

CHAPTER FOUR

ELECTIONS

400. **APPLICATION:** The rules and procedures specified in this Chapter shall apply to all ASUCD Elections and are intended to supplement provisions of the ASUCD Constitution pertaining to the conduct of ASUCD Elections.
401. **DEFINITIONS:** The following terms are defined to make Chapter Four of the ASUCD Bylaws free of ambiguity.
- A. The “**Presidential Ticket**” (hereafter referred to as “Ticket”) consists of two (2) people running for office together, one (1) for ASUCD President and one (1) for ASUCD Vice President.
 - B. A “**Slate**” is any group of candidates and/or Tickets who run together under a common name or common slogan.
 - C. **Campaigning**
 - (1) “**Active campaigning**” shall be defined as verbal or physical actions taken by a candidate, group of candidates, or other individual(s) in an attempt to persuade voters to support their chosen cause such as the Election itself, specific candidate(s), Ballot Measures, or any other issue/idea related to any entity participating in an ASUCD Election.
 - (2) “**Passive campaigning**” shall be defined as non-verbal, non-physical activities that attempt to persuade voters toward a certain cause or candidate, which have only a secondary or tertiary effect of campaigning. Wearing campaigning material such as shirts and/or buttons is an example of passive campaigning. Attempts to draw attention to these items, however, constitute active campaigning.
 - D. A “**Ballot Measure**” shall include any measure, other than Ticket or candidate, placed on the ballot of an ASUCD Election. There are two (2) types of Ballot Measures:
 - (1) A “**Legislative Ballot Measure**” is a measure that has proceeded through the legislative process and is placed on the ballot by a majority vote of the ASUCD Senate prior to the third week of the Quarter in which general election is held.
 - (2) An “**Initiative Ballot Measure**” is a measure in which an individual collects signatures and UC Davis Student Identification (ID) numbers of eight percent (8%) of ASUCD members to place the measure on the ballot.
 - i. A “**Recall**” is an Initiative Ballot Measure that seeks to remove an elected ASUCD official from office.
 - ii. A “**Referendum**” is an Initiative Ballot Measure in which the members of ASUCD are asked to approve or reject a certain proposal. Referenda shall be placed on the ballot in accordance with the ASUCD Constitution.
 - (3) A “**Constitutional Amendment**” is either a Legislative or Initiative Ballot Measure that seeks to amend the ASUCD Constitution.
 - E. A “**campaign executive**” shall be defined as a candidate, both members of a Ticket, a Ballot Measure campaign coordinator (pro or con), an elected official being recalled, or a recall

campaign coordinator (con). There may only be two (2) campaign executives per ballot measure, one (1) pro coordinator and one (1) con coordinator, and two (2) campaign executives per recall election, one (1) recall campaign coordinator and the elected official being recalled.

- F. An “**endorsement**” shall be when a Campaign Executive receives the support of a member of the ASUCD or an authorized student organization through a signed agreement on a document titled “Endorsement Form.” In order for the endorsement to be valid, the form must be filed with the Elections Committee. Endorsement forms shall be distributed to each Campaign Executive by the Elections Committee.
 - G. **Potential Polling Station**
 - (1) “**Potential stationary polling stations**” shall include any computer labs located on the UC Davis campus that are usable by the general undergraduate student body, any UC Davis Residence Halls, and any other location specifically and visibly marked by the Elections Committee. All specially marked areas must be announced by the Elections Committee at the Mandatory Candidates Meeting and marked by that time.
 - (2) A “**Potential mobile polling station**” shall include any portable device capable of accessing the ASUCD Elections website.
 - H. “**Elections fraud**” shall include the following actions: modifying any ballot other than one’s own, logging in as another person to vote, voter intimidation, bribery of any individual(s), and/or tampering with the Elections results in any other fashion. Note that these terms are to be understood as they are interpreted in State and Federal Elections Law.
 - I. A “**violation point**” is a way of censuring a candidate for violation of these elections codes in the course of a campaign.
402. **DUTIES OF THE ELECTIONS COMMITTEE:** The Elections Committee does not have any power beyond that explicitly granted to them in the ASUCD Bylaws. The responsibilities of the elections Committee are enumerated in ASUCD Bylaw Section 205A(1). In addition, the Elections Committee shall perform the following duties:
- A. The ASUCD Elections Committee shall sponsor a mandatory workshop three (3) weeks before all ASUCD General Elections to inform Campaign Executives of Election guidelines and the Election process. All Campaign Executives shall be responsible for the information disseminated at the workshop. The workshop shall include a description from two (2) Senators (each selected each General Election by the ASUCD Elections Committee Chairperson) and the ASUCD President and Vice President (for the Winter General Elections only) of the nature of their respective positions. One Commercial Service Unit Director, One Programming Unit Director, and one (1) Advocacy Unit Director (selected by the ASUCD Elections Committee Chairperson) shall describe the relationship between ASUCD elected officials and the ASUCD Units. The Senate President Pro Tempore shall describe the makeup of the ASUCD Senate and its subordinate bodies.
 - B. No member of the Elections Committee or Elections staff (including Interns of the Committee), Network Administration Team (whose membership is determined by the Internet and Networking Committee [INC]), or Creative Media student staff shall endorse, campaign for, make a contribution to, or in any other manner support or oppose any Candidate Executive (except by that individual’s vote in the Election). A list of all Elections staff shall be publicly released at least four (4) academic days prior to the first day of each ASUCD Elections.
 - A. The Elections Committee shall review the Expenditure Form for each Campaign Executive

- a. For every Expenditure Form submitted by the respective deadline, the Committee shall publicly release the results of their initial review and the original expenditure forms as filed by the Campaign Executives no later than forty-eight (48) hours after the deadline for submission of the forms.
 - b. The results of the Committee’s initial review of any Expenditure Form submitted late, as well as the Expenditure Form itself, shall be publicly released as soon as it is practical, at the discretion of the Chairperson of the Elections Committee.
- D. The Elections Committee shall consider reasonable reports of voting difficulties.
- E. The Elections Committee shall conduct audits on cast ballots when fraud is suspected or when otherwise deemed necessary.

403. **TIME OF ELECTIONS**

- A. **Elections Timing and Duration.** The timing of ASUCD General Elections is outlined in Articles II and III of the ASUCD Constitution. Each General Election shall last at least seventy-two (72) hours.
- B. **Special Elections.** ASUCD Special Elections shall be conducted on a Tuesday and Wednesday no sooner than two (2) weeks and no later than four (4) weeks after the requisite number of signatures has been verified. After consulting with the party who collected the requisite number of signatures to hold a Special Election, the dates of the Special Election shall be determined by the ASUCD Elections Committee and publicly released no later than three (3) academic days after the signatures have been verified.
- C. **Elections Calendar.** The ASUCD Elections Committee shall maintain a master calendar (referred to as the “Elections Calendar”) containing deadlines, dates of events, and other important dates to ensure adequate notice to all candidates and other interested parties of relevant Election information.
- D. **Election Extension.** If for any reason, a problem occurs with the Elections Website, which causes a large portion of the electorate to be completely unable to vote (the sufficient threshold for this shall be determined by the Elections Committee), the Elections Committee shall extend the election by the same length of time this large portion of the electorate was unable to vote. The exact length of the outage shall be determined by the Elections Committee to the best of its ability.
- E. **Notification of Election Time Change.** The time of each Election shall be posted on the Elections Committee website. In the event that the Elections Committee changes the time of the election, the Committee must publicly release notice of this change within one (1) hour of such a decision being made.

