



Senate Bill
students serving students

SB 22-23:06 Elections Code Clarification Act

Date: November 18, 2022

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Sponsor(s):

BE IT ENACTED BY THE SENATE HERE ASSEMBLED
THAT:

Section 1: Amendment of Articles

- A. Article VII of the ASuop Bylaws shall be amended to read as follows:

Chapter 700 – Purpose

700.1 The purpose of this Article is to establish a set of rules to determine eligibility of candidates for all elected ASuop Officers; to set forth a procedure for the nomination of such candidates; to provide a standard for the conduct and control of all ASuop elections; to ensure that all candidates are afforded the opportunity for an equal and fair election; to designate the time and manner of conducting the operation of ASuop elections; and to set forth all other regulations, as necessary, for the just regulation of ASuop elections.

Chapter 701 – Organization of the Elections Committee

- 701.1** All ASuop elections shall be overseen by an Elections Committee.
- (i) The committee shall be comprised of five (5) ASuop members to ensure that no ties shall exist within the committee.
- (1) Current ASuop justices are not eligible to serve on the Elections Committee.
- (2) Former officers who were impeached and removed from their position are not

eligible to serve on the Elections Committee.

- (ii) A student shall serve as the Elections Coordinator. The Elections Coordinator shall serve as the chair of the committee.
 - (1) The Supreme Court shall nominate an ASuop member to serve as the Elections Coordinator and their confirmation requires a majority approval of the Senate.
 - (2) The Elections Coordinator shall be a member of the Elections Committee.
- (iii) An ASuop Advisor shall serve as an ex-officio member of the elections committee.
- (iv) All other members of the committee shall be selected by the Elections Coordinator with the advice of an ASuop Advisor and the Supreme Court.
 - (1) At least one member of the committee shall be a current Senator who is willing to step if needed as Interim Coordinator, as defined in 400.4.
 - (2) The Committee cannot be officially formed until the Supreme Court approves of its composition.
- (v) No member of the committee may campaign or take part in a candidate's campaign.
 - (1) Taking part in a candidate's campaign includes, but is not limited to, endorsements, donations, and labor assistance.
- (vi) Members of the committee must meet all eligibility requirements stated in Chapter 303 of the ASuop Bylaws.
- (vii) The Supreme Court shall, after the formation of the committee, nominate one Election Committee member to serve as the Interim Coordinator if needed.

- (1) The Interim Coordinator is subject to the approval of Senate following their nomination.

701.2 Responsibilities of the Elections Coordinator

- (i) The Elections Coordinator shall:
 - (1) Serve as chair of the Elections Committee, which includes scheduling all committee meetings, keeping records of the business of the committee, and ensuring that the committee follows all procedures outlined in this Article.
 - (2) Serve as an ex-officio member of the Cabinet for the duration of the elections season, from their hiring until the release of the election results.
 - (3) Ensure that all responsibilities of the committee (as charged in this Article) are fulfilled.
 - (4) Give updates to the ASuop Senate as needed.
 - (5) Appoint ASuop members to serve on the committee.
 - (6) Be responsible for their complete understanding of the Elections Code prior to selecting the remaining members of the Elections Committee.
 - a) All of their actions and decisions for the entirety of the Elections season should be informed by the Elections Code.
 - b) To this end, the Coordinator shall undergo Bylaws training with the Supreme Court.
 - (7) Prepare the Election Packet, which shall include all the rules outlined in this Article, in partnership with the ASuop Advisor.

- (8) Organize an Orientation meeting for all candidates that have satisfied the requirements to be placed on the ballot. This meeting shall include an overview of all the rules outlined in this Article.
 - (9) Have the authority, in conjunction with the Elections Committee as a whole, to make independent decisions about minor violations/issues to expedite and ensure a fair election.
 - a) Such decisions must be made by the entirety of the Elections Committee and be approved by majority vote.
 - b) The reasoning for such decisions, based on the Elections Code, shall be provided if requested within two (2) business days of the request.
 - c) Decisions may be appealed by either party of the complaint to the Committee. In such an event, the Elections Coordinator may not vote. If there is a tie, then the original decision of the Elections Coordinator shall stand.
 - (10) Call a committee meeting to hear any complaints or violations of this Article
 - (11) Maintain a file on all submitted campaign publicity, materials, and endorsement forms.
 - (12) Ensure that all the information on the elections website, including the ballot, candidate information, and polling times/locations, is accurate.
 - (13) Include the Elections Committee in all written communications with the candidates.
- (ii) The Elections Coordinator shall not make decisions on how the elections code functions, but rather advise candidates on potential violations of campaign actions.

- (1) When advising candidates of violations, the Elections Coordinator shall provide said candidates with explanations based on the Elections Code.

