

# **OFFICIAL ASFC ELECTIONS CODE**

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## **ARTICLE I: GUIDELINES**

### **Section 1: *Election Schedule***

The following election events shall occur before or during the corresponding time periods shown below:

- Winter Quarter Week Five (5) Announcement of Election Schedule and Procedure
- Winter Quarter Week Five (5) Elections Committee Begins Promoting Elections
- Spring Quarter Wednesday Week Two (2) Candidate Information Meeting/Bylaw Review
- Spring Quarter Week Friday Two (2) Application/Petition Submission Deadline
- Spring Quarter Week Wednesday Three (3) 1st Mandatory Candidates' Meeting
- Spring Quarter Week Wednesday Four (4) 2nd Mandatory Candidates' Meeting
- Spring Quarter Week Five (5) Campaign Exhibition Week
- Spring Quarter Week Six (6) Election Week
- First Business Day After Last Day of Polling Expense Reports and challenge Forms Due
- Third Business Day After Last Day of Polling challenge Meeting
- Second and Third business days after the Last Day of Polling challenge Meeting Appeal Meetings
- Officer Elect transition period 1st to 30th of June.
- Spring Quarter Week Nine(9) Winning candidates are sworn into office.

### **Section 2: *Election Procedure***

- A. The elections shall follow a simple plurality voting system.
- B. All candidates will run on the same ballot.
- C. In case of a tie for the positions of ASFC President or Student Trustee, Elections Commission will hold a runoff election within 2 week following results.
- C. If less than 5% of the current ASFC members have voted by the end of Election Week, the voting shall be extended until at least Five percent (5%) of the current ASFC members have voted for at least one position.

1. The election for the Foothill Student Trustee shall automatically end ten (10) days before the Student Trustee is to be sworn in regardless of the number of votes cast.

**Section 3: *Ballot Measures***

A. All ballot measures need to submitted by the submission deadline, and proposed by petitions containing the signatures of at least one hundred (100) ASFC members, or by majority votes of the ASFC Student Government shall be included on the ballot.

**Section 4: *Candidates' Meeting***

A. During the mandatory candidates' meetings, an Elections Committee member shall draw random numbers from a container to determine the ballot order.

B. Photos to be placed on the ballot shall be taken at the candidates' meeting.

C. All candidates must take a codes and bylaws quiz. Any candidate unable to answer eighty percent (80%) of the questions correctly will have seven (7) days to retake the test. If a candidate can not answer Eighty percent (80%) of the questions correctly, they will be disqualified. This test will be reviewed and revised by the Elections Commissioner each year.

**Section 5: *Election Events***

A. The Elections Committee shall coordinate the following events prior to and during Campaign Exhibition Week, including but not limited to:

One (1) Meet the Candidates event.

One (1) Candidate Debate event.

**Section 6: *Election Results Process***

The Election Committee shall complete the following steps in order after the last day of polling:

A. Review all candidates and expense reports.

B. Validate the ballots and tally.

C. Certify the election results and publicly post them for at least five (5) business days.

**ARTICLE II: MEMBERSHIP**

### **Section 1: *Make-Up***

- A. The ASFC Elections Committee shall consist of Seven ASFC members with voting positions and upto 10 ASFC members that will have a non-voting positions, the Student Trustee and an advisor.
- B. Voting Positions include: Three ASFC student officers, and three members-at-larger of the ASFC (to be appointed by the Elections Commissioner and approved by the Campus Council) and the Student Trustee who will have an advisory vote in case of a tie. An Advisor or whoever he/she assigns will need to be present at the all Challenge hearings.
- C. The Chair of the Committee will be the Elections Commissioner.
- D. The ASFC Elections Commissioner shall appoint committee members with the approval of the advisor and the Campus Council.

### **Section 2: Duties and Responsibilities of Elections Committee**

The Elections Committee shall:

- A. Remain impartial in all dealings with ASFC members.
- B. Act in accordance with the ASFC Constitution, ASFC Bylaws, and ASFC Codes.
- C. Ensure that all candidates are eligible to hold office.
- D. Encourage ASFC members to apply for ASFC Officer and Foothill Student Trustee positions.
- E. Advertise and promote the ASFC General Election.
- F. Meet once per week until the committee is dissolved.
- G. Meet twice per week during campaign exhibition week and election weeks.
- H. Produce and conduct a bylaws and code quiz.
- I. Manage and oversee the ASFC Elections Line Item.
- J. Propose amendments to and review proposed amendments to the ASFC Elections Code.
- K. Provide an expense report template to all candidates.