404. **ELIGIBILITY OF CANDIDATES**

The following rules for Eligibility to Run and Eligibility to be Seated together make up a Campaign Executive’s Eligibility to Hold Office.

- A. Eligibility to Run
 - 1. Any undergraduate member of the ASUCD in good academic standing based on Grade Point Average (GPA), who shall have completed no less than sixty (60) quarter units of

University credit, or the equivalent, and shall have been a registered full-time or part-time student at the University of California, Davis, during one (1) or both of the two (2) quarters immediately preceding the quarter in which elected, shall be eligible to hold the office of ASUCD President (see Article III of the ASUCD Constitution). The Student Services Office Manager shall perform the appropriate check to ensure that each candidate has fulfilled these requirements immediately following the submission of official Nominating Petitions and Notices of Candidacy and notify the Elections Committee Chairperson if any candidate is found to be ineligible due to these requirements.

2. The eligibility requirements for ASUCD Vice President shall be outlined in the ASUCD Constitution. The Student Services Office Manager shall perform the appropriate check to ensure that each candidate has fulfilled these requirements immediately following the submission of official Nominating Petitions and Notices of Candidacy and notify the Elections Committee Chairperson if any candidate is found to be ineligible due to these requirements.

3. Any undergraduate member of the ASUCD in good academic standing based on Grade Point Average (GPA), registered as a full-time or part-time student at the University of California, Davis, shall be eligible to run for ASUCD Senate (see Article II of the ASUCD Constitution). The Student Services Office Manager shall perform the appropriate check to ensure that each candidate has fulfilled these requirements immediately following the submission of official Nominating Petitions and Notices of Candidacy and notify the Elections Committee Chairperson if any candidate is found to be ineligible due to these requirements.

4. No Student may run for an ASUCD elected office if on academic probation. The Student Services Office Manager shall perform the appropriate check to determine the academic standing of each candidate immediately following the submission of official Nominating Petitions and Notices of Candidacy, and The Elections Committee Chairperson and will privately ask any candidates determined to be currently on academic probation or subject to academic disqualification to withdraw their candidacy. If any candidate does not comply, the Student Services Office Manager will notify the Elections Committee of the candidate's ineligibility and the Elections Committee shall disqualify the candidate.

5. No student shall run for more than one (1) elected ASUCD position at any given time.

6. Any elected ASUCD official currently in office and seeking another office must resign that current office only if elected to the new position.

7. No student may run for an ASUCD elected office if they do not attend the Mandatory Candidates Workshop set by the Elections Committee, unless a pre-arranged alternative meeting has been made with the Elections Committee Chairperson. The Elections Committee shall disqualify any candidate(s) that does not attend the workshop or other pre-arranged meeting. If a candidate arrives more than thirty (30) minutes late to the workshop, the Elections Committee shall hold a meeting with the candidate within forty-eight (48) hours of the workshop. After this meeting, the Elections Committee may, by unanimous vote, disqualify the candidate. The meeting shall be recorded so that minutes will be available in the case that an appeal of disqualification is filed.

8. As dictated by Student Judicial Affairs, no student who has been sanctioned with a loss of privileges shall be eligible to run for ASUCD elected office. Immediately following the submission of official Nominating Petitions and Notices of Candidacy, the Student Services Office Manager shall provide a list of candidates for all elected offices to Student Judicial Affairs. Should Student Judicial Affairs notify the Student Services Office Manager at any time during the Election that any candidate is currently under loss of privileges sanction, the Elections Committee Chairperson shall hold a private meeting with the candidate to request

that the candidate ~~to~~ withdraw from the election. If the candidate does not comply with this request, the Elections Committee shall immediately disqualify the candidate.

9. The Elections Committee shall be responsible for ensuring that the Student Services Office Manager performs the duties afforded to that position in Chapter 4, Section 404 of the ASUCD Bylaws.

B. Eligibility to be Seated

1. A candidate's Eligibility to be Seated shall be determined by the following criteria:

- a. Receiving fewer than three (3) violation points from the ASUCD Elections Committee
- b. Receiving the required number of votes (as outlined in ASUCD Bylaw 409)
- c. There being no pending complaint or ASUCD Court case against the Elections

Committee

2. An additional requirement for an ASUCD Senate candidate is that they may neither have an outstanding elections complaint(s) nor be in the process of appealing an ASUCD Court appeal of an elections complaint.

3. An additional requirement for ASUCD Executive Tickets is that there be no outstanding elections complaint or ASUCD court appeal of an elections complaint with either involving any member of an ASUCD Executive Ticket.

405. PETITIONS AND NOTICE OF CANDIDACY

- A. All candidates or Tickets for any ASUCD elected office must obtain an official Nominating Petition and Notice of Candidacy and a copy of Chapter Four of the ASUCD Bylaws in person from the Student Government Administrative Office. The original petition (no other copies may be used or submitted) must be returned to the ASUCD Elections Committee after being signed by the requisite number of ASUCD members. The official petition will be made available to candidates and Tickets four (4) weeks prior to the first day of the General Election and must be returned no later than three (3) weeks prior to the first day of the Election. The ASUCD Elections Committee shall publicize the availability of these documents and the deadline for submission of petitions through campus media.
- B. The office for which a candidate or Ticket runs shall be written on the Petition of Candidacy when taken out and cannot be changed. If a candidate or member of a Ticket wishes to run for another office, another petition must be obtained. Taking out a second petition automatically cancels the previous petition.
- C. The ASUCD Elections Committee shall, upon receipt of each candidate or Ticket's petition with the requisite number of signatures and UC Davis Student ID numbers (as they appear on the registration cards of ASUCD members), determine the validity of the UC Davis Student ID numbers. Candidates for Senate must obtain one hundred twenty-five (125) signatures and UC Davis Student ID numbers of current ASUCD members, and Executive Tickets must obtain two hundred fifty (250) signatures and UC Davis Student ID numbers of current ASUCD members. The determination of the validity of these signatures and UC Davis Student ID numbers shall result in the certification of the candidate or Ticket for listing on the ballot, pending all other eligibility checks. The ASUCD Elections Committee shall verify twenty-five percent (25%) of the UC Davis Student ID numbers on each petition by random method. After establishing the proportion of valid UC Davis Student ID numbers within the random sample, the ASUCD Elections Committee shall then check to see if the petition meets the required number of valid UC Davis Student ID numbers by assuming that the proportion of valid UC Davis Student ID number in the entire petition is the same as the random sample. IF there would be an insufficient number of valid ID numbers using this proportional method,

the ASUCD Elections Committee shall then check the entire petition to see if the petition has the required number of ID numbers. If the petition still fails to meet the required number of ID numbers, the ASUCD Elections Committee shall promptly inform the Campaign Executive of the number of valid ID numbers their petition has. The ASUCD Elections Committee shall verify each candidate or Ticket's petition after receiving the list of registered undergraduate students from the University Registrar.

i. Only entries (defined as a row with matching printed name, signature, and UC Davis Student ID number) written on the original lines of official ASUCD elections petition forms shall be counted towards the required total. Incomplete entries (those without a matching or incompleting printed name, signature, or UC Davis Student ID number entries), not written on the petition's original lines, and entries written on anything other than an official ASUCD election petition form shall not be counted by the Elections Committee.

