



**ASSOCIATED STUDENTS  
OF THE  
UNIVERSITY OF CALIFORNIA SAN DIEGO**

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**ELECTIONS CODE**

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## **Chapter I: Election Timelines**

- A. Appointment of Election Committee
  - a. Week 3 of Winter Quarter
- B. Week 8 and 9 of Winter Quarter:
  - a. Filing Period
  - b. Slate Registration
- C. Mandatory Candidates' Meeting
  - a. Thursday of Winter Quarter Week 9
- D. Campaigning Period
  - a. Weeks 1 and 2 of Spring Quarter
- E. Voting Period and Official Polling Location
  - a. Week 2 of Spring Quarter
- F. Tabulation and Certification of Results
  - a. Friday of Week 2 of Spring Quarter
- G. Filing a Complaint
  - a. Within 48 hours of evidence arising
- H. Special Election
  - a. Four weeks' notice required.

## **Chapter II: Purpose**

- A. Whereas Associated Students supports a democratic, fair, and open electoral process, the purpose of this Election Code is to:
  - 1. Provide equal access to any and all with the inclination, qualification, and dedication to serve.
  - 2. Promote an efficient and high-turnout election that promotes positive response among the student body
  - 3. Prevent foul play that distorts the process of having a free and fair election.
- B. This Election Code establishes the rules governing:
  - 1. The annual campaign and election of AS Executives and Senators
  - 2. College Council participation in campus-wide elections
  - 3. Referendum questions, including fee and review referenda.
  - 4. Special Elections, which may be called by the President.
- C. This Election Code shall not be amended once the filing period has begun in any election. This moratorium shall end when the results of that election are finalized.

### **Chapter III: Election Committee**

- A. The Election Committee (henceforth referred to as “Committee”) shall consist of one undergraduate student representative from each of the undergraduate colleges (henceforth referred to as “College Reps”) and an Elections Manager, who shall chair the Committee.
1. The AS President shall appoint the Elections Manager no later than week three of winter quarter, or at least two weeks before voting begins in any special election.
  2. The College Councils shall appoint the College Reps no later than week three of winter quarter, or at least two weeks before voting begins in any special election.
  3. The Committee shall appoint one of the College Reps to serve as the Committee’s Vice-Chair at the first meeting.
    - i. The Vice-Chair shall perform the duties of the Chair in their absence.
  4. The current AS President shall not be a member of the Election Committee.
  5. No member of the Committee shall be a candidate for elected office nor publicly support/oppose any candidate, slate, or referendum.
    - i. For College Reps, this restriction applies only for the current election.
    - ii. For the Elections Manager, this restriction applies for the entire academic year in which the election occurs.
- B. The Elections Manager:
1. Shall have a payroll categorization of Director II
  2. In their role as Chair of the Committee, shall:
    - i. Solicit appointment of the College Reps from each College Council as necessary
    - ii. Schedule Committee meetings and hearings
    - iii. Vote only in the case of a tie
  3. Shall organize campus-wide publicity for the upcoming election in order to solicit candidates.
    - i. At least two candidate application workshops shall be held during the application period, where interested students can receive assistance and information in filing their candidacy.
  4. Shall inform the student body of relevant information concerning the dates, times, and manner of voting.
  5. Shall assist the Clerk in publishing the complete list of candidates, candidate statements, slates, and referenda for public viewing.
  6. Shall work to increase voter turnout through the publicizing of the election.
  7. Shall work to ensure a fair and streamlined election.
  8. Shall schedule, coordinate, and publicize candidate debates and referenda information forums.
    - i. Including at least one Presidential Debate
    - ii. Including at least one Vice-Presidential Debate
    - iii. Including at least one candidate forum for all positions
  9. Shall work with the Clerk to ensure proper maintenance of all election financial records, complaints, violations, and any other documents pertaining to the election.
  10. Shall enforce and interpret this Election Code
    - i. If a situation arises that is not provided for in this Election Code, the Elections Manager shall rule in a manner that is consistent with the Mission Statement. The Committee may overrule the Elections Manager in this regard by a majority vote.
  11. Shall develop a voter guide that contains the name, photograph, slate, statement of all candidates, and other information the elections manager sees fit for the purpose of candidate and slate outreach.
    - i. The appearance of the candidates shall be divided within positions and the order of the candidates shall be determined through alphabetical order based on the last name of candidate.
- C. The Election Committee shall:
1. Assist the Elections Manager with responsibilities as directed.
  2. Distribute promotional materials campuswide.

3. Work at the main polling location as directed.
  4. Send their schedule of availability, marked with the times that they are free to work at the main polling location and complete duties as a member of the Elections Committee, to the Elections Manager and the Associate Director of Student Governments, Auxiliaries, and Services
- D. Once the Election Committee has formed, only the Judicial Board shall have the authority to remove members of the Committee.
1. The Judicial Board shall remove members if they cannot or have not faithfully performed their duties.
  2. Either the AS Judicial Board or the College Judicial Board may hear the case for removal of a College Rep
- E. The Election Committee shall dissolve when there are no pending complaints and the results of the election have been certified and announced.
1. The Elections Manager's appointment shall end at the discretion of the Senate.

