

## **ELECTION CODE**

### **ARTICLE I: PURPOSE AND INTENT**

#### **1.1 Purpose**

1. This Code provides for the conduct of all Undergraduate Students Association (USA) elections.

#### **1.2 Equal Protection**

1. This Code is intended to ensure that each candidate is afforded an opportunity for election equal to that of any other candidate for that office, and proponents and opponents of referenda and propositions are afforded an equal opportunity for their participation in the election process.

### **ARTICLE II: ELECTION BOARD**

#### **2.1 Purpose and Scope**

1. Control of all USAC elections and related activities shall rest with the Election Board.
2. The authority of the Election Board shall be limited in scope to only those duties stated in the USAC Constitution, its Bylaws and this Election Code, and those duties essential and imperative to carrying out the same.
3. The Election Board has original jurisdiction over the election process.

#### **2.2 Election Board Composition**

1. The Election Board shall consist of an Executive Committee and five Subcommittees: Investigations, Publicity, External Relations, Endorsements, and Finance.

The terms of all positions expire at the end of the Spring Quarter.

#### **2.3 Election Board Selection Process**

1. The Election Board Chair shall be appointed in the Fall Quarter or summer if a special election is to occur in the Fall Quarter, by the Undergraduate Students Association President and must be approved by the Undergraduate Students Association Council, herein referred to as the USAC. The appointment shall be made through an impartial selection of applicants solicited in the Spring or Summer Quarters through the Daily Bruin. The Election Board Chair will remain in office until their resignation or removal, or until the completion of the Spring Quarter.

2. In the event of the resignation or removal of the Election Board Chair, a new Chair shall be appointed for the remainder of the unexpired term by the Undergraduate Students Association President. The newly appointed Chair must be approved by the USAC.
3. During the Fall Quarter, or summer if a special election is to occur in the Fall Quarter, the Election Board Chair shall appoint a Vice Chair who must be approved by the USAC. The Election Board Vice Chair will remain in office until their resignation or removal, or until the completion of the Spring Quarter.
4. During the Fall Quarter, or summer if a special election is to occur in the Fall Quarter, the Election Board Chair shall appoint Subcommittee Directors who must be approved by the USAC. These members shall serve until their resignation or removal, or until the completion of the Spring Quarter.
5. In the event of the resignation or removal of the Election Board Vice Chair or any Subcommittee Director, a new student shall be appointed for the remainder of the unexpired term by the Election Board Chair. The newly appointed Vice Chair or Subcommittee Director shall be approved by the USAC.
6. The Election Board Chair shall be responsible for appointing members to the respective subcommittees in conjunction with the Subcommittee Directors. These members shall serve until resignation, removal, or completion of the Spring Quarter.
7. All members of the Election Board shall be ineligible for election to any USAC office, and shall not take part in any campaign during their term. Any Election Board member may be removed by a two-thirds (2/3) vote of the USAC at the recommendation of the Election Board Chair. An Election Board member may be suspended from their duties pending the removal proceedings. After the final determination of Election Board members, a list shall be submitted to the Undergraduate Students Association President, the USAC, the University appointed Administrative Advisor, and the ASUCLA Historian for the historical files.

## **2.4 Election Board Chair Responsibility**

1. Election Board Chair responsibilities and duties shall include to:
  - a. Be responsible to the USAC for the administration of all Undergraduate Students Association elections;
  - b. Be accountable for all Election Board duties and responsibilities;
  - c. Maintain absolute impartiality in the administration and conduct of all elections;
  - d. Nominate additional members of the Board, as may be necessary for the

efficient administration of the election;

e. Clarify existing rules intended for ensuring a fair and safe election as necessary and publish them at discretion of the Election Board Chair;

f. Assist the other members of the Election Board when necessary;

g. Control and regulate the disbursement of the Election Board budget;

h. Carry out such other functions and duties as required under the USAC Constitution and Bylaws;

i. Have jurisdiction over all Undergraduate Students Association election related processes during the academic school year;

j. Verify the eligibility of all candidates, as provided for in this Election Code, through the Dean of Students Office in the following manner:

- i. The Election Board Chair and/or University-appointed Administrative Advisor will deliver the candidate eligibility petitions and applications to the Dean of Students Office or their designee.
- ii. The Dean of Students will notify the University-appointed Administrative Advisor of the results of the candidate eligibility check.
- iii. The University-appointed Administrative Advisor will notify the Election Board Chair of the results of the candidate eligibility check.

k. Report in writing to the USAC the results of the candidate eligibility check, and recommend the certification of all candidates who have met the eligibility requirements;

l. Report in writing to the USAC and the University-appointed Administrative Advisor concerning the conduct of elections and to make recommendations and submit drafts for proposed changes in the Election Code;

m. Certify the elected candidates to the USAC prior to the installation of the new Council;

n. Provide the ASUCLA Historian with a copy of the final results of the balloting, for the historical files;

o. Present the Election Calendar to the USAC. The Election Calendar shall include:

- i. Deadlines for picking up and returning petitions for candidacy;
- ii. Date of Campaign Orientation Meeting;

- iii. Dates of on-campus campaigning;
- iv. Campus leaflet days;
- v. Deadlines for filing expense accounts;
- vi. Dates of voting;
- vii. Polling hours;
- viii. Dates for endorsement hearings and debate;
- ix. Date for student group endorsements orientation;
- x. Date for official registration of slates with the Election Board, if necessary.

p. Act as a representative of Election Board before the Judicial Board, or delegate to Investigations Chair;

## **2.5 Duties of the Election Board Vice Chair**

1. Election Board Vice Chair responsibilities and duties shall include to:

- a. Assist the Election Board Chair in their duties;
- b. Be responsible for the actions of Election Board members, as well as office maintenance;
- c. Assume the duties of the Election Board Chair in the event of the resignation, removal, or temporary or permanent inability of the Chair to perform their duties, until such time as a replacement is selected;
- d. Act as the primary liaison between all candidates and the Election Board;
- e. Conduct, or delegate the conduction of, the Candidate Orientation Meeting;
- f. Design and provide all filing forms;
- g. Maintain a file of all Election Board records, papers, forms, reports, or statements filed by each candidate, slate or group;
- h. Verify the validity of all filing form information, including candidate names, and to inform affected candidates, so far as possible, of any problems or inconsistencies;
- i. Assist the other members of the Election Board when necessary;
- j. Carry out other functions and duties as required under the USAC Constitution and Bylaws.

## **2.6 Duties of Election Board Publicity Committee**

1. Election Board Publicity Committee responsibilities and duties shall include to:

- a. Be responsible for promoting elections, including all advertising in the campus media concerning the election and the recruitment of Election Board members;
- b. Organize an Orientation Meeting (which shall be conducted by the Election Board Vice Chair);
- c. Publish the election results;
- d. Be responsible for the advertisement and publicity of campaign packets and deadlines prior to elections;
- e. Provide other publicity as they deem necessary;
- f. Control the disbursement of the marketing budget;
- g. Be responsible for maintaining and updating the Election Board social media;
- h. Update election forms and documents prior to elections;
- i. Assist the Election Board Chair and to be responsible to them;
- j. Provide extensive publicity of the candidate filing period and election, in such a manner to aim that all elements of the campus community will receive equal notice;
- k. Assist the other members of the Election Board when necessary;
- l. Carry out such other functions and duties as required by the Election Board Chair and the Election Code;
- m. Carry out such other functions and duties as required under the USAC Constitution and Bylaws.

**2.7 Duties of the Election Board Investigations Committee**

1. Election Board Investigations Committee responsibilities and duties shall include to:

- a. Be responsible for verifying expense accounts.
- b. Be responsible for investigating alleged violations or infractions of the election code committed by any campaign participant.
- c. Be responsible for the approval of campaign literature and all other campaign material according to the following procedure:

- i. Stampable material is to be approved by the Election Board;
  - ii. Nonstampable material must have the Election Board logo on it, and be emailed to the Election Board for approval.
  - ii. Non-digital materials containing the UCLA logo must be printed by a university approved vendor.
- c. Be responsible for reading the complaints entered or submitted by any member of the Association and responding appropriately within a timely manner; all complaints will be resolved within 48 hours.
- d. Contact the petitioner of a complaint and the accused to discuss the alleged violation to provide context for a situation; anonymous complaints will not be accepted.
- e. Make a decision regarding a petition to either take further action or not;
- f. Notify candidate or campaign representative of charges; and provide an opportunity for response.
- g. Determine if a violation has occurred, and if so, impose the appropriate sanction; the standard of proof shall be a preponderance (more likely than not).
- h. Write a report on the sanction issued for election records.
- h. Act as a representative of Election Board before the Judicial Board, if delegated by Election Board Chair.
- i. Ensure that all regulations concerning ballot measures are followed;
- j. Carry out such other functions and duties as required by the Election Board Chair and the Election Code.
- k. Carry out such other functions and duties as required under the USAC Constitution and Bylaws.

## **2.8 Duties of the Election Board External Relations Committee**

1. Election Board External Relations Committee responsibilities and duties shall include to:
  - a. Be responsible for communication and coordination with such bodies as the Daily Bruin, My.UCLA, and other administrative groups, throughout the elections process;
  - b. Be responsible for the organization of “Meet the Candidates” events.

- c. If an official debate is scheduled, shall be responsible for organizing the debate as outlined in Article X of this Election Code for all interested designated campaign representatives; debates may be scheduled to occur no later than two (2) school days prior to the commencement of voting. Designated Campaign Representatives and/or candidates are not required to attend debates.
- d. Be responsible for informing participants at the Candidate Orientation Meeting about the Meet the Candidates events.
- e. Be responsible for informing participants at the Candidate Orientation Meeting if there will be a debate, and if so, about the layout and regulations regarding the debates.
- e. Carry out such other functions and duties as required by the Election Board Chair and the Election Code.
- f. Carry out such other functions and duties as required under the USAC Constitution and Bylaws.

## **2.9 Duties of the Election Board Endorsements Committee**

1. Election Board Endorsements Committee responsibilities and duties shall include to:

- a. If an official endorsement hearing is scheduled, shall be responsible for organizing and conducting endorsement hearings as outlined in Article X of this Election Code;
  - i. The Endorsements director will communicate with, organize, and validate endorsing groups.
  - ii. The Endorsements director will inform all endorsing student groups of the endorsement hearing process and regulations.
  - iii. The Endorsements director will serve as liaison between student groups and the Election Board.
  - iv. Be responsible for compiling the final, official list of all endorsing parties for the particular election and making them accessible to the general public;
  - v. Be responsible for the approval of questions sent by student groups wishing to pose questions at the endorsement hearing;
- b. Carry out such other functions and duties as required by the Election Board Chair and the Election Code;
- c. Carry out such other functions and duties as required under the USAC Constitution and Bylaws.