- D. Before obtaining an official Nominating petition, each candidate or Ticket shall sign a Notice of Candidacy using their name that appears on their University Registration Card and preferred name on the ballot. This Notice of Candidacy shall also include: a statement obligating them to follow all ASUCD Elections regulations, a Registration Verification Waiver, a Disciplinary Record Verification Waiver, a statement indicating that they have yet to become an official candidate, and an option to accept or decline the voluntary spending agreement.
- E. The name of the candidate or Ticket that appears on the ballot shall be the same as that which appears on the candidate's or ticket's preferred name of their Notice of Candidacy, shall be the same that which appears on the candidate's or ticket's University Registration Card(s), or a derivative thereof, or under a name commonly used by the individual pending review by the Elections Committee with consultation from the chairs of the Gender and Sexuality Commission and Ethnic and Cultural Affairs Commission and subject to the regulations in (1).
- (1) Any candidate who wishes to run under a preferred name commonly used by the individual, in lieu of their name that appears on their University Registration card, may meet with the Elections Committee and present evidence supporting their claim. The Elections Committee shall notify such candidates at least 24 hours in advance of the release of the official candidate list of the decision regarding the candidate's name on the ballot. Any such candidate wishing to withdraw their candidacy may do so at this time and their name(s) will not appear on the ballot regardless of Section 417.
- A. All ASUCD Executive and Senate candidates shall sign a consent form upon taking a petition of candidacy
- B. inquiring if the candidate wishes for their information to be maintained online at the ASUCD Elections website. The online presence detailed in the consent form includes the candidates' photos and their candidate statements.
- (1) Creative Media shall maintain full control of a candidate's disclosed information for ASUCD Elections if the candidate chooses to sign the consent form.
In the event that a candidate chooses not to sign the consent form, Creative Media will remove their information from the ASUCD Elections website one (1) week following the official results of the election.

G. Creative Media shall be responsible for taking photos of all candidates in ASUCD Elections.

- A. In the event that a Recall or Ballot Measure is placed on the ballot, these measures will be listed before candidate listings on the ballot.
- B. Eligible candidates and Tickets for each office filing a valid Nominating Petition and Notice of Candidacy shall be listed on the appropriate ballots in a fair manner determined by the ASUCD Elections Committee. The listing of candidates or Tickets for the same office on the ballot shall not purposefully exhibit bias towards any candidate(s) or Ticket(s).
- C. Ballots shall ask the voters to rank the candidates they support in order of preference, with "1" or "1st" being the highest/most preferred. Voters may rank as many or as few candidates as they wish. Ballot instructions shall include a statement expressing the following idea to voters: "You do not hurt the chances of your higher-ranked candidates by ranking additional candidates."
- D. Text of all Ballot Measures and Constitutional Amendments on the ballot will reflect complete objectivity, as specified in Bylaw 416B.
- E. For all elected offices in the ASUCD General Election held under the authority of the ASUCD Constitution and Chapter Four of the ASUCD Bylaws, a write-in box will be included on the ballot whenever there is an official write-in candidate.
- F. Before being presented to the ASUCD membership, all ballots and campaign regulations/deadlines prepared by the ASUCD Elections Committee shall be approved by the Elections Committee Chairperson. The Internal Affairs Commission shall approve all Ballot Measures, pursuant to Section 416 of the ASUCD Bylaws.
- G. Those Ballot Measures that are approved in accordance with Section 416 of the ASUCD Bylaws shall be placed on the ballot of the next regularly scheduled Election.

407. **WRITE-IN CANDIDATES OR TICKETS**

- A. For a write-in candidate or Ticket to be recognized and that candidate's or Ticket's votes tallied, that candidate or Ticket must be registered with the ASUCD Elections Committee no later than seven (7) academic days prior to the first day of the Election. Upon registration, the write-in candidate(s) or Ticket(s) must submit a list of reasonable misspellings of their first and last names. This list is not to exceed ten (10) misspellings of the candidate(s) or Ticket(s) first name(s) and ten (10) misspellings of the last name(s). A write-in candidate or Ticket must use that candidate's or Ticket's first name(s) and last name(s). The Election Committee must then approve this list at least five (5) academic days prior to the first day of the Election. No votes for non-registered write-in candidates or Tickets shall be tallied in computing the results of the Election.
- B. No write-in candidate or Ticket shall receive any free copies or advertisements from ASUCD or have ASUCD pay for their statements to be printed on the Sample Ballot. These services shall be offered to official candidates and Tickets only.
- C. Official write-in candidates or Tickets shall be able to participate in all appropriate ASUCD candidates' forums.
- D. All write-in candidates or Tickets will be subject to the rules and regulations of Chapter Four of the ASUCD Bylaws.

408. **VOTING PROCEDURES**

- A. Only current undergraduate members of the ASUCD may vote in any ASUCD Election.

- B. No voter may cast more than one (1) ballot in any ASUCD Election.
- C. Any difficulties experienced while voting or suspected Elections fraud should be reported to the Elections Committee.

409. **TABULATION OF VOTES**

- A. The ASUCD Elections Committee shall oversee the tabulation of votes cast in every ASUCD Election held under the authority of the ASUCD Constitution and Chapter Four of the ASUCD Bylaws. At least four (4) weeks prior to each Election, the Elections Committee, in conjunction with the ASUCD Network Administrator, will decide on the vote-tabulation software and procedures to be used. The tabulation method, as stated in the ASUCD Constitution, shall be as follows:
 - (1) Pursuant to the ASUCD Constitution, Instant Runoff Voting (IRV) shall be used to elect the ASUCD President/Vice-President.
 - i. In Instant Runoff Voting, the tabulation of votes proceeds in rounds. In each round, a value of one (1) vote is assigned to each voter's highest remaining preference. For a Presidential Ticket to be elected, the required number of votes is a majority of the votes in that round. If a voter's preference is for a Ticket with the lowest accrued vote total, that Ticket is eliminated, and the vote is transferred to the next preferred Ticket still in the running. This process is completed when one (1) Ticket receives the required majority of votes.
 - (2) Pursuant to the ASUCD Constitution, Single Transferable Voting (STV) shall be used to elect the ASUCD Senators. Fractional transfer shall be used in this tabulation.
 - i. In Single Transferable Voting with fractional transfer, the value of one (1) vote is assigned to each voter's first preference. The quota for the Election is the smallest number of votes necessary to elect the required number of candidates. A candidate is elected to a seat if that candidate has accrued a quota of the votes, or if no surplus candidates remain. If a voter's current preference is for a candidate who has received more than the quota for votes, the surplus value of that voter's vote shall be transferred to that voter's next eligible preference based on the proportion of the total votes accrued by that candidate. 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.
 - ii. In the event that two (2) Senate Candidates have the same amount of votes for the last available Senate seat (typically the sixth (6th) seat), the candidate with the most votes in the first (1st) round shall be declared the winner. If there is also an equal number of votes in the first (1st) round between the two (2) tied candidates, the candidate with the most votes in the proceeding round shall be declared the winner of the last available Senate seat.
- B. Creative Media and the ASUCD Elections Committee shall maintain a permanent website that includes an explanation of the Instant Runoff Voting and Single Transferable Voting systems used in ASUCD Elections. This website shall also include a complete description of the algorithms that will be used to tabulate the votes and/or the name of any software that will be used to carry out the algorithm. Any changes to the tabulation process must be made on the web site at least four (4) weeks prior to an Election.
- C. Pursuant to Article II and III of the ASUCD Constitution, the ASUCD Elections Committee shall authorize the public release of the ballot ranking data the same day that the results of the vote tally are announced so that independent verifications of the vote tally may be performed.

- D. Pursuant to the ASUCD Constitution, the Elections Committee shall provide to any ASUCD member, upon request, an electronic copy of the rankings cast by ballot in that Election.

