

Associated Students, Incorporated  
of  
California Polytechnic State University, San Luis Obispo

## ASI ELECTION CODE

### Article I. Name

The name of this Committee is the ASI Recruitment and Elections Committee.

### Article II. Authority and Adoption

The ASI Election Code is written under the authority of Section 4.3.5, “ASI Recruitment and Elections Committee,” of the Bylaws of the Associated Students, Inc. (ASI). It supplements Section 3, “Membership Elections,” of the ASI Bylaws.

This ASI Election Code and any amendments are effective upon approval by a majority vote of the Board of Directors, and replace all previous ASI Election Codes and amendments.

If any provision in the ASI Election Code is inconsistent with the ASI Bylaws, the ASI Bylaws are controlling.

### Article III. Purpose

The ASI Election Code governs all ASI Elections including the Annual Spring Election and Special Elections.

### Article IV. General Statement

ASI student elections are a subset of the educational experience for students at California Polytechnic State University, San Luis Obispo. Student elections are a learning laboratory for students. Student elections allow those who aspire to public service or public life, or who want to gain experience and expertise in better understanding how democracy functions, an opportunity to learn how to work within the democratic process. The ASI Election Code’s policies and procedures promote the educational mission of the University, prevent violations of reasonable campus rules, avoid interference with the opportunity of other students to obtain an education, and minimize distractions from the University’s larger education mission.

### Article V. Definitions

The following definitions shall apply to terms used in the ASI Election Code:

1. Board; Board Member; Board of Directors. The terms “Board,” “Board Member,” and “Board of Directors” mean the student-elected representatives who serve as the corporate governing board of ASI.

2. Member. The term “Member” means a student of California Polytechnic State University, San Luis Obispo eligible to vote in student elections.
3. Officer. The term “Officer,” means a Member elected to the position of ASI President.
4. Pre-Candidate. The term “Pre-Candidate” means a Member who takes action (whether written or oral) to seek election before or by the filing deadline as an Officer or Board Member before the Dean of Students Office decides eligibility.
5. Candidate. The term “Candidate” means a Member who has filed a Candidate Packet under this ASI Election Code.
6. Write-In Candidate. The term “Write-In Candidate” means a Member who takes action to seek election as an Officer or Board Member, who has not filed a Candidate Packet within the candidacy deadline as prescribed in the Election Timeline.
7. Support; To Influence the Election of a Candidate. The term “support” means financial support, or any other direct or indirect contribution or assistance, and includes an individual’s own volunteered personal time, where the purpose, object or foreseeable effect is to influence the election of a Candidate. “To influence the election of a candidate” means any efforts at vote getting. Such activities include press conferences, press releases, campaign speeches, electronic communications design, social media, production and distribution of campaign posters, flyers, leaflets, apparel, bumper stickers and buttons, and all other campaign promotional activities which enhance or diminish a Candidate’s prospects for election.
8. Electronic Communications; Social Media. The term “Electronic Communications” means electronic mail and other electronic communications including e-mail, instant messaging, chat rooms, blogging, bulletin boards, on-line journals, social media, and other similar means. The term “Social Media” includes Twitter, Instagram, Snapchat, Facebook, LinkedIn, YouTube, and all other mediums of social networking.
9. Media Communications; Media. The term “Media Communications,” means any communication, whether by means of Electronic Communications, in person or otherwise, intended for or otherwise directed to the media. The term “Media,” as used herein, shall mean any news outlet run by a campus-based organization, a student, a non-student, or a private entity which delivers communications to the public or Cal Poly student body through radio, television, newspaper, magazine, blog, Social Media, or any other means.
10. Campaign Worker. The term “Campaign Worker,” means any individual, whether declared (as disclosed in the Candidate Packet) or undeclared, who provides support for a Candidate, Pre-Candidate, or Write-in Candidate whom the Candidate, Pre-Candidate, or Write-in Candidate has expressly or impliedly authorized to provide support to their campaign for election.
11. Active Campaigning; Non-Oral. The term “Active Campaigning,” as used herein, shall mean any non-oral public display or distribution of specific information (physical or electronic) about any Candidate, Pre-