## **2.10 Duties of the Election Board Finance Committee**

1. Election Board Finance Committee responsibilities and duties shall include to:

- a. Administer and enforce the USAC campaign finance provisions and regulations as stated in the USA Constitution, USAC Bylaws, and Election Code;
- b. Be responsible for financial records of all USAC candidates and slates;
- c. Administer and regulate USAC campaign funds raised and spent to influence USAC elections;
  - i. If a majority of the Executive Committee votes to find reason to believe that a violation of USAC campaign finance rule has occurred (whether or not a complaint was filed to the Committee), the Finance Committee will investigate the matter.
  - ii. If an audit reveals inconsistencies or that a registered party, independent candidate, or candidate running with a party has exceeded the spending limits and/or used funds for purposes against the USAC Constitution, Bylaws and/or Election Code, the case will be investigated by the Finance Committee.
- d. Issue guidelines before elections at the Candidate Orientation Meeting as necessary regarding campaign finance.
- e. Shall be responsible for completion and submission of all Election Board requisitions.
- f. Carry out such other functions and duties as required by the Election Board Chair and the Election Code.
- g. The Finance Committee shall oversee the distribution and management of candidate reimbursements from the budget allocation pursuant to Section 9.2. Clause 2.
- h. Carry out such other functions and duties as required under the USAC Constitution and Bylaws.

## **2.11 Duties of the Election Board Executive Committee**

1. Election Board Executive Committee responsibilities and duties shall include to:
  - a. Be responsible for serving in an advisory capacity to the Election Board Chair;
  - b. Provide assistance to members of the other committees with the execution of their duties, if necessary;



c. Carry out such other functions and duties as required by the Election Board Chair and the Election Code;

d. Carry out such other functions and duties as required under the USAC Constitution and Bylaws.

## **2.12 Other Duties of the Election Board**

1. Members of the Executive Committee, Vice Chair, and the Chair will be responsible for hosting Office Hours during normal business days during election season. Office hours shall be held on school days by the Election Board, beginning the date that campaign packets are made available. These office hours must be posted on the Election Board Bulletin Board and should be held through the final election.

2. The Election Board shall provide each applicant or – in the case of a ballot initiative, referendum, constitutional amendment or recall measure – designated campaign representative with a campaign packet, which shall include the following:

a. An application and petition for candidacy with space for 100 names, signatures, and student identification numbers;

b. A complete election calendar;

c. Election expense account form(s);

d. A copy of the Undergraduate Students Association Election Code;

e. A copy of the Procedures of the Undergraduate Students Association Judicial board;

f. A copy of the Undergraduate Students Association Constitution;

g. A copy of the Undergraduate Students Association Bylaws;

h. A copy of the UCLA Regulations on Activities, Registered Campus Organizations, and Use of Properties (University Rules and Regulations);

i. Information on the mandatory Campaign Orientation Meeting;

j. Dates for endorsement hearings and debate, if any;

k. Information about of the UCLA Rules for Residents that pertain to campaigning in the residential community;

l. A copy of the SOLE rules for signboards;

- m. A copy of the social media guidelines from the Election Code.
- 4. The Election Board shall make campaign packets available at least ten calendar days prior to the final day of petition filing. The availability of campaign packets and deadlines for submission shall be publicized prior to the deadline date.
- 5. The Election Board shall hold a mandatory Candidate Orientation Meeting.
- 6. The Election Board shall verify the student status of each candidate.
- 7. The Election Board shall notify all candidates once their eligibility status for participation in a USAC election has been confirmed; the Administrative Representative shall notify any applicants who are determined by the Dean of Students to be ineligible for participation in a USAC election.

## **ARTICLE III: BALLOT PROPOSITIONS**

### **3.1 Regulations surrounding Ballot Propositions**

- 1. A Designated Campaign Representative shall be the person representing the campaign for:
  - a. Ballot Proposition, such as petition, initiative, referendum, recall, advisory vote, or constitutional amendment.
- 2. Each campaign will have only one Designated Campaign Representative. All other persons and organizations participating in the campaign of the designated campaign representative will be called campaign participants, including the Designated Campaign Representative.
- 3. Responsibilities of the Designated Campaign Representative include:
  - a. The Designated Campaign Representative and candidates must attend the Candidate Orientation Meeting, which shall be held subsequent to the petition filing date on a school day designated by the Election Board Chair and approved by the USAC.
  - b. The Designated Campaign Representative must sign a roster at this meeting to verify continued interest in the campaign. This signature will make them the official representative of the campaign, and they will be held accountable for the actions of all persons and organizations participating in their campaign.
  - b. The Designated Campaign Representative must sign a statement reaffirming the following: *My participation in the forthcoming election will be undertaken in*

*accordance with and will be governed by: All applicable University policies and campus regulations; the Undergraduate Students Association Constitution and Bylaws; and the Undergraduate Students Association Election Code, as interpreted and implemented by the Election Board Chair. I acknowledge that I may be disqualified from the election process upon severe infraction of the Election Code at the discretion of the Election Board.*

### **3.2 Petitions**

#### **1. Definition**

- a. A legal document, accompanied by the exact wording of the measure or request, that bears the signatures of members of the Association.
- b. A petition shall be considered a valid initiative, constitutional amendment, recall measure, or petition for candidacy only after the appropriate number of signatures mandated by the USAC constitution has been validated.
- c. For clarification purposes, a “petition” is not a type of ballot proposition, but has regulations pertinent to the following ballot measures: Initiatives, Constitutional Amendments, Candidate Elections, and Recall Measures.

#### **2. Responsibilities of the Election Board Regarding Validation**

- a. The Election Board shall validate signatures as soon as possible, but no later than eight (8) days after their submission.
- b. Only after validation by the Election Board is a student petition considered an initiative, constitutional amendment, or a recall measure, and subject to the regulations thereof.

#### **3. Regulations Regarding Validation of the Petition**

- a. All campaign participants collecting signatures are responsible for following all University rules and regulations while collecting the signatures for an initiative, recall, or constitutional amendment.
- b. Before the petition is circulated, the petitioner must inform the Election Board in writing that the petition will be distributed.
- c. All signatures collected for an initiative, recall, petition for candidacy, or constitutional amendment, in order to be considered valid, must have a signature, the signer's printed name, their UCLA student identification number, and the date they signed the petition. In addition, in order for a signature to be valid, the signer must be registered and enrolled as an undergraduate student at the time of validation.

- d. Signatures for a given petition may be collected over the course of consecutive quarters of an academic year. No signatures may be collected during finals week or over a quarter break.
- e. In order for a petition to carry over consecutive quarters, the signed petitions of a given quarter must be accounted for and secured by the Election Board in the Election Board office through the time that signatures may not be collected. The petition must then be re-stamped with a different stamp by the Election Board the following quarter before signatures may again be collected.
- f. Signatures are not valid through academic years, non-consecutive quarters, or for multiple elections.
- g. The original petition must be stamped and approved by the Election Board with the current year stamp.
- h. The petition must contain the exact wording of the initiative, referendum, recall, or constitutional amendment in its entirety. It may also contain a summary of the measure, as approved by the Election Board Chair.

### **3.3 Initiatives**

#### **1. Definition**

- a. An initiative is any measure that is presented to the USAC and/or Election Board by any member of the Association in the form of a petition bearing the signatures of ten percent (10%) of the members of the Association.
- b. An initiative may be an amendment to the USA Bylaws, or a policy measure, or a Student Fee Adjustment Measure.
- c. An initiative shall be understood, for the purposes of this Election Code, to be separate and distinct from a recall measure or constitutional amendment.

#### **2. Proposal**

An initiative shall be validated subsequent to the presentation to the Election Board of a petition bearing the signature of ten percent (10%) of the members of the Association.

#### **3. Dates and Times of Election**

- a. A validated initiative shall be placed on the next regularly scheduled election ballot, but no sooner than 28 days after notice to the Election Board.

#### **4. Election Requirements**

a. Concurrence of a simple majority of those students voting in the affirmative shall be necessary to pass Initiatives, excluding Constitutional Amendments or Recall Measures.

b. In the case of conflicting proposals, all non-conflicting provisions in the proposal(s) shall be enacted. The conflicting provision of the proposal receiving the highest vote shall be enacted.

c. Legislation that is approved by popular vote of the Association shall not be amended, in whole or in part, by the Undergraduate Student Association.

D. Student Fee Adjustment Measures require a minimum 20% voter turnout in order to be effective.

### **3.4 Referendum**

#### **1. Definition**

a. A referendum is any measure that is placed on an election ballot by a two-thirds (2/3) vote of the USAC.

b. A referendum may be an amendment to the USA Bylaws, a policy measure, or a Student Fee Adjustment Measure.

c. A referendum shall be understood, for the purposes of this Election Code, to be separate and distinct from a recall measure or constitutional amendment.

d. Only after motion to have a referendum passes by a two-thirds (2/3) affirmative vote of the USAC shall the measure be considered a referendum and be subject to the regulations thereof.

#### **2. Proposal**

A Referendum requires a two-thirds (2/3) vote of the USAC in order to be placed on the ballot.

#### **3. Dates and Time of Election**

a. a. An election regarding the referendum shall be placed on the next regularly scheduled election ballot, no sooner than 28 days after notice to the Election Board by the USAC. The election date and time shall be subject to relevant provisions of the USA Constitution, Bylaws, and the Election Code.

b. A referendum shall be brought to a vote of the Association at the Spring General Election, unless otherwise specified by vote of the USAC.

#### 4. Election Requirements

- a. Concurrence of a simple majority of those students voting in the affirmative shall be necessary to pass Referenda, excluding Constitutional Amendments or Recall Petitions.
  - b. In the case of conflicting proposals, all non-conflicting provisions in the proposal(s) shall be enacted. The conflicting provision of the proposal receiving the highest vote shall be enacted.
  - c. Legislation that is approved by popular vote of the Association shall not be amended, in whole or in part, by the Undergraduate Student Association.
  - d. Additionally, any relevant USA Bylaws not outlined in this section must be adhered to during the elections process as well.
- e. Student Fee Adjustment Measures require a minimum 20% voter turnout in order to be effective.