410. **POSTING AND DISTRIBUTION REGULATIONS**

- A. All Campaign Executives are required to conform to the Posting and Distribution Regulations and Solicitation policies set by the University; however, violation of University policy does not necessarily constitute a violation of these Bylaws, violation points may be given at the discretion of the Elections Committee.
- B. The Elections Committee, after receiving a complaint of a candidate's violation of University and/or Student Housing Policy including, but not limited to, spamming, solicitations in residence halls and prohibited posting/distribution of campaign materials, will notify Student Judicial Affairs and/or Student Housing of the violations as needed. Note: Complaints may be filed directly with Student Judicial Affairs and/or Student Housing.
- C. If the Elections Committee refers a complaint to Student Judicial Affairs and/or Student Housing the Committee may post a written report on the status of the complaint within three (3) days. Any subsequent reports will be at the discretion of the Elections Committee.
- D. All Campaign Executive not complying with the Posting and Distributive Regulation shall be assessed one (1) violation point per offense.

411. **ELECTION REGULATIONS, VIOLATIONS AND PENALTIES**

- A. **Purpose.** The purpose of this Section is to inform Campaign Executives of what actions on their part will constitute a "campaign violation" and subject them to possible loss of eligibility to hold the office which they seek or disqualify the Recall or Ballot Measure campaign which they support. Additional campaign violations are located in Sections 410, 412 and 416.
- B. **Violation Points.**
 - (1) **Candidates and Tickets.** Any candidate or Ticket who accrues three (3) violation points during the course of a campaign shall be disqualified by the Elections Committee.
 - (2) **Ballot Measures and Recalls.** Violations for Recall (pro/con) or Ballot Measure (pro/con) supporters will be subject to referral to Student Judicial Affairs depending on the severity. The referral to Student Judicial Affairs shall be determined by the Elections Committee based on the intent and circumstances of the violation.
- C. **Endorsement Policy**
 - (1) **Endorsements.** Any ASUCD member or registered student organization may endorse a Campaign Executive, unless a right for such a member to do so is restricted elsewhere in Chapter Four of the Bylaws.
 - a. Endorsements shall be filed by completing an Endorsement Form provided by the Committee.
 - b. Only ASUCD members may be involved in the endorsement process.
 - c. A copy of the written list of supporters must be filed with the ASUCD Elections Committee one (1) academic day prior to the use of the endorsement.

- (2) **Unauthorized Use of Endorsements.** Any Campaign Executive that uses a list of supporters in any advertisement, poster, leaflet, or other campaign material paid for by the Election fund without prior written approval of any listed supporter shall be assessed one (1) campaign violation point per falsely listed supporter.
- (3) **Endorsement List.** The ASUCD Elections Committee shall publicly release a list, updated daily, of endorsements for each campaign executive filed.
- (4) **ASUCD Units.** No Campaign Executive or slate may use the endorsement of or make or approve any campaign message implying endorsement of any ASUCD Unit (with the exception of *The California Aggie* and KDVS). Any Campaign Executive who violates this section shall be assessed two (2) violation points.
- (5) **ASUCD Officers.** The following restrictions on endorsements apply to all Campaign Executives.
 - a. No ASUCD Unit Director may endorse an ASUCD Campaign Executive or ASUCD Elections campaign.
 - b. No ASUCD Unit may make any public statements regarding any ASUCD Campaign Executive or ASUCD Elections campaign unless written approval is given in advanced by the ASUCD Elections Committee.
 - c. No ASUCD appointee or employee may represent to the public the Unit(s) they are appointed to or employed by, or represent ASUCD in any way in regards to any ASUCD Election campaign or Campaign Executive. *The California Aggie* and KDVS.
 - d. An individual ASUCD appointee or employee may publicly endorse a Campaign Executive or ASUCD Elections campaign but may only use their title as listed in the ASUCD Budget or the ASUCD Bylaws.
- (6) **External Individuals and Organizations.** The following restrictions on endorsements apply to all Campaign Executives.
 - a. No Campaign Executive or slate shall use the endorsement of any career employee of ASUCD or any person or organization outside of ASUCD, with the exception of registered student organizations.
 - b. The endorsement of a student organization is only considered valid if it is adopted by ASUCD members within the student organization; non-ASUCD members may not participate in the endorsement process.
 - c. Any Campaign Executive who uses an endorsement or active support from a career employee of ASUCD or any member or organization outside of ASUCD, except valid endorsements from student organizations will be assessed one (1) violation point per Campaign Executive per endorsement violation.
- (7) **Elections Officials.** The following restrictions on endorsements apply to all campaign Executives.
 - a. No Campaign Executive may use the endorsement of an ASUCD Court member, Student Judicial Affairs/Campus Judicial Board member, Elections Committee member, Elections staff member, Elections Committee Intern, Creative Media employee or any other official

responsible for the fair and impartial enforcement of the ASUCD Election Bylaws, except in the case that the aforementioned official elects to be recused from all issues related to the Election in which the member endorses a campaign or Campaign Executive.

- b. A Campaign Executive shall be assessed three (3) campaign violation points for violating this section.
- c. In addition, the aforementioned officials may not endorse, campaign for, make a contribution to, or in any other manner support any ASUCD campaign, Campaign Executive, or Slate by name or title of any other position which that official might hold without having first elected to be recused from Election issues.

D. **Polling Stations.** Any candidate actively campaigning under one of the following conditions on any ASUCD Election Day shall receive one (1) violation point per offence.

- (1) Within any one hundred (100) foot horizontal plane from any potential stationary polling station.
- (2) Inside any computer lab on campus, including departmental computer labs and UC Davis Residence Hall computer labs.
- (3) Actively campaigning to an individual while the individual is using any potential mobile polling station, such as an electronic device with Internet access, with the Elections Website visibly open.
- (4) Actively campaigning to any individual while providing a potential mobile polling station.

Any non-candidate in violation of these rules will be removed from the premises and subject to referral to Student Judicial Affairs.

Note: Departmental computer labs are excluded from both the definition of “potential stationary polling station” and from the one hundred (100) foot prohibition on campaigning because they are not traditionally watched by the Elections Committee. Their locations are often unknown and access to them is restricted. An example is the lab in room 124 of Hoagland Hall (in January 2005), which has computers that can only be logged onto by people registered for Land, Air and Water Resources courses. Thus, candidates may not know that this or any similar lab is actually there. Therefore, candidates are prohibited from campaigning within these labs, but may campaign near them. The main computer labs, such as those in Olson Hall and the Memorial Union, cannot be campaigned in, nor can candidates campaign within one hundred (100) feet of them on Election days. These areas are to be monitored by the Elections Committee or poll workers.

- E. **Elections Fraud.** Any individual who commits Elections fraud shall be referred to Student Judicial Affairs. Any Campaign Executive who commits Elections fraud shall be assessed 0, 1, 2, or 3 violation points, at the discretion of the Committee.
- F. **Violation Reporting.** All campaign executives are required to report suspected or actual campaign fraud and violations. Any campaign executive who fails to do so shall be assessed one (1) violation point.
- G. **ASUCD Services.** ASUCD Units may offer free services outside the voluntary spending agreement; however, these services must be offered to all campaign executives and approved by the ASUCD Elections Committee prior to the services’ usage. Campaign executives may still use services that were not offered to all candidates; however, they must

be displayed on the expenditure form. Each campaign executive violating this section shall be assessed two (2) violation points and be subject to referral to Student Judicial Affairs.

- H. **SmartSite Mailtool.** Any campaign executive who uses a SmartSite listserv, mailtool, or course-wide email address for the purposes of campaigning shall be assessed one (1) violation point and shall be referred to Student Judicial Affairs.

