the office of the President becomes vacant, serve as President until a new President is duly elected.

C) The External Vice President for Local Affairs shall:

- 1) Serve as the official representative of the Associated Students on all Isla Vista and Santa Barbara County affairs.
- 2) Coordinate all Isla Vista and County of Santa Barbara issues that indirectly or directly affect UCSB students.
- 3) Advise and inform the President and Senate on all local external matters and affairs.
- 4) In the event that both the offices of the President and the Vice President for Internal Affairs become vacant, serve as President until a new President or Vice President for Internal Affairs is duly elected.

D) The External Vice President for Statewide Affairs shall:

- 1) Serve as the official representative of the Associated Students on the University of California Students' Association (UCSA) Board of Directors as well as the United States Students' Association (USSA).
- 2) Serve as the representative of Associated Students in all state, federal and UC system wide matters.
- 3) Advise and inform the President and Senate on all state, federal and UC system wide matters.
- 4) In the event that the offices of the President, the Vice President for Internal Affairs and the External Vice President for Local Affairs should become vacant, serve as President until a new President or Vice President for Internal Affairs or External Vice President for Local Affairs is duly elected.

E) The Student Advocate General Shall:

- 1) Provide oversight and direction to the Office of the Student Advocate.
- 2) Educate the student body about students' rights, University and Associated Students policies,

laws, regulations, procedures, and promote awareness of the availability of advice and representation services offered by the Office of the Student Advocate.

- 3) Be available to provide assistance and support to any undergraduate student and student group involved in disciplinary actions with the University of California, Santa Barbara and be empowered to challenge University policies on their behalf.
- 4) Present the position of the Associated Students to the University's administration concerning student rights, campus rules, and other areas of student conduct.
- 5) Be a non-partisan representative of all undergraduate students at the University of California, Santa Barbara.
- 6) In the event that the offices of the President, the Vice President for Internal Affairs, External Vice President for Local Affairs and the External Vice President for Statewide Affairs should become vacant, serve as President until a new President or Vice President for Internal Affairs, External Vice President for Local Affairs or External Vice President for Statewide Affairs is duly elected.
- 7) Oversee the adherence to the Student Bill of Rights.

F) Succession:

- 1) The order of succession to the office of President shall be: Internal Vice President, External Vice President for Local Affairs, External Vice President for Statewide Affairs, Student Advocate General, First Senator Pro-Tempore, Second Senator Pro-Tempore.
- 2) The Executive Offices shall be considered vacant until a duly elected officer is sworn into office.

## **ARTICLE VIII- JUDICIAL DEPARTMENT BRANCH**

### **SECTION 1. JUDICIAL AUTHORITY**

The Judicial Authority shall be vested in one (1) Judicial Council and any other sub and lower Judicial Council(s) established by provisions herein enumerated.

### **SECTION 2. MEMBERSHIP**

A) The voting members of the Judicial Council shall be:

- 1) Four (4) Members-At-Large and one (1) Chairperson
- B) Each voting member shall be appointed by the President from the membership of the Associated Students and ratified by a two-thirds (2/3) majority of the voting membership of the Senate and may be removed by unanimous consent of Senate and/or by recall election.
- C) No Judicial Department member shall concurrently hold an elective office of the Associated Students.
- D) Non-voting advisory members may be selected by a majority (50% + 1) of the voting membership of the Judicial Council.

### **SECTION 3. TERM OF OFFICE**

The members of the Judicial Department shall sit as long as they are in continual regular undergraduate attendance at the University of California, Santa Barbara campus.

### **SECTION 4. QUORUM**

Three (3) members of Judicial Council shall constitute a quorum.

## **SECTION 5. DUTIES & POWERS**

A) The Chairperson of Judicial Council shall:

- 1) Be responsible for all administrative duties of the Judicial Department.
- 2) Be empowered to preside at all meetings within the Judicial Department as a non-voting member unless otherwise stated herein.
- 3) Be empowered to delegate the presiding power to any member of the Judicial Council.

B) The Judicial Council shall:

- 1) Hear all cases in original jurisdiction which it deems are necessary.
- 2) Act as an appellate body for the lower and sub Judicial Council(s).
- 3) Coordinate and be responsible for the activities of sub Judicial Council(s).
- 4) Be empowered to render advisory opinions upon the request of a three-fourths (3/4ths) majority of the voting membership of the Senate.

## **SECTION 6. SUB JUDICIAL COUNCIL**

A) Sub Judicial Council(s) shall be established by majority approval (50% + 1) of the voting membership of the Judicial Council and may be disbanded by a two-thirds (2/3) majority of the voting membership of the Judicial Council.

B) Three (3) members shall sit on each sub Judicial Council and two (2) shall constitute a quorum.

## **ARTICLE X- ELECTIONS**

### **SECTION 1. TERM OF OFFICE**

The term of office of all elected officers of the Associated Students shall begin at the last regular meeting of the Senate of Spring quarter, approximately four (4) weeks following the completion of the General Election. The interim period between the election and installation of Senatorial officers will be designed as an orientation and training period. The term of office shall be approximately one (1) year.

### **SECTION 2. TIME OF ELECTIONS**

General Elections shall be completed by the fifth (5th) week of the Spring quarter.

### **SECTION 3. ELECTION PROCEDURES**

A) All Elections shall be by secret ballot.

B) All additional Election procedures and regulations shall be stated in The By-Laws.

### **SECTION 4. RUNNER-UP SYSTEM**

A) Candidates for Senatorial positions who are not elected become official runners-up for the position for which they ran.

- 1) To be an official runner-up, the Candidate must receive a total number of votes that is at least six percent (6%) of the number used for the apportionment of his/her respective Senatorial position.

B) The runners-up are prioritized in order of the number of votes they received with the highest vote

getter who did not win being the first (1st) runner-up. In the case of a vacancy, the first (1st) runner-up may choose to fulfill that vacancy. If the first (1st) runner-up declines the Senate position, then the second (2nd) runner-up may decide to fulfill the council position and so on down the line.

- C) In the case of no official runners-up, a Senatorial Ad Hoc Committee, chaired by the First Pro-Tempore, shall be formed to interview possible replacements and submit their recommendation for approval by a required two-thirds (2/3) approval by the full Senate. The quorum for this Ad Hoc Committee, including the chair, shall be no less than 1/5 of the membership of the full Senate. The President, Internal Vice President, and Committee on Committees chairperson shall be considered non-voting, ex-officio members of the Committee. Motions offered by ex-officio members shall not be in order.

## **ARTICLE XI - SPRING GENERAL, SPECIAL AND RECALL ELECTIONS PROCEDURES**

### **SECTION 1. SPRING GENERAL ELECTION**

- A) The "Spring General Election" which shall occur on the fourth week of Spring Quarter, must consist of Associated Students Executive Officer and Senator Elections. In addition, the following categories may be included:
- 1) Constitutional Amendments and/or Reaffirmations
  - 2) Initiatives
  - 3) Referenda
  - 4) Plebiscites
  - 5) Recall Election
  - 6) Any other categories deemed necessary by the Elections Committee with the approval of the Senate.
- B) All ballot measures must be approved by a two-thirds (2/3) majority of the voting membership of the Senate, or the Senate must ratify any petitions submitted, no later than the first week of Spring quarter.

### **SECTION 2. SPECIAL ELECTION**

- A) "Special Elections" procedures shall be adhered to and used in the following circumstances: Constitutional Amendments, Recalls, Initiatives and Referenda.
- 1) A Special Election shall be held if a petition is presented to the Senate with the required number of signatures as stated in Article X, Sections 3 or 4, or Article XI, Section 1.
    - a) If a "Special Election" petition is presented to the Senate by their fifth (5<sup>th</sup>) meeting of either the Fall or Winter quarters, an election must be held before the end of that quarter. If the petition is presented after the fifth (5<sup>th</sup>) meeting, an election must be held by the fourth (4<sup>th</sup>) week of the following quarter, or during the "Spring General Election," whichever comes first.
  - 2) Upon approval of a two-thirds (2/3) majority of the voting membership of the Senate, a Special Election may be called.
  - 3) Upon the vacancy of an Executive Officer position, a Special Election may be called.
    - a) If an Executive Officer position becomes vacant before the fifth (5<sup>th</sup>) meeting of the Senate of Fall Quarter, an election must be held before the end of the quarter. If an executive officer position should become vacant after the fifth (5<sup>th</sup>) meeting of Fall Quarter an election must be held by the fourth (4<sup>th</sup>) week of Winter quarter. If an executive position should become vacant after the last Senate meeting of Fall Quarter, the position will be filled during the "Spring General Election."
  - 4) A Special Election shall be held no more than one (1) time per quarter, at a date determined

by the Elections Committee and the Executive Director, with final approval by the Senate.

### **SECTION 3. INITIATIVES AND REFERENDA**

- A) The Associated Students shall have the power to initiate legislation by means of a petition signed by its members in a number equal to fifty percent plus one (50%+1) of the total number of its members who voted for the office of Associated Students President in the immediately preceding Associated Students' General Election, and presented to the Senate.
- B) Any legislation adopted by the Senate may be subjected to a referendum vote of the Associated Students upon presentation of a petition to the Senate signed by students in a number equal to fifty percent plus one (50%+1) of the total number of its members who voted for the office of Associated Students President in the immediately preceding Associated Students' General Election. The Senate shall repeal such legislation or submit it to a vote of the Associated Students in the next General or Special Election.
- C) A majority (50%+1) vote with at least twenty percent (20%) of the Associated Students' Membership voting shall be necessary for adoption of an initiative or repeal of legislation.
- D) Initiatives not adopted or legislation repealed in the above manner shall not be introduced again for at least one (1) year.

### **SECTION 4. RECALL ELECTION**

- A) Elected Officers of the Associated Students shall be subject to a "Recall Election" upon presentation to the Senate of a petition signed by its constituent members in a number equal to fifty percent plus one (50%+1) of its membership, except Executive Officers which will be in a number equal to ten percent (10%) of the total membership, of its members who voted for the said office in the immediately preceding Associated Students' General Election. Members of the Judicial Council are subject to recall by presentation of a petition, signed by ten percent (10%) of the Associated Students' membership, to the Senate.
- B) Recall shall be effective immediately upon a two-thirds (2/3) majority vote of the appropriate constituency, with at least twenty percent (20%) of the constituency voting.