## **Chapter IV: Mechanics**

- A. All current students may cast their votes via TritonLink using any internet-enabled electronic device during the second week of Spring Quarter, beginning at 10 AM on Monday and ending at 4 PM on Friday.
  - 1. The President shall have the authority to designate the days on which the voting period begins and ends in a Special Election. However, the voting period shall last for a minimum of five business days which begin at 10 AM on the first day of voting and conclude at 4 PM on the last day of voting.
- B. The Election Committee shall establish an Official Polling Location with the express purpose and capability of recording votes (e.g. AS Laptops or iPads)
  - 1. The Committee shall determine the specific location and hours of operation for the Official Polling Location(s) and ensure that this information is well-publicized, including on the elections website.
    - i. The Committee may establish more than one Official Polling Location.
    - ii. At the time designated for the close of any Official Polling Location, students already in the process of voting shall be allowed to finish.
    - iii. Once announced, the Committee shall only change the Official Polling Location(s) with good reason, such as extreme weather or campus closure
  - 2. Any individual who has publicly endorsed a candidate, slate, or referendum shall not be permitted to work at any official polling location.
  - 3. Campaigning within 50 feet of any Official Polling Location is prohibited.
    - i. The Committee shall clearly mark this perimeter, e.g. with chalk, tape, or sandwich boards.
    - ii. This restriction shall apply only while the Official Polling Location is in operation, i.e. while the location is staffed by the Committee or their designees.
    - iii. Candidates or those acting on their behalf shall be responsible for knowing the location and hours of the Official Polling Locations in order to comply with this rule.
- C. The Official Ballot for an election may contain referenda, candidates for elected office, or survey questions.
  - 1. Voters shall select at least one option for each question on the ballot, but shall have the option to “Abstain” from voting on any question.
  - 2. Immediately prior to the first question, the ballot shall detail the amounts of the ASUCSD spending limits.
  - 3. Candidates shall appear grouped by office. The order in which the candidates for each position appear shall be randomized for each voter.
  - 4. Next to each candidates’ name shall be an option to view the following:
    - i. Candidate Statement
    - ii. Candidate Photo
    - iii. Slate Affiliation (if applicable)
    - iv. Publication of wrongdoing (if the Committee has sanctioned the candidate in this manner)
- D. College Councils shall have the option to run an election on any Associated Students ballot.
  - 1. Colleges shall meet all deadlines prescribed by the Elections Manager and this Election Code
  - 2. The only voters eligible to vote in a College Election shall be the students thereof.
  - 3. The Elections Manager shall confirm with each college after the close of the filing period that the list of their positions, candidates, slates, and referenda is complete and correct.
    - i. College Councils shall be responsible for notifying the Elections Manager of any changes in the status of their ballot questions, including withdrawals or disqualification
  - 4. College Council candidates that appear on the official ballot shall follow the same online registration process as Associated Students candidates.
- E. Votes shall be recorded and tabulated using the election software.

1. A voter's selections shall not be recorded until the voter has completed the entire ballot
  2. For all elected positions outlined under Article II-A, Section 1 and Article III, Section 2 of the Constitution, voters shall select the box next to the name of the candidate for whom they wish to cast their vote. The number of votes available shall be equal to the number of seats for that position.
    - i. Voters shall have the option to use fewer than the number of available votes or abstain from the question altogether.
    - ii. In tabulating the result of these contests, the winner(s) shall be the candidate(s) with the most votes.
    - iii. In order to be elected, a candidate running for executive office must receive a simple majority (50%+1) of the votes cast for the office in question. If no candidate for executive office receives a simple majority of the votes cast for the office in question, a runoff election will be held between the two (2) candidates with the largest number of votes within one week of the election results. In the case where there are only two (2) candidates and neither receives a simple majority (50%+1), the candidate receiving the largest number of votes shall be declared the winner.
    - iv. If the contest for a position with a single seat results in a first place tie, the Elections Manager shall declare the position vacant and call for a run-off election, which shall adhere to the rules governing special elections in this Election Code
    - v. If the contest for a position which has two available seats (e.g., College Senators, Off-Campus Senators) results in a two-way first place tie, those candidates shall be declared the winners. If the contest results in a tie for second place, then the candidate who received the most votes shall be declared the winner of one seat, and the Elections Manager shall declare the second seat vacant and call for a run-off election.
    - vi. For Campus Wide Senators, in the event of a fifth-place tie, the Elections Manager shall declare the fifth seat vacant and call for a run-off election between the candidates who tied for fifth place. The run-off shall adhere to the rules governing special elections in this Election Code
  3. For fee referenda and review referenda questions, the prevailing option shall be that which receives the greatest number of votes.
    - i. For other referenda questions, the Senate shall interpret and properly apply the results.
  4. College Councils running an election on the Associated Students ballot shall only be able to utilize the plurality voting system in tabulating their ballot questions. The tabulation of votes shall follow the process outlined in this section of the Elections Code.
- F. The election results shall become official upon certification of the results by the Elections Manager
1. The Elections Manager shall sign each page of the election results and deliver these pages to the President.
    - i. The Elections Manager shall wait to certify the election results until the candidates have removed a sufficient portion of their campaign materials.
    - ii. The Elections Manager shall wait to certify the election results until all pending complaints are resolved in accordance with this Election Code
  2. Under no circumstances shall any student learn about the results of the election before the Elections Manager has certified the results
  3. The Committee shall announce the election results immediately following the certification of results in a location determined by the Elections Manager
    - i. Following this announcement, the Elections Manager shall post the results to the elections website.
- G. A Special Election may be called in order to take a vote on any number of referenda questions, as determined by the Senate, for a Recall Election, or in the event that the Elections Manager calls for a run-off election.
1. The President shall have the authority to set the date(s) for any Special Election, but shall call for the election no less than four weeks prior to the first day of voting.