412. CAMPAIGN FINANCE

- A. **Election Funds.** All Campaign Executives shall establish an Election fund comprised of all donations made on behalf of the campaign by ASUCD members. All Campaign Executives shall designate a Campaign Treasurer, other than themselves, to manage their Election funds, including the collection of donations and the expenditures of money and material on the campaign.
- (1) No money or material may be used on behalf of the campaign except from the Election fund. Any campaign expenditures made by the campaign executive or campaign treasurer shall be considered to come from Election fund(s). The requirements in these codes for the disclosure of campaign expenditures are based on standard accounting principles and procedures.
 - i. Should Campaign Executives or Campaign Treasurers spend money for the purposes of promoting a campaign before petitions become available, then those expenditures must be reported pursuant this section.
 - (2) If it is determined in advance of the start of the campaign period that the Election fund for a particular campaign is equal to zero dollars (\$0), the Campaign Executive shall complete a separate form, stating that the aforementioned Campaign Executive shall spend zero dollars (\$0) for the entire campaign period. Completion of the form shall nullify the need for the candidate to maintain a treasurer and shall automatically indicate that candidate's compliance with all campaign spending limits. Any change to the candidate's use of funds after signing the zero dollar (\$0) form shall require the use of the standard expenditure form, and all other rules pertaining to it.
- B. **Campaign Spending Agreement:** All Campaign Executives shall be offered a Voluntary Spending Agreement. In this agreement Campaign Executive will concur with spending limits in return for incentives provided by the Elections Committee. The terms of the Voluntary Spending Agreement are as follows:
- (1) No Ticket or candidates for the office of the ASUCD President and ASUCD Vice President shall spend more than five hundred dollars (\$500) from their General Election fund on the campaign. No candidates for the office of ASUCD Senator shall spend more than two hundred and fifty dollars (\$250) from their General Election fund on the campaign. No Ballot Measure campaign coordinators (pro/con) shall spend more than two hundred and fifty dollars (\$250) from their General Election fund on the campaign. No Recall Campaign Coordinator (pro) nor elected official subject to recall shall spend more than two hundred and fifty dollars (\$250) on their campaign.
 - i. Any Ballot Measure campaign coordinators (pro/con), Recall Campaign Coordinator (pro) or elected official subject to recall that spends more than two hundred and fifty dollars (\$250) in a General Election shall be assessed one (1) violation point. Any Ballot Measure campaign coordinators (pro/con), Recall Campaign Coordinator (con) or elected official subject to recall that expends more than two hundred and sixty dollars (\$260) in a General Election shall be assessed two (2) additional violation points.

- ii. Any candidate for Senate that expends more than two hundred and fifty dollars (\$250) in a General Election shall be assessed one (1) violation point. Any candidate that expends more than two hundred and sixty dollars (\$260) in a General Election shall be assessed two (2) additional violation points.
 - iii. Any Ticket for the office of the ASUCD President and ASUCD Vice President that expends more than five hundred dollars (\$500) in a General Election shall be assessed one (1) violation point. Any Ticket that expends more than five hundred and twenty dollars (\$520) in a General Election shall be assessed two (2) additional violation points.
- (2) Platform Flyers: All Campaign Executives that participate in the Voluntary Spending Agreement shall receive, at no charge to the candidates or Tickets, up to five hundred (500) copies of one (1) platform flyer on letter-sized paper. The platform flyer must include, but is not limited to, the official ASUCD Election Web site as announced at the mandatory candidates' meeting, the dates of the Election, the candidate's name and the office for which the candidate is running (or the Recall or Ballot Measure campaign's name and stance). The procedures for printing copies shall be determined by the ASUCD Elections Committee and shall be announced to all candidates for office.
- (3) Statements: The ASUCD Elections Committee shall publish a sample ballot containing all submitted candidate and Ticket's statements and a submitted statement in favor and against all Ballot Measures and Recalls (if applicable). A sample ballot shall be published prior to the first day of the ASUCD General Election in the campus media or an ASUCD-managed website in an impartial manner. A link shall be established on the ASUCD Elections website providing the statements of individual campaigns one (1) week in advance of the Election, given the participants follow all rules and regulations set forth by the ASUCD Elections Committee. Each Campaign Executive's statement shall be no longer than 500 words, and must be submitted electronically. No late statements will be accepted.

The pro and con statement for Recall Elections will be sent to the ASUCD lawyer to be evaluated for libel and slander. The Senate President Pro Tempore will be responsible for turning in the statements to the lawyer and informing the ASUCD Elections Committee of the lawyer's recommendation. The Elections Committee must follow the lawyer's recommendation and shall inform the authors of the statements. The Elections Committee shall not add any additional wording.

- (4) Public Forum/Event: The ASUCD Elections Committee shall sponsor at least one (1) public candidates forum/event and at least one (1) ballot measure forum/event per ASUCD Election, unless no ballot measures shall be on the ballot or pro/con have agreed not to conduct. All participants of the Voluntary Spending Agreement and all Ballot Fee Initiatives and referendums shall be given an opportunity to participate in any public forums or events at no charge. All participants who do not sign the spending agreement shall pay \$50 to participate in any public forums or events.
- (5) Website: Only and all participants of the Voluntary Spending Agreement will be given an opportunity to have their photograph featured on the ASUCD Elections Website one (1) week in advance of the Election, given that the participant follows all rules and regulations set forth by the ASUCD Elections Committee and the ASUCD Bylaws. The Elections Committee shall determine if a candidate's photograph is appropriate for the ASUCD Elections Website and Sample Ballot. Only and all candidates that do not participate in the Voluntary Spending Agreement shall be noted on the Elections website.

- (6) Pictures: All participants of the Voluntary Spending Agreement will be given an opportunity to have their photograph featured in the Sample Ballot.
- (7) Storage Space: All participants of the Voluntary Spending Agreement will be offered storage space for campaign materials by ASUCD. The particular storage space shall be a reasonable amount, at the discretion of the Student Government Administrative Office. The Student Government Administrative Office shall provide access to this space during regular operating hours of SGAO.
- (8) AggieTV: Only and all participants of the Voluntary Spending Agreement will be given an opportunity to have AggieTV direct and produce one (1) short campaign video, at no charge to the candidate.

C. Donations and Expenditures

- (1) Donations to a Campaign Executive's Election fund shall only be accepted from ASUCD members. No group donations may be made to a Campaign Executive's Election fund by any registered student organization. Three (3) campaign violation points shall be assessed for violating this subsection.
- (2) The Campaign Treasurer shall report to the ASUCD Elections Committee by 12:00 p.m. one (1) week before the first day of the Election concerning the following: a list of all donations including the individual donors names, UC Davis Student ID numbers, and the donation amount; an itemized list of all expenditures from the Election fund on behalf of the Campaign Executive's campaign, including the purpose for each expenditure; and all receipts for such expenditures and the total amount of donations and expenditures up to midnight of the evening prior.
 - i. The value of any materials purchased without receipts will be estimated from a survey of current prices by the Elections Committee and the candidate(s) who made the purchase.
 - ii. Donations of material shall be assigned a realistic monetary value, based upon the lowest price (within three (3) months prior to the day of the ASUCD Election) of the material at local stores located in Yolo County, Solano County or Sacramento County. Any material not generally acquirable within these counties shall have a shipping cost added to their assigned monetary value.
 - iii. The monetary value of donated materials used during the campaign shall be listed as expenditures.
 - iv. All donations purchased, donated, or used by the Campaign Executive in a previous campaign or existing before the current candidacy is announced must be reported if also used in the current campaign.
 - v. Donated labor need not be reported as either a donation or an expenditure.
 - vi. Materials that are rented or borrowed for the duration of the Election shall be noted on the expenditure form as an expenditure equaling the cost of purchasing the rented or borrowed material.
 - a. "Materials" shall be considered those items that are part of a final product used for the purpose of campaigning. For example, materials would be the stake (wood), paper, screws (or nails), and ink (or paint) used in making a sign or flyer that is used for the purpose of getting elected. However, the screwdriver, the

paintbrush, the hammer, or the original design used to make the sign or flyer would not be considered materials.