#### 3.5 Recall

##### 1. Definition

- a. A recall is an election to remove an elected Undergraduate Student Association Officer from their office.
- b. Recall proceedings may be undertaken if it is believed that the Undergraduate Student Association officer is guilty of a dereliction of duty.

##### 2. Proposal

- a. An election for the recall of any elected Officer or the President of the Association shall be called upon subsequent to the presentation to the President of the Association a petition bearing the signature of ten percent (10%) of the members of the Association, and containing a specific statement of the grounds for removal.
- b. The Designated Campaign Representative must register the petition for a recall election with the USAC and Election Board Chair.
- c. The necessary signatures must be presented to the President of the Association within 30 days of the date of registration.
- d. No recall measure shall be proposed to the Association by a vote of council.

##### 3. Dates and Time of Elections

Upon determination of the validity of the signatures, the Council shall call a special election of the Association within twenty-eight (28) days.

#### 4. Election Requirement

- a. Concurrence of a two-thirds (2/3) majority of those students voting in the affirmative shall be necessary to pass a recall petition.
- b. The passage of a recall measure shall constitute a legal removal from office for the Council member in question.

### **3.6 Constitutional Amendment**

#### 1. Definition

A Constitutional Amendment is a proposed alteration to the wording of the USA Constitution.

#### 2. Proposal

- a. Proposal by USAC Approval: Amendments may be proposed to the Association for ratification following their approval by two-thirds (2/3) of the 12 voting members of the USAC.
- b. Proposal by Student Petition: Amendments may be proposed by student petition. Such a petition must be signed by at least fifteen percent (15%) of the Association's members.
- c. Amendments to the Constitution may not be proposed either by the USAC or by student petition, or ratified by the Association, during a summer term or quarter.

#### 3. Notice of Elections

Notice of the election and a complete statement of the proposed Constitutional Amendment shall be published at least one week prior to the election.

#### 4. Dates and Time of Election

- a. An election regarding the constitutional amendment shall be placed on the next regularly scheduled election ballot, no sooner than 28 days after notice to the Election Board by the USAC. The election date and time shall be subject to relevant provisions of the USA Constitution, Bylaws, and the Election Code.

b. Amendments proposed by the USAC shall be submitted to the Association for ratification during the next major election, unless the USAC approves a special election.

## 5. Election Requirements

a. Concurrence of a two-thirds (2/3) majority of those students voting in the affirmative shall be necessary to pass a Constitutional Amendment, given that greater than ten percent (10%) of the eligible student voters are participating in the election.

b. In the case of conflicting proposals, all non-conflicting provisions in the proposal(s) shall be enacted. The conflicting provision of the proposal receiving the highest vote shall be enacted.

c. The Undergraduate Student Association shall not amend, in whole or in part, legislation that is approved by a popular vote of the Association.

## 3.7 Advisory Votes

### 1. Definition

a. An advisory vote is a poll of the Association that is non-binding.

b. An advisory vote is any poll of the Association placed on an election ballot by a two-thirds (2/3) vote of the USAC, or by presentation to the USAC and/or Election Board by any member of the Association in the form of a petition bearing the signatures of 10% of the members the Association.

### 2. Proposal

a. An advisory vote requires a two-thirds (2/3) vote of the USAC in order to be placed on the ballot.

b. If an advisory vote is proposed by student petition, the vote shall take place concurrent with any scheduled election that the petitioner chooses, provided that the signatures are validated at least twenty-eight (28) days prior to the election.

c. If an advisory vote is proposed by vote of the USAC, the election shall take place concurrent with any scheduled election that the USAC chooses, by a majority vote, provided that the Election Board receives at least twenty-eight (28) days' notice prior to the election.

### 3. Dates and Time of Advisory Vote

a. An advisory vote may occur in concurrence with any scheduled election.



b. An election will not be held for the sole purpose of holding an advisory vote.

#### 4. Results:

An advisory vote shall not be considered to have passed, since it is nonbinding and has no enacting clause.

## **ARTICLE IV: SLATE/PARTY STATUS**

### **4.1 Definition of a Slate/Party**

A slate/party is any group of two (2) or more persons who mutually agree to use the same party name. No candidate can be affiliated with more than one slate.

### **4.2 Slate Signatory**

A slate signatory is any person who has become a slate signatory through the procedures stated herein. A slate signatory has the power to act on behalf of the slate and has delegated authority as an agent for all members of that slate.

### **4.3 Creation of a New Slate**

1. Any student who wishes to create a new slate can become the slate signatory of that slate by being the first (1st) person to do one of the following:

a. Register with the Election Board and follow the rules and regulations laid down by the University for student groups;

i. Slates are not allowed to apply for funding from any University funding sources. Any violation of university policies by slates will be sent directly to the University administration.

b. Submit to the Election Board, a Slate Registration Form. One (1) copy of this form will be kept with the Election Board and a second (2nd) copy must be made available to the registrant upon request; or,

c. In case of non-existence of Election Board, submit to USAC Slate Registration Form. Once the Election Board Chair receives this form upon appointment, the Chair shall announce receipt of the form which will then be entered into the minutes.

### **4.4 Transfer of Signatory**

1. If a slate signatory of a slate wishes to transfer the slate signatory status to another member of the slate, they may do so by doing one (1) of the following:

- a. Submit to the Election Board, a Transfer of Slate Signatory Form for the slate. One (1) copy of this form will be kept with the Election Board and a second (2nd) copy must be made available to the registrant upon request; or
- b. In case of non-existence of Election Board, submit to USAC a Transfer of Slate Signatory Form for the slate. Once the Election Board Chair receives this form upon appointment, the Chair shall announce receipt of the form which will then be entered into the minutes.

#### **4.5 Preservation of Slate Name**

1. To preserve the name of a slate, the slate signatory must do one (1) of the following before the beginning of each election season:

- a. Submit to the Election Board, a Slate Registration Form. One (1) copy of his form will be kept with the Election Board and a second (2nd) copy must be made available to the registrant upon request; or
- b. In case of non-existence of Election Board, submit to USAC a Slate Registration Form. Once the Election Board Chair receives this form upon appointment, the Chair shall announce receipt of the form which will then be entered into the minutes.

2. If the slate signatory fails to re-register the slate before the beginning of election season and there are no USAC elected officers affiliated with the slate, then the slate is considered to no longer exist, and the slate name may be claimed as a new slate as outlined in this Article.

3. If the slate signatory fails to re-register the slate by the end of the fall term and there are USAC elected official affiliated with the slate, the Election Board shall announce at a USAC council meeting that the slate has not registered, and any elected officers affiliated with that slate shall have the opportunity to become slate signatory by submitting to the Election Board a Slate Registration Form. If none of the USAC elected officers affiliated with the slate becomes signatory of the slate by the end of the meeting, then the slate is considered to no longer exist, and the slate name may be claimed as a new slate as outlined in this Article.

#### **4.6 Similarity of Slate Names**

If the Election Board determines that the names of two (2) parties are similar enough to confuse the voters, the slate name registered at the earliest date shall retain the name, and the other slate shall choose another.

#### **4.7 Slate Registration and Transfer of Slate Signatory Forms**

1. The Slate Registration Form shall include the Slate name, the date submitted, the name and signature of the slate signatory, and the signature of the Election Board Chair or the USA President (whomever receives the form). The form must also include a statement agreeing to the provisions in ARTICLE VIII. The signature of the slate signatory shall constitute an understanding of the necessary sanctions that could result of a violation of any of these provisions as articulated in ARTICLE VIII.

2. The Transfer of Slate Signatory Form shall include the slate name, the date submitted, the names and signatures of the old and new slate signatories, and the signature of the Election Board Chair or the USAC President (whomever receives the form).

3. The Election Board shall create the Slate Registration and Transfer of Slate Signatory Forms and make them available to the public provided that any form containing the required information shall be valid for the purposes of this Article.

#### **4.8 Slate Filing Requirements**

1. Slates/parties must register with Election Board by meeting the following Slate Filing Requirements:

a. In order for a slate to file candidates for an election, the slate signatory must attend the Candidate Orientation Meeting. The slate signatory may designate another person to act on behalf of the slate.

b. The slate signatory, or their agent, must also complete a Slate Filing Form, designed by the Election Board, which shall contain the following information:

- i. The name of the slate;
- ii. Names and contact information for two (2) persons authorized to act on behalf of the slate. One (1) of these must be the slate signatory;
- iii. The names of all candidates authorized to run with the slate for that election.

c. If a slate has not filed with the Election Board and the university by the end of the Candidate Orientation Meeting, then all candidates for that slate shall be reclassified as independents.

d. A slate may file only one (1) candidate for each office and up to three (3) candidates for the General Representative Offices.

e. Additionally, if a body of students resembles the characteristics of a slate/party a group of 2 or more persons), as outlined by the Election Code, and does not

meet the Slate Filing Requirements noted above, then they will be subject to disqualification.

#### **4.9 Slate Members**

1. A slate member is defined as any individual who can reasonably be associated with a slate through actively participating in campaigning for the slate or its candidates.
2. Slate affiliation or lack thereof (independent) shall be denoted next to the candidate's name on the ballot.

### **ARTICLE V: CANDIDATES**

#### **5.1 Candidate Elections**

##### 1. Definition

A candidate election is a process in which a vote is held to choose among candidates to fill (an) office(s).

##### 2. Eligibility for Candidacy

###### a. General Requirements

i. For the purposes of this Election Code, the term "candidate" shall be defined as any member of the Undergraduate Students Association who is eligible for candidacy if they meet the following requirements at the petition filing deadline:

1. Is currently registered and paid.
2. Is currently enrolled in at least 4 units.
3. Has at least a 2.0 cumulative grade point average.
4. Is not subject to any administrative disciplinary sanctions, the terms of which would preclude participation in University activities.

ii. The candidate will be responsible for obtaining the names, signatures, and student identification numbers of 100 currently registered and enrolled undergraduate students on the petition for candidacy.

iii. Those individuals who fail to submit their petition for candidacy by the petition-filing deadline will not be on the ballot. The petition-filing deadline must be held on a school day.

iv. No member of the Association shall run for or be appointed to an office, which they are ineligible to hold for its full term.

v. The candidate has the responsibility of knowing the status of their academic record prior to filing their candidate petition.

vi. No person shall be a candidate for more than one office.