701.3 Responsibilities of the Elections Committee

- (i) The Elections Committee Shall:
 - (1) Ensure that the election is properly publicized, in particular, the application period, voting times, and location.
 - (2) Determine the logistics of the election, which includes:
 - a) The arrangement of the ballot
 - b) The location and staffing of polls
 - (3) Work with the Coordinator to interpret this Article, should this be needed, and clarify rules for candidates.
 - (4) Supervise the count and validation of all the ballots cast in the election.
 - (5) Make public the results of elections within four (4) school days of the conclusion of voting.
 - (6) Maintain an impartial environment for voters at polling stations and prevent outsider harassment or manipulation for voters.
 - (7) Conduct and supervise any run-off elections.
 - (8) Hear all complaints, grievances, or any other illegal activities referred by the Elections Coordinator and take appropriate action. A quorum of committee is required to adjudicate matters arising under this Article.
 - (9) Enforce all rules within this Article and impose penalties on the individuals who violate this Article.

- (10) Have the authority to request any and all communications between the Coordinator(s) and candidates.

701.4 Succession of the Elections Coordinator

- (i) In the event that the Elections Coordinator is no longer able to fulfill their duties, the pre-appointed Interim Coordinator shall take on the role until the appointment of a new Coordinator or the end of the elections season.

- (1) The ASuop Supreme Court shall, during the elections committee formation process, choose one ASuop Senator to serve as the potential Interim Coordinator.

- (2) In the event that said Interim Coordinator is needed, the Senator will step in as Interim Coordinator until a new Coordinator is appointed, at which time they will return to their position as a regular member of the Elections Committee.

- (3) The President and the Senate shall be responsible for appointing a new Coordinator within ten (10) school days.

701.5 Accountability in the Elections Process

- (i) The Elections Committee, in consultation with the Advisor and the Supreme Court, shall have the authority to remove the Elections Coordinator from the Committee through a no-confidence vote.

- (1) Reasons for removal include, but are not limited to, repeated occurrences of:
 - a) Lack of neutrality or fairness.
 - b) The failure to fulfill their duties, as enumerated in 701.2 or 701.3.
 - c) Gross negligence in interpreting or applying the Elections Code.

- d) Violations of the Code of Ethics as laid out in Chapter 200 and in Article 2.
- (2) The Coordinator and designated Interim Coordinator may not vote in this process.
- (3) Such a vote requires a two-thirds majority to pass.
- (4) Upon their removal, the Senate Ethics Committee will continue the investigation in consultation with the Advisor to determine if there is a need for further action, up to and including formal removal from their Officer position.

Chapter 702 – Candidates

702.1 Eligibility of Candidates

- (i) Candidates must conform to eligibility requirements as specified by University policy in Tiger Lore.
 - (1) For eligibility requirements as related to specific positions, refer to Articles IV & V of these Bylaws.
- (ii) A candidate (for any elected position) shall be an individual that has submitted a completed Application and Petition for Office, and been declared eligible by the ASuop Office.
- (iii) Write-in candidates must meet eligibility requirements. Write-in candidates' first and/or last names must be spelled so as to be easily recognizable on the ballot.

702.2 Procedures for Filing for Candidacy

- (i) The Elections Committee must provide all candidates at Orientation with the following materials:
 - (1) Election Timeline – All deadlines should be listed for all announcements, forms, and meetings. This timeline must also

include all polling dates, times, and locations.

- (2) Duties of the Position - All candidates must be provided with an outline of the duties of their position in 4-5 bullet points.
 - a) Senator tickets should also receive a copy of Article IV.
 - b) President/Vice President tickets should also receive a copy of Article V.
 - (3) A copy of this ASuop Election Code.
 - (4) A 'Violation Report' form.
- (ii) Candidates must submit the following materials to the ASuop Office, if applicable.
- (1) The following are required of all candidates before the beginning of the campaign period:
 - a) Registration and Letter of Understanding Form with a signature from the candidate(s).
 - b) Candidate's Application – this must be typed with a minimum of 150 words describing one's goals if elected.
 - c) Petition for Candidacy
 - a. Senators must obtain twenty-five (25) signatures.
 - b. President/Vice President tickets must obtain one hundred (100) signatures.
 - d) A form to identify Campaign Staff

- a. Only current ASuop members can serve in a candidate's campaign staff.
 - b. If any revisions are necessary, this form must be resubmitted within forty-eight (48) hours of any changes.
- (4) All forms will be available a minimum of two (2) weeks prior to the beginning of the campaign period. Any application or petition returned after the deadline is invalid.
- (5) On a designated posting day, as determined by the Elections Committee, a list of approved candidates for all offices will be physically and electronically posted.
 - a) It will be the responsibility of the candidates to check these postings.
 - b) Any candidates determined to be ineligible may appeal to the ASuop Advisor within a time period established by the Elections Committee.

702.3 Candidate Orientation

- (i) At least one Candidate Orientation Meeting will be held during the week before the official campaign period begins.
- (ii) Candidates must attend at least one of the orientation meetings.
 - (1) Failure to attend the orientation meeting will result in termination of a candidate's campaign privileges.
 - (2) If unable to attend, a candidate may be represented by an official designee, so

long as the candidate informs the Elections Coordinator a minimum of four (4) hours before the orientation meeting.