- b. All prices must include applicable sales tax for the area in which the material was purchased.
 - c. Copyrighted material shall not be used by any campaign unless the campaign executive owns the work, has a license to use the work, or is allowed to use the work under fair use. Any costs to acquire a license to use a copyrighted work for a campaign shall be included in campaign expenditures. Any Campaign Executive in violation of this subsection shall be assessed zero (0) or one (1) violation points for each work, and subject to referral to Student Judicial Affairs.
- vii. The costs of materials used to create a final product representing multiple campaigns may be divided and reported as expenditure representative of a division by the campaigns involved.
- a. In this division, a Presidential Ticket must account for two (2) parts of the whole. For example, on expenditures divided among five (5) Senate candidates and one (1) Presidential Ticket, the Presidential Ticket must account for 2/7 of the total expenditures.
 - b. Expenditure forms must include the names of all candidates dividing expenditures, and each individual candidate must submit a signed expenditure form.
 - c. An expenditure form must be submitted for every candidate that divides expenditures.
- viii. An expenditure form is required from all campaign executives, not just those agreed to the Voluntary Spending Agreement.
- ix. If a Campaign Executive fails to turn in that individual's expenditure form and/or all receipts related to their expenditure form, that individual may be assessed one (1) campaign violation point at the discretion of the Elections Committee.
- (3). **Post Election Expenditure Form** The Campaign Executive shall also report to the ASUCD Elections Committee by 12:00 p.m. the day following the last day of the Election, and before the Election is certified, on all other donations to and expenditures from the Election fund made since the date of the last such report in a manner similar to that report. If the campaign executive fails to do so the campaign executive will be assessed one (1) violation point.
- (4) No Campaign Executive may use ASUCD funds, facilities, or equipment for the purpose of campaigning, unless ASUCD is providing a service noted on the Campaign Executive's expenditure form. Any campaign executive who violates this bylaw may be assessed violation points at the discretion of the Elections Committee. Use of ASUCD internet resources is exempt from this subsection.

D. Falsifying Expenditure Forms:

- (1) No Campaign Executive may falsify expenditure forms. This may include, but is not limited to, false signatures, incomplete forms, and/or not claiming purchases/donations used for campaign purposes.

- (2) If the Elections Committee finds that any Campaign Executive has falsified their expenditure form(s), they shall be assessed either zero (0), one (1), two (2), or three (3) violation points depending upon the severity of the falsification.

413. **COMPLAINT AND DISQUALIFICATION PROCESS**

- A. Any ASUCD member must file a written complaint with Student Government Administrative Office if they believe that a Campaign Executive has violated any of the regulations outlined in Chapter Four of the ASUCD Bylaws. All such complaints shall include: the name(s) of the person(s) filing the complaint, a description of the alleged violation, the name(s) of the candidate, Ticket, Recall (pro/con) or Ballot Measure (pro/con) that allegedly committed the violation, and if possible, the time, date, place of the observed violation, and all other evidence. All complaints must be filed before the announcement of the election results. If the complaint is submitted to the Student Government Administrative Office, then it will immediately be forwarded to the Elections Committee Chairperson and the ASUCD Court.
- B. If any complaint(s) from an individual(s) that a Campaign Executive violated Chapter Four of the ASUCD Bylaws are brought to any member of the ASUCD Elections Committee, that Committee member shall direct the individual to file a written complaint with the Student Government Administrative Office.
- C. The ASUCD Elections Committee shall investigate and review all properly filed complaints (in accordance with the "Elections Committee procedures for a complaint" section below) and give violation point assessments. A progress report of the investigation shall be publicly released within one (1) academic day from when the complaint is filed. The campaign violation point assessment shall be publicly released within four (4) academic days from when the complaint is filed.
- D. The majority decision of the Elections Committee regarding campaign violation assessments shall be final, unless a written complaint is filed with the Student Government Administration Office within three (3) academic days of the rendering of the Elections Committee decision, contending that the Elections Committee violated ASUCD Judicial Code 5021(A). This complaint shall be immediately forwarded to the Chief Justice of the ASUCD Court and the Elections Committee Chairperson.
- E. An ASUCD recorder must be present and must record all Elections Committee deliberation(s) pertaining to the assessment(s) of violation points or the dismissal of any Campaign Executive(s) or Ticket(s).
- i. For the purposes of accessibility and handling, all records taken during such deliberations(s) shall be treated as records taken during Senate closed sessions as outlined in Chapter 920 of the ASUCD Bylaws. The ASUCD Court will have access to these minutes upon subpoena. Candidates receiving violation points may also have access to the minutes with the names of the Elections Committee members removed (with the expressed instruction that they not be shared with any member of the public).
- F. **Elections Committee procedures for a complaint:**
- (1) Investigation:
- i. Contact/interview all concerned parties.
- a. The person(s) who filed the complaint.

- b. The person(s) accused.
 - c. Witnesses
 - ii. Collect evidence: This may include, times, dates and/or documents.
 - (2) The Elections Committee must consult the ASUCD Bylaws to determine what specific codes were or were not violated.
 - (3) The Elections Committee by a majority vote of its members shall make a violation point assessment.
 - (4) The ASUCD Elections Committee shall review all filed Election complaints and post a collective statement outlining their official violation point assessment(s). The complaint will simultaneously be posted with the Elections Committee's response, not prior.
 - i. This outline must include how the Committee came to their violation point assessment, including the procedures stated above.
 - (6) If the Elections Committee finds that a candidate or Ticket has three (3) or more campaign violation points, then the candidate or Ticket shall be disqualified.
- G. **Hearing:** A Hearing by the ASUCD Elections Committee shall be an opportunity for the person who files a complaint (hereinafter referred to as the complainant) and the Campaign Executive accused to plead their case in front of the ASUCD Elections Committee.
- (1) The ASUCD Elections Committee Chairperson shall run the Hearing. The ASUCD Elections Committee Chairperson shall notify the complainant and the Campaign Executive accused should the ASUCD Elections Committee choose to conduct a Hearing regarding a filed complaint.
 - (2) The ASUCD Elections Committee shall consult all parties prior to setting a Hearing time. All parties involved in the Hearing shall be given twenty-four (24) hour notice of the public hearing.
 - (3) The complainant and/or Campaign Executive accused may designate a representative for the Hearing. The ASUCD Elections Committee Chairperson must be notified if any party chooses to send a designee on their behalf prior to the Hearing.
 - (4) Should the person who filed the complaint or Campaign Executive accused fail to attend the Hearing, the Hearing shall continue with the party present.
 - (5) At the Hearing, the complainant and the Campaign Executive accused shall be given no more than fifteen (15) minutes each to present and five (5) minutes each for a rebuttal.
 - (6) Both parties shall be permitted to present evidence and witnesses during the allotted time of their presentation time.
 - i. Evidence that is not directly related to the alleged violation shall not be permitted. (Example: attacking the character of either party)
 - (7) All Hearings shall be held in a closed session in accordance with Bylaw 2003.
 - (8) An ASUCD Recorder must be present during the Hearing and record arguments presented.

scheduled meeting of the ASUCD Senate following the Election. In the case of Senate and Presidential Elections, the report shall also include the number of votes for each candidate in every round of the tabulation, as well as an account of all transfers of votes. The Elections Committee Chairperson shall also post this report on the Elections Committee bulletin board.