###### b. Specific Requirements

i. In order for a candidate to be considered eligible to run for Undergraduate Students Association President, they must have

completed by the petition filing deadline (according to University standards, completed means passed with a "D-" or "P") ninety-six (96) quarter units, twenty-four (24) of which must have been earned while enrolled at UCLA.

ii. For the office of Undergraduate Students Association Internal Vice President, a candidate must have completed seventy-two (72) quarter units by the petition- filing deadline, twelve (12) of which must have been earned while enrolled at UCLA.

iii. For the office of Undergraduate Students Association External Vice President, a candidate must have completed seventy-two (72) quarter units, by the petition-filing deadline, twelve (12) of which must have been earned while enrolled at UCLA.

### 3. Dates and Times of Elections:

a. USAC offices shall be filled following certification of the results of the General Spring Election at the completion of the terms of the current USAC officers.

b. Special elections required to fill vacancies in the USAC that occur before the midpoint of the USAC member's term of office shall be held within twenty- eight (28) school days after USAC has been notified that said vacancy exists, not including summer term.

c. Voting shall open anytime after 7:00 AM on the first day of voting and close any time before 5:00 PM on a weekday on the last day of voting, unless in the event of a special election or if the Election Board determines that these particular hours need to be changed for the particular election season.

d. Special elections may not occur over the summer (between the end of spring quarter and the beginning of fall quarter).

### 4. Election Requirements

#### a. Executive and Commission Positions

i. For the election of the Executive and Commissioner positions, which includes the President, the Internal Vice-President, the External Vice President, the Academic Affairs Commissioner, the Campus Events Commissioner, the Community Service Commissioner, the Student Wellness Commissioner, the Cultural Affairs Commissioner, the Financial Supports Commissioner, the Facilities Commissioner and Transfer Student Representative the Instant Run- off Vote system shall be used.

ii. The voter shall list candidates on their ballot in order of preference, until they have no further preference amongst candidates.

iii. The Election Board and/or the USAC shall not limit the number of the candidates the voter may list.

b. General Representative Positions

- i. For the election of the General Representative positions, the Single Transferable Voting System with fractional transfer of surplus votes shall be used.
- ii. The voter shall list candidates on their ballot in order of preference, until they have no further preference amongst candidates.
- iii. The Election Board and/or the USAC shall not limit the number of the candidates the voter may list.

## 5.2 Candidate Orientation Meeting

### 1. Responsibilities of the Candidate and the Designated Campaign Representative

a. Candidates and Designated Campaign Representatives must attend the Candidate Orientation Meeting, which shall be held subsequent to the petition filing date on a school day designated by the Election Board Chair, and approved by the USAC. Candidates may not send a proxy. Failure to attend without an excused absence will result in immediate disqualification from the election. An excused absence is defined as an unavoidable academic conflict (e.g. midterm) with a syllabus provided, a health emergency, religious observance, or family emergency.

b. Candidates and Designated Campaign Representatives must sign a roster at this meeting to verify continued interest in the campaign. This signature will make them the official representative of the campaign, and they will be held accountable for the actions of all persons and organizations participating in their campaign.

c. The Candidate shall automatically be understood to be the Designated Campaign Representative for their campaign and shall, therefore, be responsible for any and all information disseminated at the Campaign Orientation Meeting. Any candidate not in attendance will be subject to disqualification.

d. Each campaign will have only one Designated Campaign Representative. All other persons and organizations participating in the campaign of the designated campaign representative will be called campaign participants, including the designated campaign representative.

e. Slate name and candidate order shall not be changed after the close of the Candidates Orientation Meeting, and no candidates shall be added to any slate.

f. Candidates and Designated Campaign Representatives must sign a statement *reaffirming the following: My participation in the forthcoming election will be undertaken in accordance with and will be governed by: All applicable University policies and campus regulations; the Undergraduate Students Association*

*Constitution and Bylaws; and the Undergraduate Students Association Election Code, as interpreted and implemented by the Election Board Chair. I acknowledge that I may be disqualified from the election process upon severe infraction of the Election Code in accordance to the Infractions & Penalties Guideline and at the discretion of the Election Board.*

## 2. Candidate's Name

- a. At this meeting, candidates who filed a petition and are found eligible will be able to decide upon the exact appearance of their name as it will be displayed on the ballot. The appearance of all names on the ballot shall be approved by the Election Board.
- b. Candidates must run under their officially registered name or preferred name (that which appears on University records), or a derivative thereof, or under a commonly held nickname. The name chosen by the candidate for the ballot, as specified on the Application for Candidacy, is final upon approval of the ballot.
- c. Candidates filed with a slate may choose to list the name of their slate, as registered with the Election Board, along with their name on the ballot. Candidates not affiliated with any slate may choose to display the word "independent" along with their name on the ballot. Attempts by two or more candidates to systematically alter the representation of their names to appear similar will be prohibited
- d. The order of the names on the ballot for all candidates who filed a petition and were found eligible shall be determined by a drawing of lots at this meeting. The space for eligible write-in candidates will always appear at the end of the list of registered candidates' names.

## 3. Ballot Order

- a. The order of candidate names shall be randomized on my.UCLA ballots.
- b. The order of ballot measures shall be as follows:
  - i. Candidate Election(s)
  - ii. Constitutional Amendment(s)
  - iii. Recall Measure(s)
  - iv. Initiative(s)
  - v. Referendum(s)
- c. The order of individual candidates shall be selected in the order of the Officers of the Association in Article II, Section C.1 of the Undergraduate Student Association Constitution.
- d. Advisory Votes shall be positioned on the ballot as designated by the Election Board Chair and approved by the USAC.

#### 4. The Election Walk Signboard Locations

a. The Election Walk signboard locations shall be determined by a drawing of lots at this meeting in the following manner:

- i. The Election Walk Signboard locations will be chosen in the order of the ballot measures.
- ii. The Election Walk signboard locations for candidates shall be selected in the order of the Officers of the Association in Article II, Section C.1 of the USA Constitution.
- iii. Each ballot measure or office, through a lottery system, shall be selected for signboard choices.
- iv. If a candidate or Designated Campaign Representative is chosen, they will have the option of choosing a location for their campaign signboard.
- v. Once all candidates for a given office have chosen their locations, the location of signboards for candidates for the remaining USAC offices will be similarly selected.
- vi. Once all candidates have received their signboard locations, the location of signboards for the ballot measures will be similarly selected.

b. All assignments of campaign signboard locations are final. Should readjustment of a campaign signboard's assigned location be necessary due to logistical reasons, the Election Board Chair may alter the original assignment.

5. Prior to the end of Orientation, a slate signatory must notify the Election Board of the candidates under their slate and sign the binding spending limit, set by this Election Code and file any other paperwork deemed necessary by Election Board.

6. The Election Board will set aside time at the Campaign Orientation Meeting for the Designated Campaign Representatives to sign a binding spending limit, set by the Election Board Chair prior to the election.

7. A portion of this meeting shall be dedicated to the detailed explanation of campaigning procedures in the Residence Halls by a Residential Life Representative and/or the External Relations Committee Chair.

8. If Debates, endorsement hearings, or meet the candidate events are held, attendance by Campaign Representatives is optional.

## **ARTICLE VI: VOTING PROCEDURES**

### **6.1 Voting Procedures**



1. Voting shall be by online via My.UCLA.
2. Association members will cast their vote online via a secure ballot system. In order to cast a vote, association members will be required to log on to a secured log-in system that calls for individual identification and password confirmation.
3. If the technological resources are not available to carry out elections online or an emergency situation exists, then a paper ballot system will be used as delineated by the following:
  - a. All students, to be eligible to vote, must present their UCLA Student Identification Card to the poll worker who will slide the card through the "Bruin Card" scanner. The poll worker must be satisfied that the picture on the UCLA Student Identification Card matches the student. In order to receive a ballot, the voter must sign the Voter Registration List, and include their Registration number. The voter shall then be handed one (1) ballot.
  - b. The Election Board Chair shall determine the number and location of polling stations with the USAC approval. A list of polling stations will be provided to all undergraduate students. Polling stations shall be open during the hours designated by the Election Board Chair with the USAC approval.
  - c. If an emergency situation threatens the security of any polling stations or students, the Election Board Chair, in consultation with the University appointed Administrative Advisor, may order the closing of any or all polling stations. If polling stations are closed because of an emergency situation, the Election Board Chair shall determine if there is sufficient cause to warrant additional time for balloting. The additional time for balloting shall be no greater than the amount of time that the polling stations were closed. If so, the Election Board Chair shall notify the Undergraduate Students Association President and the University appointed Administrative Advisor. The Election Board Chair shall designate the date(s), times, and polling locations with the USAC approval, and inform students of the decision.
  - d. If a polling station has been closed or moved (e.g., due to rain), a sign shall be posted at the original location stating where other open polling stations are located.
4. Voting shall occur continuously, unless paper ballots are being used.
5. Voting shall take place by randomized ballot order for the candidates running for each position unless paper ballots are being used, in which case equal ballots shall be distributed with ballot orders in each possible combination for the candidates running for each position.

## **6.2 Tabulation Procedure**

1. Only members of the Election Board Executive Committee, the University appointed Administrative Advisor, and others so designated by the Election Board Chair may be present.
2. At least four (4) copies of the computer printout shall be made. These copies shall be distributed in the following manner:
  - a. One (1) shall be posted digitally on the Election Board social media.
  - b. One (1) shall be submitted to the Undergraduate Students Association President.
  - c. One (1) shall be placed in the Election Board file.
  - d. One (1) shall be submitted to the University-appointed Administrative Advisor.
3. Ballots shall be counted using a program that accurately accounts for but does not visibly report the identity of the voter. A Designated Campaign Representative may request a recount if there is reason and evidence to support that such a program has not been used.
4. A statement of accuracy signed by the Election Board Chair (or, in their absence, by the Election Board Vice Chair), the University-appointed Administrative Advisor, and ranking computer operator shall be delivered to the Undergraduate Students Association President. One (1) copy of this statement shall be kept in the Election Board file, and one copy shall be provided to the ASUCLA Historian for the historical files.