Candidate, or Write-in Candidate with the intent to influence the election of a candidate. Active Campaigning does not include statements recorded in an organization's standard minutes or agendas, official ASI Recruitment and Elections Committee filing documents or forms, organizational meetings of campaign workers and managers, arrangements for campaign publicity, or the right of a Candidate, Pre-Candidate, or Write-in Candidate to appear before any organized group prior to the beginning of Active Campaigning. The term "Non-Oral," as used herein, shall mean any communication of information that is not capable of being heard. Non-oral communications do not include communications made to the Media when such communications are necessary to comply with the ASI Election Code.

12. Media Day. Media Day is an ASI Recruitment and Elections Committee sponsored event to introduce candidates to the Media. This day will be scheduled to occur after all Candidates' eligibility has been verified.
13. Physical campaign material; The term "physical campaign material" means any tangible and in-person form of campaign material to solicit votes for a candidate. Materials include, but are not limited to, banners, posters, pins, clothing, or other paraphernalia.

## Article VI. ASI Recruitment and Elections Committee Overview

Section A. The ASI Recruitment and Elections Committee serves at the pleasure and under the authority of the Board of Directors and the Chair of the Board.

### Section B. Responsibilities

The ASI Recruitment and Elections Committee, with the oversight of the Dean of Students' Representative shall:

1. Formulate any special regulations governing student elections and execute them after approval by the Board of Directors.
2. Prepare ASI President, Board of Directors, and Write-In Candidates Packets. All amendments to the Candidate Packets and an annual review of the Candidate Statements and Diversity Statements must be submitted to the Board of Directors for approval by the second board meeting of the winter quarter.
3. Submit an Election Timeline for Board of Directors approval no later than their first meeting of winter quarter.
4. Verify the eligibility of all candidates for ASI President and the Board of Directors.
5. Check validity of ASI Presidential Petition signatures.
6. Prepare the ballots.
7. Arrange electronic voting procedures.
8. Prepare and distribute publicity for elections.
9. Enforce compliance with election regulations.
10. Conduct the elections.
11. Obtain the election results.

12. Report the results and any possible campaign or election irregularities to the Board of Directors.

#### Section C. Voting Member Conflict of Interest (ASI Bylaws – Section 4.3.5. 2.1-2.2)

Appointment to the ASI Recruitment and Elections Committee shall be in accordance with the ASI Bylaws

1. If a voting member of the ASI Recruitment and Elections Committee plans to be a Candidate or Campaign Manager (for another candidate) in the next student election, that member shall be removed and replaced with a new voting member at the time of the decision. A decision by a voting member of the ASI Recruitment and Elections Committee to be a Candidate or Campaign Manager must be submitted in writing to the Chair of the Board before the final day filing for elections closes.
2. If a voting member is also a declared Campaign Worker in the next student election, that member is required to maintain an unbiased vote. However, if they are unable to remain unbiased, that member may send a request to the ASI Chair of the Board of Directors to move them to a different committee and/or another committee member may submit a formal complaint to the Chair of the Recruitment and Elections Committee. This complaint will be handled in accordance with the ASI Election Code.

### Article VII. General Rules of Elections

#### Section A. Notice of Elections (ASI Bylaws – Section 3.4.)

1. Notice of Annual Spring Election. The Board of Directors shall give Members notice of the Annual Spring Election. The notice shall specify the date and time of the election, the names of eligible individuals who have submitted a Candidate Packet 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 News, a minimum of once a week for three weeks preceding the election.
  - b. Distribution and posting of flyers around campus for three weeks preceding the election.
  - c. Distribution of information to Cal Poly clubs and organizations for three weeks preceding the election.
  - d. Distribution of information to each Academic College Club Council for three weeks preceding the election.
2. Notice of Special Elections. Whenever Members are to vote at a Special Election, the Board of Directors 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 News, a minimum of once a week for three weeks preceding the election.
  - b. Distribution and posting of flyers around campus for three weeks preceding the election.
  - c. Distribution of information to Cal Poly clubs and organizations for three weeks preceding the election.
  - d. Distribution of information to each Academic College Club Council for three weeks preceding the election.
3. Verification of Compliance. Written verification of compliance with the notice requirements of this section shall be performed by the Vice Chair of the Board and maintained in the Minute Book of the Corporation. Such verification shall create a presumption that proper notice was given to Members.

