Associated Students, Inc.
California Polytechnic State University
San Luis Obispo

ASI ELECTION CODE

Article I. Name

The name of this organization shall be the ASI Recruitment and Development Committee.

Article II. Authority

This code is written under the authority of Section 4.3.5., "ASI Recruitment and Development Committee," of the Bylaws of the Associated Students, Inc. It is designed to supplement Section 3., "Membership Elections," of the Associated Students, Inc. Bylaws.

Article III. Purpose

This code is written to provide the rules which all Associated Students, Inc. Elections should be conducted. Associated Students, Inc. Elections include: 1. ASI Elections and 2. Special Elections.

Article IV. ASI Recruitment and Development Committee

Section A. There shall be an ASI Recruitment and Development Committee under the supervision of the ASI Board of Directors.

Section B. Responsibilities

The ASI Recruitment and Development Committee, with the oversight of the Student Life and Leadership Representative shall:

1. Formulate any special regulations pertaining to elections and execute them after approval by the ASI Board of Directors.
2. Prepare candidates packets for approval by the ASI Board of Directors by the second meeting of winter quarter.
3. Submit an ASI Elections Timeline for ASI Board of Directors approval no later than fall quarter.
4. Examine the qualifications of all candidates for Associated Students, Inc. offices (including Board of Directors).
5. Check validity of ASI Presidential Petition signatures.
6. Prepare the ballots.
7. Arrange for electronic voting procedures via my.calpoly portal.
8. See that the election regulations are properly followed.
9. Conduct the elections.
10. Take responsibility for obtaining the results from the election.

11. Report the results, and any observed irregularities concerning campaigns or the election, to the ASI Board of Directors.

Section C. The ASI Recruitment and Development Committee shall be appointed in accordance with the ASI Bylaws.

Article V. General Rules of Elections

Section A. Notice of Elections

1. Notice of Annual Spring Election. The Board shall give Members notice of the Annual Spring Election, which notice shall specify the date, and time of the election, the names of individuals who are nominees to be Directors or Officers, and the general nature of any other business to be transacted. The notice shall be given to Members in the following manner:

    a) Publication in the campus newspaper, the Mustang Daily, during the first three weeks of Spring Quarter; or three weeks preceding the election.

    b) Distribution and posting of flyers around campus during the first three weeks of Spring Quarter; or three weeks preceding the election.

    c) Distribution of information to Cal Poly clubs and organizations during the first three weeks of Spring Quarter; or three weeks preceding the election.

    d) Distribution of information to each Academic College Council during the first three weeks of Spring Quarter; or three weeks preceding the election.

2. Notice of Special Elections. Whenever Members are required or permitted to take action at a Special Election, the Board shall give Members notice of the Special Election that specifies the date, and time of the election, and the general nature of the business to be transacted. The notice shall be given to Members in the following manner:

    a) Publication in the campus newspaper, the Mustang Daily, during the first three weeks of Spring Quarter; or three weeks preceding the election.

    b) Distribution and posting of flyers around campus during the first three weeks prior to the election; or three weeks preceding the election.

    c) Distribution of information to Cal Poly clubs and organizations during the first three weeks prior to the election; or three weeks preceding the election.

    d) Distribution of information to each Academic College Council during the first three weeks prior to the election; or three weeks preceding the election..

3. Verification of Compliance. Verification of compliance with the notice requirements of this section shall be executed by the Vice Chair of the Board and maintained in the Minute Book of the Corporation. The existence of such verification shall create a presumption that proper notice was given to Members.

Section B. Requirements for Election by Electronic Ballot

1. Content of Electronic Ballots. Any electronic ballot distributed to the Members to vote on an issue shall set forth the proposed action and provide an opportunity to specify approval or disapproval of the proposal.