## **VII: REGULATIONS REGARDING SPECIFIC ELECTIONS**

### **7.1 Spring General Election**

1. Elections for USAC offices shall take place during the fifth (5th), sixth (6th), or seventh (7th) week of Spring Quarter at the discretion of the Election Board Chair.
2. The hours of voting shall be designated by the Election Board Chair, per the approval of the USAC.
3. The Spring General Election shall be at least three (3) full days in duration. If the election is held online, voting shall be open for 72 continuous hours.

### **7.2 Special Elections**

1. Reasons for holding a special election shall include:
  - a. All candidates for an office are disqualified or withdraw.
  - b. A student initiative, a Constitutional Amendment, or the calling of a recall election has been proposed by student petition.

- c. Referendum has been passed by a vote of council that provides for the calling of a special election.
- d. Special election is called to fill vacancies in the USAC that occur before the midpoint of the USAC member's term of office.
- e. A new position has been created through a constitutional amendment.

## 2. Dates and Times of Special Elections

- a. The dates and times of all special elections shall be designated by the Election Board Chair with the USAC approval.
- b. Campaigning procedures and the administration of all special elections shall be designated by the Election Board Chair.
- c. No election may be conducted during the first or tenth week of classes or during finals week of any quarter, or during Summer term.
- d. Special Election(s) shall be at least two (2) days, or 48 hours, in duration.
- e. Special Elections in Spring Quarter shall not be held within the ten (10) school days before General Elections.

## **ARTICLE VIII: GENERAL REGULATIONS**

### **8.1 Guidelines**

1. The following guidelines have been stipulated in order to protect every Association member's right to vote in privacy. Should this right be infringed upon, sanctions may be levied in accordance to the Infractions & Penalties Guideline and as deemed necessary by the Election Board.
2. All Association members retain the right to vote in privacy.
3. There shall be no campaigning to someone who is in the process of voting, provided that the campaigner is made aware that the member of the Association is voting.
4. Campaigning is not permitted at the time and place of voting. Campaign participants are not permitted to campaign in the presence of an Association member who is casting their vote, so as to persuade the Association member to vote for or against a ballot proposition. Campaign participants will be responsible for observing this limitation at all times. This does not prohibit campaign participants from casting their vote, provided that they are Association members.
5. There shall be no voting en bloc – no member of the Association shall coerce an individual student or group of students to vote in a particular manner, and if necessary, measures shall be taken at the discretion of Election Board to prevent its use.

### **8.2 Guidelines for All Elections and Ballot Propositions**

## 1. Campaigning

a. For the purposes of this Election Code, the term "Campaigning" shall be defined as any effort by any individual or group to influence the decision of any student in support of or against any USAC candidate, slate, initiative, referendum, recall, or constitutional amendment appearing on the ballot in the next election through the use of verbal or nonverbal interaction, electronic correspondence of any kind, or the use of physical materials.

b. For the purposes of this Election Code, the term "Campaign Literature" shall be defined as any physical or electronic material that attempts to influence the vote of any student in the manner described in section 8.2.1.

c. For the purposes of this Election Code, the term "Endorsement Slip" shall be defined as any material originating from and/or distributed by any registered campus organization that contains a stated endorsement or conveyance of support for any of the following:

- i. Candidate(s);
- ii. (An) official or unofficial group(s) of two or more individuals who are running for (an) USAC office(s), even if the individual candidates are not mentioned by name;
- iii. Initiative(s);
- iv. Referend(um/a);
- v. Recall Measure(s); or,
- vi. Constitutional Amendment(s).

d. For the purposes of this Election Code, the term "Media Advertising" will be defined to include any paid promotional material that is produced, advertised and/or distributed at UCLA or in the surrounding area (includes the 90024 zip code) appearing in any newspaper, magazine, newsletter, radio, television, or internet advertisement, etc. that is considered campaigning as defined in 8.2.1.

e. For the purposes of this Election Code, the term "Campaign Signboard" shall be defined as any type of signboard (including A-Boards) that is displayed in public areas that is considered campaigning as defined in 8.2.1.

f. For the purposes of this Election Code, the term "Sandwich Board" shall be defined as any type of signboard (including A-Boards) that is worn or carried in public areas that is considered campaigning as defined in 8.2.1.

g. For the purposes of this Election Code, Campaign Paraphernalia shall be defined as items, articles, or trinkets – including, but not limited to, buttons, stickers, apparel, candy or food – that is considered campaigning as defined in 8.2.1.

h. For the purposes of this Election Code, the term “Student Organization Signboard” shall be defined as a signboard (including A-Boards) belonging to a registered UCLA student organization. It must comply with Student Organizations Leadership and Engagement (SOLE) standards.

i. For the purposes of this Election Code, the term “Social Media Campaigning” shall be defined as any post, picture, message, status, tweet, etc. associated with any candidate/slate that is visible to voters online that is considered campaigning as defined in 8.2.1.

j. For the purposes of this Election Code the terms listed above shall be defined as separate and complete having no conditional relationship to each other.

## 2. On Campus Campaigning

a. On-campus refers to areas and structures owned by the University of California.

b. On campus campaigning shall be limited by the following regulations:

### i. Location of Campaigning

1. Campaigning on-campus will begin at a time designated by the Election Board Chair.

2. Campaigning on-campus before this time is expressly prohibited. This shall not be construed to prevent designated campaign representatives from attending and participating in approved endorsement hearings or approved debates.

3. In the case of an emergency situation where paper ballots are being used: (a) Campaigning is not permitted within seventy-five (75) feet, measured in any direction, of any polling station. Campaign participants will be responsible for observing this seventy-five (75) foot limit.

### ii. Campaign Signboards

1. Each candidate and Designated Campaign Representative will be permitted one campaign signboard to be located on the Election Walk i.e., the area north of Bruin Walk and west of Powell Library.

2. Candidates and Designated Campaign Representatives are allowed to put group affiliation on their signboards, but may not mention other candidates by name.

3. Total size shall not exceed 32 square feet with width not exceeding 8 linear feet. Campaign material may not appear on more than 32 square feet of surface.

4. The Election Board shall mark the Election Walk according to the lots drawn at the Candidate Orientation Meeting. The signboards may not be put up until 12:00 a.m. of the day on campus campaigning begins.

5. All candidates and designated campaign representatives shall remove their campaign signboards from the Election Walk, by 12:00 p.m. (noon) on the Sunday following the election.
6. If there is a run-off election the campaign signboards still relevant to that election may remain until the Sunday after the final election.
7. Failure to comply with this rule will result in a bill from the Department of Buildings and Grounds for the removal of the campaign signboards.
8. If a Designated Campaign Representative fails to pay this removal fee assessed by the Department of Buildings and Grounds, a lien will be placed on their registration packet through the Dean of Students Office.

iii. Sandwich Boards

1. Sandwich boards must be worn whenever the message (e.g., letters, pictures, etc.) is in public view, and may not be worn or displayed anywhere on campus where to do so would cause disruption of the normal flow of traffic.
2. Sandwich boards shall not be displayed when not being worn or carried.

iv. Student Organization Signboards

1. Student Organization Signboards may be used in elections for nonpartisan purposes (such as the promotion of voter turnout).
2. A Student Organization may use their signboard to display their Endorsements.
3. Student Organization Signboards shall not contain campaign material, except in the form of endorsements.
4. Endorsement slips in the form of flyers that are meant to be taken from Student Organization Signboards may only be available for distribution during designated leafleting hours.
5. Student Organization Signboards that do not comply with Center for Student Programming standards may not be used

v. Distribution of Campaign Material

1. Campaign participants may campaign on Bruin Walk/Westwood Plaza as long as they do not inhibit the normal flow of traffic.
2. All campaign material and campaign literature must be approved by the Election Board prior to its public distribution and abide by University policies. The Election Board may only withhold approval of campaign materials and/or campaign literature if such materials are libelous, contain false information, or pose a significant threat to campus climate or safety.
3. Campaign material is defined as publicly distributed objects created by a slate, a candidate, or any campaign supporters, that in any way attempts to influence the decision of any student in support or against any USAC candidate, slate, initiative, referendum, recall, or constitutional amendment. Further, materials that are issued by a candidate's campaign and/or slate that mention

a candidate's name, a candidate's ballot position, and/or the office a candidate is seeking shall be defined as campaign material.

4. All stampable campaign material, with the exception of endorsement slips, shall contain the current Election Board stamp or logo. Time constraint does not constitute a valid exception to exclusion of the Election Board logo. Any exception to this aforementioned provision shall be approved in the manner provided for by the subsequent section. The placement of the Election Board stamp or logo must be prominent and conspicuous. The stamp or logo shall be no smaller than one percent (1%) of the printed area.

5. Approval of non-stampable campaign material may not be denied due to the inability to affix the Election Board logo to said material. If it is impossible or infeasible to affix the logo, the election board shall keep on file a photograph and description of the object. The Election Board shall make public a list of all approved campaign material.

6. The public distribution of any campaign material that has not been approved by the Election Board shall be subject to sanctions in accordance to the Infractions & Penalties Guideline and at the discretion of the Election Board Chair.

#### 7. Campaign Paraphernalia

a. The possession and/or wearing of campaign paraphernalia shall not be regulated.

b. On-campus distribution of campaign paraphernalia to the general campus audience may occur only during campus leafleting hours.

c. Campaign paraphernalia shall be construed as a category of campaign material that is distinct and mutually exclusive from all other categories of campaign material.

d. The placement of the Election Board stamp or logo must be prominent and conspicuous. The stamp or logo shall be no smaller than one percent (1%) of the printed area of campaign material falls under a different category, it shall not be considered to be campaign paraphernalia.

#### vi. Leafleting Hours

1. There will be at least three (3) days designated by the Election Board Chair as campus leaflet days.

2. The specific leafleting hours will be set by the Election Board.

3. Campaign literature and endorsement slips may only be distributed to the general campus audience during campus leafleting hours at locations provided for in the University Rules and Regulations for literature distribution.