#### Section B. Requirements for Election by Electronic Ballot (ASI Bylaws – Section 3.5.)

1. Content of Electronic Ballots. Any electronic ballot distributed to the Members to vote shall set forth the proposed action and provide an opportunity to approve or disapprove.
2. Election Procedures. The Board of Directors shall make ballots available to Members pursuant to election procedures adopted under the following guidelines:
  - a. The Annual Spring Election shall be held no earlier than the 4th week of spring quarter. All student elections shall be held during a 24-hour period, Monday through Thursday.
  - b. The Election Timeline shall be determined by the ASI Recruitment and Elections Committee and approved by the Board of Directors.
  - c. In the event that an electronic ballot is unavailable, written ballots shall be available to any Member at the Dean of Students Office. Written ballots must be returned to the Dean of Students Office by the end of the election. Written ballots shall be handled in accordance with normal balloting procedures outlined in the ASI Election Code.
  - d. Once cast, a ballot may not be revoked.
  - e. All candidates must be registered under the procedures outlined in the ASI Election Code to be considered eligible for any elected position within ASI.

#### Section C. Voting Process

1. Election of ASI President and Directors.
  - a. Directors shall be elected by a vote of the Members who are majoring within the same Academic College as the Director Candidate. The candidates receiving the highest number of votes, up to the number of Directors to be elected from that Academic

College, shall be elected as Directors from that Academic College.  
(ASI Bylaws – 4.6.3.)

- b. ASI Presidential elections shall be decided by a majority vote of voting Members. If there are three or more candidates running for ASI President, the ballot shall include provisions for Instant Runoff Voting. If no candidate receives a majority of the vote, a winner shall be determined based on a ranking of candidates by each Member voting in that election.
- c. Names of candidates for elected office shall be placed on the ballot in order according to a random drawing.
- d. A space shall be left for write in candidates for each office.
- e. A Member shall vote for the candidate of their choice by marking their ballot accordingly.

#### Section D. Ballots

1. All Members shall have access to an electronic ballot.
2. The electronic ballot shall be available for at least 24 hours.
3. Written ballots shall be void if not marked accordingly.

#### Section E. Quorum Requirements (ASI Bylaws – Section 3.5.3.)

1. Calculation of ASI Membership. ASI Membership shall be the number of persons regularly admitted and enrolled as matriculating students at Cal Poly 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 a fall quarter Special Election, ASI Membership shall be determined by the previous spring quarter enrollment. For the Annual Spring Election, ASI Membership shall be determined by the enrollment at the beginning of classes for winter quarter.
2. 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.
3. 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 if less than 5000 but more than 1000; or

- c. 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 the ASI Bylaws.

#### Section F. Requirements for Special Elections (ASI Bylaws – Section 3.6.)

1. Person Entitled to Call for a Special Election. A majority of the Board of Directors, the Chair of the Board or five percent (5%) or more of the Members may call for a Special Election of the Members for any lawful purpose.
2. Procedure for Calling a Special Election.
  - a. Written Request for a 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 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 a Special Election.
  - b. Presentation to the ASI Board of Directors. Upon receiving a written request for a Special Election from a person(s) authorized to call for a Special Election, the request shall be submitted to the Board of Directors. The Board of Directors shall determine whether the matter is a proper subject for a Special Election, and if so, the Board of Directors shall schedule the Special Election.
  - c. Scheduling of a Special Election. If the Board of Directors determines that the matter is a proper subject for a Special Election, the Board of Directors shall schedule a date not less than 35 or more than 90 calendar days following receipt of the written request. The Special Election shall be scheduled and conducted in accordance with the guidelines set forth in Section 3.6 of the ASI Bylaws.
3. Special Elections (amendments, propositions, etc.)
  - a. The proposition shall be stated in full upon the ballot.
  - 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 a choice by marking as directed in either box.