- (3) No individual may represent more than one candidate or ticket at the orientation meeting.
- (iii) The date, time, and location of the orientation meeting shall appear in the Election Packet.
- (iv) The Orientation Meeting must include a broad overview of the Elections Code, with a particular focus on the limits on their conduct during the election.
 - (1) The Orientation Meeting should finish with a candidate quiz, designed by the Elections Committee, to make sure they understand the limits on their conduct.

702.4 Responsibilities of Candidates

- (i) It is the responsibility of all candidates to be completely familiar with all regulations contained in this code and all documents mentioned in this code.
 - (1) A lack of understanding of the code shall never serve as a valid excuse for violations.
 - (2) Further, it is the responsibility of all candidates to have unclear aspects of this code clarified by the Elections Coordinator/Committee before any potentially code-violating action is taken.
- (ii) Each candidate is responsible for the actions of all persons and organizations participating in one's campaign. Furthermore, it shall be the responsibility of each candidate to inform and educate all persons and organizations involved with one's campaign of the spirit and letter of this election code.

- (1) A violation by one candidate does not justify reciprocal action by another candidate.
- (2) Candidates may not take down or destroy campaign materials of another candidate.
- (3) Violations should be reported immediately to the Elections Committee.

Chapter 703 – Election Procedure

703.1 Election Dates

- (i) The ASuop general election shall be held annually in the spring semester for a minimum of five (5) consecutive school days.

703.2 Electronic Voting

- (i) All voting shall be done online.
- (ii) The Elections Committee shall determine which online voting service shall be used, within the budget that is allocated to the Committee.

703.3 Voter Outreach

- (i) All dates, times and locations shall be published in all available campus media the week prior to each election.
- (ii) The Elections Committee shall maintain suitable amenities intendant on increasing voter turnout (e.g. Laptops, tablets, etc.).

703.4 Run-off Election Procedures

- (i) In case of a tie vote, a run-off election shall be completed within ten (10) school days of the release of the results of the general elections.
 - (1) Candidates shall be allowed to campaign during the first five (5) school days.
 - a) All campaigning regulations apply.

- (2) The voting period shall begin on the sixth (6) school day and run through the end of the tenth (10) school day.
- (3) If the run-off election results in another tie, then the Senate shall determine the outcome of the election.
 - a) If the Vice President is a candidate in the election in question, then they may not preside over these proceedings.
 - b) The candidate that receives a majority in favor shall be the winner of the election. In the event of a tie another vote shall be taken, and this shall continue until a candidate receives a majority of the votes. The Vice President may not vote to break a tie.
 - c) The vote of the Senate shall be done through a secret ballot.
 - d) Candidates that are serving as Senators during the election may not vote in the determination of an election in which they are a candidate.

Chapter 704 – Campaigning

704.1 Commencement of Campaigning

- (i) The official campaign period will begin at 12:00pm the day after the Candidate Orientation meeting. Campaigning may not begin until the official campaign period begins.

704.2 Regulations Regarding Posters, Banners, and Fliers

- (i) Posters, banners, and fliers may be displayed as designated by the ASuop Elections Committee.
- (ii) All candidates shall have an equal opportunity to post a banner in a major area as determined by the ASuop Elections Committee.

- (iii) Candidates may only use public kiosks, booths, and marquees.
- (iv) Candidates may not engage in any campaigning or distribution of campaign materials within the ASuop office.
 - (1) Candidates may not use ASuop property such as, but not limited to, phones, computers, copy machines, printers and any other supplies/equipment purchased by ASuop funds in order to further their campaigns.
- (v) Posters and fliers shall be posted only on the open bulletin boards as designated by the Tiger Lore.
- (vi) Posters and fliers must be fastened by approved methods outlined in the Tiger Lore.
- (vii) Posters, banners and fliers shall be confined to the campus. They must not be attached to buildings, sidewalks, power poles, trees, traffic signs, building rails, on roads, fences, glass doors or windows, or distributed on parked vehicles. Drinking fountains and indoor trash cans are also unacceptable places for posting. The use of chalk is prohibited on sidewalks or other structures except for the DUC walkway, in accordance with the guidance in Tiger Lore.
- (viii) Posters, banners, and fliers shall not be permitted on any traffic islands near campus entrances.
- (ix) Posters, banners, and fliers must be removed within the established deadline after the official closing of the polls.
- (x) Nothing shall be posted until the official campaign period begins.
- (xi) No campaign material shall cover another candidate's campaign material.
- (xii) The Elections Committee reserves the right to remove any campaign material posted that is found to be in violation of these rules.

704.3 Social Media and Online Material

- (i) Online material is defined as any posting online that promotes a candidate in the election that is published by a candidate or a member of one's campaign staff.
- (ii) Online material, including campaign posts and endorsements, will be reviewed by the Elections Coordinator as requested.
 - (1) The Elections Committee should follow and monitor the official campaign accounts of the candidates.
 - (2) The Coordinator shall provide the candidate with warnings about any potential violations according to Article VII, or, if the Coordinator believes there are no potential conflicts, inform the candidate of that.
 - (3) All requests must be reviewed within 48 hours.
- (iii) All online material must be made available to the Elections Committee upon their request.
- (iv) All candidates are expected to comply with requests from the Elections Committee to take down or edit any posts or online material.
 - (1) As requested, posts or online material are to be removed entirely as soon as possible, or no later than twenty-four (24) hours following the written notice to remove them.
 - (2) The Committee may request the removal of online material for the following reasons:
 - a) Failure to comply with the Elections Code.
 - b) Failure to comply with Tiger Lore.
 - c) Explicit attack of the other candidate(s).

