

TITLE IX
Election Code

Chapter 1. General Elections

§1.1. Election Manager

- (a) The President shall appoint the Election Manager with the consent of the Council no later than third week of Winter Quarter to a term that expires when the new Council takes office.
- (b) Once the Election Manager has been appointed, only the Judicial Board shall have the authority to remove the Election Manager. The Judicial Board shall remove the Election Manager if the Election Manager cannot or has not faithfully performed the duties of the office.
- (c) The Election Manager shall not be a candidate for elected office or publicly support or oppose any candidate, slate or referendum in that year's election.
- (d) Responsibilities
 - (1) Publicize the upcoming election in order to solicit candidates, inform the ASUCSD of relevant information concerning the dates, times, and locations of voting, and increase voter turnout to the maximum number possible.
 - (2) Secure the college representatives to the Election Committee from the College Councils.
 - (3) Publish the complete list of candidates and referenda for public viewing.
 - (4) Publicize and advertise any fee referenda on the ballot and increase voter turnout to the maximum number possible.
 - (5) Schedule, coordinate and publicize candidate debates, speeches and forums, including at least one Presidential debate.
 - (6) Solicit and appoint poll workers.
 - (7) Work with the Clerk to ensure the proper maintenance of all election financial records, complaints, violations and other documents pertaining to the election.
 - (8) Ensure the overall success of the election.
 - (9) If a situation arises that is not provided for in the election rules, the Election Manager has broad authority to make any decision that is consistent with the spirit of the election rules. The Election Committee may overrule the Election Manager in this regard with good cause.
 - (10) Any other duty or responsibility assigned to the Election Manager by the election rules.

§1.2. Election Committee

(a) Membership

- (1) The Election Manager will serve as chair of the committee.
- (2) One student appointed by the Vice-President Student Life with the consent of the Council by fourth week of Winter Quarter.
- (3) One student appointed by each College Council by fourth week of Winter Quarter. If a College Council does not appoint their representative by the deadline, the Election Manager shall appoint a student from that college.
- (4) The Election Manager shall appoint an Assistant Election Manager to serve in the absence of the Election Manager. Only members of the Election Committee are

eligible to serve as the Assistant Election Manager. The Assistant Election Manager shall serve as vice-chair of the committee.

- (5) The members of the Election Committee shall not be candidates for elected offices or publicly support or oppose any candidate, slate or referendum in that year's election.
 - (6) The Election Committee shall dissolve when the new Council takes office.
 - (7) Once the members of the Election Committee have been appointed, only the Judicial Board shall have the authority to remove any of the members. The Judicial Board shall remove members of the Election Committee if they cannot or have not faithfully performed their duties.
 - (8) The President shall not be a member of the Election Committee.
- (b) Responsibilities
- (1) Assist the Election Manager with the planning and execution of the election.
 - (2) Any other duty or responsibility assigned to the Election Committee by the election rules.

§1.3. Filing for Candidacy

- (a) Filing Period. The filing period for candidates shall begin at noon on Monday of seventh week Winter Quarter and end at noon on Wednesday of ninth week Winter Quarter. If either of these days are a holiday, the deadline shall be the next business day at noon.
- (b) Eligibility. A candidate must meet the eligibility requirements articulated in the Constitution for that office in order to be a candidate in the election. The Clerk will verify eligibility of all candidates twice: once at the end of the filing period and once the week before voting begins. If a candidate is found to be ineligible for office, that person will be immediately so notified by the Election Manager.
- (c) Single Office Restriction. Because the Constitution requires that no person may hold more than one voting position, no person is permitted to file for candidacy for more than one voting position on the Council.
- (d) Candidate Forms. Candidates must submit the forms listed below in this subsection by the end of the filing period. Candidates may not falsify any information on the forms.
 - (1) Candidate Intent Form
 - (a) The intent form must include a signed statement that the candidate will adhere to the election rules and any information provided in the mandatory candidates meeting. The Election Manager may waive this requirement with good cause, including but not limited to if the individual is abroad; however, even if the Election Manager waives the requirement, the candidate shall still be bound by the election rules and any information provided in the mandatory candidates meeting.
 - (2) Voluntary Spending Limit Contract
 - (3) Candidate Endorsement Petition. Candidates for an Officer position must collect 150 signatures of members of the ASUCSD. Candidates for Senator positions are not required to collect signatures.
 - (a) To be considered valid, a signature on the petition must contain a printed name, signature, and last four digits of the student's UCSD PID number.
 - (b) The Clerk will validate the petition, and if after validation a candidate does not have enough signatures, the Election Committee may disqualify the candidate.