- i. An exception to the four week deadline may be made by the Senate in the case of a run-off
    - ii. The President, in calling for a Special Election, shall notify the Clerk and Senate via email of the purpose and proposed dates of the election.
    - iii. Any special Election may be cancelled by the President with the consent of the Senate.
  2. Special Elections shall be bound by the rules and procedures outlined in this Election Code, unless otherwise noted. This includes the appointment of an Election Committee and Elections Manager
- H. A Recall Election can be called to remove an Executive Officer, Cabinet members, and Senate voting members based on the following policies.
  1. A Recall can be initiated for the following grounds:
    - i. Misuse of funds
    - ii. Unsatisfactory attendance and performance
    - iii. Failure to perform duties and responsibilities
    - iv. Improper or unethical use of position
    - v. Willful violation of the Association's rules, policies, or procedures.
  2. An intent to recall must be filed started by the Recall Committee attempting to remove a member of the Association.
    - i. The intent must include a statement for recall which shall include why the member is being recalled and violations committed by the member being recalled.
    - ii. The member composition and governing structure of the recall committee shall be included in the intent to recall, including a list of members and the chair of the committee.
    - iii. The information must be sent to the Clerk, the Chief Personnel Officer, the member being recalled, the Judicial Board, the Senate, and the President.
    - iv. The statement of intent must be reviewed and approved by the Judicial Board to initiate a recall process and it shall be before the collection of signatures.
  3. To initiate a recall, the Recall Committee shall develop and collect signatures through a petition which includes the statement for recall developed by the committee.
    - i. A Petition for Recall shall signed by a number of students equal to 50% of the undergraduate students that voted in totality in the last regularly scheduled election
    - ii. The petition must have the recall statement
    - iii. The petition must collect the names, last four of students' PIDs, and signatures of students supporting the Recall petition
    - iv. The Signatures shall be collected within two academic weeks of the statement for recall being sent to the appropriate members by the Recall Committee
    - v. The signatures must be submitted to the Clerk. In the event that electronic signatures are collected, the Clerk shall verify that the signatures originated from the signers and have not been altered. Altered signatures shall be null and void.
  4. Once the Recall Committee has filed its intent to recall and the recall petition has been submitted and verified by the Clerk, the policies under Special Election shall be followed for a recall election.
    - i. Except in cases where the President is the member being recalled, the Executive Vice-President shall have the power to call a Special Election, appoint an elections manager, designate the voting period, and any other power provided to the President in calling a special election.
    - ii. The Mechanics of the election shall be the same as that of any other election as stated under Chapter IV of the Election Code
    - iii. The timeline shall be those outlined for special elections under Chapter IV
    - iv. The question on the ballot shall have the statement for recall along with a question asking if the member shall be recalled.

- v. The options shall include Yes and No, and the prevailing option shall be that which receives the greatest number of votes.
- vi. The turnout for the recall election shall be of a number equal to the totality of the campus-wide turnout of the last regularly scheduled election.

## **Chapter V: Participation in the Election**

- A. Students who wish to participate as candidates in an election must register during the filing period
  1. The filing period for the general election shall begin at noon on Monday of the eighth week of winter quarter and end at noon on Thursday of the ninth week. If either of these days is a holiday, the deadline shall be extended by one day.
  2. Prospective candidates shall submit the following documentation:
    - i. An online intent form, which shall collect the prospective candidate's name, desired position, slate affiliation (if applicable), and candidate statement
      - a. Officer candidates may submit statements with up to 1500 non-white space typographical characters
      - b. Senator candidates may submit statements with up to 500 non-white space typographical characters
      - c. College Council candidates (including College Senators) may submit statements with up to 400 non-white space typographical characters
    - ii. A candidate endorsement petition containing the names, the last four digits of students' UC San Diego PID numbers, and signatures of students supporting the candidate endorsement petition shall be submitted, in paper format, to the Clerk, who shall verify that the signatures originated from the signers and have not been altered; any signatures found to have been altered shall be null and void.
      - a. Officer candidates shall collect 150 signatures
      - b. Senator candidates shall collect 50 signatures
      - c. College Council candidates (including College Senators) shall collect and submit signatures in accordance with their governing documents
      - d. Signatures collected or submitted in a digital or electronic format (i.e. Google Forms, Qualtrics, etc) shall not be valid;
        - a. The sole exception to this clause shall be candidates who, upon review by the Clerk, are found to have a valid medical exemption under University policy;
          - i. Review shall not require approval from the UC San Diego Office of Students with Disabilities or any other University entity, with the exception of the Clerk.
    3. Whereas the AS Constitution prohibits a single person from holding more than one voting position, students shall register as candidates for only one position on the Senate
      - i. A person may be a candidate for both an AS position and College Council position, but shall register as a candidate for each position separately
    4. Each candidate for a College Council position shall be responsible for knowing the filing procedure for their college
  - B. At the close of the filing period, only students who meet all of the eligibility requirements for their desired position, articulated in the Constitution, shall move forward as candidates
    1. The Clerk shall verify the eligibility of all prospective candidates at the end of the filing period
    2. The elections Manager shall only enforce the 2.5 GPA requirement for AS Executive Officers beginning on the Wednesday of the first week of spring quarter, i.e., a candidate who does not meet the GPA requirement during winter quarter shall not be considered ineligible until winter quarter grades are reflected in academic history
      - i. The verification of eligibility following the posting of winter quarter grades shall occur no later than Friday of the first week of spring quarter
    3. The Elections Manager shall immediately notify individuals if they are ineligible to be candidates upon which they will be removed from the ballot
  - C. The Committee shall hold a mandatory candidates' meeting on Thursday of the ninth week of winter quarter following the close of the filing period and verification of candidate eligibility