- 704.4** Faculty and/or Staff Involvement
- (i) Candidates may not solicit or accept any material, funds, assistance, or endorsement from any faculty, staff, or administrative personnel.
 - (ii) Any candidate who has been found guilty of accepting faculty, administration, Regent, and/or full-time staff assistance shall be subject to disqualification pending a hearing before the ASuop Elections Committee.
- 704.5** Organizational Endorsements
- (i) Candidate(s) may solicit the endorsement of a University of the Pacific organization by submitting an “Organization Petition of Endorsement.”
 - (1) This document requires the signatures of both the current organization president and advisor to authenticate that a vote, consistent with the rules & regulations of the organization, was taken to endorse the candidate.
- 704.6** General Endorsement Regulations
- (i) Endorsement forms must be completed and submitted to the Elections Coordinator prior to use in campaigning.
 - (ii) Current students and alumni (not prohibited by 704.4) can endorse candidates.
 - (iii) All students can provide a personal endorsement, except
 - (1) ASuop Officers
 - (2) Students serving on the Elections Committee
 - (iv) Failure to comply with these endorsement regulations may result in the suspension of a candidate(s) campaign.
- 704.7** General Election Regulations
- (i) Samples of all publicity (physical and online), should be submitted to the Elections

Coordinator or designee prior to distribution. The Elections Coordinator or designee shall offer advice regarding the potential consequences of distributing certain campaign materials or the exercise of certain campaign activities.

- (ii) All campaigning must stay within the guidelines of University's Posting Policies and the ASuop Election Code.
- (iii) Campaigning, with the exception of posted materials, shall be limited to the DeRosa University Center and DUC Lawn.
 - (1) Alternate locations are allowed, at the discretion of the Elections Coordinator.
 - (2) All candidates may table for up to two (2) hours each day during the campaign period.
- (iv) The ASuop Elections Coordinator/Committee has the authority to take reasonable and appropriate action against what is deemed to be inappropriate or unfair campaign material/activity only after the distribution/exercise.
- (v) All candidates may host one (1) event during the campaign period to promote their campaign.
 - (1) All materials/expenses must be itemized according to section 708.

704.8 Election Regulations regarding University Housing

- (i) Door-to-door soliciting in university housing is prohibited.
- (ii) Elections materials shall not be posted in shared community spaces within university housing.
 - (1) Active campaigning including tabling is prohibited within university housing.
- (iii) The use of official housing-related communication channels for campaigning is prohibited.

704.9 Campaign Period

- (i) Campaigning shall begin on a Monday at 9am.
 - (1) At least one Orientation Meeting shall take place the week before campaigning begins.
- (ii) The Campaign period shall end on the third Sunday following the beginning of the campaign period at 11:59pm.
- (iii) After the Campaign Period ends, voting shall take place.

Chapter 705 – Voting

705.1 Eligibility to Vote

- (i) All current ASuop members are eligible to vote.
 - (1) All students who have paid the ASuop fee within fifteen (15) days of the semester, as confirmed by the University Registrar, shall be eligible to vote.
- (ii) In elections within an academic college/school, voting is limited to those within that specific college/school. Students who are exploratory majors may vote for candidates running for an office within their academic college/school. If they have no declared college/school, they may only vote for University-wide offices.
- (iii) Voting will take place via secret ballot – no one may know who voted for whom unless it is required to adjudicate an issue related to the election.
- (iv) All necessary instructions and the names of the candidates must appear on the ballot and/or a ballot instruction sheet.
- (v) Final voting procedures shall be established by the Elections Committee.

705.2 Counting the Votes

- (i) The Elections Committee will establish the specific method of tabulating the votes.

- (ii) Counting of the ballots shall be done only by the Elections Committee, while in the presence of the ASuop Advisor.
- (iii) The Elections Committee shall post and publicize the official results after counting is completed.

705.3 Challenging the Outcome of the Election

- (i) Any member of ASuop may challenge the outcome of an election.
- (ii) Any ASuop member challenging the outcome of an election must present a written challenge to the ASuop Supreme Court within two (2) school days after the official election results are announced.
 - (1) The Supreme Court has the authority “to certify election results when contested by a member of the ASuop”. Therefore, if an election is challenged, the Supreme Court shall determine whether the election was conducted within the policies of this Article and the ASuop Constitution.
 - (2) In the event that the Supreme Court determines that the results of an election cannot be certified, the Supreme Court reserves the right to mandate a new election take place.

705.4 Voting Period

- (i) The voting period shall begin the Monday immediately following the end of the campaign period at 12am until the following Friday at 11:59pm.

705.5 Campaigning during the Voting Period

- (i) No active campaigning, including but not limited to events and tabling, may take place during the voting period.
 - (1) Previously posted promotional materials may remain up during the voting period.