- (4) Candidate Statement
 - (a) The candidate statement should be submitted online at <http://as.ucsd.edu/elections/statements> by noon on Friday of eighth week.
 - (b) Candidates for Officer positions are allowed up to 1500 non-white space typographical characters and candidates for Senator positions are allowed up to 500 non-white space typographical characters.
- (5) Candidate Affiliation
 - (a) The candidate affiliation may be submitted online at the Associated Students website. If a candidate does not submit a candidate affiliation, the candidate affiliation shall be the slate name of the candidate, unless the candidate is not on a slate, in which case the candidate affiliation shall read "Independent."
 - (b) Candidate affiliation shall be a maximum of 40 non-white space typographical characters; any additional characters shall be truncated.
- (e) Withdrawal as a Candidate. A candidate may withdraw from the election by informing the Election Manager and the Clerk in writing. If a candidate withdraws from the election, none of the votes the candidate receives will be counted towards the candidate and every effort will be made to remove the candidate's name from the ballot.
- (f) Slates, Slate Authorization Form, Withdrawal from a Slate
 - (1) If two candidates for ASUCSD offices wish to run a joint campaign or run under a common group name, they must properly file a Slate Authorization Form.
 - (2) Each member of the slate is accountable for the actions, conduct, and expenditures of any member of the slate and the slate as a whole.
 - (3) The first person listed on the Slate Authorization Form shall be considered the authorized representative of the slate and empowered to act on behalf of the slate.
 - (4) A candidate may withdraw from a slate without withdrawing from the election until the end of the filing period by informing the Election Manager and the Clerk.
- (g) Mandatory Candidates Meeting
 - (1) A meeting of all the candidates shall be held ninth week of Winter Quarter after the end of the filing period and conducted by the Election Manager.
 - (2) The meeting is mandatory for all candidates to attend and candidates are responsible for all information given during the meeting. If a candidate is unable to attend the meeting, the candidate must have a proxy attend in the candidate's place. A person may serve as a proxy for only one candidate.
 - (3) During the meeting, the candidates will be introduced to the Election Committee, and informed of the administrative and logistical details of the election, including the election calendar.
 - (4) The order in which the candidates will appear on the ballot will be decided during this meeting by a random alphabetical selection process.
 - (5) Pictures for the ballot of the candidates will be taken at the meeting. If a candidate is not present, they may have their picture taken in a location determined by the Election Manager by a deadline determined by the Election Manager to have it appear on the ballot.

§1.4. Campaign Procedures for Candidates

- (a) Conduct of the Campaign for Candidates
 - (1) The campaign period for candidates begins at the conclusion of the Mandatory Candidates Meeting ninth week of Winter Quarter and ends when the polls close

on the final day of voting. Candidates and any person acting on behalf of a candidate may only campaign during the campaign period.