### 3. Campaign Regulations:

a. Campaign material of any sort shall not be attached to vegetation, any campus building, wall, permanent or temporary fixture (including construction walls and

fences), and/or campus event bulletin boards. This shall not be construed to preclude the posting of Residence Hall posters or the posting of campaign literature by the resident on the door of their respective room.

b. Organizations involved in endorsement may be sanctioned for publishing or distributing "endorsement slips" and/or having endorsement messages on their student organization signboard before the time designated by the Election Board.

c. Distributing campaign literature or endorsement slips to vehicles on campus and posting or painting signs on or in vehicles on-campus is prohibited.

d. No campaign statements shall be written on UCLA structures or grounds.

e. Campaign material may not be left inside any building on campus where to do so would cause the disruption of the normal flow of traffic.

f. Campaign material may not be distributed in the following areas, in accordance with this Election Code and University Rules and Regulations:

- i. Within structural or physical confines of buildings. This shall not be construed to preclude the posting of Resident Hall Posters, or the posting of campaign literature by the resident on the door of their respective room;
- ii. Within areas reserved for classes, public performances, or organized activities;
- iii. Within any food services or eating areas;
- iv. In vehicular driveways, streets and parking lots;
- v. Within any university living establishment, including but not limited to university owned apartments, Residence halls, etc.;
- vi. Within Residence Halls, except as provided in specific regulations governing distribution in Residence Halls.

#### 4. Campaigning in Residential Areas

a. In addition to the provisions of this Election Code, campaigning in UCLA On Campus Housing shall be governed by the regulations, definitions, and protocol outlined in the UCLA On Campus Housing Student Handbook. Any violation of the UCLA On Campus Housing Student Handbook will also be considered a violation of this Election Code.

- i. The Residence Halls will be defined as all areas governed by the Residential Life Office west of Charles E. Young Drive.
- ii. In the UCLA On Campus Housing Handbook, the term "campaigning" is defined as any display on the part of any person for the purpose of convincing other people to vote for or against a candidate, initiative, referendum, constitutional amendment or recall.
- iii. Posting of campaign material is limited to the following stipulations:
  1. Residents may post campaign material on the door of their perspective room.



2. In order to post campaign materials Designated Campaign Representatives will be allowed one (1) of the following:
  - a. 14 posters no larger than 22" by 24" or
  - b. 47 posters no larger than 11" by 17"
3. These posters must be submitted to the Residential Life Central Office. If approved, they will be distributed throughout public areas as seen fit by the Residential Life. All Designated Campaign Representatives will have equal access to posting in the Residence Halls.
  - iv. There will be NO campaigning on the individual floors including door-to-door campaigning, in person, or with printed material.
  - v. Campaigning in the dining facilities is prohibited.
  - vi. Use of mailboxes is permitted only through the regular U.S. Mail's postage and distribution process. The public address system may not be used for campaigning of any sort.
  - vii. All posters must be removed and discarded within 24 hours after the election.
  - viii. Distribution of campaign material of any kind is prohibited with the exception of the posting allowances.
  - ix. Campaigning is prohibited on any University owned or managed living facility including but not limited to, University Apartments, Residence Halls, etc.

#### 5. Media advertising

- a. Media advertising will be permitted only during campus leafleting days.
- b. Any media advertisement must be itemized in the campaign expense form for the candidate or campaign that it advertises.

#### 6. Use of Technological Resources

##### a. Websites:

- i. Each candidate and Designated Campaign Representative is allowed to create their own campaign website.
- ii. All candidate and Designated Campaign Representatives must give the uniform resource locator (url), to the Election Board, of all websites that are designed to campaign for them or for a group of candidates with whom they associate.
- iii. The use of unofficial websites on UCLA affiliated computer servers for the purpose of campaigning is strictly prohibited.
- iv. Websites shall not be uploaded and accessible to the Association until online campaigning begins.

##### b. E-mail:

- i. Any e-mail that contains campaign literature or is an endorsement slip may only be sent to:

1. A subscription listserv that the sender is a member of. For the purposes of this code a “subscription listserv” will be defined as a list of emails that were voluntarily collected for the purpose of communication within a specific group. It strictly excludes all listservs that Association members are required to subscribe to in order to receive an official University service (i.e. the Association listserv, or the Office of Residential Life listserv).

2. Individuals whom the sender personally knows.

ii. The following information is required to be put at the bottom of each email or social media message: Report any violations of the Election Code via email at [USACElectionBoard19@gmail.com].

iii. Any message sent through a networking site includes, but is not limited to, Facebook, Instagram, or Twitter.

iv. Any social media forum with a smaller capacity shall include a shortened disclaimer determined by the Election Board Chair.

## 7. Regulations of Campaigning

a. The purpose of these regulations is to hold candidates, slates, and proponents/opponents of propositions responsible for serious breaches of the Election Code which threaten the validity of the USAC’s commitment to fairness, democracy, and the legal institutions empowered to protect that democracy, as well as to define and provide equitable remedy for the same. For this reason, any person, slate, candidate, proponent or opponent of a proposition found to have committed such violations shall be subject to sanctions in accordance to the Infractions & Penalties Guideline and at the discretion of the Election Board Executive Committee.

### b. Illegal Use of Campaign Resources

i. The use of ASUCLA and/or University equipment, and/or telephones (except in a manner available to the general student population) is prohibited.

ii. Storage of any campaign material in any building on campus (except in a manner available to the general student population, i.e., student lockers) is prohibited. However, transfer of any campaign material through campus buildings is permitted when such material does not display campaign messages. Campaign paraphernalia worn by campaign participants may display campaign messages while being transferred through campus buildings.

iii. The use of the campus postal system or student government photocopy charge cards for the purpose of campaigning is strictly prohibited.

iv. Funds of the Undergraduate Students Association may only be used in elections for nonpartisan purposes (such as the mechanics

of the electoral process). No student government funds may be used for campaigning purposes.

- v. All expenditures of Undergraduate Students Association funds for any aspect of an election must be approved by the USAC.
- vi. Use of Undergraduate Students Association funds for any aspect of an initiative, referendum, recall movement, candidate election, or constitutional amendment election must be used for nonpartisan purposes.

c. Prohibited Behaviors

- i. Willfully violating a lawful order from the Election Board.
- ii. Intentionally falsifying information on any Election Board forms.
- iii. Registering similar party names to those already in existence.
- iv. Obstructing an investigation by the Election Board.
- v. Exceeding the campaign finance spending limits as defined in Article IX of this Election Code.
- vi. Placing any campaign literature on university property within the grounds of a university managed living facility. This shall include, but not be limited to, indoor and outdoor walls, waste receptacles, trees, public bulletin boards, and any other residential space. This item shall not prohibit the posting of literature inside rooms, including on windows, or on personal bulletin boards, provided in either case that the permission of the affected resident is obtained.
- vii. Engaging in any behavior that may be construed as active campaigning within any university managed facility such as dorms, classrooms, libraries, etc. owned by the university.
- viii. Filing malicious, frivolous, or bad faith charges against any candidate or slates. If another candidate engages a third (3rd) party to file such charges, both slates shall be held responsible.
- ix. Falsely claiming a past or current position, title, membership, award, or other affiliation with an individual, group, organization, or slate. When deemed applicable, membership shall be defined as being a member in good standing.
- x. Claiming an endorsement of an individual, group, or slate without his/her/its consent.
- xi. Willfully placing campaign material in any university building, including classrooms, libraries, and on chalkboards, but excluding the posting of campaign material on public access bulletin boards and kiosks within university buildings.
- xii. Failure to turn in campaign finance receipts or providing misleading information on the expense accounts.

8. Conduct of Campaign

- a. This section outlines the protocol surrounding the conduct of candidates/slates during elections.

- b. Multiple candidates of a slate shall be considered equally guilty of a campaign rules violation if one or more of the following occur:
  - i. The violation was premeditated amongst slate members.
  - ii. Slate members violated a campaign rule, section in this Election Code.
  - iii. Members of the slate act together in the violation.
  - iv. The Election Board has probable cause to determine that the slate was associated with the said violation.
  
- c. A candidate, but not their slate, shall be considered guilty of a violation of the campaign rules if the Election Board determines that the violation was only associated with the candidate solely.
  
- d. A candidate or slate may deny the action of any individual who violated the campaign rules in favor of some candidate, slate or group by denying said violator is their agent within twenty-four (24) hours after the violation has been discovered and reported by the Election Board to the slate signatory or candidate. This shall be done either in written form or verbally to the Election Board.
  
- e. It is the intent of this section to hold a candidate or slate responsible for violations committed by their agents if those agents are involved in that general area of the campaign.
  
- f. If any proponent/opponent of a ballot measures is found to have violated the Election Code, the proposition shall be assessed the corresponding sanction, up to and including the disqualification of the proposition.

## 9. Polling Stations

- a. Only the Election Board can designate a polling station.
  
- b. For the purposes of this Election Code, a "polling station" will be defined as a location, whether stationary or mobile, at which Association members may cast their vote.

## **ARTICLE IX: CAMPAIGN EXPENDITURES**

### **9.1 Campaign Finance Rules and Regulations**

#### 1. Enforcement:

- a. Enforcement of the Election Code shall be the responsibility of the Election Board. The Finance Committee is the chief administrator of campaign finance restrictions. The public has the right to obtain any candidate's spending

information, but the information is not required to be widely disseminated by the Election Board.

b. The Election Board has the ability to determine fair market value for any campaign material not accompanied by a receipt. The interpretation of fair market value may be appealed to the Judicial Board.

c. Campaign materials that count as part of a candidate's spending, must have been produced, or authorized, by the candidate and/or parties which act in coordination with the candidate.

d. Any campaign material advocating, by name, office seeking, or ballot number, more than one candidate, shall have its cost divided equally among all candidates listed on the material. Additionally, any campaign material advocating by name for more than one campaign may have its cost divided among all campaigns, in accordance with article IV, section 4.8.e.

e. The Election Board shall be responsible for investigating alleged violations of this Code.

## 2. Submission of Expense Account

a. An expense account form must include a signed statement by the candidate or Designated Campaign Representative attesting to the accuracy of that campaign expense account form.

b. The expense account will be due on the date designated by the Election Board Chair. The candidate and Designated Campaign Representative will be held accountable for all declared and/or undeclared campaign expenses in the campaign expense account forms.