- (2) Any physical promotional materials must be taken down within 48 hours of the end of the voting period.

Chapter 706 – Violations and Penalties

706.1 Jurisdiction

- (i) The Elections Committee shall have original jurisdiction to hear any and all cases of alleged violations of this code.
- (ii) Allegations of violations must be submitted to the Elections Coordinator, who will call a meeting of the Elections Committee to discuss the issue.

706.2 Filing Regulations

- (i) Allegations may be filed by any candidate, any qualified voter, any officer of the Associated Students, or any Elections Committee member.
- (ii) The allegation shall be considered filed when the completed Violation Report Form is accepted, and logged in with the time and date indicated. At this time the person filing the Violation Report, will be referred to as the Complainant.
 - (1) Violation Reports are accepted at any time until the results of the elections have been published.
- (iii) The Elections Committee may, if deemed necessary, suspend the tabulation of votes or the publication of results until such time that the allegations filed are resolved by the procedures set forth in this code.

706.3 Complaints Against the Elections Committee

- (i) Complaints of violations by the Elections Committee or any of its members must be submitted in writing to the ASuop Advisor. The violations will be reviewed by the ASuop President, Vice President, and the Chief Justice of the Supreme Court to determine the need for a hearing.

- (1) If two of the three find that there is sufficient need to call a hearing, the Vice President will call a special meeting of the Senate to hear the violation complaint.
 - (2) In the event that up to three of these individuals is serving on the Elections Committee and therefore cannot be a part of this decision, others, as long as they are also not on the Elections Committee, may replace them. The following is a list of replacements by order:
 - a) Senator Pro-Tempore
 - b) Chair of the Senate Ethics Committee
 - c) Chair of the Senate Rules Committee
 - (3) In the event that the quorum of three cannot be reached, the complaint automatically goes to the Senate for a hearing.
- (ii) Any violation hearing by the Senate will be held in accordance with the procedures for a normal violation hearing as defined in Chapter 706.4-706.7 of this Election Code. In such a case, the Vice President will replace references to the Election Committee Chair and the Senate will replace references to the Elections Committee.

706.4 Violation Hearing Procedures

- (i) Upon receipt of a Violation Report, the Elections Coordinator shall determine the time, date, and location of a hearing.
 - (1) The Elections Committee shall conduct the hearing within five (5) school days following the submission of the Violation Report.
 - (2) The hearing shall be conducted in the same logistical manner outlined in 605.2.

In such a case, the Complainant will replace references to the Plaintiff.

- (ii) The Complainant and the Respondent, or the person(s) and/or group(s) charged with the alleged violation, shall receive written notification of the scheduled hearing time, date, and location at least forty-eight (48) hours prior to the scheduled hearing.
- (iii) The Complainant shall be required to notify the witnesses named in the Violation Report of the time, date, and location of the scheduled hearing and shall be responsible for the appearance of said witnesses at the hearing.
- (iv) The Elections Committee shall notify the campus community, with reasonable efforts, by posting or publicizing the scheduled hearing time, date, and location, the parties involved, and the charges filed.
 - (1) Notification must begin two (2) days prior to the hearing, excluding weekends and academic holidays.
- (v) All hearings shall be conducted with a minimum of three-fourths (3/4) of the appointed voting members of the Elections Committee present. The Elections Coordinator shall preside at the hearing.
- (vi) All individuals, parties, or organizations involved in the case(s) shall be allowed to present any witness(es), arguments, and/or evidence within reasonable limits.
- (vii) The Elections Coordinator shall have the authority to exclude any and all disorderly person(s) from the hearing.
- (viii) Minutes shall be taken at all hearings by the ASuop Clerk.
 - (1) Minutes and copies of all documents and other items submitted in evidence shall be available to the individuals or parties involved for use in the preparation of arguments for appeals.

- (ix) The Elections Committee shall, after consideration of all testimony and evidence, render its decision by a majority vote of eligible voting members present at the hearing within three (3) school days after the completion of the hearing.
 - (1) Minor penalties shall require a simple majority vote of the committee. Major penalties require a two-thirds (2/3) vote of the committee.
 - (2) The case decision and penalty shall be prepared in writing.
 - (3) A copy of the case decision and penalty shall be distributed to the following persons:
 - a) Complainant
 - b) Respondent
 - c) ASuop President
 - d) ASuop Vice President
 - e) Chief Justice of the Supreme Court
 - f) ASuop Advisor(s)

706.5 Penalties for Code Violations

- (i) The Elections Committee may find the respondent(s) guilty of either a minor violation or a major violation.
 - (1) A minor violation may include, but is not limited to, the following violations:
 - a) Isolated false or misleading activities.
 - b) Posting campaign material in an unauthorized location.
 - c) Failure to remove posters, banners, and fliers by the specified deadline.
 - d) Campaigning within the restricted area of a polling place or University housing.