- (2) All campaign materials must include the clearly discernable phrase “VOTE AT TRITONLINK.”
 - (3) Candidates or someone acting on behalf of any candidate may not willfully destroy, deface, move, or remove from their places posters, signs, flyers, banners, or campaign materials of any other candidate or slate.
 - (4) False information may not be written on any campaign material.
 - (5) Candidates or someone acting on behalf of a candidate may not libel or slander another candidate.
 - (6) Candidates or someone acting on behalf of a candidate may not tamper with or improperly influence the distribution, collection, tabulation, or storage of the election ballots.
 - (7) There shall be no campaigning within 50 feet of official polling locations as measured by the Election Manager when voting is taking place. Notwithstanding, wearing clothing or accessories that advertise any candidate or slate while walking by the polls is permitted so long as the individual does not loiter.
 - (8) Use of equipment that amplifies sound is prohibited within 150 feet of official polling locations when voting is taking place.
 - (9) Use of ASUCSD offices, services, enterprises or equipment to campaign is prohibited.
 - (10) Campaigning in any classroom or lab is prohibited except during student organization meetings. Notwithstanding, wearing clothing or accessories that advertise any candidate or slate in classrooms or labs is permitted.
 - (11) Candidates and any person acting on behalf of a candidate must abide by any decision, order, or penalty of the Election Committee while campaigning.
- (b) Campaign Finance Rules for Candidates
- (1) No University or ASUCSD allocated funds may be used in support of or against a candidate or slate, except that this restriction does not apply to any print or electronic media editorial funded by ASUCSD allocated funds.
 - (2) Campaign contributions may not be accepted from any source not affiliated with UCSD, with the exception of the personal funds of the immediate family of a candidate.
- (3) Voluntary Spending Limits
- (a) Candidates Not on Slates. If any candidate has accepted voluntary spending limits and is not on a slate, the candidate may not spend more than \$500 if running for an Officer position or \$200 if running for Senator. Each candidate not on a slate that accepts voluntary spending limits must submit a campaign financial report as described below to the Clerk.
 - (b) Candidates on Slates. If any candidate on a slate accepts voluntary spending limits, the slate and all candidates on it are bound by the voluntary spending limits. In this case, the total expenditures for the slate may not exceed the sum of \$250 for every candidate running for an Officer position on the slate plus \$100 for every Senator running on the slate. A slate must file a campaign financial report as described below with the Clerk for the whole slate.

- (c) Campaign Financial Report. This subsection shall only apply if the candidate or slate has accepted voluntary spending limits.
 - (1) Prior to distribution of any campaign material except clothing, an original receipt, one sample of each piece of all campaign materials produced, and an itemized Campaign Expense Record form must be submitted.
 - (2) Prior to being worn by any person to campaign, an original receipt for all clothing produced and an itemized Campaign Expense Record must be submitted.
 - (3) All items used in the campaign must be included in the itemized Campaign Expense Record. The use of residences, personal phone, staples, staple guns, tape, and tacks are exempt from this requirement and do not have to be reported.
 - (4) The fair market estimated value of donated items, supplies, or services by a person other than a candidate must be itemized on the Campaign Expense Record, and this fair market estimated value shall be applied against the voluntary spending limits as if it were an expenditure. The Election Manager will determine the fair market value.

§1.5. Mechanics of the Election

- (a) Voting Period. Voting shall begin at 10am Monday of second week Spring Quarter and continue through 4pm on Friday of second week Spring Quarter.
- (b) Manner of Voting. Voters shall cast their vote on TritonLink.
- (c) Official Ballot. Both referenda questions and candidate elections for office may appear in a general election. The ballot rules regarding elections for office appear below in this subsection. The ballot rules for referenda appear elsewhere in the election rules.
 - (1) Immediately prior to the first candidate, the ballot should detail what it means to accept or decline voluntary spending limits, including the amounts of the spending limits.
 - (2) Candidates shall appear grouped by office in the order assigned at the Mandatory Candidates meeting.
 - (3) Next to each candidate's name, the following shall appear:
 - (a) A hyperlink to a new window with the Candidate Statement;
 - (b) Candidate Affiliation;
 - (c) The phrase "Accepted Voluntary Spending Limits" if the candidate has accepted voluntary spending limits or the phrase "Declined Voluntary Spending Limits" if the candidate has declined voluntary spending limits; and
 - (d) Candidate picture if available.
 - (4) For the Academic Division Senators and the Officers
 - (a) Voters shall rank the candidates for an office. The number of ranks available to the voter will be equal to the number of candidates running for that office. A voter does not have to use all of the ranks. A voter's candidate selections are not recorded until the voter completes the entire voting process.
 - (b) In the case of a single person election, the number of ranks available to the voters will be equal to two, thereby allowing the voter to mark 'abstain.'
 - (5) For All-Campus Senators and College Senators
 - (a) To vote for a candidate, voters should select the checkbox next to the name of the candidate. The number of candidates a voter may cast a vote for in a race

is equal to the number of seats in that race. A voter's candidate selections are not recorded until the voter completes the entire voting process.