#### Section G. Membership Fee Election (ASI Bylaws – Section 3.7.)

1. In addition to the requirements contained in the ASI Bylaws, any election involving the establishment or alteration of ASI membership fees for the Corporation shall comply with the California Education Code; Title 5, California Code of Regulations; and any policy adopted by the Trustees of the CSU or the University President.

## Section H. Notification of Balloting Results

1. Immediately following the close of the balloting process and tabulation of the ballots, the Board of Directors shall notify the Members of the outcome of the vote. If the number of ballots cast is insufficient to constitute a quorum, the Board of Directors shall notify Members of that fact and shall immediately schedule a new election. (ASI Bylaws - Section 3.5.5.)
2. The election results process shall be supervised by the Chair of the ASI Recruitment and Elections Committee and the Dean of Students' Representative. No other person shall participate unless approved by the Chair of the ASI Recruitment and Elections Committee and the Dean of Students' Representative. (ASI Bylaws Section - 3.5.6.)
3. Before announcing the results, the Chair of the ASI Recruitment and Elections Committee shall see that all the votes cast are electronically preserved until the 24-hour protest/recount period has passed.

## Article VIII. Candidate Filing

### Section A. Filing for Candidacy

1. All candidates must be registered under the procedures outlined in the ASI Election Code to be considered eligible for any elected position within ASI. (ASI Bylaws - Section 3.9)
2. All candidates for office in the Annual Spring Election shall file a Candidate Packet under the Board of Directors approved Election Timeline.
  - a. All candidates must submit a candidate statement and a diversity statement in order to file for candidacy.
3. Individuals may become candidates for election as Directors by submitting their Candidate Packet not less than 50, nor more than 120 days (as per California Nonprofit Corporation Law, Section 5522(a)), before the election, in accordance with procedures established by the Board of Directors. (ASI Bylaws - 4.6.2)
4. Individuals may become candidates for ASI President by submitting their Candidate Packet not less than 50 days and not more than 120 days before the election (in accordance with the procedures established by the Board of Directors). In order for a candidate's name to be placed on the ballot, the Candidate Petition must contain signatures totaling 1% of the ASI Membership as defined in Section 3 of the ASI Bylaws.
5. The Dean of Students Office shall decide the eligibility of any candidate for an ASI office before putting their name on the ballot. For write-in candidates, eligibility shall be determined before the election results are announced.

### Section B. Write-In Candidacy



1. Write-In Candidates must register their candidacy to be eligible to hold office.
2. Write-In Candidates may fill out the forms any time before the election. Write-In Candidates must submit all required forms (Write-In Candidate Packet) to the ASI Business Office within 24 hours of closing of the election.
3. Upon registering for official write-in candidacy status, Write-In Candidates shall be considered Candidates or Pre-Candidates depending on whether eligibility has been decided and must adhere to all ASI Election Code campaign rules and guidelines.
4. Registered Write-In Candidates shall be allowed to participate in regularly scheduled activities sponsored by the ASI Recruitment and Elections Committee.
5. 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 themselves from the ballot a minimum of 24-hours preceding the election.
6. Any campaign for a Write-In Candidate is subject to the rules and regulations set forth by ASI Recruitment and Elections Committee and the appropriate ASI Bylaws and ASI Election Code sections.

#### Section C. Withdrawing Candidacy

1. In the event that a candidate wishes to withdraw from candidacy, they must notify the Chair of the ASI Recruitment and Elections Committee in writing per the ASI Candidate Packet 48-hours preceding the election. If a candidate withdraws, any votes cast for the candidate will be void.