## **ARTICLE XII - AMENDMENTS**

### **SECTION 1. METHODS OF PROPOSING AMENDMENTS**

- A) Upon approval of a two-thirds (2/3) majority of the voting membership of the Senate.
- B) By a petition signed by members of Associated Students in a number equal to fifty percent (50%) of the total number of its members who voted for the office of Associated Students President in the immediately preceding Associated Students General Election.
- C) Upon fulfillment of either (A) or (B) above, the Senate shall submit the amendments to a vote of the Associated Students in the next General or Special Election as appropriate.

### **SECTION 2. ELECTION PROCEDURES**

- A) Regular Election procedures shall be followed.

### **SECTION 3. PUBLICITY & DISTRIBUTION OF TEXTS**

- A) The Senate shall arrange for proper publicity, which may include, but is not limited to, the publication and broadcast of the text of the amendment during the school week prior to the Election. Full texts shall also be made available at the polls, and at other regular distribution locations.

SECTION 4. ADOPTION REQUIREMENTS

- A) A two-thirds (2/3) majority of the votes cast with a least twenty percent (20%) of the Associated Students voting shall be necessary for adoption.

# **The By-Laws of the Associated Students of the University of California Santa Barbara**

## **ARTICLE III - OFFICERS**

### **SECTION 1. ELIGIBILITY**

#### **A) Executive Officers:**

- 1) In order to be eligible to run/hold for an executive office, a person must have completed at least sixty (60) units accredited at UC Santa Barbara (this includes transfer units) by the end of the Winter quarter immediately prior to the Spring General Election, and is currently a registered undergraduate student for Winter and Spring Quarter.
- 2) The Executive Officers shall have completed at least one (1) quarter in residency at UC Santa Barbara prior to the Spring general election within the academic year.
- 3) In order to be eligible to run/hold for office, transfer students must have been enrolled at the UCSB campus for a minimum of two (2) academic quarters prior to the Spring election in which they wish to participate, and must have completed at least twenty-four (24) academic units at the UCSB campus.
- 4) During the Spring quarter of the election and their term of office, the Executive Officers shall be required to complete at least six (6) units per quarter (excluding summer) and maintain at least a two point zero (2.0) overall grade point average.
- 5) In the event that these requirements are challenged or not met, the Executive Officers shall have two (2) school weeks to appeal any error in recording units or any extenuating circumstances to the Elections Committee.

#### **B) Senators:**

- 1) In order to be eligible to run for Senate offices, a person must have completed at least twelve (12) units by the end of the Winter quarter immediately prior to the Spring General Election.
- 2) The Senate Representatives shall have completed at least one (1) quarter in residency at UC Santa Barbara prior to the Spring General Election.
- 3) During the Spring quarter of the election and their term of office the Senate Representatives shall be required to complete at least six (6) units per quarter (excluding summer) and maintain at least a two point zero (2.0) overall grade point average.
- 4) The Senate Representatives must live among their constituents during Fall, Winter, and Spring quarters of their year of elective service. Any Senators appointed by an ad hoc Committee and approved by the Senate during Fall, Winter, or Spring quarters must live among their constituents.
- 5) In the event a Senate member chooses to study abroad, they may not be abroad for more than one (1) quarter and must provide a proxy for that quarter.
- 6) In the event that these requirements are challenged or not met, the Senators shall have two (2) school weeks to appeal any error in recording units or any extenuating circumstances to the Elections Committee.

#### **C) Verification of the eligibility of all Candidates, as provided for in the Election Code shall occur through the Office of the Registrar in the following manner:**

- 1) The Elections Committee Chairperson and/or Administrative Advisor will deliver the

Candidate eligibility petitions and applications to an Associated Students Staff Member or their designee.

- 2) An Associated Students Staff Member will notify the Administrative Advisor of the results of the Candidate eligibility check, as outlined in the Elections Code.
- 3) The Administrative Advisor will notify the Elections Committee Chairperson of the results of the Candidate eligibility check.

D) All candidates must fulfil the eligibility requirements found in Article XVII Section 2.

#### **SECTION 2. TERM OF OFFICE**

The term of office of all elected officers of the Associated Students shall begin at the last regular meeting of Spring quarter, approximately four (4) weeks following the completion of the General Election. The interim period between the election and installation of officers will be designed as an orientation and training period, the term of office shall be approximately one (1) year.

#### **SECTION 3. VACANCY**

An office shall be declared vacant upon formal announcement, during the Action Items portion of the Senate meetings, to the Senate of the removal, disqualification, or resignation of an officer.

#### **SECTION 4. APPOINTED OFFICERS**

- A) The appointed officers of the Associated Students are the Associated Students' Board, Commission and Committee Chairpersons.
- B) Representation reflective of the racial and sexual composition of the campus shall be considered by the A.S. President in appointing members to all Boards, Commissions and Committees.

### **ARTICLE IV - DISBURSEMENT OF ASSOCIATED STUDENTS' FUNDS**

#### **SECTION 3. BY-LAW INTERNAL LOCK-IN FUNDING**

- A) Any modifications of Article V Section 2(B)(2) and Article V Section 3 requires a 3/4 affirmative vote.
- B) Point of Order: It shall not be in order for any clauses of Article V Section 2(B)(2) and Article IV Section 3 to be suspended.
- C) Eligibility:
  - 1) Programs and services proposed in the Students' Initiative campaign:
    - a) Student Group Culture Weeks and Graduations
    - b) Student Initiated Outreach
    - c) Educational Research Grants
    - d) Academic Professional Conference Travel Grants
    - e) United States Students Association Funding
    - f) Club Sports Championship Travel Grants
    - g) Special Interest Nexus Insert Publication Grants.
  - 2) A.S. Boards, Commissions, and Committees that advance the accessibility and diversity of the University that do not have ballot initiative lock-ins.
  - 3) All Internal Lock-In Funding shall be allocated under the same policies and procedures



governing Associated Students entities regardless of non-A.S. status.

D) Creation:

- 1) A three-fourths (3/4) affirmative vote is required to create a By-Law Internal Lock-In.

E) Modification and/or Removal:

- 1) A three-fourths (3/4) affirmative vote is required to modify and/or remove a By-Law Internal Lock-In.
- F) Six percent (6%) or no less than forty-five thousand dollars (\$45,000.00) of the total A.S. unallocated fund shall be allocated to Student Initiated Outreach programs.
- G) Two point seventeen percent (2.17%) or no more than twenty thousand dollars (\$20,000.00) of the total A.S. unallocated fund shall be allocated to the United States Students Association.
- H) Six percent (6%) or no less than forty-five thousand dollars (\$45,000.00) of the total A.S. unallocated fund shall be allocated to Senate Finance and Business Committee to allocate to cultural weeks/months and graduations such as Black History Month and Lavender Graduation.
- I) Five percent (5%) of the total A.S. unallocated fund or no more than thirty-thousand dollars (\$30,000.00) shall be allocated to Senate Finance and Business Committee to distribute to Sports Clubs' championship/invitational type competitions' travel costs and board costs with a cap of three-thousand dollars (\$3,000.00) per team per year.
- J) Four percent (4%) of the total A.S. unallocated fund or no more than twenty-thousand dollars (\$20,000.00) shall be allocated to Senate Finance and Business Committee to distribute to Academic Teams' championship/invitational competitions' travel costs with a cap of five-thousand dollars (\$5,000.00) to any one team per quarter.
- K) No more than ten-thousand dollars (\$10,000.00) of the total Senate Finance and Business Committee/Student Organization Program Fund shall be allocated to Senate Finance and Business Committee to distribute to the Science, Technology, Aerospace, Research and capital (STARK) fund in order to distribute to student groups that are inclined to the sciences and engineering realm. It will be used to fund student projects that would be donated to the university. There will be a cap of five-thousand dollars (\$5,000) per group.

SECTION 5. BALLOT INITIATIVE FINANCING AND FEE USE REGULATIONS

- A) Any entity not an official part of Associated Students wishing to place a mandatory fee initiative on an ASUCSB ballot or currently receiving funding from an ASUCSB initiative must meet the following criteria at all times.
  - 1) The organization must fund the entire cost of the election if a Special Election is requested and approved that calls for a vote on an initiative; the cost shall be established by the A.S. Elections Committee.
  - 2) Agree to abide by all established guidelines regarding the use of A.S. Funds.
  - 3) Pay to ASUCSB the sum of three thousand dollars (\$3,000) within five (5) working days of the approval of the ballot wording by the Senate for each initiative it wishes to place on a regular election ballot.
  - 4) With the exception of the fees required, the group must be able to demonstrate, with ten (10) days notice, that the entire amount of the fee collected is being used as stated in the ballot measure and defined in Article V Section 6.
  - 5) Be responsible for paying all costs incurred if the fee is administered by Associated Students. The amount of the costs shall be determined by the A.S. Executive Director

in consultation with the A.S. Administration Office.

- B) If any entity is found to be in violation, the A.S. Executive Director or any person operating in that capacity shall take such actions as are necessary to freeze the flow of any further A.S. funding to the entity in question. The issue shall then be brought before the Senate at its regular meeting in order to determine any necessary sanctions. Sanctions may include but are not limited to:
- 1) Transferring administrative control of the A.S. fee in question to the A.S. Administration Office.
  - 2) Fine the entity a portion of its A.S. fee as a penalty.
  - 3) Hold a portion of future fees in the normal A.S. reserve account as a deposit on potential future violations.

## **ARTICLE VI – LEGISLATIVE BRANCH**

### **LEGISLATIVE COMMITTEES**

#### **SECTION 16. ELECTIONS BOARD**

A) Charge of the Board:

Elections Board coordinates the mechanics of the Elections. The main function of the Board are to run the Spring General Election, as well as any Special Election(s), and to regulate candidate activities during these elections.

B) Elections Board Composition:

- 1) The Election Board shall consist of a composition of the following:
  - a) Voting Membership:
    1. Seven (7) At-Large Representatives:
      - a. One (1) Candidate Liaison Representative-at-Large
      - b. Three (3) Advertising and Publicity Coordinators
      - c. Three (3) Elections Regulations Enforcers
  - b) Non-Voting Membership:
    1. Chairperson
    2. A.S. Advisor
    3. A.S. Controller(s)
    4. A.S. Executive Director
    5. Two (2) A.S. Senate Members
    6. A.S. President
    7. A.S. Attorney General
    8. A.S. Assistant Director for Media and Technology
- 2) Selection and Term of Office of the Chairperson and Voting Members:
  - a) The Chairperson and the seven (7) At-Large Representatives shall be recommended by the Committee on Committees, then nominated by the President and appointed by the Senate for a term of one (1) academic year. The two (2) Senators shall be nominated by the Internal Vice President and approved by the Senate for the term of one academic (1) year.
  - b) No voting member or Chairperson of the Board may be holding any other

elected office.