2. Election Procedures. The Board, under the following guidelines, shall make ballots available to Members pursuant to election procedures adopted:

   a) The Annual Spring Elections shall not be held prior to the 4th week of Spring Quarter. All elections including the Annual Spring Election and Special Election shall be held during a 24-hour period on a single day, Monday through Thursday.

   b) Election time shall be determined by the ASI Recruitment and Development Committee and approved by the Board of Directors.

   c) In the event that an electronic ballot is unavailable, absentee and written ballots shall be made available at the Office of Student Life and Leadership to any member who wishes to obtain one. Written ballots must be returned to the Office of Student Life and Leadership by the end of the election. Absentee ballots will be made available one week prior to the election date and must be returned to the Office of Student Life and Leadership by 5p.m. on the day before the election in order to be valid. Absentee and written ballots will be handled in accordance with normal balloting procedures outlined in the ASI Election Code.

   d) Once cast, a written ballot may not be revoked.

3. Quorum Requirements

   a) Calculation of ASI Membership. For purpose of this Section, ASI Membership shall be the number of persons regularly admitted and enrolled as matriculating students at the university during the fifth week of the academic quarter immediately prior to the academic quarter in which the election is to be held ("ASI Membership"). For the Annual Spring Election, ASI Membership shall by the enrollment at the beginning of classes for Winter Quarter.

   b) Quorum Requirements in General Elections. Except as provided below with regard to the election of Directors, in order for an election by Members to be valid, the number of votes cast in the election must exceed the greater of one percent (1%) of the ASI Membership or 125 votes.

   c) Quorum Requirements for Election of Directors. Directors are elected by a vote of members majoring in each Academic College. In order to be a valid election of Directors, the numbers of votes cast in an Academic College must exceed the greater of (a) one percent (1%) of the Members majoring in that Academic College or 125 votes, if the total enrollment in that Academic College exceeds 5000; or (b) two and one-half percent (2.5%) of the Members majoring in that Academic College or 50 votes, of total enrollment in that Academic College is less than 5000 but more than 1000; or (c) in accordance with California Education Code or Corporation Codes five percent (5%) of the Members majoring in that Academic College, if the total enrollment in that Academic College is less than 1000.

4. Voting Requirements. If a quorum is present, the affirmative vote of a majority of the Members voting in the election shall be the act of the Members, unless the vote of a greater number of Members is required by these Bylaws.

5. Notification of Balloting Results. Immediately following the close of the balloting process and tabulation of the ballots, the Board shall notify the Members of the outcome of the vote. If the number of ballots cast is insufficient to constitute a quorum, the Board shall notify Members of the fact and shall immediately schedule a new election.

Section C. Requirements for Special Elections

1. Person Entitled to Call Election by Electronic Ballot. A majority of the Board, the ASI Chair of the Board or five percent (5%) or more of the Members may call for a special election by electronic ballot of the members for any lawful purpose.

2. Procedure for Calling Election.

   a) Written Request for Special Election. Any person(s) authorized to call for a Special Election of members may submit a request in writing to the Chair of the Board, or the ASI Vice Chair of the Board, specifying the matter to be decided at the Special Election with sufficient detail to permit a determination on whether the matter is a proper subject for Special Elections.

   b) Presentation to Board. Upon receiving a written request for Special Election from person(s) authorized to call for Special Election, the request shall be submitted to the Board. The Board shall determine whether the matter is a proper subject for a Special Election, and if so, the Board shall schedule the Special Election.

   c) Scheduling of Special Election. If the Board determines that the matter is a proper subject for a Special Election, the Board shall schedule a Special Election for a date, which is not less than 35 or more than 90 days following receipt of the written request. The Special Election shall be scheduled and conducted in accordance with the guidelines set forth in Section 3 of the ASI Bylaws.

Section D. Membership Fee Election

1. In addition to the requirements contained in these Bylaws, any election involving the establishment or alteration of membership fees for the Corporation shall follow all guidelines set forth in the California Education Code and the California Code of Regulation, Title 5; and, any policy adopted by the CSU Trustees or University President.

