

Las Positas College Student Government *Elections Code*

Commented [1]: ANYTHING HIGHLIGHTED YELLOW WERE IDEAS I STOLE FROM DE ANZA'S ELECTION CODE THAT I THOUGHT WOULD NEED FURTHER DISCUSSION BEFORE APPLYING TO OUR CODE, AS WELL AS WERE JUST ITEMS THAT WERE NOT IN OUR ORIGINAL BYLAWS.



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LPCSG ELECTIONS CODE

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ARTICLE I: ELECTIONS COMMITTEE

Section 1: Elections Committee Membership

The LPCSG Elections Committee shall consist of the following:

- A. Chair
 - a. Director of Legislation or designee (non-running LPCSG Officer approved in Senate by a two-thirds (2/3) majority. If there are no Officers that meet this criterion, a non-running LPCSG Senator approved by Senate)
- B. Voting Members:
 - a. At least one (1) LPCSG Officer, if any meet the criteria
 - b. At least two (2) LPCSG Senators appointed by the Chair and confirmed by the LPCSG Senate by a two-thirds (2/3) majority.
- C. Advisory Members:
 - a. LPCSG Advisor

Section 2: Duties and Responsibilities of Elections Committee

The Elections Committee shall:

- A. Remain impartial in all dealings with LPCSG members
- B. Act in accordance with the LPCSG Constitution, LPCSG Senate Bylaws, and LPCSG Codes.
- C. Ensure that all candidates are eligible to hold office.
- D. Encourage LPCSG members to apply for LPCSG Senate and Las Positas College Student Trustee positions.
- E. Advertise and promote the LPCSG General Election.
- F. Shall meet at least once a month during the Fall semester excluding the first month, and at least once a week during the Spring semester until the committee is dissolved, excluding the first week and finals week of each semester and breaks. It is preferred, but not required, that one meeting be held after the elections to review and improve elections procedures for future years.
- G. Shall review and/or create the election procedures, the election rules, the voting procedures, the voting rules, the ballots, and any other related document.
- H. Shall review all candidates' adherence to the election rules.
- I. The election committee is to investigate any allegations of campaign rules violations. The committee must report their findings and give their recommended course of action to the Student Life Advisor, the Student Senate, and the Vice President of Student Services.
- J. Shall count the ballots, at least twice, at the close of the election. Provide the results solely to the current LPCSG President.
- K. Manage and oversee the LPCSG Election Budget.

Section 3: Individual Duties and Responsibilities

The LPCSG Elections Committee shall have these individuals do the following:

- A. Elections Committee members shall not campaign for or against, nor endorse any candidate or ballot measure verbally, in writing, directly, or implied. Doing so would result in immediate removal from the Elections Committee.
- B. The LPCSG President (or designee) shall be the authorized proprietor of the LPCSG Election results.

ARTICLE II: ELECTIONS SCHEDULE & PROCEDURE

Section 1: Election Schedule

The LPCSG General election shall occur with the following scheduling regulations shown below:

- A. Fall Semester Week Four (4): _____ Elections Committee is formed
- B. Spring Semester Week Four (4): _____ Announcement of Election Schedule and Procedure
- C. Spring Semester Week Four (4): _____ Elections Committee Begins Promoting Elections
- D. Spring Semester Week Seven (7): _____ Candidate Information Meeting/Bylaws Review
- E. Spring Semester Week Nine (9): _____ Application/Petition Submission Deadline
- F. Spring Semester Week Nine (9): _____ Mandatory Candidate Meeting
- G. Spring Semester Week Ten (10): _____ Coalition Forms Due
- H. Spring Semester Week Eleven (11): _____ Campaign Week
- I. Spring Semester Week Eleven (11): _____ Meet the Candidates Event
- J. Spring Semester Week Twelve (12): _____ Elections Week
- K. Second Business Day After Last Day of Polling: Expense Reports and Challenge Forms Due
- L. Fifth Business Day After Last Day of Polling: _____ Challenge Meeting
- M. Wednesday After Challenge Meeting: _____ Appeal Meeting
- N. Remainder of Spring Semester: _____ Officer Elect Training
- O. Last Senate Meeting of Academic Year: _____ Executive Board Sworn into Office
- P. LPCSG election tables are to be available for vote casting starting at 10:00 a.m. and are to close no earlier than 5:00 p.m. on two consecutive days during election week.
- Q. Elections must be scheduled to last one calendar week with voting hours defined by the online system used to vote. The winners of all positions will be announced at the following LPCSG Senate meeting and subsequently reported to the college newspaper.
- R. All votes shall be counted within 72 hours of the closing of the polls.

The Elections Schedule may be adjusted as necessary by the LPCSG Elections Committee or the LPCSG Senate with a two-thirds (2/3) assenting majority vote.

Section 2: Election Procedure

- A. The elections shall follow a simple plurality voting system.
- B. The Election Committee will organize and oversee the election process and are responsible for creating a document outlining the details and rules of the election and applications for candidacy. These procedures must be approved in the LPCSG Senate by a two-thirds (2/3) majority by week four of the Spring semester.
- C. In the event of a tie, a one-day special election shall be held within five (5) business days of the tie. The date of the special election shall be determined by the election committee.