- e) Failure to comply with endorsement regulations.
 - f) Failure to comply with social media regulations.
- (2) A major violation may include, but is not limited to, the following violations:
- a) Ballot box stuffing. This includes candidates approaching voters with a device that can be used to vote and having voters use said device to vote.
 - b) Falsification of campaign information, including all submitted documentation.
 - c) Failure to comply with 704.4.
 - d) Violations of Chapter 708: Campaign Finances.
 - e) Excessive and/or repeated improper conduct or activity which affected the results of an election.
 - f) Libel/slander (harmful false and misleading activities).
 - g) Falsification of information or evidence presented at an Elections Committee hearing.
 - h) Failure to comply with any and all penalties imposed for a minor violation.
 - i) The use of unsolicited electronic, telecommunication, or postal solicitation for campaign purposes.
 - j) Visiting classes/classrooms to talk about the ASuop elections/their campaign.
 - k) Any action which necessitates a second written reprimand.
 - l) Any action that constitutes a third minor violation, regardless of

whether or not it garnered written reprimand.

- (ii) The Elections Committee shall have the authority to impose the following penalties:
 - (1) For Minor Violations which are processed during the campaign or voting period:
 - a) Written Reprimand
 - b) Restraint of further conduct
 - c) Removal of any unauthorized material
 - (2) For Major Violations, the penalty must include disqualification from the current general election and prohibition from aiding in any current campaigns.
 - a) The Elections Committee may also impose a prohibition from actively taking part in any campaign for office in the following year.

706.6 Appeal Procedure

- (i) Any decision of the Elections Committee may be appealed by the respondent to the ASuop Supreme Court within four (4) days after the Elections Committee has announced its decision. If the fourth day should fall on an academic holiday or on a weekend, the time limit shall be extended to 12:00pm of the next school day.

Chapter 707 – Voiding Procedures

707.1 Reason for Voiding an Election

- (i) The Election Committee shall void any election in which there is:
 - (1) Theft of ballots
 - (2) Changing of ballots
- (ii) The Election Committee shall have the authority to void any election with due cause upon

violence or disruption that would significantly affect the operation of the election (e.g. natural disasters or uncontrollable circumstances).

707.2 Vote to Void an Election

- (i) A two-thirds (2/3) vote of the Election Committee is required to void an election.

707.3 The ASuop Advisor reserves the right to void an election in extraordinary circumstances.

Chapter 708 – Campaign Finances

708.1 Purpose

- (i) In order to ensure a fair and equal election, this chapter outlines regulations and restrictions regarding money that is used during campaigns.

708.2 Spending Regulations

- (i) Candidates for Senator or for the Presidency/Vice Presidency may not spend money on campaign materials.
- (ii) Candidates may not accept donations, except donation of services provided by other students on the candidate’s campaign team.
 - (1) All services donated must be accompanied by a written agreement explaining the donation of their time and service.

708.3 Campaign Materials

- (i) Campaign materials are defined as all items that are used to promote, encourage, and/or support a candidate. This includes flyers, buttons, banners, t-shirts, pamphlets, a-frames, graphics, and videos that promote, encourage, and/or support a candidate.
- (ii) Physical campaign materials shall be limited to the following:
 - (1) Candidates can request that ASuop provide 8.5 x 11 printouts printed at duplicating, which the candidate can then use for their campaign as

pamphlets, fliers, and handouts of any size.

- a) Candidates for Senate seats are limited to one hundred (100) 8.5x11 printouts.
 - b) Tickets for the Presidency/Vice Presidency are limited to two hundred (200) 8.5x11 printouts.
- (iii) No other physical campaign materials are permitted.
- (iv) All candidates shall have the option of one free graphic developed by the ASuop Strategic Marketing team. This graphic may be used for multiple purposes. The ASuop Strategic Marketing team is only responsible for one free design and does not include printing services. Any additional graphics designed by the ASuop Strategic Marketing team shall be billed to the candidate according to the Strategic Marketing rates.

708.4 Enforcement

- (i) Violations of these spending limits shall be considered a major violation as defined in 706.5.

708.5 Transparency

- (i) All expenditure reports shall be made public by the Elections Committee within three (3) days of receiving each report.
 - (1) Any personal information, such as the debit/credit card number, home address, phone number, or email shall be redacted from the report before it is publicly posted.
 - a) Candidates may request that additional information be redacted, and it shall be up to the Elections Coordinator to determine if that is appropriate.

Chapter 709 – Public Access to Elections

709.1 Campus-Wide Presidential Debate

- (i) A campus-wide debate shall be held to ensure that voters are given an opportunity to hear from the Presidential and Vice Presidential candidates and assess their platforms.
- (ii) All Presidential and Vice Presidential candidates are required to participate in the debate.
 - (1) If the number of President/Vice President tickets exceeds three (3), then the debate shall be only between the Presidential candidates and not the Vice Presidential candidates.
 - (2) Exemptions may be granted upon request due to classes or other significant conflicts.
 - (3) Requests for an exemption should be submitted to the Elections Coordinator at least 48 hours in advance of the event.
- (iii) Time, date, and place of the debate shall be as follows:
 - (1) The debate shall be held no earlier than 5pm on a weekday.
 - (2) The debate shall take place during the second week of campaigning.
 - (3) The debate shall take place on-campus in a public location that is available to all students, as determined by the Elections Committee.
- (iv) The rules of the debate are as follows:
 - (1) The debate shall be moderated by the Pacifican.
 - a) In the event that the Pacifican is unable to moderate, the Elections Coordinator shall moderate the debate.
 - (2) Each candidate shall be afforded an opportunity to give an opening

statement no longer than three (3) minutes in length.