1. The Committee members shall introduce themselves to the candidates at this meeting, and inform the candidates of the administrative and logistical details of the election, including a timeline
  2. Attendance at this meeting shall be mandatory for all candidates. If a candidate is unable to attend the meeting, they shall send a proxy
    - i. No candidate shall serve as a proxy for another candidate, nor shall any person serve as a proxy for more than one candidate
    - ii. Candidates shall identify their proxy in the online intent form
    - iii. Candidates shall be responsible for all of the information provided during this meeting, regardless of whether they attend
  3. AS Graphics Studio will solicit candidates' ballot and voting guide pictures by noon on Thursday of Week 9 or their designee, shall take the candidates' ballot pictures at this meeting
    - i. The Elections Manager shall arrange a makeup photo session for any candidates who must send a proxy to the candidates' meeting
    - ii. Picture retakes shall only occur in the event of technical issues or camera malfunctions at the discretion of the Elections Manager
- D. Candidates who wish to campaign as a group shall register as a slate during the filing period for candidates
1. Either AS candidates or candidates for a particular College Council may form a slate together. No slate shall contain both candidates for AS Senate and College Council, nor candidates for two different College Councils
    - i. No campaign coordination shall occur between candidates who are not affiliated with the same slate
    - ii. Slates shall not provide election support for other slates, nor for unaffiliated candidates. This includes, but is not limited to:
      - a. Inclusion of candidates on a slate's campaign materials who are not affiliated with that slate
      - b. Coordination of campaign events (e.g. tabling or visits to student organization meetings)
      - c. Coordination of slate names, logos, or other marketing materials, including election photos
      - d. Financial support to purchase campaign materials, including the sharing or gifting of materials
  2. The Primary Representative for the Slate (henceforth referred to as the "Primary Rep") shall register the slate on the elections website during the filing period, and in doing so, shall submit the following:
    - i. A slate name, which shall not exceed forty non-white space typographical characters
      - a. The Committee shall review slate names. Should they determine that any slates' names are too similar, that slate which registered first shall have priority
      - b. Per University policy: "A registered campus/student organization shall not use the name of the University of California or abbreviations thereof as part of its name except in accordance with the campus regulations. The geographical designation 'at UCSD' may be used by any campus/student organization as part of its name without obtaining special approval"
    - ii. A slate platform, which shall describe the purpose of the slate and common goals of the candidates who wish to be affiliated
    - iii. A governing structure, which shall describe how disputes within the slate shall be resolved
      - a. If there is an internal dispute on a slate, its affiliates may request that the Committee adjudicate the dispute based on the slate's submitted governing structure

- b. If the governing structure of a slate is contrary to university policies, the Committee shall request that it be changed. The slate may appeal this decision to the Judicial Board
        - c. This Election Code shall supersede slates' governing structure.
      - iv. Contact information for the Primary Rep, who shall be the point of contact for all matters regarding the slate
      - v. The names of all candidates who shall affiliate with the slate. These names must appear exactly the same as each candidate's online intent form
    - 3. Candidates shall designate their slate affiliation in the appropriate field of the online intent form
      - i. Candidates may only join one slate
- E. Candidates shall notify the Elections Manager, the AS Clerk, and the AS Programmer in writing if they intend to withdraw from their slate or the election entirely
  - 1. A candidate's withdrawal shall become effective upon the Elections Manager's receipt of the request
    - i. Withdrawals shall remain in effect for the duration of the election; re-entry into the race or a slate shall not be permitted
  - 2. A candidate may withdraw from the election (i.e. cease to be a candidate) at any time
    - i. Every effort shall be made to remove the withdrawn candidate from the ballot if the voting period has not started. Otherwise, the ballot shall clearly indicate that the candidate has withdrawn
    - ii. Votes received by withdrawn candidates shall not be counted.
  - 3. A candidate may withdraw from a slate (i.e. cease to be affiliated with a slate) until the beginning of the voting period
    - i. The slate shall make a reasonable effort to remove the newly-independent candidate from slate materials
    - ii. Every effort shall be made to change the candidate's affiliation to "Independent" on the ballot
    - iii. If the Committee sanctioned a slate for violations of this Election Code, candidates that withdraw from that slate shall remain under those sanctions (e.g. publication of wrongdoing shall remain by the newly-independent candidates' names on the ballot, or any proscription of slate advertising shall also apply to the newly independent candidates' advertising)