- c) Once a student has committed to being part of Elections Board, the student cannot declare candidacy for any position or be a representative for any party. By the sixth (6<sup>th</sup>) week of Winter quarter all Elections Board members and non-voting members must submit signed forms committing themselves to Elections Board in order to attend closed Elections Board meetings.

C) Duties of the Chair:

- 1) Call and preside over meetings throughout the school year.
- 2) Report on the major activities of the Board to the Senate.
- 3) Responsible for being an authorized signature on the A.S. Elections Account.
- 4) Involved in the recruitment of Board members.
- 5) Represents the A.S. Elections Board on the Campus Elections Commission.
- 6) Responsible for the creation of a timeline for elections.
- 7) Shall maintain absolute impartiality in the administration and conduct of all elections.
- 8) Shall have jurisdiction over all Associated Students election related processes during the academic school year.
- 9) Ensure that each Elections Board member has been designated a specific duty and that the Elections Board as a whole is working toward upholding the Elections Code.
- 10) Hold a minimum of three (3) office hours per week Winter quarter and three (3) office hours per week Spring quarter.
- 11) Shall attend all AS Assembly meetings.

D) General Duties of Elections Board Members:

- 1) Responsible for attending weekly Board meetings.
- 2) Determines processes for on-line voting in accordance with parameters defined by contracted agency.
- 3) Preside over the assessment of on-line results.
- 4) Shall be responsible for the implementation and interpretation of the Election Code.
- 5) Schedule, arrange, and moderate a Candidates' Forum and any other public activity to further aid the electorate in understanding ballot issues and Candidates' platforms.
- 6) Shall be the sole determiner of eligibility for those running for an elected position, and shall:
  - a) Enforce the Constitution and By-Laws in all aspects of eligibility for an elected position.
  - b) Declare the eligibility decision on all Candidates in writing to the Candidates on or before the first (1<sup>st</sup>) Friday of Spring quarter.

E) Specific Duties of Elections Board Members:

1) Advertising/Publicity Coordinators:

- a) Shall arrange for all advertising and publicity to be in accordance with the Election Code.
- b) Produce advertising campaigns to promote all election events.
- c) Responsible for meeting with the Elections Board Chair to request that the necessary funds for all advertising be included in the Elections Board overall budget.

2) Candidate Liaison Representative-at-Large:

- a) Responsible for maintaining detailed files of all of the Candidates, including: the Declaration of Candidacy, Candidate check-off list, formal complaints and any other documents concerning Candidates.
- b) Responsible for corresponding with all Candidates and ensuring that they have received written notification of the following items: eligibility, disqualification, any formal complaint forms filed and important events.

3) The Election Regulations Enforcers:

- a) Shall be in charge of ensuring that the elections regulations set forth in the Election Code are adhered to all times by the Candidates and others.
- b) Responsible for maintaining a written log of all election violations committed by Candidates or by others, and at the conclusion of the election must turn the log over to Judicial Council for review.
- c) Responsible for informing the Elections Chair and Elections advisor of any violations of the election regulations upon such violations becoming known.
- d) There will be individuals appointed by the Elections Board to serve as the Elections Enforcement Officers. It will be up to the Board to appoint the people who they feel are the most unbiased individuals. Duties of Enforcement Officers are:
  - i. To make daily rounds on campus and locate any illegally posted campaign signs.
  - ii. To remove these signs that are illegally posted.
  - iii. All removed signs are to be kept in the Elections Office until the end of elections.
  - iv. Must notify whomever the sign is endorsing that they had illegally posted signs and state to them the fines that can be sanctioned for continuing to post illegally.
  - v. Serve as witness(es) to the Attorney General for any cases brought before Judicial Council concerning illegal posting.
- e) The Elections Regulations Enforcers shall be responsible for enforcing the Student Conduct Policy outlined in Article XVIII Section 5.D and Section 5.E.
  - i. The Elections Regulations Enforcers shall be responsible for reporting any violations to the Elections Chair and Advisor for investigation.

- ii. The Elections Regulation Enforcers shall serve as witness for any cases brought before the Elections Board or the Judicial Council concerning student conduct policy violations.

## **ARTICLE XVIII - ELECTIONS REGULATIONS**

### **SECTION 1. ELECTIONS CODE**

- A) Unless otherwise specified in the Legal Code, the Elections Board will have all jurisdiction in regard to election rules, policies, enforcement, and promotion at all times during the academic year.
- B) In the case of unique circumstances not explicitly covered by the Elections Code, the Elections Board Senator Liaison is responsible for adjusting the code in order to maintain consistency in terms of Elections Board governance.
- C) These Bylaws are intended to adhere to a viewpoint neutral perspective, maintain the integrity of an equal and fair democratic process, and ensure an educational experience for all participants
- D) The Elections Code shall be published by the Elections Board and approved by a two-thirds (2/3) vote of the Senate no later than the fifth (5<sup>th</sup>) week of Winter quarter. Once passed, the Elections Code shall not be changed until the conclusion of the following Spring general election. The Elections Code shall include, but is not limited to:
  - 1) Article X of the Constitution
  - 2) Article XI of the Constitution
  - 3) Article III, Section 1 of the By-Laws
  - 4) Article VI, Section 16 of the By-Laws
  - 5) Article XVII of the By-Laws

### **SECTION 2. CANDIDATES**

- A) General Requirements:
  - 1) For the purpose of this Election Code, the term "candidate" shall be defined as any member of the association who is eligible for candidacy if they meet the following requirements at the Declaration of Candidacy deadline:
    - a) Is currently a registered undergraduate student during Winter and Spring quarters;
    - b) Acknowledgement that they, the candidate, has or will have at least a two point zero (2.0) cumulative grade point average by the end of Winter Quarter; and
    - c) Is enrolled in at least six (6) units during Winter and Spring quarters.
    - d) All candidates must fulfill the eligibility requirements found in Article III Section 1.
  - 2) No member of the Association shall run for an elected position that they are ineligible to hold for its full term.
  - 3) No person shall be a candidate for more than one office.
- B) Candidates for an elected office are required to file a signed Declaration of Candidacy form. The Declarations of Candidacy, may be submitted no later than eleven-fifty-nine pm (11:59pm) – Wednesday, the eighth (8<sup>th</sup>) week of Winter Quarter, and are public documents upon presentation to the Elections Board, shall include but not be limited to:
  - 1) Names of the Candidates, which must include preferred name, with nicknames given in quotes, Perm Numbers, Local Living Addresses, Mailing Addresses and Phone Numbers. All A.S. Candidates either use their legal name(s) or name(s) as it appears on student records for the ballot.

- a) Candidates who filed a petition and are found eligible will be able to decide upon the exact appearance of their name as it will be displayed on the ballot. The name chosen by the candidate for the ballot, as specified on the Application for Candidacy, is final upon approval of the ballot.
  - b) The final appearance of all names on the ballot shall be approved by the Elections Board. The position for which the candidate is running.
- 2) The number of quarter units the candidate is currently carrying [six (6) units minimum] for Winter and Spring quarter of that academic year.
- 3) Acknowledgement that the candidate, has or will have at least a two point zero (2.0) cumulative grade point average by the end of Winter Quarter of that academic year.
  - a) If a two point zero (2.0) cumulative grade point average is not achieved by the end of Winter Quarter, the candidate will no longer be eligible to run for elected office. If ineligible, candidates will be notified by the Executive Director, by the end of the first (1) week of Spring Quarter.
  - b) Career staff will check grades every quarter thereafter to ensure the Candidate maintains the minimum of a two point zero (2.0) cumulative grade point average requirement.
- 4) The signature of each Candidate, acknowledging:
  - c) The submission of the petition.
  - d) Knowledge of the dates, locations, and times of the Mandatory Candidate Orientation Meeting.
  - e) Knowledge of the fact that a photograph for a campus media supplement will be taken during the Mandatory Candidate Orientation Meeting
  - f) Knowledge of the fact that if the Candidate or their representative does not attend the Mandatory Candidate Meeting, their name will not appear on the ballot.
  - g) Knowledge of the fact that each Candidate must sign a promissory agreement.
    - i. A promissory agreement permits the Elections Board to charge a candidate's BARC account in the event of campaign violation(s) resulting in a fine.
  - h) Knowledge of the fact that each Candidate must sign a statement reaffirming the following:
 

"My participation in the forthcoming election will be undertaken in accordance with and will be governed by: All applicable University policies and campus regulations and the Associated Students Election Code, as interpreted and implemented by the Elections Board and the Elections Board Chairperson. I acknowledge that I may be disqualified from the election process upon severe infraction of the Election Code at the discretion of the Elections Board."
  - i) Knowledge of the requirement to attend a meeting in its entirety for the respective position for which they are running before the commencement of active campaigning
    - i. Executive Officer Candidates shall attend one (1) staff meeting of their respective Executive office in its entirety.

- ii. Senatorial Candidates are required to attend a Senate meeting in its entirety.
- iii. The candidacy of any Candidates unable to fulfill this requirement due to extenuating circumstances shall be subject to the approval of Elections Board.
- iv. Knowledge of the requirement to attend mandatory Senate Training Spring and Fall Quarters if elected.
- v. If photo is missed during Mandatory Candidates meeting, Candidate will have one (1) week to take photo at a time to be specified by elections Board.
- vi. Elections Board will be responsible for choosing backdrop of election pictures.

C) Independent Candidates:

- 1) Arenon-partisan.
  - a) This means a candidate cannot be affiliated, in any way, with any party that has officially registered with the ASUCSB Elections Board.
- 2) Students who register as independent candidates must renounce all former ties to any party that has ever officially registered with the ASUCSB Elections Board.
- 3) Cannot be endorsed by any other Candidates or Parties, who are currently running in the election.
- 4) Cannot be endorsed by anyone on a party's support/member roster.
- 5) Can be endorsed by current elected Associated Students members who are not running for a position in the election.
- 6) Cannot accept any donations or gifts funded by registered parties.

D) Write-In's:

- 1) Definition: A write-in is an individual whose name does not appear on the ballot, but for whom voters may vote for by writing in the person's name.
- 2) All Write-In's shall be considered independent candidates.
- 3) Write-in candidates shall be counted. If any write-in receives sufficient votes in a General Election, they shall be elected.
  - a) A write-in may only be considered for one office.
  - b) The one office that each write-in receives the greatest percentage of votes for will be considered the office for which that candidate is running, and only those votes will be officially counted. Votes for that write-in for other offices will be disregarded.
  - c) For the votes of a write-in candidate to be counted, they must meet all requirements for eligibility for candidacy for the office that they receive votes, except the requirement to submit a petition for candidacy.
- 4) Write-in's shall inform the Elections Board Chairperson in writing of their candidacy for office and shall sign a promissory agreement to charge their BARC account upon violations of the Elections Code by eight (8) pm on the first (1st) day of Campaigning.