Section 3: Ballot Measures

- A. All ballot measures submitted by the submission deadline, fulfilling the right criterion for applications shall be included on the ballot.
- B. Voting students have the right to write-in their own candidate's name on the election ballot.
 - a. If a write-in candidate receives the majority of votes for a contested position and meets the requirements to be a member of the Student Senate, then he or she will be elected to position. If the position is uncontested, the write in candidate must have ten percent (10%) of the votes and be eligible to be a member of the Student Senate.
- C. The Election Committee may count the ballots more than once upon a candidate's request. Ballot verification/validity is at the discretion of the Election Committee.
- D. Names on the ballot will be grouped by position and listed in random order determined by a process outlined by the Elections Committee.

Section 4: Election Events

- A. The Elections Committee shall coordinate the following events prior to and during LPCSG's General Election Week, including but not limited to:
 - a. At least one (1) Candidates' Meeting
 - b. At least one (1) Meet the Candidates event

Section 5: Election Results Process

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

- A. Review all candidates applications and reports
- B. Validate the ballots and tally
- C. Certify the election results at the close of the election and provide the results solely to the LPCSG President.
- D. Publicly post the results for at least five (5) business days after the LPCSG meeting in which the winning candidates have been sworn in.

Section 6: Special Elections

- A. A special election will occur in the event of a vacant executive council position, proposed LPCSG constitutional changes, or other referendum after confirmation by the LPCSG with a majority vote. The Election Committee shall announce the date of the special election no later than one week prior to the election.
- B. During a special election, candidate application deadlines may be significantly shortened or removed as determined by the Election Committee. All other Regular Election Procedures still apply.

ARTICLE III: CANDIDATES

Section 1: Positions

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

- A. LPCSG Senate
 - a. President
 - b. Vice President
 - c. Director of Legislation
 - d. Director of Communication
 - e. Director of Events
 - f. Inter-Club Council Chair
- B. Las Positas College Student Trustee

Section 2: Candidate Eligibility Requirements

- A. All candidates must:
 - a. Submit an application for candidacy, available in the LPCSG Office. All candidate applications are public information and may be utilized in activity flyers and/or press information. If not submitted by the deadline, the candidate's name will not appear on the official ballots.
 - i. A waiver that includes all campaigning regulations will be included within the application, it must be signed before any sign or flyer endorsing a candidate can be posted.
 - b. Attend the mandatory candidates' meetings. Any candidate unable to attend must arrange an alternate time to meet with the DASB Senate Advisor or at least one (1) Elections Committee member.
 - c. Be enrolled in at least six (6) units at Las Positas College, and intend to enroll throughout the following academic year.
 - d. Not be on academic or disciplinary probation.
 - e. Not be a member of the Elections Committee.
- B. In addition, all LPCSG Senate Candidates must:
 - a. Have a cumulative GPA of at least 2.0.
 - b. Not be running for the Las Positas College Student Trustee position.
 - c. Not have held office for three (3) consecutive or non-consecutive terms.
 - d. Attend at least two (2) LPCSG Regular Senate meetings prior to swearing in.
 - e. Be familiar with the LPCSG Constitution, LPCSG Bylaws, and LPCSG Codes.
 - f. Attend a Senate Orientation.
- C. In Addition, all Las Positas College Student Trustee Candidates must:
 - a. Have a cumulative GPA of at least 2.0.
 - b. Not be running for any LPCSG Senate positions.

Section 3: Coalitions

- A. Candidates may request to form a coalition by submitting a Coalition Request Form to the LPCSG Office by the application submission deadline. Any form that is incomplete or submitted after the deadline shall be considered to be invalid.
- B. A Coalition name used within the past two General Elections may not be used during the current General Election. An alternative name shall be accepted after the application submission deadline, but must be approved before campaign materials are posted.

- C. Coalitions may be comprised of a number of members not exceeding the number of available positions.
- D. Candidates for the positions of President and Vice President are automatically considered a coalition and only need to submit a form if they intend to campaign with additional candidates.
- E. Candidates who form a coalition shall all be jointly responsible for their campaign.
- F. Candidates may only campaign together if they are in the same coalition; candidates may not campaign with or campaign for other candidates unless they are part of the same coalition.