## **Chapter VI: Referenda**

- A. Any referendum question that proposes to establish, increase, reduce, or eliminate any campus-based student fee shall be considered a fee referendum question.
  1. Any fee referendum question shall require approval by a two-thirds vote of the Senate
  2. Within five academic days after the Senate has approved the fee referendum question, the President shall transmit a formal request for approval of the fee referendum to the Chancellor and any other relevant administrators
  3. Once approved, the fee referendum question shall appear in the next election for which it is eligible
    - i. The fee referendum question shall be eligible to appear in a general election if approved by the Senate no later than the end of the filing period for candidates
    - ii. The fee referendum question shall be eligible to appear in a special election if approved by the Senate no later than six weeks before the first day of voting
- B. Any referendum question that proposes a review of some action taken by the Senate shall be considered a review referendum question
  1. Upon submission to the President of a valid review referendum petition (as described in the Constitution), separate questions for each action of the Senate that is being petitioned for review shall be created
    - i. Each question, prior to the description of the action by the Senate, shall read, "Do you approve of the following action of the Associated Students Senate?"
    - ii. Each review referendum question shall be phrased as neutrally as is feasible and shall only refer to a specific action taken by the Senate
    - iii. If the Election Committee unanimously finds that a review referendum does not conform to these rules, they shall provide the drafters of the referendum an opportunity to change its wording (as early as is feasible)
  2. The Senate shall make every effort to include all eligible review referenda on the ballot in the next election for which they are eligible
    - i. A review referendum question shall be eligible to appear in a general election if the President receives the petition before the end of the filing period for candidates
    - ii. A review referendum question shall be eligible to appear in a special election if the President receives the petition at least two weeks before the first day of voting in that special election
    - iii. If a review referendum question is not eligible to appear in an election within the time frame required by the Constitution, the President shall call for a special election to take place within that time frame and in such a manner that the Review Referendum Question shall be eligible to appear in the special election
  3. Every member of the ASUCSD shall be eligible to vote on review referenda
- C. Other referendum questions are those that are neither fee referenda nor review referenda
  1. Other referenda shall be approved by a majority vote of the Senate
    - i. The Senate shall approve the options that will be available for voters to select as well as the number of options voters may select
  2. Once approved, the referendum question shall appear in the next election for which it is eligible
    - i. The referendum question shall be eligible to appear in a general election if approved by the Senate no later than the end of the filing period for candidates
    - ii. The referendum question shall be eligible to appear in a special election if approved by the Senate no later than two weeks before the first day of voting
  3. These referenda shall be non-binding on the Senate
  4. Every member of the ASUCSD shall be eligible to vote on these referenda
- D. Referenda shall appear after any candidates for elected office on the official ballot

1. For each fee or review referendum question, only the options “yes,” “no,” and “abstain” shall appear after the language of the referendum (approved by the Senate). Voters shall select exactly one of these three options
    - i. For other referendum questions, the options approved by the Senate shall appear after the language of the referendum. The number of these options that a voter may select shall be determined by the Senate
  2. Pro and Con statements for each fee or review referendum question shall be presented to voters. These statements shall not exceed 1500 non-white space typographical characters. Rebuttal statements of up to 500 characters shall also be presented to voters
    - i. For other referendum questions, the President shall determine whether Pro and Con statements ought to appear on the ballot
    - ii. When there are multiple interested parties, the Elections Manager shall select the authors of the Pro and Con statements based on the following criteria:
      - a. The sincerity of the statement provided by the individual or group in supporting or opposing the referendum
      - b. Undergraduate representatives on committees that are proposing the referendum shall have priority in writing the pro or con statement
      - c. Sponsors or opponents of the legislation to approve the referendum within the AS Senate shall have the second highest priority
      - d. Student organizations that will experience direct financial effects of the referendum shall have the third highest priority
      - e. Groups of interested undergraduate students shall have the fourth highest priority, followed by individual students
    - iii. With good cause, the Committee may override the Elections Manager’s choice of authors for the Pro and Con statements
  3. A vote in any fee or review referendum shall not be recorded until the voter completes the entire voting process
- E. Funds allocated by ASUCSD or the University shall only be spent in a neutral manner, such as to provide educational information that includes both sides of the issue
1. The Election Committee shall approve any allocation of funds by ASUCSD or the University for a referendum. The deadline to receive this approval shall coincide with the deadline for including the referendum in the upcoming election
  2. If ASUCSD or the University wishes to allocate funds to both the Pro and Con campaigns, the amount allocated to each campaign shall be equal in order to maintain neutrality. Both campaigns shall be notified of the available funding at the same time