Failure to do so will mean that the write-in cannot be elected.

- 5) The Elections Board shall be responsible for compiling a summary of Associated Students and Office of Student Life regulations and giving it to all write-in's. Elections Board shall be responsible for providing this document to any student upon request.
- 6) All write-in's shall adhere to the Election Code.

### SECTION 3. CANDIDATE ORIENTATION MEETING

- A) All Candidates (or a sufficient proxy) are required to attend the Mandatory Candidate Orientation Meeting, held during the ninth (9<sup>th</sup>) week of Winter quarter, which is the day following the last day of sign-ups in order for the Candidates' name to appear on the Spring ballot.
- B) A member of Elections Board will provide one hard copy of the Elections Code to:
  - 1) Each independent candidate
  - 2) Each party chair/liaison
- C) A "sign-in" roster will verify attendance. Candidates are responsible for any and all information disseminated at the Candidate Orientation Meeting. Any Candidate or proxy not in attendance will be subject to disqualification.
  - 1) The Candidate must sign a waiver accepting all responsibility for all information given to his or her proxy during the Candidate Orientation Meeting.
- D) One (1) proxy will be allowed per one (1) Candidate.
- E) A proxy will only be accepted for class conflicts, severe illness, or extenuating circumstances subject to the approval of the Board.
- F) Any person who has expended money on campaign material or announcements, and who is not a Candidate on the ballot, will be considered a Write-In Candidate and must also sign a promissory agreement to charge their BARC account for any fines incurred for violations of elections regulations.
  - 1) If any member of a party or organization is found in major violation of the Legal Code, Campus Rules and Regulations, RHA, and other rules specified on the official A.S. Elections website, resulting in an infraction of the Elections code, the party liaison will be informed, and Elections Board may investigate this case to determine the nature of the infraction. The Elections Board will keep thorough records of all investigations and testimonies to be used as evidence for the Judicial Council. The evidence collected shall only be available for use by the members of the Elections Board, and when necessary the Judicial Council.
- G) Disqualification/withdrawal of Candidates:
  - 1) If all Candidates for an office are disqualified or withdraw, new nominations shall be accepted for a period of five (5) school days immediately following the final election. A special election for the office shall be held within fifteen (15) school days of the final petition filing date for this office.
  - 2) The dates, times, and campaigning procedures for the special election shall be designated by the Election Board & Chairperson with The Senate's approval by a majority (50%+1) vote.
  - 3) Grounds for disqualification will be left up to the discretion of the Elections Board due to the individual and unique nature of each case. Disqualification shall be used as the last and most severe punishment.
  - 4) The decision to recommend disqualification must pass with a majority vote of the



voting membership of the Elections Board.

- a) The Candidate in question shall be notified within twenty-four (24) hours of the Elections Board's decision.
- b) If the Elections Board decides to disqualify a Candidate, the process for removing the Candidate from the election shall be determined by the Elections Board.
- c) The decision of the Elections Board may be appealed to Judicial Council.

#### SECTION 4. ENDORSEMENTS

A) An Endorsement is defined as the explicit declaration of preference or favor for a particular candidate or party. Endorsements include, but are not limited to:

- 1) Social media posts; and
- 2) Written or verbal statements

B) Office of Student Life Groups:

- 1) Each Candidate or Party seeking to use endorsements from OSL groups are required to contact prospect groups and Request the Elections Consent Form online. The OSL group will then decide among themselves the process of consenting to endorse, and fill out and submit the Elections Consent Form. The form will be provided online on the Elections website and must be signed by the executive board of the student group.

C) ASUCSB Entities:

- 1) All Entities will refrain from endorsing candidates and/or parties.
- 2) All Entities will advertise general voting dates in order to promote overall voterturnout.
- 3) A member of the association cannot use AS resources including material resources as well as means of access to students provided by their position in the Association to endorse a Candidate or party.
- 4) Only current elected officers running for a position are allowed to use their position to endorse themselves and other Candidates.
  - a) With the exceptions outlined in Article XVIII, Section 2.B.6
- 5) Any students holding positions within the association that are in violations will be penalized according to Article XVIII Section 14.K. Any Entity, Senator or Executive officer within the association caught in violation of endorsement policy will be subject to the penalties outline below:
  - a) First (1<sup>st</sup>) Offense: Warning
  - b) Second (2<sup>nd</sup>) Offense: Ineligibility for honoraria and/or any tuition provided for the relevant quarter.
- 6) Executive Officers of A.S. in violation will be penalized according to Article XVIII Section 14.K. Any Entity, Senator or Executive officer within the association caught in violation of endorsement policy will be subject to the penalties below:
  - a) First (1<sup>st</sup>) Offense: Warning
  - b) Second (2<sup>nd</sup>) Offense: Ineligibility for honoraria and/or any tuition provided for the relevant quarter.
- 7) Titles can be used to endorse for identification purposes with a disclaimer stating, "this

title is used only for identification purposes” and the party the endorsed Candidate ran with.

D) Fee Initiatives Endorsement

- 1) No use of A.S. spaces
- 2) No use of A.S. Monies

SECTION 5. PARTY STATUS

A) For the purpose of this Elections Code, a party is any group of two (2) or more candidates that have officially registered with the Elections Board. No candidate can register with more than one party.

B) Declaration of Parties:

1) Parties wishing to be on the ballot are required to submit:

a) A Party's mission statement (which clearly states the goals of the Party), which will be advertised in the Elections Supplement.

b) A Party Affiliation Form, which includes signatures of the running Candidates who will be on the “Party Slate”, name of a Party Liaison and their contact information.

c) A Party support/membership roster, with full names of all supporters/members.

d) A Party Liaison, who may or may not be a Candidate, is responsible for the following:

1) Making sure that the Mission Statement of the Party is turned in by the date set by the Elections Board, along with Party members' signature.

2) Coordinating with Elections Board and the Party members the Liaison is representing dealing with fines and penalties charged to Candidates.

3) Must sign promissory agreement along with all members of the Party.

4) Meeting regularly with assigned Elections Liaison.

5) Acting as the sole person on behalf of the Party to communicate with the Elections Board

6) Crafting a Support List, which will also be amended and updated to reflect the true of nature of Party supporters.

a) Party supporters are students who have invested effort to their respective party or Candidate's cause. This effort can include but is not limited to, consistent meeting attendance, consistent distribution of party/Candidate campaign material, etc.

b) Parties will be held accountable for any inappropriate campaign engagement done by supporters.

2) Declaration of Party Form must be turned in by the Friday of week five (5) of Winter Quarter at four o'clock pm (4:00pm). The Form will be found online at the elections website.

3) The Party Slate Form must be turned in Thursday of week nine (9) of Winter Quarter at four o'clock pm (4:00pm). The form will be found online at the elections website.

C) Financial Statements:

- 1) All Executive Candidates and Candidates of the Senate must file a Financial Statement to be submitted no later than four o'clock pm (4:00pm) the day of the Declaration of Candidacy (See Section 7.A.1), and are public documents upon presentation to the Elections Board for their review, shall include:
  - a) Party affiliation, if any.
  - b) Name of campaign Treasurer.
  - c) Money already spent.
  - d) Money projected to be spent:
    - i. This must include a breakdown of party dues per person, if any.
  - e) Projected Apparel/Clothing company to be used for campaign.
    - ii. Contact information of the company must be provided.

#### D) Student Conduct Policy

- 1) Party leadership shall, to the best of their ability, make certain that members comply with all applicable local, state and federal laws, University of California and University of California, Santa Barbara policies and regulations while participating in the election process.
  - a) Any violations of these policies shall be reported to the Elections Board.
  - b) The Elections Board shall be responsible for finding out if violations were individual or systemic incidents.
  - c) If the Elections Board finds that systemic violations have been committed by a party or by individual party members, then that party shall be ineligible to run in the election of that year.
  - d) Individual party members who feel that they have not been responsible for the actions of the party may appeal to the Judicial Council and be allowed to continue running independently by a two-thirds majority vote of the Council. Party leadership shall ensure, to the best of their ability, that all party members are conducting themselves in a manner compatible with the educational function of the university.
- 2) Party leadership shall ensure, to the best of their ability, that all party members are abiding by regulations. This can be either on official forms or to University officials, Associated Students staff, The Attorney-General, and members of the Judicial Council acting in the performance of their duties.
- 3) Party leadership shall ensure, to the best of their ability, that party members are giving accurate information to the Attorney General, Judicial Council, and The Elections Board. This can be either on official forms or to University officials, Associated Students staff, The Attorney-General, The Elections Board, and members of the Judicial Council acting in the performance of their duties.
- 4) Party leadership shall ensure, to the best of their ability, that party members are not participating in any form of theft, damage, or destruction of university or private property.

#### E) Student Conduct Policy Enforcement:

- 1) The Elections Board shall be responsible for educating and informing all party members of the Elections Regulations.
- 2) Elections Board shall be responsible for enforcing all student conduct regulations within the Association.
- 3) The department of Judicial Affairs shall be responsible for adjudicating any violations of campus code of conduct as opposed to the Associated Students code of conduct as it

pertains to the election.