(d) Polls

- (1) The Election Manager shall determine the official polling locations and hours of operation. These official polling locations and hours of operation shall be well publicized by the Election Committee. Once decided, the official polling locations and hours of operation may not be changed except with good reason.
- (2) The official polling locations shall contain several laptops for voters to use to cast their vote. However, voters do not have to go to the official polling locations to cast a vote; they may use any internet-enabled computer to cast their vote at any time during the voting period.
- (3) A 50 foot area around the official polling locations will be clearly marked by the Election Manager.
- (4) At the time designated for the close of the official polling locations, those already in the process of voting shall be allowed to complete the voting process.

Chapter 2. Special Elections

§2.1. Calling of a Special Election

- (a) The President has the authority to call a special election and set the dates for the election.
- (b) The President may call a special election by delivering a call letter in writing to the Clerk and to the Council at least four weeks before the first day of voting. This call letter must include the following:
 - (1) the dates voting will take place; and
 - (2) the primary purpose for which the special election is being called.
- (c) Once a special election has been called, the President may cancel the election with the consent of the Council.

§2.2. Special Election Manager

- (a) The President shall appoint the Special Election Manager with the consent of the Council no later than three weeks prior to the first day of voting of the special election to a term that expires when the results of the special election are certified and when there are no pending grievances. However, if an Election Manager for the general election has already been appointed, that person may serve as the Special Election Manager at the President's discretion.
- (b) Once the Special Election Manager has been appointed, only the Judicial Board shall have the authority to remove the Special Election Manager. The Judicial Board shall remove the Special Election Manager if the Special Election Manager cannot or has not faithfully performed the duties of the office.
- (c) The Special Election Manager shall not publicly support or oppose any referendum in that special election.
- (d) The Special Election Manager shall have all applicable powers, responsibilities, and restrictions of an Election Manager as described in these election rules.

§2.3. Special Election Committee

(a) Membership

- (1) The Special Election Manager will serve as chair of the committee.

- (2) One student appointed by the Vice-President Student Life with the consent of the Council at least one week before the first day of voting in the special election.
- (3) One student appointed by each College Council at least one week before the first day of voting in the special election. If a College Council does not appoint their representative by the deadline, the Special Election Manager shall appoint the student from that college.
- (4) The Special Election Manager shall appoint an Assistant Special Election Manager to serve in the absence of the Special Election Manager. Only members of the Special Election Committee are eligible to serve as the Assistant Special Election Manager. The Assistant Special Election Manager shall serve as vice-chair of the committee.
- (5) The members of the Special Election Committee shall not publicly support or oppose any referendum in that special election.
- (6) The Special Election Committee shall dissolve when the results of the Special Election have been certified and there are no pending grievances.
- (7) Once the members of the Special Election Committee have been appointed, only the Judicial Board shall have the authority to remove any of the members. The Judicial Board shall remove members of the Special Election Committee if they cannot or have not faithfully performed their duties.
- (8) The President shall not be a member of the Special Election Committee.
- (b) The Special Election Committee shall have all applicable powers, responsibilities, and restrictions of an Election Committee as described in these election rules.

§2.4. Mechanics of the Election

- (a) Voting Period. Voting shall begin at 10am on the first day of voting as set by the President and continue through 4pm on the last day of voting as set by the President.
- (b) Manner of Voting. Voters shall cast their vote on TritonLink.
- (c) Official Ballot. Only referenda questions may appear in a special election. The ballot rules regarding referenda appear elsewhere in these election rules.
- (d) Polls
 - (1) The Special Election Manager shall determine the official polling locations and hours of operation. These official polling locations and hours of operation shall be well publicized by the Special Election Committee. Once decided, the official polling locations and hours of operation may not be changed except with good reason such as inclement weather.
 - (2) The official polling locations shall contain several laptops for voters to use to cast their vote. However, voters do not have to go to the official polling locations to cast a vote; they may use any internet-enabled computer to cast their vote at any time during the voting period.
 - (3) A 50 foot area around the official polling locations will be clearly marked by the Special Election Manager.
 - (4) At the time designated for the close of the official polling locations, those already in the process of voting shall be allowed to complete the voting process.