## **ARTICLE III: CANDIDATES**

### **Section 1: *Positions***

The available positions in the ASFC General Election are as follows:

- A. ASFC Officers
  - President

- Vice Presidents
  - Finance
  - Administration
  - Organizations
  - Senate
  - Activities
  - Athletics
  - Marketing
- Senator (7 positions)

B. Foothill Student Trustee

**Section 2: Candidate Eligibility Requirements**

A. All candidates must:

1. Submit a completed application to the ASFC Candidate Petition for Elective Office by the application submission deadline to the Elections Commissioner.
  - a. Candidates for President and Vice Presidents must all turn in individual applications in order for them to be considered eligible.
2. Attend the three (3) mandatory candidates' meetings. Any candidate unable to attend must arrange an alternate time to meet with the ASFC Advisor and at least three (3) Elections Committee members.
3. Be enrolled in at least eight (8) units at Foothill College, and intend to enroll throughout the following academic year.
4. Not be on academic or disciplinary probation.
5. Not have filed transfer applications to any College/University.
6. Not be a member of the Elections Committee.

B. In addition, all ASFC Student Government Candidates must:

1. Be a current Associated Students of Foothill College member.
2. Have a cumulative GPA of at least 2.0 and be enrolled in 8 units.
3. Not be running for the Foothill Student Trustee position.
4. Not have held office for three (3) consecutive or nonconsecutive year long terms.
5. Fully attend at least three (3) Campus Council Meetings prior to swearing in.
6. Attend at least three (3) ASFC Cabinet meetings prior to swearing in.
7. Be familiar with ASFC Constitution, ASFC Bylaws, and ASFC codes.
8. Attend Any and All mandatory meetings..
9. Only meetings starting from the Spring Quarter count toward the candidate's meeting requirement.

C. In Addition, all Student Trustee Candidates must also:

1. Have a cumulative GPA of at least 2.0.
2. Not be running for any other ASFC Officer positions.

## **ARTICLE IV: CAMPAIGN REGULATIONS**

### **Section 1: *Definition***

A. Campaigning shall be defined as activities or items advertising the candidacy of any candidate or ballot issue. The actions of any candidate, member of the ASCF, any Foothill club or any other campus organization, done in the course of discharging their duties associated with that organization, shall not be considered campaigning.

### **Section 2: *Campaign Conduct***

A. Failure to obey the campaign conduct provision in this section shall result in disqualification.

B. Candidates may begin verbal campaigning during the quarter that elections are to take place. Campaigning that consists of physical materials such as: flyers, posters, giveaways, classroom presentations, electronic media, or any other form of advertising shall only be permitted during Campaign Week.

C. No candidate shall interfere with the campaigning of any other candidate, nor shall they interfere with the dissemination of information by any student publication.

D. No candidate shall use any club, organizations, or college resources not normally provided to the general student body for campaigning purposes or for campaign coordination purposes. This includes: computers, paper, printer, copier, ASFC office, club room, pens, general office supplies, and anything else deemed appropriate by the Elections Committee.

E. No candidate shall deliberately violate the Elections Code or any Elections Committee ruling.

F. Any student in the ASFC Student Government can not actively Endorse or campaign for a candidate that is running that general election. However, impersonal questions about the candidate's' work ethics and history within ASFC are allowed to be answered but the student government representative.

F. Candidates shall not attempt to subvert the election. Subverting the election shall include but not be limited to:

1. Attempting to use the Elections Committee to bias the outcome of the election or overlook violations of the Elections Code.
2. Attempting to gain additional votes by defacing or molesting campaign materials of other candidates or engaging in libelous behavior with intent of fraudulently shifting public confidence away from other candidates.
3. Attempting to use media or other such public entities to publish or spread false information about candidates, or to use media or other such public entities to promote based on inaccurate or false information.
4. Purposely providing inaccurate or false information to the Elections Committee; to include submission of documents, evidence, and witnesses.
5. Impeding an Elections Committee member during the discharge of their duties.
6. Attempting to bribe students or buy votes. This includes providing food or beverages.
7. Publishing or posting campaign materials featuring factually inaccurate information about any candidate, their actions, or their endorsements.
8. Having a computer, smartphone, or voting device when campaigning. You cannot assist a student to vote.

## **Section 2: Campaign Material**

- A. All campaign materials must be posted in accordance with the Student Election Posting Guidelines that is published by the Elections Committee.
- B. All candidates' campaign materials must contain the candidate's name (only one preferred name) and the position for which the candidate is running. Failure to fulfill this requirement shall result in removal of the material at the direction of the Elections Commission and possible disqualification of the candidate.
- C. Candidates are allowed to campaign using the internet via personal websites, blogs, social networking sites, etc; but only after the URL to such internet resources is submitted in writing to the Elections Committee. The Elections Committee may rule an internet site to be prohibited and any candidate(s) that continues to use such resource after twenty-four (24) hours notice shall be considered in violation and may face disqualification.
- D. Candidates shall remove all signs, posters, displays, electronic media, all fragments of such signs, posters, or displays, including tape, rope, and all other such materials used to attach said campaign materials within twenty-four (24) hours of the official closing of the General Campaign Period.
  1. Failing to remove a majority of materials may result Disqualification.