- 4) All violations of student conduct shall be reported to the Elections Board.
- 5) Specifically, in regards to the election, the Elections Board shall have the responsibility to decide whether the violation was an individual act or a systemic act.
  - a) If the Elections Board finds that the violation was an individual violation, then the individual or individuals responsible shall be reprimanded appropriately under the regulations outlined in XVIII.5.E.6.
  - b) If the Elections Board finds that the violation was a systemic violation, then the party as well as the individual or individuals responsible shall be reprimanded appropriately under the regulations outlined in XVIII.5.E.7.
  - c) For the purposes of the election, a systemic violation of the elections code shall be defined as a violation committed by two or more individuals. This shall include but not be limited to: hazing, coerced work hours, and incurring and disregard of physical, mental, and emotional stress.
  - d) These violations shall be investigated through the standard complaint procedure of the Elections Board and require the adequate evidence necessary in a standard complaint procedure.
  - e) Elections Board shall maintain the right to refer any complaints to the most appropriate entity, such as but not limited to: Judicial Council, Judicial Affairs, or RHA.
- 6) Individuals found guilty of violating the student conduct policies within the elections code shall be disqualified from running in the spring election of that year.
- F) The Elections Board has the right to ban the individual from participating in any future Associated Students elections.
- G) The Elections Board has the right to enforce limited disciplinary measures on party members at large aimed at prevention and determent.
  - 1) The Elections Board may enforce measures including, but not limited to: workshops on physical, sexual, emotional, verbal, and/or mental abuse and staff-mediations between participants;
- H) The Elections Board is responsible for reporting any violations of the campus code of conduct or of any local, state, and federal laws to the appropriate authorities.
  - 1) Parties found guilty of violating the student conduct policies within the elections code shall be disqualified from running in the spring election of that year.
- I) Any candidate(s) involved in violations that may have led to party disqualification will be disqualified. Remaining candidates shall run as independent.
- J) Candidates who believe that they have been wrongly accused of actions they did not commit shall have the opportunity to appeal their candidacy to the Judicial Council.
  - 1) The Judicial Council has the right to accept or deny the appeals of any candidate.
  - 2) The Judicial Council must reply to the candidate within 48 hours of an appeals request.
  - 3) The Judicial Council must grant the candidate a hearing within one (1) week of an appeals request.
  - 4) The Judicial Council may grant the candidate's appeal solely if there is no evidence to

corroborate the individual candidate to the violations committed by the party at large.

- 5) If the Judicial Council chose to grant a candidate's appeal, then that candidate is permitted to run in the spring election of that year as an independent.
- K) The Elections Board shall reserve the right to ban any party members from participating in any future elections.
- L) The Elections Board shall not have the right to ban parties as a whole from participating in future elections besides the upcoming spring election.
- M) The Elections Board shall be responsible for publishing a statement regarding their decision available to the public.
- N) The Elections Board shall be responsible for sending this decision to at least one form of campus media.
- O) Members of a disqualified party cannot register a new party with the Elections Board in the same year that their party was disqualified.
  - 1) The Elections Board shall ensure that a representative from the Office of the Ombuds is able to present at an individual party meeting for each party running and at an individual campaign meeting for each independent running.
- P) The representative from the Office of the Ombuds shall be present to educate party members about the campus and student code of conduct, and what the possible resources are in the event of a violation.
- Q) The A.S. Executive Director shall be responsible for creating a relationship between the Association and the Office of the Ombuds prior to the spring election.

#### SECTION 6. BALLOT MEASURES

##### A) Reaffirmations:

- 1) According to Article X of the Constitution, Reaffirmations need to be reaffirmed every two (2) years. Entities being reaffirmed should receive a letter from Elections Board by Week five (5) of Winter quarter.
- 2) No AS funds, revenues, spaces, staff, or resources may be used to endorse or oppose reaffirmations, unless it is educational.

##### B) Fee Initiatives/New Referendum:

- 1) Potential Ballot language will be sent to the Office of the President for approval (by week nine (9) of Winter quarter) while signatures are being collected.
- 2) In order for a Fee Initiative or Referendum to be included on the Ballot, the process found in Article V Section 2 of the Constitution must be followed.
  - a) Signatures may be collected starting the sixth (6) week of Winter Quarter and must be submitted by the eighth (8<sup>th</sup>) week of Winter Quarter.
- 3) Intent to put Initiative, Referendum, or Petitions on Ballot is due by Friday at four o'clock pm (4:00pm) Week one (1) of Winter quarter.
- 4) Following the 9<sup>th</sup> week of Winter Quarter, Senate will no longer be able to add Initiatives to the Ballot.

- 5) No AS funds, revenues, spaces, staff, or resources may be used to endorse or oppose Initiatives, Referendum, and Petitions, unless it is educational.
- 6) All Initiative and Referendum voting formulas can be found in Article II section 3.
  - a) Voting requirements can be found in Article II Section 3C.

C) Pro/Con Statements:

- 1) Applies to both Reaffirmations and Fee Initiatives/New Referendum.
- 2) Any persons intending to submit a Pro/Con Statement on any of the Reaffirmations or Fee Initiatives/New Referendum should submit their statements by four o'clock pm (4:00 p.m.) Wednesday of week one (1) of Spring quarter.

D) Bonds:

- 1) A bond is a check made out to Associated Students on behalf of opponents or proponents of any ballot measure.
- 2) A thirty-five dollar (\$35.00) bond must be posted by any person, group, or organization that wishes to campaign for or against any ballot measure, and/or plebiscite by four o'clock pm (4:00pm) on Monday of the ninth (9th) week of Winter quarter. Said signs or literature must comply with all procedures and guidelines established for the signs and Candidates in the Election Code.

SECTION 7. CAMPAIGN PROCEDURES

A) Dates:

- 1) Submission of Declaration of Candidacy forms for the General Election shall begin on Wednesday of the seventh (7<sup>th</sup>) week of Winter quarter, and shall continue for two (2) weeks, until Wednesday of the ninth (9<sup>th</sup>) week.
- 2) The first (1st) day of campaigning shall begin at eight o'clock pm (8:00pm) the Sunday before the Monday of week 3 of Spring Quarter.
  - a) The first three (3) days of campaigning, the Sunday before the Monday of week three (3) of Spring quarter at eight o'clock pm (8:00pm) to the Tuesday of week three (3) of Spring quarter at eight o'clock pm (8:00pm), shall be considered the Soft Campaigning period. Soft Campaigning shall be limited in the following ways:
    - i. All parties and candidates are restricted to:
      1. Online campaigning, such as through social media and campus news outlets
      2. Endorsement interviews or presentations for student groups and UCSB media outlets.
- 3) The first day after the Soft Campaigning period shall be considered the first day of the period of Active Campaigning. Active Campaigning by means of the criteria defined in section 14.E.5 is prohibited until the Tuesday of week three (3) of Spring Quarter at eight pm (8:00pm) with the exception of Elections Board sponsored events (i.e. Candidate Forums).
- 4) The days of the General Election shall be conducted during week four (4) of Spring quarter, starting on Monday and continuing until Thursday. The exact dates and times must be submitted by the Elections Board to the Senate no later than the fifth (5th) week of Winter quarter.

- 5) The Elections Board will prepare a calendar of all deadlines to be included on the official website by week one (1) of Winter Quarter.
- 6) Recruitment Events shall begin the Sunday of Week six (6) of Winter Quarter at eight o'clock pm (8:00pm) and conclude the Sunday of week nine (9) of Winter Quarter by 8 o'clock pm (8:00pm).
  - a) Advertisement for recruitment events may begin week four (4) of Winter quarter and is limited to social media and verbal forms of publicity.
  - b) Recruitment Events will be defined as the following:
    - i. Events in which parties and student groups inform the general student body of their decision to participate in the elections; and
    - ii. Meetings in which the party decides on the final party slate
  - c) Recruitment plans, materials, and agendas must be submitted to the Elections Board by the Friday of the fifth (5<sup>th</sup>) week of Winter Quarter.
- 7) Board Placement Selection
  - a) On the first Friday of week one (21) of Spring Quarter at four o'clock pm (4pm), board positions will be selected in a linear drafting order with independent candidates and parties acting as the picking members. Candidates/parties participate in each round of the draft by taking turns selecting positions until the end of the first round. After the end of the first round, the draft order will be reversed in the next round (i.e., 1-10, 10-1, 1-10, etc.). Each candidate/party drafts one position per round until all necessary spaces are acquired. After the end of the first round, independent candidates will drop out and parties will continue in the same linear draft fashion. The board positions up for selection will be predetermined and posted by the elections board. Any board placed not in an approved position by the elections board is subject to the regulations outlined in XVIII.14.E.
  - b) Campaign boards shall not be placed before the start of soft campaigning.
- 8) Endorsements
  - a) Endorsements begin Sunday of week three (3) of Spring quarter at eight o'clock pm (8:00pm).
  - b) Endorsements shall be published on the Wednesday of week three (3) of Spring quarter, the exact time will be at the discretion of the Elections Board.
  - c) The purpose of endorsements are to allow student organizations and media outlets to publicly express a preference in candidates and/or parties. Endorsements are not limited to this night; endorsements can be released after at the discretion of the endorsing entity.
  - d) Representatives from the student orgs will sign the Elections website consent form at their discretion. All endorsements will be posted on the Elections website within a business day of submission.

#### B) Publicity:

- 1) Announcements of sign-ups shall appear in a campus publication at the discretion of the Elections Board.
- 2) An Elections Supplement shall come out by the third (3<sup>rd</sup>) Monday of Spring quarter before the General Election. The Elections Board shall ensure that no Candidate exceeds the space limit. All ballot propositions shall be included in this supplement.

- 3) A photographer designated by the Elections Board shall take all pictures for this supplement. The Candidates cannot submit their own photo unless voted on and approved by the Elections Board.
- 4) The Candidates' statements shall appear in campus media in a randomized order to be determined by the Board. Statements from Write-In's who have signed a promissory note shall appear in the order that their statements were submitted to the Elections Board.
- 5) The Elections Board may only give guidelines for copy procedures for the supplement statements. They may not do any editing.
- 6) Elections Board publications and/or posting advertisements shall be designed to include the following:
  - a) How to access online voting.
  - b) The hours and the dates of the Election.
  - c) The statement addressing the failure to vote, as required and stated within Article XVIII, Section 12, E "Interpretation of Election Results."
- 7) At least one (1) Candidate Forum shall be sponsored and mandatory for all A.S. Candidates by the Elections Board during the election campaign. At least three (3) reporters from the campus student media (including but not limited to the Daily Nexus, The Bottom Line and KCSB) will be invited to question the Candidates. The various media outlets shall determine internally which reporters to send.
  - a) This forum must occur within the first three (3) days of active campaigning, at the discretion of the Elections Board.
  - b) Student organizations are to be encouraged by the Elections Board to send representatives to the forum to evaluate the candidates and can decide to endorse any candidate.
  - c) The Candidate Forum shall be mandatory except for class conflicts, severe illness, or extenuating circumstances subject to the approval of the Board.
- 8) At least one (1) event shall be sponsored by the Elections Board the week before the first day of voting encouraging students to vote in each one of the three main residential areas of campus.
  - a) One (1) event shall be held the week before the first day of voting to encourage students living in Anacapa, Santa Cruz, Santa Rosa, San Nicolas, and San Miguel to vote in the upcoming election.
  - b) One (1) event shall be held the week before the first day of voting to encourage students living Manzanita Village and San Rafael to vote in the upcoming election.
  - c) One (1) event shall be held the week before the first day of voting to encourage students living in the Santa Catalina residence halls to vote in the upcoming election.
  - d) These events can include but are not limited to: Tabling, hosting informationals, etc.
  - e) These events must be in close proximity to the areas they are targeting.
- 9) At least (1) event shall be sponsored by the Elections Board the week before the first day of voting to encourage off-campus residents of Isla Vista to vote in the upcoming election.