- (3) Each candidate shall be afforded two (2) minutes to respond to each question asked by the moderator. After each answer, the moderator may allow other candidates to respond at their discretion.
 - a) Candidates will be given the topics of the questions three (3) days prior to the debate, so that they may prepare their responses.
- (4) The moderator may ask follow-up questions to clarify the position of candidates.
- (5) Candidates may not ask questions during the debate.
- (6) Each candidate shall be afforded an opportunity to give a closing statement no longer than two (2) minutes in length.
- (7) No personal attacks are allowed. The moderator reserves the right to remove anyone from the debate who engages in such behavior.
 - a) Candidates are encouraged to focus on the benefits of their candidacy rather than on the flaws of their opponent(s). However, it is appropriate for candidates to respectfully compare and contrast their platform with their opponent's during the debate.

709.2 Campus-Wide Senate Forum

- (i) A campus-wide forum shall be held to ensure that voters are given an opportunity to hear from the senatorial candidates and assess their platforms.
- (ii) All senatorial candidates are required to participate in the forum.

- (1) Exemptions may be granted upon request due to classes or other significant conflicts.
- (2) Requests for an exemption should be submitted to the Elections Coordinator at least 48 hours in advance of the event.
- (iii) The rules of the forum are as follows:
 - (1) The forum shall be moderated by the Pacifican.
 - a) In the event that the Pacifican is unable to moderate, the Elections Coordinator shall moderate the debate.
 - (2) Each candidate will be afforded five (5) minutes to present their platform.
 - a) All candidates for a specific senate seat (i.e. College of the Pacific) shall present consecutively. The order shall be determined randomly by the moderator.
 - (3) No personal attacks are allowed. The moderator reserves the right to remove anyone from the forum who engages in such behavior.
 - a) Candidates are encouraged to focus on the benefits of their candidacy rather than on the flaws of their opponent(s). However, it is appropriate for candidates to respectfully compare and contrast their platform with their opponent's during the forum.

709.3 Voter's Handbook

- (i) The Elections Committee shall be responsible for organizing, producing, and distributing a "Voter's Handbook"
 - (1) The Voter's Handbook will include a brief statement about each candidate,

initiative, constitutional amendment, and other matters that are on the ballot.

- (ii) A “Voter’s Handbook” shall be made publicly available to voters within five (5) days of the beginning of the campaign period.
- (iii) All candidates may submit a statement to the Elections Committee to be included in the Voter’s Handbook.
 - (1) Senatorial candidates may submit a statement up to 250 words.
 - (2) Presidential/Vice Presidential tickets may submit a statement up to 500 words.
- (iv) The Elections Committee shall write and approve impartial statements regarding matters unrelated to candidates, such as initiatives, constitutional amendments, and so on.
- (v) The Voter’s Handbook shall be made available at polling places, online, and in residential common areas (if approved by Residential Life and Housing).

Appendix A

Associated Students of the
University of the Pacific

Article VII: Election Code

Chapter 700 – Purpose

700.1 The purpose of this Article is to establish a set of rules to determine eligibility of candidates for all elected ASuop Officers; to set forth a procedure for the nomination of such candidates; to provide a standard for the conduct and control of all ASuop elections; to ensure that all candidates are afforded the opportunity for an equal and fair election; to designate the time and manner of conducting the operation of ASuop elections; and to set forth all other regulations, as necessary, for the just regulation of ASuop elections.

Chapter 701 – Organization of the Elections Committee

- 701.1** All ASuop elections shall be overseen by an Elections Committee.
- (i) The committee shall be comprised of ~~an odd~~ **number of five (5)** ASuop members, ~~not totaling more than five (5)~~; to ensure that no ties shall exist within the committee.
 - (1) Current ASuop justices are not eligible to serve on the Elections Committee.
 - (2) Former officers who were impeached and removed from their position are not eligible to serve on the Elections Committee.
 - (ii) A student shall serve as the Elections Coordinator. The Elections Coordinator shall serve as the chair of the committee.
 - (1) The **President** Supreme Court shall nominate an ASuop member to serve as the Elections Coordinator and their

confirmation requires a majority approval of the Senate.

~~(2) The Elections Coordinator shall not be considered as part of the Elections Committee.~~ The Elections Coordinator shall be a member of the Elections Committee.