Section E. Nominations of Office

1. All candidates for Associated Students Inc. President and Board of Directors shall, at the time of filing a Candidate Filing Form, pay a fee of one hundred dollars ($100) for President and fifty dollars ($50) for Board of Directors, the fees to be held by ASI and refunded to each candidate after the General Election contingent upon proper observation of all campaign rules and regulations.

2. Members may become candidates for ASI President by submitting nomination papers not less than 50 days and not more than 120 days before the election (in accordance with the procedures established by the ASI Board of Directors). In order for a candidate's name to be placed on the ballot, the nomination papers must contain signatures totaling 3% of the ASI Membership as defined in Section 3 of the ASI Bylaws. The Presidential Election ballot shall include provisions necessary for Instant Runoff Voting such that in the event that no candidate receives a majority of the vote a winner will be determined based on the ranking of candidates by each Member at the duly held election.

3. All persons running for office in the Annual Spring Election shall file a Candidate Filing Form in the Student Life and Leadership office in accordance with the ASI Board of Directors approved ASI Election Timeline to run for office at least 35 days prior to the election.

4. Student Life & Leadership shall determine the eligibility of any candidate for an Associated Students Inc. (including representative) office previous to putting his/her name upon the ballot. In the case of write-in candidates, his/her eligibility shall be determined prior to the results being revealed.

5. Write-In Candidacy:

   a) Any person(s) who wish to run write-in campaigns must register their candidacy to be considered eligible to hold office.

   b) The person(s) wishing to register as a write-in candidate must complete a Candidate Filing Form and a Statement of Honesty, Time Commitment, and Campaign Integrity Form.

   c) Upon registering for official write-in candidacy status, those persons will be considered candidates and must adhere to all election campaign rules and guidelines.

   d) Registered write-in candidates will be allowed to participate in regularly scheduled assemblies and/or activities which may be presented by the ASI Recruitment and Development Committee.

   e) Those wishing to gain the rights granted to a registered write-in candidate may fill out the forms any time before the election. Write-in candidates must submit all required forms within 24 hours of closing of the election (Election Packet).

   f) If a person has filed to be on the ballot for a different office and wishes to be a registered write-in, that person must sign a statement removing him/herself from the ballot. (See ASI Bylaws – "Seeking Multiple Positions – One person may not concurrently hold more than one Corporate office.")

   g) Any campaign on behalf of a write-in candidate is subject to the rules and regulations set forth by ASI Recruitment and Development Committee and the appropriate ASI Bylaws and Election Code sections.

6. Election Registration. All candidates must be registered under the procedures outlined in the ASI Election Code to be considered eligible for any elected position within ASI.

7. Violation of Election Rules. All violations of election rules will be considered pursuant to the election packet and code approved annually by the ASI Board of Directors.

Article VI. General Rules for Elections

Section A. These rules are in addition to those contained in Article IV, Section A, B, C, D, and E of these codes.

Section B. The ASI Recruitment and Development Committee will be responsible for all publicity of ASI Elections.

Section C. Campaign Rules

1. A candidate's campaign shall include the participation in regularly scheduled assemblies and/or other activity which shall be recommended by the ASI Recruitment and Development Committee and approved by the ASI Board of Directors.

2. Active campaigning shall begin at least ten days prior to the opening date of the elections.

3. A list of campaign rules and regulations shall be proposed annually and approved by the ASI Board of Directors and given to each candidate. These rules shall include such items as; (1) time campaigning starts and ends (for each election); (2) places where posters and other forms of campaigning are prohibited; (3) campaign expense limit if

any, and the time Campaign Close Out Statements are due (for each election); (4) campaign conduct and responsibilities not specifically stated in this code.

4. All candidates and their bona fide representatives shall attend a mandatory candidates meeting at which time specific campaign rules and regulations will be reviewed. Included in these rules and regulations shall be the following financial restrictions:

    a) All paid media advertisements (television, not including public service announcements; radio and newspaper) bearing the name of one or more candidates must be claimed in full amount by each of the candidates mentioned.

    b) It shall be the responsibility of the ASI Recruitment and Development Committee to inform all candidates of policies concerning candidate statements.