- a) This event shall be held in a location accessible to all students residing in Isla Vista.
- 10) Elections Board shall determine the number, and form the parameters of all Forums and Debates including: chairs, microphones, informing Candidates of time and place, cleaning up, etc.
- 11) Outside of the periods of active recruitment and active campaigning, students, student groups, candidates and parties are strictly banned from publicly announcing any intention to slate a specific member for any particular office:
  - a) Parties, students, and student groups are permitted to express a general interest in running in the overall spring elections, but are banned from publicly declaring which elected positions they intend to slate individuals for.
    - i. Publicly, for instance, will be defined as the following:
      - 1. announcements through social media outlets; and,
      - 2. through conversation with students; and,
      - 3. making broad announcements at the beginning of a lecture; and,
      - 4. any and all forms of campaign literature and material listed in section 7.C.2.
  - b) Parties and independents alike are strictly banned from spending any money on active campaigning-related materials outside of the periods of active campaigning.

#### C) Campaign Literature and Materials:

- 1) All campaigning material must bear the name of the group or candidate responsible for said material. Materials not bearing this information may be seized by the Elections Board and held in the Elections Board Office. This Code does not supersede any other campus posting regulations including, but not limited to, the Campus Regulations Applying to Campus Activities, Organizations, and Students, RHA Coordinating Board Manual, Office of Student Life regulations and UCen regulations. All Candidates who distribute materials on campus are responsible for the discarding of such materials after their use.
- 2) Acceptable materials for Candidates, proponents and opponents of constitutional amendments, proponents and opponents of fee changes, referendums and plebiscites shall not contain any content that is deemed to be offensive, abusive or inappropriate by the Elections Board.
  - a) Kiosks: Office of Student Life (OSL) controls the posting on all kiosks on campus (except in front of Campbell Hall, Snidecor Hall, and the Music building). Signs may be posted on these kiosks by submitting your piece of literature to the Office of Student Life. Office of Student Life will approve your sign, via an approval stamp, and OSL will post no more than one piece of literature per kiosk. All unapproved literature will be removed and subject to fine.
  - b) Classrooms: No literature may be posted in any classroom.
  - c) Departmental Bulletin Boards: Any literature on departmental bulletin boards must be approved by the said department.
  - d) Residence Halls: All literature must comply with the current Residence Halls Association Coordinating Board Manual. Residence Halls include the physical building and land surrounding it.
  - e) University-Owned Housing: All literature must comply with current University

## Housing Rules and Regulations.

- f) **Banners:** No banner more than eight (8) feet in length and four (4) feet in width is permitted anywhere within campus. Storke Plaza railings, bike tunnels exteriors on Pardall Road and near Student Health Service and Robertson Gym are the only approved areas for posting. There is no posting allowed in the interior of any tunnel. Only one (1) banner per Candidate, per area is allowed (e.g. Only one (1) sign on each side of the bridge).
  - g) **Ground Posting:** Signs must be posted in either lawn or dirt areas. Signs must not be less than five (5) feet from any bike path and three (3) feet from any walkway. Signs are not allowed in any roundabouts. Signs are not allowed to be placed in any type of area which would damage any type of groundcover (i.e. flower beds, plants). Signs are not allowed to be placed in grass circulars in front of HSSB and on the grass area in the Arbor alongside the library. Signs will also be limited campus-wide to one (1) "party sign" per party, one (1) "Candidate sign" per Candidate, and two (2) signs per ballot measure. A "party sign" is any sign that displays a Party name that is not an individual Candidate's sign. A "Candidate sign" may or may not display a Party name. Signs shall not be placed vertically around any campus-designated roundabouts so that they do not impede bike path visibility, and therefore, safety.
  - h) **Sandwich Boards:** Sandwich boards are allowed as long as they do not impede the normal flow of traffic and comply with University Regulations. Sandwich boards may not be chained, anchored or leaning to any fixed object. Sandwich boards found in violation will be removed immediately.
  - i) **Distribution of Literature:** Campaign or related literature may be passed out on campus as though not to disrupt any class and/or impede the flow of traffic. Candidate is responsible for the material stated within the literature.
  - j) **Illegal Posting on Current Material:** posting on top of or removing announcements (campaign and non-campaign material) that are current, is a violation.
  - k) **Illegal Posting Areas:** Signs may not be affixed to, written on, taped on, chalked on, or leaned against (on university property) any of the following: buildings, windows, cars residing on university property, interior of bike tunnels, bike railing, the white railing across from HSSB, walkways and bike paths, trees, traffic signs, fixed poles, and/or lamp poles.
  - l) **Damaged Literature:** Literature that is found to be damaged or poses a safety hazard will be removed by Elections Board.
  - m) **Additional Regulations:** The Elections Board reserves the right to modify posting regulations on an as needed basis. If such action is taken, appropriate notification will be given to the Candidates.
  - n) **Apparel and Clothing:** The purchase of apparel and clothing for elections is allowed; however, clothing and apparel must be sweatshop-free.
- 3) No Associated Students e-mail account or any other Associated Students owned electronic medium may be used in any way to slander or promote, support, endorse, publicize or announce the campaign of any individual Candidate or slate of Candidates. Abuse of an Associated Students email account and/or electronic medium will be subjected to discipline as needed by the Elections Board and if necessary referred to the appropriate authority. The Elections Board shall also have the authority to disable the said source pending judicial action. Abuse of email and electronic mediums can result in substantial fines or possible disqualification.
- 4) Unsolicited usage of an electronic medium (also refer to as electronic mail spamming) to slander, promote, support, endorse, publicize or announce the campaign of any

individual Candidate or slate of Candidates shall be prohibited.

- 5) Candidates must follow and obey all campus regulations in regard to signs and posting.
- 6) No campaign, including, but not limited to, flyers, blogs, signs, on-line posts, social media, and public announcements, can denounce or condemn other Candidates or slates of Candidates during the Associated Students election process.
- 7) Hashtag and party slogan use for parties and candidates including independent candidates
  - a) No use of hashtags or party slogans before week six (6) of winter quarter
  - b) For parties
    - i. Limit the use of hashtags and slogans to week six (6) to week (9) of Winter Quarter and from the soft campaigning period until the end of elections
  - c) For all candidates and write-ins
    - i. Limit the use of hashtags from the soft campaigning period until the end of elections

D) Campaigning Restrictions:

- 1) Parties and independents are strictly banned from any activities that fall under the definition of active recruitment and active campaigning outside of those designated periods. Parties found in violation will be subject to disqualification pending a vote by Elections Board.
- 2) Parties are permitted to host public meetings throughout the year.
- 3) Parties are permitted to advertise to the general student body about the times and places of these meetings, through online forms such as social media. No form of physical or paper advertisement is permitted.
- 4) All party spending outside of period of campaigning shall be documented and submitted to Elections board in the form of a financial statement.

SECTION 8. CAMPAIGN EXPENDITURES

- A) No money allocated by the Associated Students to any special interest or registered group or appointed officers (either partially or totally funded by A.S.) may be used in any way to promote or support any slate or Candidate. A specified amount of money allocated by the Associated Students may be used to educate students about Constitutional amendments, referenda, and initiatives. These monies will be placed in a Constitutional Initiative Account. These funds may be allocated to one group supporting a Constitutional measure and one group opposing a Constitutional measures contingent on a two-thirds (2/3) vote of the Senate. No money from the Constitutional Initiative Account may be used for the Election bond. Upon breach of this clause, the Associated Students shall freeze the funding of the said group and refer to the Judicial Council for further action.
- B) Spending Limits:
  - 1) No party shall exceed a campaign budget of \$6,000. This \$6,000 is limited to all donations, fundraisers, and financial Candidate contributions.
  - 2) No independent executive office Candidate shall exceed a campaign budget of six hundred dollars (\$600.00). This six hundred dollars (\$600.00) is limited to all donations, fundraisers, and financial Candidate contributions.
  - 3) No independent Candidate for the Senate shall exceed a campaign budget of four

hundred dollars (\$400.00). This four hundred dollars (\$400.00) is limited to all donations, fundraisers, and financial Candidate contributions.

- 4) Donation expenditures shall be clearly accounted for in their itemized Financial Statement, adhering to the reporting regulations and in accordance to Article XIX, Section 2, subsection J.
- 5) Candidate contributions for parties shall be defined as any direct contribution from the candidate or their immediate family for the express reason of fulfilling party dues for that specific candidate.
  - a) Party dues for one candidate cannot exceed party dues for another candidate running for the same position.
- 6) Political parties shall not participate in fundraising activities outside of the periods of active recruitment and active campaigning.
- 7) Political parties and candidates shall not accept any donations or financial contributions from individuals or groups on the university campus seeking to influence the outcome of the election. This includes but is not limited to: Office of Student Life groups, academic departments and colleges, staff/faculty members, students, etc.
- 8) Political parties and candidates shall not accept any donations or financial contributions from individuals, groups, parties, corporations or any external entities outside of the university.
- 9) Political parties and candidates shall not solicit any donations or financial contributions from individuals, groups, parties, corporations or any internal or external entities.
- 10) Political parties are permitted to fundraise. All fundraising plans must be submitted to the Elections Board for approval.

#### C) Campaign Treasurer

- 1) A Campaign Treasurer is to be appointed internally by party, and is responsible for keeping record of financial expenditures. If running as an independent the Candidate is his or her own Campaign Treasurer and is responsible for keeping record of financial expenditures.
- 2) The Campaign Treasurer must meet with the Elections Board to go over financial statements and expenditure expectations, no later than week 8 of Winter Quarter.
- 3) Campaign Treasurer(s) must submit receipts and invoices before each weekly regularly scheduled Elections Board meeting.
  - a) Receipts and invoices will then be posted on the Elections Website following the regularly scheduled elections meeting.
- 4) The Campaign Treasurer shall maintain an official Financial Statement to be submitted to Elections Board which includes
  - a) Record of dues received by Candidates.
  - b) Donations of goods and services received including their name, organization, and UCSB perm number, when applicable.
  - c) Itemized list of all expenditures utilized in campaigning, including goods and services from subsection b).
    - i. Donations of all gifts and services donated or offered at discounted

or sale rates not available to the public must be declared at their full, non-discounted rate.

ii. The source must be included for each item.