Chapter 3. Referenda in a General or Special Election

§3.1. Reference to Election Managers and Election Committees

- (a) In this chapter, any reference to an Election Manager is defined as the Election Manager if the context is a general election; likewise, Election Manager is defined as the Special Election Manager if the context is a special election.
- (b) In this chapter, any reference to an Election Committee is defined as the Election Committee if the context is a general election; likewise, Election Committee is defined as the Special Election Committee if the context is a special election.

§3.2. Approval and Eligibility of Referenda for an Election

(a) Fee Referenda

- (1) Any referendum question that proposes to establish, increase, reduce, or eliminate any campus-based student fee is considered a fee referendum question and must be approved by a two-thirds vote of the Council. Once approved, the fee referendum question will appear in the next election in which it is eligible.
- (2) Within five academic days after the fee referendum question has been approved by the Council, the President shall transmit a formal request for approval of the fee referendum to the administration. If the fee referendum is disapproved by the administration, the Council may, by a majority vote, remove the fee referendum question from the ballot.
- (3) A fee referendum question is eligible to appear in a general election if it approved by the Council no later than the end of the filing period for candidates.
- (4) A fee referendum question is eligible to appear in a special election if it is approved by the Council no later than six weeks before the first day of voting.

(b) Review Referendum Petitions

- (1) Upon submission to the President a valid review referendum petition as described in the Constitution, separate referendum questions for each action of the Council petitioned for review shall appear in the next election in which it is eligible.
- (2) A review referendum question is eligible to appear in a general election if the review referendum petition is submitted to the President before the end of the filing period for candidates.
- (3) A review referendum question is eligible to appear in a special election if the review referendum petition is submitted to the President at least two weeks before the first day of voting.
- (4) If the review referendum question is not eligible to appear in an election within the timeframe required by the Constitution, the President must call a special election to take place within the timeframe required by the Constitution and in which the review referendum question would be eligible.
- (5) Every member of the ASUCSD is eligible to vote in review referendum questions.

(c) Other Referenda

- (1) Any referendum question that is neither a fee referendum question nor a review referendum question must be approved by a majority vote of the Council. Once approved, the referendum question will appear in the next election in which it is eligible.
- (2) The Council must approve the options that will be available for voters to select when voting and how many of those options a voter may select in the referendum question.
- (3) The referendum question is eligible to appear in a general election if it approved by the Council no later than the end of the filing period for candidates.

- (4) The referendum question is eligible to appear in a special election if it is approved by the Council no later than two weeks before the first day of voting.
- (5) Every member of the ASUCSD is eligible to vote in such referendum questions.

§3.3. Official Ballot

- (a) Referenda shall appear after any candidate elections for office in an order randomly generated for each voter
- (b) Fee Referenda
 - (1) For each fee referendum question, only the options “yes”, “no”, and “abstain” shall appear after the language of the referendum approved by the Council. A voter may select only one of the options.
 - (2) Pro and Con statements for each fee referendum question shall be presented to the voter. The maximum length for the pro and con statements shall each be 2000 non-white space typographical characters. The Election Manager shall assign the submitters of the pro and con statements, except that the Election Committee may override the decision of the Election Manager with good cause.
 - (3) A vote in any fee referendum question is not recorded until the voter completes the entire voting process.
- (c) Review Referenda
 - (1) When a review referendum petition is submitted, each action of the Council that is being petitioned for review shall be on the ballot as a separate review referendum question.
 - (2) Each review referendum question shall be phrased as “Do you approve the following action of the Associated Students Council?” with the text of the action of the Council following.
 - (3) Only the options “yes”, “no”, and “abstain” shall appear after the language of each review referendum question. A voter may select only one of the options.
 - (4) Pro and Con statements for each review referendum question shall be presented to the voter. The maximum length for the pro and con statements shall each be 2000 non-white space typographical characters. The Election Manager shall assign the submitters of the pro and con statements, except that the Election Committee may override the decision of the Election Manager with good cause.
 - (5) A vote in any review referendum question is not recorded until the voter completes the entire voting process.
- (d) Other Referenda
 - (1) For referendum questions that are neither fee referendum questions nor review referendum questions, only the options approved by the Council shall appear after the language of the referendum approved by the Council. The number of options a voter may select shall be determined by the Council.
 - (2) The President shall determine if pro and con statements are to appear with each such referendum question. If pro and con statements are to be presented to voters with the referendum question, the maximum length for the pro and con statements shall each be 2000 non-white space typographical characters. The Election Manager shall assign the submitters of the pro and con statements, except that the Election Committee may override the decision of the Election Manager with good cause.