- B. Candidates for ASUCD Senate who receive the required number of votes for Election shall be issued Certificates of Election at the first (1st) regularly scheduled ASUCD Senate meeting following the ASUCD Election unless a written complaint for an alleged campaign violation is filed with the Elections Committee against a candidate for ASUCD Senate and/or there is a pending written complaint against the Elections Committee for an alleged violation of ASUCD Judicial Code 501(A) or 501(B), filed with the Student Government Administrative Office and immediately referred to Student Judicial Affairs.
- C. If a complaint filed against a candidate(s) for ASUCD Senate with a campus department or University governing board has not been resolved, the candidate(s) for ASUCD Senate receiving the required number of votes for Election shall receive Certificates of Election at the second regularly scheduled ASUCD Senate meeting following the ASUCD Election.
- D. In the event that an appeal(s) of candidate disqualification is pending at the second regularly scheduled ASUCD Senate meeting following the ASUCD Election in which the candidate was disqualified, the Elections Committee will execute the following procedure; making each step public, in an expedient manner.

Step 1: Run the voting data to determine the winning candidates for every possible resulting scenario, pending rulings on ongoing appeals.

Step 2: Allow only those candidates who win seats in all possible resulting scenarios to take their seats and receive Certificates of Election. If a Senate seat is vacant at the end of this process, the seat will remain empty until the conclusion of the appeal process.

Step 3: After any appeal is finalized, the Elections Committee shall recalculate the voting data, starting again at Step 1 of this process until all seats are filled.

- E. The Ticket for ASUCD President and ASUCD Vice President receiving the required number of votes for Election shall receive Certificates of Election at the beginning of the final regularly scheduled ASUCD Senate meeting of Winter Quarter.
- F. The Presiding Officer at the first regularly scheduled ASUCD Senate meeting following the ASUCD Election shall issue a Certificate of Election signed by the Senate President Pro Tempore and the Chairperson of the ASUCD Elections Committee to each Senate candidate who received the required number of votes for Election and administer the Oath of Office. The outgoing ASUCD President and ASUCD Vice President shall issue Certificates of Election signed by themselves and the Chairperson of the ASUCD Elections Committee to the eligible candidates for ASUCD President and ASUCD Vice President who received the required number of votes for Election. The ASUCD Court Chief Justice shall administer the Oath of Office. Upon receiving a Certificate of Election, the person elected to an office shall immediately assume that office.

416. **BALLOT MEASURES, RECALLS, AND SPECIAL ELECTIONS**

- B. **Initiative Ballot Measures:** At any time, any member(s) of ASUCD may request a petition for an Initiative Ballot Measure or a recall of an elected official. Forms to request a petition shall be available at the Student Government Administrative Office (SGAO) upon request. The Elections Committee Chairperson shall answer any questions about the petition process. If the Initiative Ballot Measure increases student fees, the campaign coordinators shall be

responsible for compliance with additional requirements for student fee initiatives, as stipulated in Section 416C of the ASUCD Bylaws.

- (1) A completed request for a petition for an Initiative Ballot Measure or a recall is to be submitted to the SGAO. SGAO shall then forward the request to the Internal Affairs Commission.
 - i. If the Initiative Ballot Measure raises student fees, the Internal Affairs Commission Chairperson shall consult with the Student Affairs Office regarding the language of the Ballot Measure, as required Section 416C(1) of the ASUCD Bylaws, before considering the language of the petition. After receiving the suggestions of the Student Affairs Office, the Internal Affairs Commission Chairperson shall follow the approval procedures outlined in Section 416A(2) of the ASUCD Bylaws.
- (2) The Internal Affairs Commission Chairperson shall place the request for a petition on the agenda of the next Internal Affairs Commission meeting if there is forty-eight (48) hours notice, or otherwise on the agenda of the following Internal Affairs Commission meeting. The Internal Affairs Commission shall be responsible for the approval of the proper language of all Initiative Ballots Measures for the purposes of clarity, brevity and accuracy. The Internal Affairs Commission may suggest modifications to an Initiative Ballot Measure, but may not make any amendments to the Ballot Measure without the approval of the authors. Upon Internal Affairs Commission's approval of the Initiative Ballot Measure language, the Internal Affairs Commission Chairperson shall sign the request for an Initiative Ballot Measure or recall, and shall submit the request for a petition to the SGAO and the Senate President Pro Tempore. Internal Affairs Commission shall not postpone an Initiative Ballot Measure by more than one (1) week except by consent of the petitioner(s).
- (3) Upon the receipt of the Internal Affairs Commission's Initiative Ballot Measure language, the Elections Committee shall prepare and present official petition forms to the petitioner(s) within two (2) academic days. This petition must clearly state its purpose. The petitioner(s), at this time, must select a Campaign Coordinator to represent the campaign and take on all duties and responsibilities granted by the ASUCD Elections Codes. The Campaign Coordinator may request more copies of the petition if needed. If the Elections Committee presents the petition to the petitioner(s) within four (4) academic weeks of the end of spring quarter instruction, the petitioner(s) may elect to take out the official petition during the first academic week of the subsequent fall quarter.
 - i. The Petition shall contain the ballot language, as well as the format outlined in Bylaw 405. Each page shall be stamped by SGAO to indicate the Petition's authenticity.
 - ii. Any petition that would initiate a recall, constitutional amendment, increase in student fees, decrease in student fees, or a legislative initiative shall be clearly written as such in no less than eighteen (18) point font and all capital letters at the top, bottom and both sides of each piece of paper. (Example: CONSTITUTIONAL AMENDMENT)
- (4) The Campaign Coordinator and any other ASUCD members who wish to circulate the petition may do so. Only signatures of ASUCD members shall be valid for the Petition. The Petition requires eight percent (8%) of the currently registered undergraduate population, as specified in Article V of the ASUCD Constitution.
 - i. A person who is not a member of ASUCD shall not circulate the Petition. For each person who circulates the petition on behalf of the Campaign Coordinator who is not a member of ASUCD, that Campaign Coordinator shall be assessed one (1) violation point.

- (5) All petitions must be returned to the SGAO within four (4) academic weeks after the petition was taken out or by the end of Spring quarter instruction, whichever is earlier, before 10 a.m. that day. In order to be included in a General Election, a petition must be returned at or before the same time candidate petitions are due. Petitions must be submitted by the due date and time, and must have the valid signatures of eight percent (8%) of ASUCD members, or the petition shall be disqualified. Once a petition has been submitted, it cannot be withdrawn.
- (6) The Elections Committee shall be responsible for verifying the validity of the petition, using the process delineated in Bylaw 405. The Elections Committee shall notify the Campaign Coordinator(s), officials named in the recall petition, and the Senate President Pro Tempore of the status of the petition within six (6) academic days.
- (7) Elections:
 - i. Any Initiative Ballot Measure may be included in a General Election if the petition is returned by the time specified in Section 416A(5) above. A recall must be run in a Special Election, as specified in the ASUCD Constitution, but a Recall Special Election may be held concurrently with a General Election if submitted within one (1) to three (3) academic weeks of the date of a General Election, at the discretion of the Elections Committee.
 - ii. If the next General Election is scheduled more than six (6) weeks or less than three (3) weeks in advance of when the Initiative Ballot Measure petition was submitted to SGAO, a special election shall be held at the request of the Campaign Coordinator (pro). The Campaign Coordinator may also choose to delay the issue until the next regularly scheduled General Election. Recall elections automatically call Special Elections, but may be run concurrently with General Elections. The ASUCD Senate may also call a special election at any time by a two-thirds (2/3) majority vote.
 - a. In the event that a Special Election is called, any Ballot Measure or Recall already submitted may be included in the Special Election. An Initiative Ballot Measure shall be moved by the mutual consent of the Pro and Con (if applicable) Campaign Coordinators. Recall elections will automatically be moved to this Special Election.
 - b. Any additional Ballot Measure submitted through Initiative Ballot Measure petition within one (1) academic week of a call for a special election may also be included in the Special Election. Additional recall petitions submitted within this week shall be included in the Special Election.
 - c. The Special Election called by an Initiative Ballot Measure or recall shall be held within three (3) academic weeks of the submission of the petition and shall take place over a minimum of two (2) academic days.
 - iii. If participating in the Voluntary Expenditure Agreement, signed expenditure forms for Ballot Measures and recalls must be filed with the ASUCD Elections Committee by the Campaign Treasurer before 12:00 p.m. five (5) academic days prior to the first (1st) day of the Election and by 12:00 p.m. following the last day of the Election.
- (8) Ballot Measures and Recalls must be approved by the 60% affirmative vote specified in the ASUCD Constitution. Ballot Measures and Recalls take effect immediately upon certification by the Elections Committee and settlement of all appeals, unless a later date is specified by the measure.