## 3. Auditing of Expense Accounts

a. The following must be included in the expense account form:

- i. A sample of all material used in the campaign (except sandwich boards and the campaign signboard);
- ii. An original copy of each type of campaign literature;
- iii. A listing of all expenses associated with the campaign (whether or not they are used in a campaign);
- iv. Original receipts for all expenses, including the names and phone numbers of all businesses dealt with. Receipts must include information on what was purchased and the amount spent;
- v. Direct sources citing where the resources (for resources/amounts above ten dollars (\$10) came from by providing Election Board the name, monetary amount and affiliation with the source.

b. Regulations regarding receipts

- i. These receipts must be turned at the next occurring designated expense account due date as presented by the Election Board and approved by the USAC.
- ii. Purchases made before campaigning are allowable; however, these receipts must be turned in to the Election Board office no later than three (3) calendar days after on-campus campaigning begins.
- iii. Campaign Expense forms must accompany the receipts.
- iv. All receipts must be dated by the merchant from whom the materials were purchased, including services obtained from a professional.

c. The expense account must be signed by the candidate and Designated Campaign Representative and the signature will be taken as an affirmation on their part as to the validity of the expense account form.

d. The candidate and Designated Campaign Representative will be responsible for declaring in the expense account forms all campaign material that is publicly or privately displayed or distributed, on- or off campus, by the campaign and the direct sources of the funding.

e. Candidates and/or slates may not use funds allocated to student groups.

f. If candidates and/or designated campaign representatives choose to share materials purchased together, the total cost of the material must be accounted for completely in the set of expense account forms of participating candidates or Designated Campaign Representatives. Each Designated Campaign Representative is responsible for reporting their respective portion. If the total is not completely accounted for, all candidates or campaigns using the material in question are subject to disqualification.

g. The Election Board Finance committee shall review charges against candidates who allegedly commit violations. If there is a failure to adhere to any of the rules above, the Finance Committee shall report any failures to the Election Board Chair. The Finance Committee shall not counsel any candidates.

h. Incorrect and/or incomplete information may result in disqualification. A candidate (even after elected) will always be held accountable for the information declared on the expense account forms. The provision of incorrect and/or incomplete information by an elected and certified candidate may result in the Election Board recommendation to the USAC for a petition to recall to begin circulation.

i Failure to adhere to any of the rules above including, but not limited to, misrepresentation of funding sources, failure to report direct sources of funding,

failure to report expenditures, etc. will result in sanctions, with the potential of disqualification. Failure to turn in expense reports and direct sources is means for immediate disqualification as a candidate. Falsifying their expenditure/sources is means for immediate disqualification. Any funds distributed through a source from an unidentified individual is means for disqualification.

j. There shall be no additional expenses allowed after the final expense account deadline.

k. Donated Materials and/or Services

i. All donated materials and/or professional services, whether sought or offered, related to a campaign, including previously owned material, must be declared at its present fair market value. The fair market value will be computed as follows: The candidate or Designated Campaign Representatives will secure three (3) price estimates (that are available to the general public) of the exact item to be used on the campaign. These three estimates (with the names, addresses, and phone numbers of the companies and/or individuals furnishing these estimates), along with the average price, shall be included in the expense account form submitted to the Election Board. This average price shall be considered the fair market price. Candidates and Designated Campaign Representatives are allowed to accept a discount for materials and/or services rendered; however, the candidates and designated campaign representatives are required to declare the expense at its fair market value.

l. The deadline for turning in the Spring Quarter election expense account forms shall be at a time no more than one (1) week before the voting week which will be determined by the Election Board and approved by the USAC. Failure to turn in expense account forms that are complete, accurate, and on time may result in penalties in accordance to the Infractions & Penalties Guideline and as determined by the Election Board Chair.

The deadline for turning in Special election expense account forms shall be at a time no more than one (1) week before the voting week which will be determined by the Election Board and approved by the USAC. Failure to turn in expense account forms that are complete, accurate, and on time may result in penalties in accordance to the Infractions & Penalties Guideline and as determined by the Election Board Chair.

m. All expense accounts of every campaign shall be made available to all UCLA students, staff, and faculty for inspection during normal Election Board office hours with Election Board approval. The Election Board shall publish the total expenses of each campaign before voting ends.

### **9.1.1 Spending Limits:**

#### **1. Candidate Spending Limit**

- a. Candidates for all offices will be allowed to spend up to \$450 on their campaigns.
- b. Each candidate may be reimbursed for a portion of their total campaign expenditures of up to 100% of a candidate's expenditures to come from 10% of the USAC Election Board budget for that election. The reimbursement allocation will be split equally among all candidates who report expenditures.

### **9.2 Slate/Political Party Spending**

#### **1. Definitions**

- a. "Slate spending" is strictly defined as the summation of all the costs incurred for the slate to promote all of their candidates, including but not limited to the promotion of all candidates on fliers, posters, posts, advertisements, merchandise, etc.
- b. Slate spending shall be defined as any transaction of money or exchange of like-kind gifts valued at fair-market value made by a party, party signatory, or member of a party, for materials that advocate by name for more than one campaign associated with a slate.
- c. Slates will register their likeness consisting of a font with the Election Board before the completion of the filing period. To be excluded from slate spending, the materials' likeness must be totally dissimilar and evidence of a clear "good faith" attempt to separate election campaigns from any other campaigns must be demonstrated to the Election Board upon request.
- d. Purchased or donated campaign materials that are not distributed during the given academic year shall not be counted toward the slate spending limit.
- e. Throughout the campaigning period, any material distributed that bears the slate branding shall be counted toward the party spending limit.

#### **2. Disclosure of Sources of Funding**

Parties and candidates must disclose and make available to the Elections Finance Committee all documentation requested regarding direct sources of funding over ten dollars (\$10) including, but not limited to, membership dues, individual contributions,



business donations, Political Action Committees (PAC), lobbies, corporate sponsorships, etc.

The Election Board is responsible for the handling of documentation in their capacity as members of the Elections Finance Committee.

### 3. Disclosure of Expenditures

Parties and candidates must disclose and make available to the Elections Finance Committee all documentation requested regarding expenditures over ten dollars (\$10) including, but not limited to, expenditures on behalf of individual candidates, and expenditures outside of individual campaigns.

The Election Board is responsible for the handling of documentation in their capacity as members of the Elections Finance Committee.

### 4. Expenditure Limitations

a. Slate spending limitations will vary with each election according to these guidelines:

- i. Each candidate running with a slate can devote no more than 1/3 of their funding limit to the slate for use in the promotion of their entire slate of candidates in that particular year.
- ii. These funds are not to be applied for the promotion of a single candidate or a fraction of the candidates within the slate.
- iii. Such a limit will be dependent on the number of candidates running with a slate. Regulations regarding this protocol are as follows:
  1. Given that a slate is running no candidates, their expenditure limit is zero.
  2. Refer to Article IV, Section 4.8 for further regulations regarding slates and candidates.

### 5. Ballot Propositions Spending Limits

a. Campaign Representatives for a ballot proposition, will be allowed to spend up to \$1,000 on their campaigns.

b. Ballot propositions cannot be ran under a slate nor receive slate funding.

### 6. Sanctions Regarding Campaign Expenditures

a. The Election Board Finance Committee shall investigate charges against party signatories/candidates who allegedly commit violations or fail to adhere to any of the rules above. The Finance Committee shall not counsel any party members.

b. Failure to adhere to any of the rules above including, but not limited to, misrepresentation of funding sources, failure to report direct sources of funding, failure to report expenditures, etc. will result in sanctions, with the potential of disqualification of either the slate in its entirety or the candidates involved.

## **ARTICLE X: ELECTION EVENTS**

### **10.1 Endorsements**

1. The Election Board may sponsor endorsement hearings for candidate elections for all UCLA registered student organizations that wish to make endorsements. The Election Board may also, at their discretion, sponsor endorsement hearings for all other ballot propositions. All endorsements will be subject to the following stipulations:

a. All organizations are required to register with the Election Board at most three (3) weeks prior to the Election, at a time to be designated by the Election Board. Any and all groups failing to meet this deadline will not be allowed to post endorsements.

b. Only the university-recognized representatives (i.e. signatories) of registered student organizations are allowed to register their group with the Election Board to participate in the group endorsement process.

c. All university-recognized representatives of registered student organizations shall be notified, by an e-mail from the Election Board, concerning the date and time of the Endorsement Orientation Meeting, at which the endorsement procedures and relevant deadlines will be delineated. University-recognized representatives are responsible for any and all communication with the Election Board throughout the election process.

d. All student groups wishing to pose questions at the endorsement hearing must have a representative submit their questions to the endorsement committee director at least four (4) days prior to the hearing for approval. The approval of the questions rests solely on the Election Board's discretion.

e. One or more of these representatives from each group who has applied to endorse must participate in the endorsement hearings in which a candidate and/or campaign that they wish to endorse is being represented in order for their endorsements to be recognized as legitimate by the Election Board.

f. In order to participate in the endorsement hearings, everyone in attendance must notify the election board of their attendance and their respective student groups. This particular process will be determined by the Election Board Chair.

g. Student group participation and the capacity of participation in the endorsement process are at the discretion of the Election Board.

h. University-recognized representatives and/or substitutes recognized by the Election Board must provide the Election Board with a copy of their endorsements and "endorsement slips" for the endorsements to be recognized as legitimate by the Election Board. An appropriate deadline shall be designated by the Election Board that is no earlier than 2 days after the last endorsement hearing.

i. All legitimately recognized group endorsements shall be compiled, and an advertisement shall be placed in the Daily Bruin by the Election Board. All other media advertising of registered student organizations' endorsements must be declared on the campaign expense account.

j. Groups must provide the Election Board with a copy of changes in endorsements and "endorsement slips." Groups failing to do so will no longer be recognized as legitimate.

k. University-authorized representatives that did not register their groups with the Election Board and participate throughout the endorsement process will not have their groups' endorsements or support published by the Election Board nor will the Election Board authorize the distribution of endorsement slips.

l. Groups not recognized as legitimate through the endorsement process who endorse or publicly support candidates and/or campaigns will be sanctioned.

m. Other forums to endorse candidates and/or campaigns must be open to all candidates and Designated Campaign Representatives and an Election Board representative must be present. These forums must be in addition to attending the official endorsement hearings and can only be held by groups that have registered with the Election Board. Any Designated Campaign Representative attending unrecognized endorsement forums shall be sanctioned. The organization holding the endorsement hearing shall also be sanctioned.

n. Groups planning to hold endorsement forums in addition to the official endorsement hearings must notify the Election Board at most two weeks prior to the Election, at a time to be designated by the Election Board. The notice must include the time, place, and format of the endorsement forum.

o. The expenses incurred in the manufacture and distribution of endorsement slips by officially endorsing groups will not be considered as expenses for the campaign(s) endorsed.

p. ASUCLA Communications Board media, although not UCLA registered student organizations, may request to participate in the endorsement process but are not required to do so in order to endorse.

q. UCLA On-Campus Housing Council, although not a registered campus organization, may request to participate in the endorsement process.