### Article IX. Election Campaign Rules

#### Section A. Mandatory Candidates' Meeting

1. All candidates must attend the Mandatory Candidates' Meeting, at which time campaign financing and other rules and regulations shall be presented. Candidates who cannot attend this meeting must notify the Chair of the ASI Recruitment and Elections Committee before the meeting, with the reason for their absence. It is within the discretion of the ASI Recruitment and Elections Committee to allow a make-up session. Failure of a candidate to attend without prior notification shall cause disqualification from the election.
2. Write-In Candidates will adhere to all election policies during the entirety of their campaign. Write-In Candidates must attend a make-up Mandatory Candidates' Meeting (time permitting).

#### Section B. General Campaign Information

1. A candidate's campaign shall include the participation in regularly scheduled election activities recommended by the ASI Recruitment and Elections Committee and approved by the Board of Directors.
2. Candidate eligibility will be checked by the Dean of Students' Representative. Candidates must meet all CSU and ASI requirements as outlined in the ASI Student Government Qualifications for Office Summary.
3. A student may not simultaneously hold a position in Student Government and be employed by ASI. A potential conflict of interest may arise if ASI employs members of ASI Student Government, because those individuals govern and make decisions regarding ASI.
4. All campaign workers must be identified by the candidate on the Campaign Team Declaration and Statement of Integrity form in the Candidate Packet. If a campaign worker joins a campaign after submission of the form, the candidate must register the campaign worker by updating their Campaign Team Declaration and Statement of Integrity form to the Chair of the ASI Recruitment and Elections Committee as soon as practicable.
5. All candidates will be held responsible for conduct by their campaign workers related to the candidate's campaign. A candidate shall be subject to disciplinary action if any individual acts as a campaign worker without being declared as such by the candidate.
6. Any Member that has not been expressly or impliedly authorized by a candidate through a Campaign Team Declaration and Statement of Integrity form and violates the Election Code and/or University Policy, Rule or Regulation will be reported to the Office of Student Rights and Responsibilities ([Campus Administrative Policy140](#), [Title 5.2 §41301](#)).

### Section C. Active Campaigning

1. Active campaigning shall begin at least ten (10) days before the first day of elections under the Election Timeline. There can be no active campaigning before the scheduled start of campaigning.
2. ASI is committed to providing resources during active campaigning to ensure equitable campaigns of all candidates. Resources include, but are not limited to, graphics packages, promotion on the ASI website, or printing of fliers (limited to 100 fliers for Presidential candidates and 50 fliers to Board of Director candidates). Candidates must be informed of any ASI provided resources in the Candidate Packet and at the Mandatory Candidates Meeting. Resources will be provided at the start of Active Campaigning.
3. An E-Plan must be completed and approved by the Dean of Students' Representative for all on and off campus campaign activities. This includes if such activities and publicity are reasonably foreseeable, known, or planned. All E-Plan timelines apply.
4. Events using a candidate's name in publicity may not be held prior to active campaigning (i.e., "Club Z and the Committee to Elect Candidate

Y for Board of Directors invite you to join the first Board of Directors 10K Run").

5. Campaign material may not be placed on or in vehicles without written consent of the vehicle owners, except for authorized car caravans. This behavior may constitute a misdemeanor. (Title 5, California Code of Regulations 42350.5 (a))
6. All Social Media containing campaign material must be blocked from public access until active campaigning begins.
7. Candidates, Pre-Candidates, and Write-In Candidates must avoid Media Communications to the extent possible until Media Day. This provision does not:
  - a. Prohibit the Media from unilaterally publishing information about the Candidates, Pre-Candidates, or Write-In Candidates, or
  - b. Penalize students for the Media's unilateral conduct, or
  - c. Prohibit Media Communications that are pre-authorized or sponsored by the ASI Recruitment and Elections Committee or the University. It is the responsibility of each Candidate, Pre-Candidate, and Write-In Candidate to take reasonable steps and reasonably try to avoid Media Communications prior to Media Day.
8. Candidates, Pre-Candidates and Write-In Candidates may confirm with the Media they have filed their Candidate Packets with ASI. Confirmation of filing by a news outlet will not be considered violating the ASI Election Code.
9. ASI and its officers may not endorse a candidate. Candidates cannot campaign using ASI as an influence (i.e. cannot campaign or endorse a candidate while wearing ASI paraphernalia, while in the ASI workplace, etc.). Candidates may not use the ASI logo on any campaign materials.
10. Candidates may not distribute any form of inducements or bribes on the Election Day (i.e., sundaes, candy, coupons, money, etc.). The only materials that may be distributed are materials that do not provide any reward in exchange for voting.
11. All physical campaign material must be removed by 5 p.m. the Monday following the elections. Failure to remove material may cause a candidate to be charged for grounds and maintenance cleanup or further action as determined by the disciplinary subcommittee. In its discretion, the ASI Recruitment and Elections Committee may impose additional requirements regarding the removal of campaign materials for Open House events.
  - a. If circumstances make it necessary for an election to be held virtually, the Recruitment and Elections Committee may suspend the use of all physical campaign material, as well as in-person campaigning during Active Campaigning to ensure equitable campaigns. A candidate shall be subject to disciplinary action if physical campaign material is used in a campaign during a circumstance involving physical campaign suspension.