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 LPCSG Senate, the ICC, any Las Positas 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 as determined by the LPCSG Election Committee.
- B. Candidates are free to discuss and compare their platform with students; however, a candidate cannot commit libel or slander. Libel is to create, post, or distribute false publications, as in writing, print, signs, or pictures, that damage a candidate's reputation. Slander is to give oral testimony of false statements injurious to a person's reputation.
- C. Candidates must abide by the Las Positas College Student Code of Conduct.
- D. A candidate is not to be prohibited from participating in oral or written campaigning at any time during the academic year. However, the posting of materials (such as flyers, posters, giveaways, classroom presentations, electronic media, or any other form of advertising) is to be regulated by the Office of Student Life, and any sign or flyer endorsing a candidate cannot be posted until after the campaigning regulation waiver is signed.
- E. No campaigning or advertising is allowed within 30 feet of any election table. Campaigning is defined as any activity that expressly supports one candidate. Candidates are not allowed to work at the LPCSG election table.
- F. All campaign materials appearing on campus cannot inhibit Las Positas College personnel from performing their assigned tasks.
- G. All candidates are encouraged to be familiar with the College's Free Speech policy.
- H. No candidate shall interfere with the campaigning of any other candidate, nor shall they interfere with the dissemination of information by any student publication.
- I. No candidate shall use any club, ICC, LPCSG, 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, LPCSG office,

ICC Office, club room, pens, general office supplies, and anything else deemed appropriate by the Elections Committee.

- J. No candidate shall deliberately violate the Elections Code or any Elections Committee ruling.
- K. Candidates shall not attempt to subvert the election. Subverting the election shall include but not be limited to:
 - a. Attempting to use the Elections Committee to bias the outcome of the election or overlook violations of the Elections Code.
 - b. Attempting to gain additional votes by defacing campaign materials of other candidates or engaging in libelous behavior with intent of fraudulently shifting public confidence away from other candidates.
 - c. 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 a candidate based on inaccurate or false information.
 - d. Purposely providing inaccurate or false information to the Elections Committee; to include submission of documents, evidence, and witnesses.
 - e. Impeding an Elections Committee member during the discharge of their duties.
 - f. Attempting to bribe students or buy votes. This includes providing food or beverages with clear intent of bribery, or withholding goods unless a student votes.
 - g. Publishing or posting campaign materials featuring factually inaccurate information about any candidate, their actions, or their endorsements.
 - h. Having a computer, smartphone, or voting device when campaigning. You cannot assist a student to vote. You cannot be present when a student is voting.

Section 3: Campaign Material

- A. All campaign materials must be posted in accordance with the Student Election Posting Guidelines that is published by the Office of Student Life.
- B. All candidates' campaign materials must contain the candidate's name (only one preferred name) and the position for which the candidate is running. Campaign material for coalitions must contain the:
 - a. Coalition's name
 - b. Name of each member of the coalition
 - c. Position for which each member is runningFailure to fulfill this requirement shall result in removal of the material at the direction of the Elections Committee.
- C. Publicity signs must be approved by the Office Student Life and must be related to student government. A college-approved posting stamp must appear on every poster and/or flyer prior to displaying. All posters/flyers must comply with the school standards. Flyers on the campus bulletin boards are to be limited to only one per board and the flyers can be no larger than 8 ½" x 11". Flyers cannot be posted over existing flyers.
- D. 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 Office of Student Life.
- E. 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 seventy-two (72) hours of the official closing of the General Election.

Section 4: Campaign Funding

Candidates will not be reimbursed by the LPCSG or the college for any election costs. Candidates need to be aware that they are solely responsible for all campaign materials.

ARTICLE V: DETERMINATION OF VIOLATION(S)

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 may only be based on violations of rule(s) specified in the LPCSG Election Code and may only occur during or after the Complaint Meeting. However, the Elections Committee shall have the discretion to determine the applicability of reported or discovered violations.
- E. Valid methods for candidates or coalitions to be punished for violations are limited to the following methods:
 - a. 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 LPCSG Elections Code or any ruling of the Elections Committee.

Section 2: Submission of Complaint

- A. All alleged violation(s) of the Elections Code must be submitted in writing, via the General Election Complaint Form, to the Office of Student Life on or before the second

(2nd) business day after the last day of polling by 4:00 PM. All late complaints shall not be considered by either the Elections Committee or the DASB Senate.

Section 3: Complaint and Appeal Meetings

- A. All alleged violation(s) of the Elections Code shall be reviewed by the Elections Committee.
- B. All appeals of the committee shall be heard by the LCPSG Senate. Appeals of the decision of the Elections Committee can only be submitted by candidates found guilty as determined by the 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) majority vote.

ARTICLE VI: ELECTION RESULTS & SWEARING IN

Section 1: Determination of Election Results

- A. Up to six (6) candidates who receive the highest number of votes equal to or in excess of at least fifteen percent (15%) of the total votes cast in the General Election shall be considered elected as LPCSG Officers. No candidate will be considered elected as a LPCSG Officer who receives less than fifteen percent (15%) of the total votes cast in the General Election.

Section 2: Swearing in of DASB Senator Elects

- A. All newly elected LPCSG Officers must be sworn/affirmed into office during or after the LPCSG Officer Orientation.
 - a. The swearing in/affirming shall consist of the verbalization of the LPCSG Oath of Office.

Section 3: Swearing in of Newly Elected Las Positas College Student Trustee

- A. The newly elected Las Positas College Student Trustee must be sworn/affirmed into office in accordance with relevant Chabot - Las Positas Community College Board Policies and Administrative Procedures.