- (3) A vote in any such referendum question is not recorded until the voter completes the entire voting process.

§3.4. Campaign Procedures for Referenda

(a) Conduct of the Campaign for Referenda

- (1) Campaigning may begin when the Council approves the referendum question or when the review referendum petition is submitted.
- (2) All campaign materials must include the clearly discernable phrase “VOTE AT TRITONLINK.”
- (3) There shall be no campaigning within 50 feet of official polling locations as measured by the Election Manager when voting is taking place. Notwithstanding, wearing clothing or accessories that have campaign material on them while walking by the polls is permitted so long as the individual does not loiter.
- (4) Use of equipment that amplifies sound is prohibited within 150 feet of official polling locations when voting is taking place.
- (5) Campaigning in any classroom or lab is prohibited except during student organization meetings. Notwithstanding, wearing clothing or accessories that have campaign material on them in classrooms or labs is permitted.
- (6) Anyone campaigning must abide by any decision, order, or penalty of the Election Committee while campaigning.

(b) Campaign Finance Rules for Referenda

- (1) No University or ASUCSD allocated funds shall be spent on a referendum except in a neutral manner, such as providing educational information including both sides of the issue.
- (2) Campaign contributions for referenda may not be accepted from any source not affiliated with UCSD.

Chapter 4. Violations of the Election Code

§4.1. Reference to Election Managers and Election Committees

- (a) In this chapter, any reference to an Election Manager is defined as the Election Manager if the context is a general election; likewise, Election Manager is defined as the Special Election Manager if the context is a special election.
- (b) In this chapter, any reference to an Election Committee is defined as the Election Committee if the context is a general election; likewise, Election Committee is defined as the Special Election Committee if the context is a special election.

§4.2. Violation Grievances

(a) Filing Grievances

- (1) Any member of the ASUCSD may file with the Clerk a Violation Grievance Form alleging that a candidate, slate, referendum proponent, or referendum opponent has violated the election rules.
- (2) The signed Violation Grievance Form must detail as much information about the alleged violation as possible, including the date, time, and location of the violation.
- (3) The Violation Grievance Form must be submitted no later than the close of the polls on the final day of voting.

(b) Hearing

- (1) Both the complainant and the accused may assign a representative to act on their behalf.