Section D. Arrangement of Ballot

1. <u>Election of ASI Officers</u>

    a) The majority voting system shall be used for the ASI Board of Directors and Presidential elections. In the event that there are three or more candidates running for ASI President, Instant-Runoff Voting will be utilized to enable a majority (more than 50%) to be attained. Instant-Runoff Voting (IRV) is a voting system used for single-winner election in which voters rank candidates in order of preference using one ballot.

    b) Names of candidates for elective office shall be placed on the ballot according to a random drawing.

    c) A space shall be left for write in candidates for each office.

    d) The voter shall vote for the candidate of his/her choice by marking as directed.

2. <u>Special Elections (amendments, propositions, etc.)</u>

    a) The proposition shall be stated in full upon the ballot, unless the ASI Board of Directors votes by a two-thirds majority that the proposal is too lengthy to be included in this manner, in which case copies of the propositions shall be available online and in Student Life & Leadership.

    b) The propositions shall be followed by two boxes, one for a “yes” vote, and the other for a “no” vote; the voter shall indicate his choice by marking as directed in either box.

Section E. Election Conduct

1. All students shall have access to an electronic ballot via my.calpoly portal.

2. The electronic ballot will be available for at least (the time period dictated by Title V of the California Education Code).

3. Absentee and written ballots shall be void if not marked as directed.

Section F. Obtaining Election Results

1. Immediately following the close of the balloting process and tabulation of the ballots, the Board shall notify the Members of the outcome of the vote. If the number of

ballots cast is insufficient to constitute a quorum, the Board shall notify Members of the fact and shall immediately schedule a new election.

2. The results shall be obtained under the supervision of the Chair of the ASI Recruitment and Development Committee and the Student Life and Leadership Representative. No other person shall be admitted unless approved by the Chair and Student Life and Leadership Representative.

3. Before revealing the results the Chair shall see that all the votes cast are documented electronically for preservation until the 24 hour protest/recount period has passed.

Article VII. Irregularities

Section A. Campaign

1. A candidate may be disqualified from taking office for irregularities in his/her campaign, upon recommendation by the ASI Recruitment and Development Committee for a complaint from a student to the ASI Board of Directors, and by two-third majority vote by the ASI Board of Directors in favor of disqualification for reasons such as obscenity, election rules violations, etc. Such a vote must come before election ratification by the ASI Board of Directors. Disqualification appeals must be made before election ratification.

Section B. Voting

1. An election shall be declared null and void upon recommendation by the ASI Recruitment and Development Committee and/or a two-third majority vote by the ASI Board of Directors in favor or disqualification and/or nullification in the event that irregularities arise, involving the election as a whole, such as an appreciable discrepancy in the number of ballots issued and the number cast, etc. Such action may be taken by the ASI Board of Directors if the irregularity appears to be the fault of the ASI Recruitment and Development Committee. With no such protests, an election shall be approved as official by the ASI Board of Directors.

Section C. Protest

1. Any protest regarding any aspect of the election must be submitted to the ASI Recruitment and Development Committee Chair or Student Life and Leadership Representative in writing within 24 hours of the alleged violation.

Section D. Recount

1. Any candidate has the right to demand a recount of the ballots cast for the office for which he/she is running, and the ASI Recruitment and Development Committee shall accede to the request if given any reason other then general dissatisfaction. (This request must be presented in writing within 24 hours after the results of the election have been announced.) If a recount is demanded, the current President of the Associated Students, Inc. shall assist the ASI Recruitment and Development Committee Chair and Student Life and Leadership Representative in recounting the ballots as the representative of the demanding party.

Section E. Alternate Dates for Elections

1. If circumstances beyond control make it necessary to cancel the election, alternate elections will be held within the two school weeks following the original dates.

Article VIII. Amendments

This code may be amended through Bylaws/Policy Review or recommendation of the ASI Recruitment and Development Committee. All amendments must be approved by a majority vote of the ASI Board of Directors.

Approved by ASI Board of Directors November 14, 2012