## **Chapter VII: Finance Rules**

- A. University- or ASUCSD-allocated funds shall not be used to support or oppose a campaign
  - 1. Editorials (both print and digital) funded by ASUCSD or the University shall be exempt from this rule
- B. Candidates and slates may only accept monetary donations from current UCSD undergraduate students and the personal funds of a candidate's immediate family.
  - 1. Donations from a non-candidate student to a slate or independent candidate shall not exceed \$10
    - i. Once a non-candidate student has donated the maximum amount to a slate or slate-affiliated candidate, no further donations from that student to that slate shall be permitted. However, that student may donate to unaffiliated candidates or a different slate up to the limit
  - 2. Independent candidates shall accept no more than \$1150 in donations
  - 3. Slates shall accept no more than \$2300 in donations. Both donations to an entire slate and to individual candidates on that slate shall count towards the slate's limit
  - 4. Candidates may supplement any received donations with their own personal funds, but the sum of these amounts shall not exceed the applicable donation limit
- C. Campaign expenditures shall not exceed the amount of the donation limit
  - 1. For independent candidates, expenditures shall not exceed \$1150
  - 2. For slates, expenditures shall not exceed \$2300. Any expenditure by a specific candidate on a slate shall count towards that slate's spending limit
- D. Each slate or independent/unaffiliated candidate shall meticulously compose a Campaign Finance Report (henceforth referred to as "Report")
  - 1. The Committee shall designate a specific format for the Report and provide each campaign with a template
    - i. The Report shall document all campaign cash flow, including monetary donations from students and candidates' immediate family, contributions from the candidates themselves, and any expenditures (on materials, supplies, promotions, etc.)
    - ii. The Report shall reflect all items or services that were donated to the campaign. The fair market value of donations shall be recorded and applied to the campaign's spending limit
  - 2. Campaigns shall submit their Report to the Elections Manager no less than five times during the campaign period
    - i. The first Report shall be submitted at the beginning of the campaign period
    - ii. Subsequent Reports shall be submitted no more than 72 hours apart
    - iii. A final Report shall be submitted no later than 12 PM on the last day of the voting period
  - 3. The Elections Manager shall post all Campaign Finance Reports to the Elections website within 48 hours of receiving them
  - 4. In submitting their Report to the Elections Manager, campaigns shall take the following steps:
    - i. Create a publicly-accessible folder with the title "[Slate or Candidate Name] - Finance Reports"
    - ii. Save a copy of the Report template (provided by the Committee) in the folder with the title "[Slate or Candidate Name] - Finance Report (live)"
    - iii. Complete the Report as required
    - iv. Upload all receipts and invoices to the folder, as well as a sample of each item used in the campaign (pictures shall be accepted only if they are clear)
    - v. Save a non-editable version of the report with the title "[Slate or Candidate Name] - Finance Report 1"
    - vi. Share the entire folder with the Elections Manager before the beginning of the campaign period
    - vii. Throughout the campaign and voting period, continue to update the "live" version of the Report and upload receipts, invoices, and samples to the folder



- viii. No more than 72 hours after first sharing the folder, create a new non-editable version of the report with the title “[Slate or Candidate Name] - Finance Report 2” (there is no need to share the new non-editable with the Elections Manager if they already have access to the folder)
- ix. Continue to update the Report and upload items as necessary, generating a new non-editable version of the Report every 72 hours for the duration of the campaign and voting period
- x. No later than 12 PM on the last day of voting, create a final non-editable version of the Report, titled “[Slate or Candidate Name] - Finance Report FINAL”
- xi. Notify the Elections Manager that the final Report is available in the folder

## **Chapter VIII: Campaign Conduct**

- A. Under no circumstances shall a candidate (or individual acting on their behalf) campaign outside of the campaign period
  - 1. For the general election, the campaign period shall commence at 4 PM on the Sunday before spring quarter instruction begins. The end of the campaign period shall coincide with the end of the voting period (4 PM on the Friday of week two in spring)
    - i. For special elections, the campaign period shall commence as determined by the President, but no later than 4 PM on the day before the voting period begins. The end of the campaign period shall coincide with the end of the voting period
  - 2. Any action that is undertaken in order to positively or negatively influence the decision of a prospective voter shall be considered “campaigning.” This includes online and interpersonal interactions, posting of physical or digital materials, and distribution of materials
    - i. “Campaigning” shall not include recruitment of individuals to run for office nor writing of candidate statements and slate platforms
    - ii. Independent candidates and slates shall be permitted to create campaign accounts prior to the start of the campaign period, but may not create posts, stories, or share content in any way that positively or negatively influences the decision of prospective voters
      - 1. Prior to the start of the campaign period, independent candidates and slates may create social media accounts with a username/handle and name
      - 2. Following the campaign period, all social media accounts created for the campaigns of independent candidates and slates must delete all campaign posts and content; failure to do so may result in removal from office and/or limitations or prohibition from future campaigns, as determined by the Judicial Board
      - 3. All social media campaign accounts shall be required to follow the campaign conduct guidelines outlined in the Election Code
    - iii. Fundraising shall be permitted outside of the campaign period so long as it does not actively promote or oppose any candidate, slate, or referendum
- B. The use of ASUCSD offices, services, enterprises, physical resources, equipment, or title to campaign shall be prohibited
  - 1. Individuals with a position on ASUCSD may be impeached for violating this rule or for helping a candidate/slate violate this rule
  - 2. AS Members who are candidates may state their office title when describing personal experience
  - 3. Under no circumstances shall a member of ASUCSD use their office title to endorse a candidate, slate, or referendum
  - 4. Under no circumstances shall an ASUCSD Social Media page repost any campaign materials for any independent candidate or slate
- C. Candidates, slates, and those acting on their behalf shall act in a manner that is consistent with the Purpose of this election code
  - 1. Under no circumstances shall a campaign deface, move, or remove the materials of another candidate, slate, or campus organization (unless they have been so authorized by the owner of the materials or the Elections Manager)
  - 2. Under no circumstances shall a campaign make deliberately false and malicious statements or advertisements about another candidate or slate
  - 3. Under no circumstances shall a campaign tamper with the tabulation of votes.
  - 4. Under no circumstances shall individuals campaign within a fifty foot radius of any Official Polling Location
    - i. Amplified sound shall not be permitted within one hundred fifty feet
    - ii. Clothing or accessories created for the purpose of a campaign may be worn within this radius as long as the behavior cannot be perceived as campaigning