- (2) The Election Committee shall conduct the hearing on the grievance within seventy-two hours of the filing of a Violation Grievance Form unless a later time is agreed upon by both parties and the Election Manager.
 - (3) A date and time for the hearing must be announced and all parties notified at least twenty-four hours before the start of the hearing. This requirement may be waived if both parties and the Election Manager agree.
 - (4) The accused shall be provided with a copy of the Violation Grievance Form at least twenty-four hours before the start of the hearing. The accused may waive this right.
 - (5) The procedures for the hearing shall follow the "Formal Hearing Procedure" outlined in the Judicial Board Rules and Procedures, except that the Election Committee shall serve as the hearing board and the Election Manager shall chair the hearing.
 - (6) Candidates must appear before the Election Committee when so requested and candidates must speak the truth when speaking before the Election Committee. If a candidate fails to do so, either party to the hearing may petition the Election Committee for sanctions against the candidate within one academic day of the hearing.
 - (7) The Office of Student Advocacy shall not represent or provide support to either party.
- (c) Decision
- (1) The decision on the grievance will be based on the preponderance of the evidence that was presented at the hearing only.
 - (2) All deliberations shall be open only to the membership of the Election Committee.
 - (3) The decision shall be made by a majority vote of the Election Committee.
 - (4) If a candidate or slate is found responsible of violating the election rules, the Election Committee may impose any appropriate sanction, up to and including disqualification as a candidate; however, for disqualification to be considered as a penalty, the complainant must demonstrate
 - (a) willful or repeated violations on the part of the accused; or
 - (b) that the violation was so significant that it likely changed the outcome of the election in favor of the accused.
 - (5) If a referendum proponent is found responsible of violating the election rules, the Election Committee may impose any appropriate sanction, up to and including disqualifying the referendum question; however, for disqualification to be considered as a penalty, the complainant must demonstrate
 - (a) willful or repeated violations on the part of the accused; or
 - (b) that the violation was so significant that it likely changed the outcome of the election in favor of the accused.
 - (6) If a referendum opponent is found responsible of violating the election rules, the Election Committee may impose any appropriate sanction, up to and including referring the accused to Student Policies and Judicial Affairs for disciplinary action.
 - (7) The decision of the election committee shall be prepared in writing and published within one academic day of the conclusion of the hearing.
 - (8) Any minority decision shall be published with the decision of the election committee but shall not be binding.

(d) Appeal

- (1) The decision of the election committee may be appealed to the Judicial Board by either party within forty-eight hours of the publication of the decision of the election committee.

§4.3. Protest of the Procedures of an Election

- (a) Within one academic day following the final day of voting, any candidate may file a protest of the election with the Judicial Board. The protest must be based on a mechanical difficulty with the election that prejudiced the result.
- (b) The Judicial Board shall review the case and submit its findings to the Council and the Election Committee. If the Judicial Board finds that the election results have been substantially affected, the Judicial Board may void the elections. The Judicial Board may not void an election on any other grounds or by any other procedures. The Council may not void an election.

Chapter 5. Tabulation, Announcement and Certification of Results

§5.1. Reference to Election Managers and Election Committees

- (a) In this chapter, any reference to an Election Manager is defined as the Election Manager if the context is a general election; likewise, Election Manager is defined as the Special Election Manager if the context is a special election.
- (b) In this chapter, any reference to an Election Committee is defined as the Election Committee if the context is a general election; likewise, Election Committee is defined as the Special Election Committee if the context is a special election.

§5.2. Tabulation

- (a) TritonLink shall tabulate the results immediately after the close of the polls on the last day of voting.
- (b) For the Academic Division Senators and the Officers, the winner of each candidate election shall be determined by Single Transferable Voting using the Droop quota with fractional vote transfer. For All-Campus Senators and College Senators, the number of candidates as there are seats who have the greatest number of votes are the winners. For fee referenda and review referenda questions, the option receiving the greatest number of votes is the prevailing option. For other referenda questions, the Council shall interpret and properly apply the results.
- (c) In races determined by Single Transferable Voting, if the election results in a first place tie, the Election Manager shall declare the position vacant and call for a run-off election.
- (d) In races determined by Single Transferable Voting, if two candidates are tied for last place, TritonLink election software will randomly eliminate one of the candidates.
- (e) Any mathematically unviable candidates will be eliminated.
- (f) TritonLink shall deliver the election results to the Election Manager in the presence of a representative of UCSD Student Affairs.

§5.3. Certification

- (a) The election results become official upon certification of the results by the Election Manager. The Election Manager shall certify the election results by signing the official copy of the election results and delivering them to the President.
- (b) The Election Manager may not certify the election results until there are no pending election violation grievances before the Election Committee. If an appeal to the

Judicial Board from a decision of the Election Committee is sustained after the Election Manager has certified the results, the Election Manager shall recertify the results incorporating the decision of the Judicial Board.