## **10.2 Debates**

1. The Election Board may sponsor an official debate for all Candidates/Designated Campaign Representatives prior to the commencement of voting. Designated Campaign Representatives are not required to attend. The Election Board may also, at their discretion, sponsor (a) debate(s) for all other ballot propositions. The debate is subject to the following stipulations:

a. Candidates and Designated Campaign Representatives who wish to participate in the debate are required to register with the Election Board at the Candidate Orientation Meeting where they will also be advised on the rules and layout of the debates.

b. The time and place of the debate will be decided by the Election Board Chair in a public manner.

c. Format of the debate will include equal time allotments for speaking for candidates of a particular office. Times may differ between offices. Candidates and Designated Campaign Representative will be informed of debate procedures no later than three (3) school days after the Candidate Orientation Meeting. Debate procedures will be posted for public view in the Election Board office.

d. The Election Board will be responsible for questions administered in the debate. Students may submit suggestions to the Election Board for consideration by the Election Board. The deadline for submission of the suggestions shall be no more than one (1) week before the debate, at a time to be designated by the Election Board.

e. Other forums in which a debate between candidates and/or Designated Campaign Representatives may occur must be open to all candidates and/or Designated Campaign Representatives. These debates must be in addition to the official debate and can only be held by groups recognized as legitimate by the Election Board. Any candidate and designated campaign representative

attending unrecognized debates shall be sanctioned. The organization holding the debate shall also be sanctioned.

f. Protocol for Audience Behavior During Debates

- i. Audience members are expected to be mindful and respectful of everyone participating in the debates.
- ii. If the Election Board determines that certain members in the audience are hindering the continuation of the debates, Election Board reserves the right to escort them out of the event.
- iii. If the Election Board decides that candidates are harassing other candidates while on stage, they can impose sanctions on the offending candidates.
- iv. If the affiliated slates create a disturbance during the event whether as an entire slate or individual members of the slate, the Election Board reserves the right to dismiss audience members from the event.
  1. Given the severity of the disturbance, the Election Board reserves the right to impose sanctions on the candidates or slates involved.
- v. Should a disruption occur within the audience as determined by Election Board Members, the Election Board receives the right to cancel or move the location of Debates.

### **10.3 Meet the Candidates**

1. The Election Board may host an official “Meet the Candidates” Event for all interested Designated Campaign Representatives no later than two (2) days prior to the commencement of voting. Designated Campaign Representatives are not required to attend. The Election Board may also, at their discretion, include representatives of ballot propositions. The event will vary in location, date, and time as to be determined by the Election Board for each specific election season. The format of this event shall be determined by the Election Board Chair.

## **ARTICLE XI: ADJUDICATION AND AUTHORITY**

### **11.1 Powers Reserved for Election Board**

1. The Election Board Executive Committee shall decide cases and impose the appropriate penalties.
2. The Election Board Executive Committee will set penalties for Election Code violations.

The Executive Committee will establish an Infractions & Penalties Guideline and the Executive Committee will also have discretion to impose sanctions, as they deem necessary.

3. In instances where there is an alleged violation of the University Rules and Regulations, the case may be referred to the appropriate University entity.

### **11.2 Notice to Election Participants: Candidates, Slates, Voters, etc.**

1. The candidates and Designated Campaign Representatives are responsible for the Election Code rules and regulations.

2. Each candidate and Designated Campaign Representative is also responsible for the actions of all persons and organizations sponsoring, endorsing, or promoting their campaign provided they are operating as an agent of the campaign.

3. Candidates and Designated Campaign Representatives will be held responsible for all information contained within this Election Code as well as for all information posted on the Election Board Bulletin Board during the school days designated by the Election Board Chair.

4. Organizations, whether official or unofficial, may also be sanctioned.

### **11.3 Penalties**

1. Violation of the above provisions may result in penalties imposed by the Election Board Chair and in accordance to the Infractions & Penalties Guideline. The penalties may include suspension of all or part of a campaign or the campaign's disqualification. The appeals procedure is delineated in Section 11.4 of this Election Code.

2. The Election Board Investigations Committee shall determine whether or not a violation occurs via social media posts, pictures, messages, etc. Should a violation occur, the following penalties may apply but are not limited to:

- a. Candidates may post no status in regards to their campaign;
- b. No posts shall be published about the candidate either by the candidate themselves, by agents of the campaign, or by the slate's official page;
- c. No new posts or tags may appear on the candidate's profile within the duration of that candidate's sanction.

3. Charges of Election Code violations may be made to the Election Board Investigations Committee by the Investigations Subcommittee Director or other individuals.

4. The Election Board Investigations Committee with consultation of the Election Board Chair shall decide the case and impose the appropriate penalties.

5. Upon the charge of any violation of this Election Code, the Election Board shall employ the following guidelines in order of decreasing importance in determining penalties:

- a. The validity of the charge.
- b. The severity and effect of the offense on the election.
- c. The number of times this same violation has been found to be valid.
- d. The cooperativeness of the offender and/or their campaign staff.

6. The Election Board shall respond to complaints submitted during campus leafleting days within 48 hours.

#### **11.4 Appeals to the Judicial Board**

1. Election Board decisions may be appealed in writing to the Undergraduate Students Association Judicial Board. Initial petitions for hearing shall be made by 5:00 p.m. on the second (2nd) official school day following said decision, unless evidence pertinent to the case is made available after this deadline.

2. The appeals board will be the Undergraduate Students Association Judicial Board.

3. Appeals of decisions made by the Election Board Chair and/or the Election Board shall be made to the Undergraduate Students Association Judicial Board.

4. Appeals of decisions made by the Undergraduate Students Association Judicial Board shall be made to the USAC.

5. Complaints against the Election Board Chair shall be filed with the Undergraduate Students Association Judicial Board, which shall be responsible for hearing pertinent evidence and testimony regarding complaints and rendering a decision.

### **ARTICLE XII - TALLYING OF VOTES**

#### **12.1 Ballot Tabulation**

1. The results of the elections shall be released by the Election Board Chair. The results shall be posted on the Election Board social media for public viewing.

2. The election results for all elected officials positions as certified by the Election Board shall become effective by their being read into the minutes of the council meeting following the election. Elected candidates take office following their swearing in ceremony by the Judicial Board.

3. The election results for all elected official positions may be certified separately from all propositions.

#### **12.2 Instant Runoff System**

1. The Alternative Vote (AV) shall be used for the election of Executives.
2. In this method of election, a rank one (1) vote is assigned to the candidates to the voter's first (1st) preference and so on. A candidate is declared elected when their vote total is at least a majority of the valid votes. If a voter's preference is on a candidate with the lowest accrued vote total, and no one has been elected, their vote is transferred with full value to the next preferred candidate still in the running.

### **12.3 Tallying the Alternative Vote**

1. Each voter's first (1st) preference candidate receives one (1) vote.
2. Quota of votes needed to win is  $((N)/2) + 1$  Where N is the number of valid first (1st) preference votes.
3. If, after all the votes have been transferred, a candidate achieves the quota, they are then elected to that office.
4. If, after all the votes have been transferred, no candidate achieves the quota, each candidate with the least number of votes is eliminated, and they shall be ineligible to receive any additional votes.
5. Each vote that belonged to the eliminated candidate(s) is transferred to the voter's next preference at full value.
6. If this candidate is one who was previously eliminated, Step 5 is repeated.
7. If the voter has not listed an additional preference or was unable to do so, their new vote is exhausted.
8. Steps 3 through 7 are repeated until a candidate achieves the quota and is elected.

### **12.4 The Single Transferable Vote**

1. The Single Transferable Vote (STV) shall be used to elect General Representatives to sit on the USAC.
2. In this method of election, a value of one (1) is assigned to the voter's first (1st) preference. The quota for election is the smallest number of votes necessary to select the required number of candidates. A candidate is elected to a seat if all votes have been transferred and they have accrued at least a quota of votes. If the voter's current preference is for a candidate who thus receives more than the quota of votes, the surplus value of their vote shall be transferred to their next eligible preference. If a



voter's current preference is for a candidate eliminated or already elected, the current value of the vote shall be transferred to the voter's next eligible preference.

### **12.5 Tallying the Single Transferable Vote**

1. Each voter's first (1st) preference candidate receives one (1) vote.
2. Quota of votes needed to win shall be:  $(N/(S+1))+1$  Where N is the number of valid first (1st) preference votes and S is the total number of seats needed to be filled in the election.
3. If, after all the votes have been transferred, a candidate achieves the quota, then
  - a. They are elected to a seat and is ineligible to receive any additional votes.
  - b. Their votes are transferred to the voter's next preference.
4. If, after all the votes have been transferred, no candidate achieves the quota, then
  - a. Each candidate with the lowest vote-total is eliminated, and they are ineligible to receive any additional votes.
  - b. Each voter's vote (which was cast for these candidates) remains at its present value.
5. Each vote that belonged to the eliminated or elected candidate(s) is transferred to the voter's next preference at its present value.
  - a. If this candidate is one who was previously eliminated or elected, Step 5 is repeated.
  - b. If the voter has not listed any additional preference or was unable to do so, their ballot is exhausted.
6. Steps 3 through 5 are repeated until:
  - a. All of the seats are filled by election; or,
  - b. At the end of Step 4, if the number of eligible candidates is equal to or less than the number of unfilled seats, then these candidates are elected.

### **12.6 Tallying of Ballot Propositions**

1. The "Yes" and "No" votes for each proposition shall be counted.

## **ARTICLE XIII: ELECTION CODE AMENDMENT**

### **13.1 Approval**

1. Amendments to this Election Code shall be approved by a two-thirds (2/3) vote of the USAC.

2. The Election Board Chair shall present amendments to this Election Code to the USAC with a complete recommendation as to the approval/disapproval of the particular amendment. This shall not be construed to allow the Election Board Chair to withhold any suggested amendments from presentation to the USAC.

2. The Election Board must present all proposed amendments to the Election Code, and the Election Calendar to the USAC before week 7 of the quarter preceding a quarter in which an election is to be held.

Election Code Last Amended: August 14, 2019