- iii. Any posters already in place within the radius shall be removed as determined by the Elections Manager
  5. Unsolicited campaigning, or Dormstorming, shall not be permitted in the residence halls or on-campus apartments, regardless of any approval given by residence advisors or university staff. This shall not apply to Committee efforts
  6. Campaigning by nonneutral parties shall not occur in any classroom or lab, including writing on chalkboards
    - i. This rule shall not apply during student organization meetings
    - ii. Clothing or accessories created for the purpose of a campaign may be worn inside of classrooms as long as the behavior cannot be perceived as campaigning
- D. The Elections Manager shall approve all of the promotional materials used by candidates or slates in their campaigns
  1. It shall be the responsibility of the candidate/slate to seek approval from the Elections Manager before posting, wearing, or distributing any campaign materials
  2. Only accurate information about the mechanics of the election shall be included on campaign materials
  3. All campaign materials shall include a clearly discernible variation of the phrase “Vote on TritonLink” with the dates of voting
  4. Candidates/slates shall be responsible for following applicable university posting policies, and shall be held to account by the University and the Elections Committee for any violation of these rules
  5. Candidates/slates shall not purchase nor distribute disposable plastic water bottles or styrofoam products
  6. Per University policy: “The name, insignia, seal, or address of the University may not be used in any manner, political or otherwise, which implies that the University supports or agrees with any of the activities, position, purposes, ideals, or goals of any individuals, groups, or organizations acting within these regulations”
- E. Slates shall adhere to all Campaign Conduct Rules for individual candidates. Additionally, under no circumstances shall a slate or individual candidate provide election support for another slate or individual candidate
  1. “Election support” may include—but is not limited to—coordinating campaign events; partnering on logos, campaign photos, or other promotional material; financial support; or including the name of another slate or unaffiliated candidate on slate materials
  2. Slates and individual candidates shall not share or repost any social media posts from another slate or individual candidate on their campaign social media accounts
- F. Candidates and slates in ASUCSD elections can receive and seek endorsements from individuals and registered student organizations. The following are the regulations for endorsements:
  1. The candidate or slate is responsible for informing and wait for the approval of the Elections Manager when they receive an endorsement
    - i. The document informing the Elections Manager about an endorsement must include the name of the candidate(s) or slate being endorsed, name of the person or student organization providing the endorsement, the contact information for the candidate or slates primary rep and person or student organization providing the endorsement, an agreement to uphold the election code, and signature for the candidate or slates primary rep and person/student organization representative providing the endorsement
  2. The Elections manager must complete the Endorsement Verification Process before an endorsement can be publicly announced
  3. Falsification of an Endorsement must be reported and follow the sections of Chapter IX of the Election Code.
    - i. If a candidate(s) or slate is found to have violated Chapter VIII section 8 of the election code by the process outlined in Chapter IX. In that case, the violation should be

considered a more serious violation that may alter the outcome of the election, either directly or indirectly.