- C. **Legislative Ballot Measures:** A Ballot Measure may be placed before a vote of the student body by a majority vote of the ASUCD Senate.
- (1) A Ballot Measure shall enter the legislative process in accordance with Section 801A of the ASUCD Bylaws. The Ballot Measure shall be referred to commissions in accordance with Section 801B of the ASUCD Bylaws.
 - i. The Internal Affairs Commission Chairperson and the author(s) of the Ballot Measure shall consult with the Student Affairs Office prior to the commission's consideration of the Ballot Measure. After receiving the suggestions of the Student Affairs Office, the Internal Affairs Commission shall consider the Ballot Measure as outlined in Section 802A of the ASUCD Bylaws.
 - (2) Elections:
 - i. Any Legislative Ballot Measure may be included in a General Election if the measure is approved by the ASUCD Senate prior to the third week of the Quarter in which General Election is held.
 - ii. The ASUCD Senate may call a special election at any time by a two-thirds (2/3) majority vote. In the event that a Special Election is called, any Ballot Measure or Recall already submitted may be included in the Special Election, and any previously approved Legislative Ballot Measure may be rescheduled for this Special Election by majority vote of the Senate.
 - a. Any additional Ballot Measure approved by the ASUCD Senate through legislation within one (1) academic week of a call for a special election may also be included in the Special Election. Additional recall petitions submitted within this week shall be included in the Special Election.
 - b. A Special Election called by legislation shall be held at the date specified in the legislation, which must be at least two (2) academic weeks from the date of the legislation was enacted.
 - iii. If participating in the Voluntary Expenditure Agreement, signed expenditure forms for Ballot Measures and recalls must be filed with the ASUCD Elections Committee by the Campaign Treasurer before 12:00 p.m. five (5) academic days prior to the first (1st) day of the Election and by 12:00 p.m. following the last day of the Election.
 - (3) If the Legislative Ballot Measure increases student fees, the campaign coordinators shall be responsible for compliance with additional requirements for student fee initiatives, as stipulated in Section 416C of the ASUCD Bylaws.
 - (4) Ballot Measures must be approved by the 60% affirmative vote specified in the ASUCD Constitution. Ballot Measures and Recalls take effect immediately upon certification by the Elections Committee and settlement of all appeals, unless a later date is specified by the measure.
- D. **Fee Referenda:** Any Initiative or Legislative Ballot Measure that raises student fees shall comply with all UC Davis and University of California requirements, as stipulated in the UC Davis Policy and Procedure Manual (PPM), Section 280-15 and the University of California Office of the President (UCOP) Policies Applying to Campus Activities, Organizations, and Students (PACAOS), Policy 80.00. Fee referenda are advisory to the Vice Chancellor of Student Affairs.

- (1) Student Consultation with the Student Affairs Office: The campaign coordinators for the fee initiative shall consult with the Student Affairs Office regarding the content of the referendum, the programs and services included in the referendum, and the voting conditions of the referendum. The Student Affairs Office shall seek approval of the Chancellor and the University of California Office of the President (UCOP).
 - i. For Initiative Ballot Measures, the Internal Affairs Commission Chairperson and the petitioners shall consult with the Student Affairs Office prior to review of the Initiative Ballot Measure language by the Internal Affairs Commission. After receiving the suggestions of the Student Affairs Office, the Internal Affairs Commission Chairperson shall follow approval procedures outlined in Section 416A(2) of the ASUCD Bylaws.
 - ii. For Legislative Ballot Measures, the Internal Affairs Commission Chairperson and the author(s) of the Ballot Measure shall consult with the Student Affairs Office prior to the commission's consideration of the Ballot Measure. After receiving the suggestions of the Student Affairs Office, the Internal Affairs Commission shall consider the Ballot Measure as outlined in Section 802A of the ASUCD Bylaws.
- (2) Educational Outreach: The campaign coordinators shall develop and implement an educational program to inform students of the issues and options related to the referendum.
 - i. The educational program shall include distribution of informational materials, selection and training of students to lead discussions, outreach to broad groups of students, press releases about fiscal issues, and promotion of voter turnout.
 - ii. While the campaign coordinators are responsible for implementation of the program, the Student Affairs Office may assist as appropriate.
- (3) If voter turnout does not reach at least twenty percent (20%) of the eligible voting population, the fees proposed in the Ballot Measure shall be null and void.
- (4) Each proposed new, increased, or renewed fee must be voted on as separate Ballot Measures, unless there are multiple fees that support a common student service goal, in which case they may be aggregated into a single Ballot Measure.
- (5) Any fee initiative that will fund the construction or renovation of a building or facility must state describe the purpose of any continued fees and the mechanism for determining the level of such a continued fee; state whether the fee will be continued after the retirement of the original debt; and require that students not begin paying the fee until they can benefit from the construction, unless explicitly stated otherwise that student will pay a percentage of the fee in advance of the benefits.
- (6) Campaign coordinators are responsible for compliance with any additional requirements for fee initiatives that may be outlined in the UC Davis Policy and Procedure Manual (PPM), Section 280-15, or the University of California, Office of the President Policies Applying to Campus Activities, Organizations, and Students (UCOP PACAOS), Policy 80.00.

417. **CANDIDACY WITHDRAWAL**

- A. Any candidate or Ticket who wishes to terminate their candidacy must submit a dated and signed letter to the Elections Committee stating their withdrawal. If the candidate, Ticket, or

Ballot Measure (pro/con) fail to inform the Elections Committee, they will be subject to deadlines and penalties. If the Elections Committee receives the letter of withdrawal one (1) calendar week after the deadline to submit Nominating Petitions and Notices of Candidacy, then the withdrawing candidate shall be left on the ballot during the voting, but shall not have any votes cast for them counted.

- B. Initiative Ballot Measures, Legislative Ballot Measures, and Recall petitions may not be withdrawn once the petition has been submitted. However, a campaign coordinator (pro or con) may resign their position, which would allow another person to take over the responsibilities thereof.

418. **ELECTIONS COMMITTEE INADEQUACY**

- A. As specified in Section 904C(10) of the ASUCD Bylaws, the Senate must hold an IAC Indictment Hearing of an Elections Committee Member before considering their removal. Per Chapter Five of the ASUCD Bylaws, the Senate may remove any member of the ASUCD Elections Committee from office with a two-thirds (2/3) majority vote of the entire Senate.