- d) Must submit updated itemized Financial Statements the first (1st) Monday of elections week to be made public by Elections Board for the student body no later than the first (1st) Wednesday of elections week.
  - e) Must submit updated itemized Financial Statements the last Friday of elections week to be made public by Elections Board no later than the Wednesday following elections week.
  - f) No campaign may falsify forms. This may include but is not limited to, false signatures, incomplete forms, and/or claiming purchases/donations used for campaign purposes. If the elections Board finds that any campaign has falsified their expenditure form(s) they shall be assessed with a fine to be determined by the Elections Board and upheld by Judicial Council, relative to the severity of the violation.
- 5) The Elections Board at their sole discretion is able to demand additional receipts or invoices, which must be procured within 24 hours, if newly introduced/purchased goods, services, and/or discrepancies from the initial or directly preceding itemized Financial Statement are detected.
- a) Said receipts and/or invoices must be produced to Elections Board within 24 hours.
  - b) Said receipts and/or invoices will be made public within 12 hours of being received
- 6) Submit plans for elections week by end of week two (2) of Spring quarter.
- 7) Meet with the Elections Board and a member of Finance & Business Committee, the week prior to elections, either week one (1) or week two (2), to present budget and take questions. Appointments will be scheduled. Only one delegate from each party/independent Candidate will be able to meet with Elections Board per meeting.
- a) The member of Finance & Business Committee shall be selected by the Elections Board and shall sign a confidentiality agreement and a non-disclosure form.

#### SECTION 9. BALLOTS

- A) The final ballot, including constitutional amendments, fee changes, referenda, and plebiscites must be approved by the Senate no later than week two (2) of Spring quarter. The content of the ballot may not be changed after it has been approved by the Senate.
- B) All ballots are to remain anonymous. In order to prevent undue influence and coercion, students are forbidden from inquiring about whom a member voted for.
- C) Each student will receive a unique ballot in which each candidate's name and ballot measure will appear at a randomly prescribed location, according to the software available at the time. The candidates' names will be grouped according to the positions in which they are running for.
- D) Regulations regarding "laptops" campaigning are as follows
  - 1) "Laptops" campaigning is defined as when a candidate, party, pro-group, con-group, or anyone with approximate relation to them, approaches a student and asks that student(s) log onto a computer or other electronic device and vote in the election (usually coaxing student(s)

to vote in a certain way).

- 2) Campaigning with laptops or other electronic devices during the week on which the ballot is cast is strictly prohibited, and doing so will result in a violation.
  - 3) To avoid unclear and/or false violations, complaints about “laptoping” campaigning must be registered only by students who are approached and asked to vote.
- E) No money, goods or any other forms of recompense may be promised in exchange for votes.
- F) All plebiscites must be approved by the Senate by the ballot approval deadline date. Within two (2) days following the Senate’s approval, plebiscite proponents must post a thirty-five dollar (\$35.00) bond at the Administration Office. If the bond is not posted the plebiscite will not be allowed on the ballot.

#### SECTION 10. VOTE TABULATION

- A) Associated Students Elections shall be conducted using the Single Transferable Vote (STV) system.
- B) For every executive office and for every senatorial constituency, voters will be able to rank their candidates in order of preference. The candidates voters prefer the most they would rank one (1), the second most preferred they would rank two (2), etc.
- C) For every executive office and for every senatorial constituency, elections Board will use the Droop Quota to calculate the minimum number of votes needed for a candidate to be elected.
- D) The Droop Quota is: 
$$Votes\ Needed = \left( \frac{Valid\ Votes\ Cast}{Number\ of\ Seats + 1} \right) + 1$$
- 1) Valid Votes shall be defined as ballots with at least one (1) choice picked for a candidate.
- E) Seats will be distributed as follows:
- 1) The candidate who receives the most votes in the first round wins the first seat.
  - 2) All the votes that candidate received above the minimum threshold will be distributed to the second choice candidate.
  - 3) The second candidate to then reach the threshold wins the second seat.
  - 4) This process will repeat until all the seats are filled.
  - 5) In the case of no candidate reaching the minimum threshold, the candidate with the least amount of votes is eliminated. The eliminated candidates’ votes are then distributed amongst the second choices voters picked. Distribution is handled through the proportional Scottish Method.
- F) For positions in which write-ins are the only prospective contenders, the following guidelines will be adhered to:
- 1) An averaged number of voters for the past four (4) years is to be calculated specifically for the position in question.
  - 2) Twenty percent (20%) of the averaged number is required to vote for the position in question for the election to be considered valid.
- G) The Executive Director and Chair of Elections shall coordinate with Assistant Director for Technology all procedures regarding tabulation of ballots.

- 1) The Elections Board Chairperson shall bring the election results to all campus media and shall post the results in the Associated Students' Office immediately following the completion of the vote tabulation.
- 2) Results of the election shall be included in the Senate meeting following the Election, under the Elections Board Report.

#### SECTION 11. VOTING PROCEDURES AND IRREGULARITIES

##### A) Voting Procedures:

- 1) For executive elections, the candidate receiving the most first (1<sup>st</sup>) choice votes exceeding the minimum threshold wins the election.
    - a) If no candidates reach the minimum threshold, then the candidate with the least amount of votes is eliminated, with their votes proportionally going to the next available choice candidates (2<sup>nd</sup>, 3<sup>rd</sup>, and so on based on the eligible candidates running).
  - 2) For senatorial elections, the candidate receiving the most first (1<sup>st</sup>) choice votes in a particular constituency wins the first seat.
    - a) All the votes above the minimum threshold are then proportionally distributed among the next available choice candidates
    - b) If no candidate is able to reach the minimum threshold, then the candidate with least number of votes is eliminated. The eliminated candidate's votes are then distributed among their second (2<sup>nd</sup>) choice candidates.
    - c) This process shall repeat until all seats in the particular constituency are filled.
    - d) Students may not vote for the same candidate more than once (or rank them in the same position twice).
- B) Only Election Board members and A.S. staff members, as well as Campus Elections Board advisor shall be allowed to view the election results prior to the publicly revealing of results to the campus body.
- 1) The Elections Board will establish guidelines for the individuals present and will expect them to adhere to this protocol.
  - 2) All individuals present are expected not to disclose elections results prior to public announcement.
- C) If any serious voting irregularities occur, as determined by the Elections Board, a review will be conducted. If any student is caught practicing fraud, they will be brought before the Judicial Council and/or the Dean of Students for possible disciplinary action.
- 1) Voting irregularities and voting fraud shall include but not be limited to:

- a) Using a NetID other than your own in order to log onto GOLD and vote.
- b) Gathering as a group or org and overseeing the voting process for each individual.
- c) Requiring friends, classmates, or org members to provide proof of voting in the elections.
- d) "Laptopping" as defined in XVIII.9.D.
- e) Promising recompense such as money or goods in exchange for votes.

#### SECTION 12. INTERPRETATION OF ELECTION RESULTS

- A) In order for candidates to be elected, twenty percent (20%) of all eligible undergraduate students must vote during the Spring General Election.
  - 1) In the event a special election is held, the voter threshold shall be determined by Election Board.
- B) In order for any Constitutional or Fee-Related ballot measure to be valid, twenty percent (20%) of all registered, fee-paying undergraduate students must vote in the Election. The number of voters will be computed by counting the total number of ballots cast.
- C) In order for an individual ballot measure to be valid, fifteen percent (15%) of all eligible students must vote on that particular ballot measure.
- D) In order for a ballot measure to pass, students voting on that measure must vote YES in percentage as defined in the Constitution. (Blank ballots will not be computed in the final percentages.)
  - 1) As stated in Article V.2. "All new Associated Students fees must be submitted as a ballot measure to be voted on by the Associated Students in a general or special election, with at least twenty percent (20%) of the Associated Students' Membership voting. If a fee is put on the ballot by petition, a vote of fifty percent plus one (50% + 1) shall be necessary for the adoption of the fee. If a fee is put on the ballot by a vote of the Senate a vote of sixty percent (60%) shall be necessary for the adoption of the fee."
  - 2) As stated in Article V.3. "Existing lock-in fees must be placed on the ballot for reaffirmation every two (2) years following the adoption of the fee. Such fees can only be cancelled with a sixty percent (60%) vote in opposition to the continuation of the fee, with a least twenty (20%) of the Associated Students' Membership voting."
- E) In order that a ballot measure be justifiable as a mandate, students must know in advance what their non-voting will mean. Therefore, a statement which reads as follows should be submitted to a campus media and should be included in all election publicity:
 

"If you choose not to vote on the measures in this Election, you are leaving the decision up to your peers. A blank ballot means that you trust their decision."
- F) The intent of this statement is to reduce the confusion experienced concerning the interpretation of blank ballots, thereby eliminating speculation about whether or not students understood a particular ballot measure.
- G) In order for a ballot to be valid and count towards the Election, students must officially submit their ballot by clicking the submit button. Failure to submit ballot will result in no votes casted for that student.

### SECTION 13. POST ELECTIONS

- A) Once results are approved by the Elections Board, Senate, UCOP, and the Chancellor, the results stand.
- B) The A.S. Executive Director shall instruct the contracted on-line company to maintain all records of ballots for three (3) weeks [twenty-one (21) days] following the election.
  - 1) A recount shall be given whenever the difference between the Candidates is two percent (2%) or less of the votes cast for the office; or whenever evidence of an erroneous count is shown and called to the attention of the Elections Board Chairperson or the Senate within one (1) week (seven (7) days) after the vote has been announced.
- C) The actual changing of the Senate will take place during the second to last meeting (week 8) of Spring Quarter. When the present Senate has completed all Old Business for their Election term, the new Senate will take over with New Business halfway through the meeting.



- D) The present AS Internal Vice President shall contact and congratulate the AS Internal Vice President-Elect and AS Senate member-elect by week six (6) of Spring Quarter. The present AS Internal Vice President shall be responsible for coordinating a mandatory formal training of the aforementioned newly elected members, which shall include a full walk through of Associated Students facilities and the resources available to them.
- E) In the event that an Elected AS Executive Officer or Senator decides to step down from their position prior to being sworn in, the first (1<sup>st</sup>) official runner-up may choose to fulfill that vacancy for the position for which they ran.
- F) The Elections Board will hold a Town Hall after the Spring election.