## **Chapter IX: Enforcement**

- A. Any member of the ASUCSD may report a violation of this Elections Code by use of the Election Complaint form on the elections website
  1. The form shall collect the following information from the complainant:
    - i. Contact information (for updates about the complaint; not to be made public)
    - ii. The specific line of this Election Code that was violated
    - iii. The name of the accused (either a candidate, slate, or member of an Election Committee/Judicial Board)
    - iv. The logistical information (time, date, location) regarding the alleged violation
    - v. A detailed description of the alleged violation
    - vi. Any relevant evidence of the violation
  2. If any part of this form is incomplete, the Committee shall not consider the complaint
  3. The Committee shall only consider complaints that are filed within forty-eight hours of when evidence of a violation emerged
    - i. A unanimous consensus of the Committee may overturn this rule
  4. In the event that a complaint is filed against a member of the Committee, it shall be forwarded to the AS Judicial Board for processing (i.e. the Election Committee shall not consider the complaint, and the procedures outlined in the rest of this Chapter shall no longer apply)
- B. The Election Committee shall have the authority to investigate alleged violations of this Elections Code
  1. The Committee shall post the status of all Complaints on the complaint webpage (part of the elections website)
  2. Upon receipt of an Election Complaint, the Committee shall notify the accused party
  3. The Committee shall investigate the complaint, and in doing so, determine whether there is evidence of a violation
    - i. The Committee may actively seek additional evidence to support a case against the accused
    - ii. Upon completing its investigation, the Committee shall conclude, based on the evidence gathered, whether or not it was likely that a violation occurred
  4. If the Committee concludes that a violation likely did not occur, it shall notify both the complainant and the accused, and the complaint shall be redacted from the complaint webpage
  5. If the Committee concludes that a violation likely did occur, it shall either:
    - i. Issue a warning to the accused (in the case of minor violations), and indicate on the complaint webpage that a warning has been issued
    - ii. Hold a hearing for the accused to argue in their defense, and indicate on the complaint webpage that a hearing has been scheduled
- C. The Election Committee shall have the authority to issue sanctions against parties that have violated this Election Code, but only after holding a hearing
  1. The Election Committee shall publicly announce (e.g. on the elections website) hearing times at the beginning of the campaign period, including at least four separate days during Weeks 1 and 2 of Spring Quarter
  2. The Election Committee shall serve as the petitioner in any hearings and the candidate that allegedly violated the code shall serve as the respondent
    - i. For allegations against slates, the primary slate rep, or their designee, shall serve as the respondent
    - ii. The Elections Manager shall serve as the chair of the committee during the hearing, or they may designate another member of the committee to do so
    - iii. No candidate or slate shall serve as the petitioner in any election hearing
    - iv. If the respondent is unable to attend the hearing, they may send a designee. However, this designee shall not be a member of any Judicial Board
  3. The hearing shall proceed as follows:

- i. The Committee Chair shall introduce the case, i.e. present the information submitted on the complaint form and any additional evidence gathered (<2 minutes)
  - ii. The respondent shall state whether or not they contest the allegation, and provide a statement (<5 minutes). The respondent need not make a statement if they do not wish to contest the allegation
  - iii. Members of the Election Committee may ask questions of the respondent and the complainant, if present (<20 minutes)
  - iv. The Chair shall adjourn the hearing, and the Committee will enter closed-door deliberations in order to determine whether a violation occurred (<45 minutes)
4. If the Committee determines that a violation did occur, it shall issue appropriate sanctions against the offending party, which are outlined in Section E of this chapter of the Election Code
  5. If the Committee determines that a violation did not occur, it shall redact the complaint from the complaint webpage

D. The AS Judicial Board shall hear appeals of Election Committee rulings

1. The Judicial Board shall publicly announce (e.g. on the elections website) appellate hearing times at the beginning of the campaign period, including at least four separate days during Weeks 1 and 2 of Spring Quarter
2. In the event that a Judicial Board member is a candidate in the election, or affiliated with a slate or campaign in any way, they shall recuse themselves for the purpose of these appellate hearings
  - i. Those members of the Judicial Board who are not candidates nor affiliated with a slate shall vote to appoint a replacement for any recused members
3. Appeals shall be considered by the Judicial Board only after the Committee has issued a ruling on the case.
4. Appeals shall only be granted in the following circumstances:
  - i. The sanctions imposed by the Committee are unwarranted or extreme, in which case the Judicial Board shall have the authority to modify these sanctions.
  - ii. There is evidence of partiality on behalf of the Committee (e.g. a member has offered public support to a slate/candidate), in which case the Judicial Board shall have the authority to modify the Committee's decision in the case.
5. The Judicial Board shall have access to all evidence and documentation regarding the case in deciding whether to grant an appeal.
  - i. No new evidence shall be submitted in an appeal. In the event that new evidence does arise, a new complaint, including all new and old evidence, shall be required.
6. Appellate hearings shall adhere to the AS Judicial Board Rules and Procedures.

E. The Elections Committee shall utilize the following guide in imposing sanctions on parties found to have violated this Election Code.

1. Minor violations may include violations that do not alter the outcome of the election. The Committee shall consider the following sanctions for minor violations:
  - i. An Official Warning, to appear on the complaint webpage
  - ii. A Public Apology, in which the party commits to altering the offending behavior
2. More serious violations may alter the outcome of the election, either directly or indirectly. The Committee shall consider the following sanctions for such violations:
  - i. Digital Publication of Wrongdoing, in which a description of the violation shall appear on the ballot next to the offending party's candidate picture(s)
  - ii. Campaign Spending Limit Restriction; in the case of campaign finance violations, the Committee may limit the campaign's spending limit as they see fit
  - iii. Proscribed Advertising of a specified nature and/or in specific domains.
  - iv. Revocation of Time or Location Privileges specifies locations or times in which a candidate or slate cannot campaign
  - v. Disqualification in the event of egregious foul play. Disqualification may only be applied to an entire slate if there is evidence that all members of the slate encouraged the conduct violation in question or knowingly allowed it to happen. If a candidate or slate repeatedly

or willfully defies the rulings of the Judicial Board, the Appeals Board, and the Election Committee, disqualification shall be considered.