12. Any questions about campaign rules or sites should be directed to the Chair of the ASI Recruitment and Elections Committee or the Dean of Students' Representative.

## Article X. Financing Campaigns

1. A completed Campaign Closeout Statement from all candidates is due by the deadline specified in the Election Timeline. The statement shall be signed attesting to the truthfulness of the financial statement.
2. The cost of a presidential campaign shall not exceed \$750 in total campaign expenditures from all sources. The estimated value of campaign materials is subject to verification by the disciplinary subcommittee.
  - a. If physical campaign material is suspended (Article IX, Section C, 11a), the cost of a presidential campaign shall not exceed \$250 in total campaign expenditures from all sources. The estimated value of campaign materials is subject to verification by the disciplinary subcommittee.
3. The cost of a Board of Directors campaign shall not exceed \$100 in total campaign expenditures from all sources. The estimated value of campaign materials is subject to verification by the disciplinary subcommittee.
4. ASI provided resources are not to be included as a cost of a presidential or Board of Directors campaign.
5. The ASI Recruitment and Elections Committee will provide all candidates with educational opportunities on financing campaigns at events including, but not limited to, the Mandatory Candidates Meeting.
6. All candidates must complete the Campaign Closeout Statement and include all expenditures and all receipts for expenditures, including all donated campaign materials used by candidates or their Campaign Workers.
7. The Campaign Closeout Statement is in the Candidate Packet.
8. All paid media (i.e. television, radio, newspaper, social media, etc.) advertisements bearing the name of one or more candidates must be claimed in full in the Campaign Closeout Statement by each of the candidates mentioned in the advertisement. This does not include public service announcements.
9. Any misleading or fraudulent Campaign Closeout Statements made by a Candidate, Pre-Candidate, or Write-In Candidate shall be considered an election violation, and subject to disciplinary action.

## Article XI. Violation of Election Rules, Disciplinary Action, and Complaints

1. The ASI Recruitment and Elections Committee is the governing body for all complaints of violations of the ASI Election Code.
  - a. A disciplinary subcommittee shall be formed to adjudicate all alleged violations of the ASI Election Code.