#### SECTION 14. FINES, PENALTIES, & COMPLAINTS

- A) Candidates might be billed for penalties on their BARC (Billing Accounts Receivable Collections) account. BARC accounts will not be billed until Elections Board approves fines. It is the responsibility of the Elections Board to inform all Candidates of the BARC process and judicial appeal. Individuals who are fined by the Elections Board shall have the opportunity to appeal to the Elections Board before they any fines are charged to their BARC account. All fines accrued through Party violations will be charged to the Party Liaison's BARC account. Individual candidate violations will be charged to the individual candidate.
- B) The Elections Board has full discretion to charge BARC accounts for Election Code violations, however any ruling made by the Elections Board can be appealed and overturned by the A.S. Judicial Council.
- C) By the Friday of the sixth (6<sup>th</sup>) week of Spring quarter, the Elections Board will forward to the AS Attorney General and the Chair of Judicial Council:
  - 1) Any formal complaints filed regarding Candidates' violations of Elections procedures.
  - 2) Decisions of the Elections Board regarding fines and penalties.
  - 3) A list of Candidates names who have yet to remove campaign material from the campus, Isla Vista, or any public area.
  - 4) Any evidence of violations of elections policies by formally accused Candidate(s).
- D) The Judicial Council has complete autonomy in deciding which cases will be heard. The process by which cases are heard will be in accordance with the By-Laws under Judicial Council and Lower Judicial Council Hearing Procedures.
- E) Candidates, Proponents and Opponents of Constitutional Amendments, Proponents and Opponents of Fee Changes, Referendums and Plebiscites may be assessed fines in accordance with the following guidelines:
  - 1) Each Illegal sign posting:
    - a) 1st Offense: Warning
    - b) 2nd Offense: \$50 fine
    - c) 3rd Offense: \$100 fine
    - d) 4th Offense: \$150 fine
    - e) 5th Offense: Disqualification
  - 2) Each Improper Leafleting shall include such things as libelous or fraudulent information on literature or signs. These fines shall be assessed as follows:
    - a) 1st Offense: Warning and confiscation of fliers
    - b) 2nd Offense: \$20 fine and confiscation of fliers
    - c) 3rd Offense: \$40 fine and confiscation of fliers

- d) 4th Offense: \$75 fine and confiscation of fliers
  - e) 5th Offense: Disqualification
- 3) Each use of an AS Email account and list-serve:
  - a) 1st offense: \$50 fine
  - b) 2nd offense: \$100 fine
  - c) 3rd offense: \$150 fine
  - d) 4th offense: Disqualification
- 4) Each Campaigning Timeline and Habit infractions shall include, but is not limited to, the parameters outlined in the campaign procedures section. These fines shall be assessed as follows:
  - a) 1st Offense: Warning
  - b) 2nd Offense: \$50 fine
  - c) 3rd Offense: \$100 fine
  - d) 4th Offense: \$150 fine
  - e) 5th Offense: Disqualification
- 5) Each Social Media Infraction shall include, but is not limited to, the parameters outlined in the endorsements section. These fines shall be assessed as follows:
  - a) 1st Offense: Warning
  - b) 2nd Offense: \$50 fine
  - c) 3rd Offense: \$100 fine
  - d) 4th Offense: \$150 fine
  - e) 5th Offense: Disqualification
- 6) Each Independent and Party Rule Infraction:
  - a) 1st Offense: Warning
  - b) 2nd Offense: \$50 fine
  - c) 3rd Offense: \$100 fine
  - d) 4th Offense: \$150 fine
  - e) 5th Offense: Disqualification
- 7) Each Budget, Fundraising, and Party Fee Infraction:
  - a) 1st Offense: Warning
  - b) 2nd Offense: \$50 fine
  - c) 3rd Offense: \$100 fine
  - d) 4th Offense: \$150 fine
  - e) 5th Offense: Disqualification
- 8) All Other Infractions:
  - a) 1st Offense: Warning
  - b) 2nd Offense: \$50 fine
  - c) 3rd Offense: \$100 fine
  - d) 4th Offense: \$150 fine
  - e) 5th Offense: Disqualification
- 9) Active campaigning is defined by but not limited to distribution of campaign materials (including but not limited to flyers and merchandise), door to door solicitation, putting up elections boards, in person solicitation announcements in any sort of public forum, and posting any campaign materials at any venue (including but not limited to campus walls, spaces for ground postings, and the Isla Vista area). Any individual or party caught active campaigning before the sanction will be subject to disqualification from running, the party liaison will also be reprimanded by the Elections Board.

- 10) Examples of infractions and their resulting fines will be presented at the Mandatory Candidate's meeting, any infraction not listed in the examples shall be subject to a penalty as determined by the Elections Board.
  - 11) Non-removal of campaign material after five (5) days (one hundred twenty (120) hours) past the Election: Minimum ten dollars (\$10.00) fine.
    - a) If the Candidate refuses to remove campaign material after being notified by the Elections Board, the Candidate is subject to additional penalties determined by Elections Board. This additional fine would apply beginning ten (10) days after the Election.
- F) Money from fines shall be returned in full to the Associated Students unallocated suspense account.
- G) Decisions from the Sub-Judicial Council may be appealed to the full Judicial Council. Notice of appeal must be filed with the Judicial Council Chairperson within two (2) days of the decision(s).
- H) The campaigning hours in the residence halls shall conform to those provided in the RHA code. All Candidates shall be required to remove their campaign posters and materials from the residence halls within five days (120 hours) and abide by all other RHA provisions.
- I) Any person may bring a complaint to the Elections Board or report violations of posting regulations.
  - 1) Candidates who have pending complaints will be notified by the Elections Board within twenty-four (24) hours of receiving the complaint. In addition, the accused person or party may be allowed to submit a one page response (in 12 point font) in defense of their charges that is to be given to the Elections Board Chair within twenty-four (24) hours of their notification. This document will be presented during the Elections Board deliberation of their charges. The individual charged has the right to request an audience with the Elections Board prior to deliberation.
- J) Illegal use of Associated Students email accounts shall result in the termination of the offender's account and a minimum fine of twenty dollars (\$20.00), the actual amount to be determined by the Elections Board.
- K) Any Entity, Senator, or Executive officer within the association caught in violation of endorsement policy will be subject to the penalties outlined below:
  - 1) First (1<sup>st</sup>) Offense: Warning
  - 2) Second (2<sup>nd</sup>) Offense: Ineligibility for honoraria and/or any tuition provided for the relevant quarter.
- L) Elections Board is to formulate and make public a list of fines and penalties not already stated and that do not contradict the current elections code, concerning the rules and regulations for the campaign. These rules shall address specific monetary and/or incremental punishments concerning:
  - 1) Sign/poster infractions.
  - 2) Budget, fundraising and party fee infractions.
  - 3) Independent and party rules.
  - 4) Campaigning habits and timelines.
- M) Once elections results have been ratified, any violations or complaints pertaining to ratified elections shall be deferred to the Attorney General.

#### SECTION 15. CAMPAIGN ISSUES ACCOUNT

- A) Organized proponents and opponents of any and all Constitutional amendments, initiatives,

referenda, campus-wide fee measures, or other issues or measures placed on a ballot for student vote, may apply for funding from Associated Students. Only one (1) group or organization in favor of and one (1) group or organization in opposition to each ballot issue may apply for, receive, and use Associated Students funding. For this purpose, eight hundred dollars (\$800) shall be allocated annually by the Senate from A.S. fees to a Campaign Issues Account. Applications for a portion of these funds may be made, and any funds allocated may be used as follows:

- 1) A budget request must be submitted to and approved by Senate Finance and Business Committee. If the election is four (4) or fewer weeks away, application for funding may be made directly to the Senate. The request shall be divided into expense categories, but the total of the entire request must not exceed two hundred dollars (\$200).
- 2) All allocations must receive final approval from the Senate, and an election bond of thirty-five dollars (\$35) must be posted, before funds may be spent. No more than two hundred dollars (\$200) may be approved for the proponents or opponents of any ballot measure.
- 3) Constitutional measures and A.S. ballot measures shall receive priority for funding over other election issues.
- 4) An Account Authorization, establishing signature authority of the organization receiving funds, must be submitted to the Senate Finance and Business Committee before funds may be spent. The names, addresses, and telephone numbers of a minimum of three (3) representatives of the organization must be disclosed, and their signatures must be on file on the Account Authorization form. All authorized signers must have attended a Senate Finance and Business Committee workshop during the current academic year before they may sign the Account Authorization.
- 5) Funds must be spent in accordance with A.S. Financial Policies and Procedures.

#### B) Administration of Campaign Issues Account

- 1) Subaccounts of the Campaign Issues Account shall be established for both the proponents and opponents of any ballot measure if A.S. funds from any account are allocated for use by such proponents or opponents in a campaign for or against a ballot measure, and if no such subaccounts have been previously established.
- 2) Any and all additional Associated Students funds that are to be used to promote or oppose a ballot measure must be transferred into an appropriate subaccount of the Campaign Issues Account. This transfer does not require approval of Senate Finance and Business Committee or the Senate. No expenditures for any campaign purposes may be made directly from any other Associated Students account.
- 3) No more than two hundred dollars (\$200) may be spent from Associated Students funds on any campaign for or against a particular ballot measure. If funds are transferred from another A.S. account into a subaccount of the Campaign Issues Account, any amount allocated from the Campaign Issues account shall be lessened as needed, and funds transferred back to the Campaign Issues account, to bring the total amount of Associated Student funds allocated to the particular campaign to an amount not to exceed two hundred dollars (\$200).
- 4) Any unspent funds after the election shall be transferred back to the Campaign Issues account for use as needed in subsequent campaigns, or to the originating Associated Students account if a requisition for such a transfer is submitted to A.S. Accounting within three weeks after the election.

#### C) Limitations on Campaigns Using Associated Students Funds

- 1) If funds are allocated from or transferred to the Associated Students Campaign Issues Account for the use of organized proponents or opponents of any ballot measure,

these organizations are required to limit themselves to a total expenditure on their campaign for or against the measure to a maximum of four hundred dollars (\$400). This limitation includes but is not limited to the maximum two hundred (\$200) of funds drawn from any A.S. account; therefore, no more than four hundred dollars (\$400) may be spent on any campaign that receives and uses Associated Students funds.

- 2) Organizations must declare all expenditures for literature, materials, or any other campaign expenses, by submitting receipts or other documentation to the Associated Students Administration Office within two (2) days of the expenditure, or remaining A.S. funds allocated to the organization will be withdrawn.
- 3) Organized proponents or opponents of any Constitutional amendments, initiatives, referenda, campus-wide fee measures, or other issues placed on a ballot for student vote, who will spend, expect to spend, or have spent more than four hundred dollars (\$400.00) on their campaign may not receive or use any Associated Students funds for campaign or other purposes.
- 4) No A. S. funds may be spent on election bonds.