## **Section 3: Campaign Expense Limits**

- A. The campaign expense limit for candidates shall be three hundred dollars (\$300) including the \$100 Smart Shop limit.
- B. All donated materials and professional services must be assessed at retail value and counted towards the campaign expense limit.
- C. Each candidate, regardless of whether they campaigned or used funds to campaign, shall submit an expense report to the Elections Commission.
- D. Candidates shall not be reimbursed for items that are bought to help their campaigns other than print media.
- E. Expense reports containing a substantial amount of inaccuracies may result in disqualification.
- F. Expense reports must account for every campaign item bearing the candidate's name and must include receipts, and sources of all gifts and donations.

#### **Section 4: OBD Club Endorsements**

- A. Candidates may seek club endorsements anytime after the first mandatory candidates' meeting.
- B. OBD clubs may endorse and campaign for ASFC General Election candidates, and ballot measures after turning in a completed Club Endorsement Form to the Elections Committee and receiving approval from the Elections Committee.
- C. Candidates may not claim or publicize endorsements from student clubs until such endorsements have been approved by the Elections Committee.
- D. OBD clubs may only endorse a number of candidates less than or equal to the number of two (2) candidates per term.
- E. Endorsements shall only be valid when all of the following circumstances are satisfied:
  - 1. No candidate has voted on the endorsement.
  - 2. A legal vote of the club as deemed by that club's constitution/bylaws was taken and is reflected in the club's official meeting minutes.

#### **ARTICLE V: DETERMINATION OF VIOLATIONS**



The Elections Committee shall employ the following methods to enforce campaign fairness and integrity, and to uphold the Elections Code and Posting Guidelines. The severity and consequence of all infractions shall be at the discretion of the Elections Committee.

### **Section 1: *Corrective Action***

A. All candidates who violate any part of the Elections Code or Posting Guidelines shall be informed of the infraction by any member of the Elections Committee and instructed to correct the violations. The infraction must be corrected within twenty-four (24) hours of confirmed notification (witnesses or proof). Candidates are responsible to identify and correct violations regardless of being notified.

#### **B. Minor Infractions**

If the infraction is corrected within twenty-four (24) hours and is not determined to damage college property, create an unfair campaign advantage, or impede the elections in any way, no further action shall be taken.

#### **C. Major Infractions**

If the infraction is not corrected within twenty-four (24) hours, or is determined to have damaged college property, created an unfair advantage or impeded the elections, further action shall be taken.

D. Disqualification based on violations of rule(s) specified in the ASFC Election Code and may only occur during or after the challenge Meeting. However, the Elections Committee shall have the discretion to determine the applicability of reported or discovered violations.

E. Valid methods for candidates to be punished for violations are limited to the following methods:

- Disqualification

F. A reduction to the count of votes for any candidate is illegal and shall never be considered a valid punishment for infractions.

G. A plea of ignorance shall not be considered a valid defense to an infraction of the ASFC Elections Code or any ruling of the Elections Committee.

### **Section 2: *Submission of challenge***

A. All alleged violation(s) of the Elections Code must be submitted in writing, via the General Election challenge Form, to the Elections Committee on or before the first (1st) business day after the last day of polling by 4:00 PM. All late challenges shall not be considered.

**Section 3: *Challenge and Appeal Meetings***

A. All alleged violation(s) of the Elections Code shall be reviewed by the Elections Committee.

B. All appeals shall be heard by the Elections Committee.

C. The Elections Committee shall record all meetings in which deliberation regarding alleged violations or disqualification of any candidate occurs.

D. Any decision to disqualify any candidate shall require a two-thirds (2/3) vote of the Elections Commission and then be advised to Campus Council.

**ARTICLE VI: ELECTION RESULTS AND SWEARING IN**

**Section 1: *Determination of Election Results***

A. No candidate will be considered elected as a ASFC Officer/ Senate who receives less than twenty percent (20%) of the total votes cast in the General Election.

**Section 2: *Swearing in of ASFC Officer Elects***

A. All newly elected ASFC Officers must be sworn/affirmed into office during or after the ASFC New Officer Orientation.

1. The swearing in/affirming shall consist of the verbalization and signing of the ASFC Oath of Office.

**Section 3: *Swearing in of Newly Elected Foothill College Student Trustee***

A. The newly elected Foothill College Student Trustee must be sworn/affirmed into office in accordance with relevant Foothill- De Anza Community College Board Policies and Administrative Procedures (First (1st) Monday of June).