- b. All determinations of this subcommittee shall be communicated in writing to the affected parties.
- c. The disciplinary subcommittee shall be appointed by the Chair of the Board prior to the beginning of the filing period for the Annual Spring Election.
- d. Appointments to the disciplinary subcommittee shall first come from Board of Directors Representatives serving on the ASI Recruitment and Elections Committee.
  - i. In the case that a member of the disciplinary subcommittee becomes a Candidate, Pre-Candidate, Write-In Candidate, Campaign Manager, or Campaign Worker they shall be removed from the subcommittee and replaced with a new voting member.
- e. The disciplinary subcommittee shall be comprised of:
  - i. Voting Members:
    - 1. The Chair of this committee shall be the Chair of the ASI Recruitment and Elections Committee.
    - 2. Two additional Board of Directors representatives.
  - ii. Non-Voting Members
    - 1. The Dean of Students' Representative.
- 2. All violations of elections rules will be considered pursuant to the elections packets and ASI Election Code approved annually by the Board of Directors. (ASI Bylaws - Section 3.8.)
- 3. All Candidates, Pre-Candidates, and Write-In Candidates shall adhere to all election policies during the entire filing period and through the end of the election period. Any violations of campaign regulations, regardless of whether a candidate has officially filed for office, may be subject to disciplinary action at the discretion of the disciplinary subcommittee.
- 4. Disciplinary action for violations of the ASI Election Code by Candidates, Pre-Candidates, and Write-In Candidates may include, but is not limited to, issued warnings per violation and/or disqualification.
- 5. All Candidates found to have violated the ASI Election Code, as determined by the disciplinary subcommittee, will be subject to disciplinary proceedings. Depending on the severity of the infraction, candidates may be subject to a warning or be recommended for disqualification. Disciplinary action may be issued for, but is not limited to, the following: campaigning prior to the start of active campaigning; failing to identify and register all campaign workers; violating any campus policies, city, and county laws and ordinances; removing, defacing, or covering another candidate's campaign material; exceeding the campaign spending limit (ASI President).
- 6. Any protest regarding any aspect of an election must be submitted to the Chair of the ASI Recruitment and Elections Committee or the Dean of Students' Representative in writing within 72 hours of the alleged incident.

7. Complaints regarding violations of rules and procedures must be submitted in writing (email or hard copy) to the Chair of the ASI Recruitment and Elections Committee and specify:
  - a. The section(s) of the ASI Election Code allegedly violated, by whom, and how it affected the election.
  - b. A summary of the oral, written, and/or material evidence to be submitted to support the complaint, including the names of any witnesses.
8. Candidates or any Member may submit a complaint.
9. The committee will arrange a timely hearing regarding that complaint.
10. A candidate may be disqualified from taking office if found in violation of the ASI Election Code upon recommendation by the disciplinary subcommittee. Disqualification requires a two-third majority vote by the Board of Directors in favor of disqualification. Such a vote must come before election ratification by the Board of Directors. Disqualification appeals must be made before election ratification.
11. Any candidate that refuses to cooperate with the ASI Recruitment and Elections Committee or does not attend the proceedings may be barred from participating in the election process in absentia, following a majority vote of the Board of Directors.
12. Any candidate or campaign worker that violates the active campaigning rules in any form shall be notified in writing and subject to disciplinary action, per the ASI Election Code.
13. Failure to comply with the ASI Election Code; the California Education Code; Title 5, California Code of Regulations; or any policy adopted by the Trustees of the CSU or the University President may cause a candidate's ineligibility to campaign for or hold an elected office.

## Article XII. Irregularities

### Section A. Voting

1. An election shall be declared null and void upon recommendation by the ASI Recruitment and Elections Committee and a two-thirds vote by the Board of Directors in favor of disqualification and/or nullification if irregularities arise involving the election as a whole (e.g., an appreciable discrepancy in the number of ballots issued and the number cast). This includes an irregularity that appears to be the fault of the ASI Recruitment and Elections Committee.

### Section B. Protest

1. Any protest regarding any aspect of the election must be submitted to the ASI Recruitment and Elections Committee Chair or Dean of Students' Representative in writing within 72 hours of the alleged violation.

### Section C. Recount

1. Any candidate has the right to request a recount of the ballots cast for the office for which they are running, and the ASI Recruitment and Elections Committee shall accede to the request. A request for a recount must be in writing within 24 hours after the results of the election have been announced. If a recount is requested, the current ASI President shall assist the Chair of the ASI Recruitment and Elections Committee and Dean of Students' Representative in recounting the ballots as the representative of the requesting party. If the ASI President is seeking re-election, the Chair of the Board will assist in recounting the ballots in place of the ASI President.

#### Section D. Alternate Dates for Elections

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

### Article XIII. Miscellaneous

The captions or headings in the ASI Election Code are for convenience only and are not intended to limit or define the scope or effect of any provision of the ASI Election Code.

### Article XIV. Amendments

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

*Approved by the ASI Board of Directors on January 12, 2022*