- (c) The Election Manager may not certify the election results until the Election Manager believes that enough campaign materials have been removed.
- (d) The Election Manager shall prepare and sign a “Certificate of Election” for all elected candidates.

§5.4. Announcement and Publication

- (a) The election results shall be announced in a location determined by the Election Manager immediately following the certification of the results.
- (b) The Election Manager shall notify the President of the results of the election.
- (c) The election results shall be posted in the ASUCSD office space and at EDNA.

Chapter 6. College Council Participation in an Associated Students Election

§6.1. Reference to Election Managers and Election Committees

- (a) In this chapter, any reference to an Election Manager is defined as the Election Manager if the context is a general election; likewise, Election Manager is defined as the Special Election Manager if the context is a special election.
- (b) In this chapter, any reference to an Election Committee is defined as the Election Committee if the context is a general election; likewise, Election Committee is defined as the Special Election Committee if the context is a special election.

§6.2. Any College Council may run an election on the Associated Students ballot in either a General Election or a Special Election.

§6.3. Submission of College Election Data and Reconciling Conflict of Election Rules

- (a) For General Elections, the College representative to the Election Committee shall submit to the Election Manager a complete list of positions, candidates, and referendum questions for that College at the end of the filing period for candidates.
- (b) For Special Elections, the College representative to the Election Committee shall submit to the Election Manager a complete list of positions, candidates, and referendum questions for that College no later than two weeks before the first day of voting.
- (c) All candidates running in College Council elections must submit candidate statements in the same manner as candidates for Associated Students elections in order for their candidate statement to appear on the ballot. Candidates for College Council elections are allowed up to 400 non-white space typographical characters in their candidate statements.
- (d) All candidates running in College Council elections may submit their Candidate Affiliation in the same manner as candidates for the Associated Students. If a candidate running in a College Council election does not submit their Candidate Affiliation, the Candidate Affiliation shall be blank.
- (e) To have their picture appear on the ballot, all candidates running in College Council elections must have their pictures taken in the same manner as candidates for Associated Students elections.
- (f) The College shall establish its own election rules, and if there is a change in the status of any of the College ballot questions after the deadline, for example if a candidate for College Council office is disqualified by the college, the College representative to the

Election Committee shall inform the Election Manager to make the appropriate changes to the ballot.

- (g) If the election rules of any College and these election rules should come into conflict, these election rules shall be superior. Accordingly, a college may not disqualify any candidate for any Associated Students office even if such an office is also an office on the College Council.

§6.4. Eligibility of Voters. The only voters eligible to vote in a College election shall be the students thereof.

§6.5. Choice of Voting System, Ballot, and Tabulation

- (a) The College representative to the Election Committee shall inform the Election Manager whether the College Council election for candidates will use a plurality system for its races or the Single Transferable Voting system, and the ballots shall be constructed and tabulated accordingly.
- (b) If the College Council election is using the same voting system as the Associated Students Election, the ballot, voting and tabulation for the College Council election shall be conducted in the same manner as the Associated Students Election.
- (c) If the College Council election is using a plurality system, to vote for a candidate, voters should select the checkbox next to the name of the candidate. The number of candidates a voter may cast a vote for in any race is equal to the number of seats in that race. A voter's candidate selections are not recorded until the voter completes the entire voting process. The number of candidates as there are seats that have the greatest number of votes is the winner.

Chapter 7. Amendments to the Election Code

§6.1 Amendments to the Elections Code shall not be made after the end of the filing period until the end of the Spring Quarter election.

APPENDIX A

Glossary

This glossary provides references to the current edition of *Robert's Rules of Order Newly Revised* to the definitions of various terms used in the rules. Nothing in this appendix substantively creates any rule or definition.

ex-officio members: “persons who are members...by virtue of some [other] office...” (RONR 10th ed., p. 466, l. 22). Members designated as ex-officio are not required to attend, but have all the rights of membership, including the right to vote, unless explicitly stated otherwise.

executive session: “any meeting...or a portion of a meeting, at which the proceedings are secret” (RONR 10th ed., p. 92, l. 25-26)