~~(3) The Elections Coordinator shall not campaign for any elected office of ASuop.~~

- (iii) An ASuop Advisor shall serve as an ex-officio member of the elections committee.
- (iv) All other members of the committee shall be selected by the Elections Coordinator with the advice of an ASuop Advisor and the Supreme Court.
 - (1) At least one member of the committee shall be a current Senator who is willing to step if needed as Interim Coordinator, as defined in 400.4.
 - (2) The Committee cannot be officially formed until the Supreme Court approves of its composition.
- (v) No member of the committee may campaign ~~currently hold any office within ASuop~~ or take part in a candidate's campaign.
 - ~~(1) This rule may be waived in extenuating circumstances at the discretion of the Elections Coordinator.~~
 - (2) Taking part in a candidate's campaign includes, but is not limited to, endorsements, donations, and labor assistance.
- (vi) Members of the committee must meet all eligibility requirements stated in Chapter 303 of the ASuop Bylaws.
- (vii) The Supreme Court shall, after the formation of the committee, nominate one Election

Committee member to serve as the Interim Coordinator if needed.

- (1) The Interim Coordinator is subject to the approval of Senate following their nomination.

701.2 Responsibilities of the Elections Coordinator

- (i) The Elections Coordinator shall:
 - (1) Serve as chair of the Elections Committee, which includes scheduling all committee meetings, keeping records of the business of the committee, and ensuring that the committee follows all procedures outlined in this Article.
 - (2) Serve as an ex-officio member of the Cabinet for the duration of the elections season, from their hiring until the release of the election results.
 - (3) Ensure that all responsibilities of the committee (as charged in this Article) are fulfilled.
 - (4) Give ~~periodic progress reports~~ updates to the ASuop Senate as needed.
 - (5) Appoint ASuop members to serve on the committee.
 - (6) Be responsible for their complete understanding of the Elections Code prior to selecting the remaining members of the Elections Committee.
 - a) All of their actions and decisions for the entirety of the Elections season should be informed by the Elections Code.
 - b) To this end, the Coordinator shall undergo Bylaws training with the Supreme Court.
 - (7) Prepare the Election Packet, which shall include all the rules outlined in this

Article, in partnership with the ASuop Advisor.

- (8) Organize an Orientation meeting for all candidates that have satisfied the requirements to be placed on the ballot. This meeting shall include an overview of all the rules outlined in this Article.
- ~~(9) Process all complaints and determine which ones ought to be brought before the committee.~~
- (10) Have the authority, in conjunction with the Elections Committee as a whole, to make independent decisions about minor violations/issues to expedite and ensure a fair election.
 - a) Such decisions must be made by the entirety of the Elections Committee and be approved by majority vote.
 - b) The reasoning for such decisions, based on the Elections Code, shall be provided if requested within two (2) business days of the request.
 - c) Decisions may be appealed by either party of the complaint to the Committee. In such an event, the Elections Coordinator may not vote. If there is a tie, then the original decision of the Elections Coordinator shall stand.
- (11) Call a committee meeting to hear any complaints or violations of this Article ~~as deemed necessary.~~
- (12) Maintain a file on all submitted campaign publicity, materials, and endorsement forms.
- ~~(13) Designate another member of the committee to serve as the Vice Elections Coordinator, who shall fulfill the responsibilities of the Elections Coordinator in their absence.~~

- (14) Ensure that all the information on the elections website, including the ballot, candidate information, and polling times/locations, is accurate.
 - (15) Include the Elections Committee in all written communications with the candidates.
- (ii) The Elections Coordinator shall not make decisions on how the elections code functions, but rather advise candidates on potential violations of campaign actions.
- (1) When advising candidates of violations, the Elections Coordinator shall provide said candidates with explanations based on the Elections Code.

701.3 Responsibilities of the Elections Committee

- (i) The Elections Committee Shall:
- (1) Ensure that the election is properly publicized, in particular, the application period, voting times, and location.
 - (2) Determine the logistics of the election, which includes:
 - a) The arrangement of the ballot
 - b) The location and staffing of polls
 - (3) Work with the Coordinator to interpret this Article, should this be needed, and clarify rules for candidates.
 - (4) Supervise the count and validation of all the ballots cast in the election.
 - (5) Make public the results of elections within four (4) school days of the conclusion of voting.
 - (6) Maintain an impartial environment for voters at polling stations and prevent outsider harassment or manipulation for voters.

- (7) Conduct and supervise any run-off elections.
- (8) Hear all complaints, grievances, or any other illegal activities referred by the Elections Coordinator and take appropriate action. A quorum of committee is required to adjudicate matters arising under this Article.
- (9) Enforce all rules within this Article and impose penalties on the individuals who violate this Article.
- (10) Have the authority to request any and all communications between the Coordinator(s) and candidates.

701.4 Succession of the Elections Coordinator

- (i) In the event that the Elections Coordinator is no longer able to fulfill their duties, the pre-appointed Interim Coordinator shall take on the role until the appointment of a new Coordinator or the end of the elections season.
 - (1) The ASuop Supreme Court shall, during the elections committee formation process, choose one ASuop Senator to serve as the potential Interim Coordinator.
 - (2) In the event that said Interim Coordinator is needed, the Senator will step in as Interim Coordinator until a new Coordinator is appointed, at which time they will return to their position as a regular member of the Elections Committee.
 - (3) The President and the Senate shall be responsible for appointing a new Coordinator within ten (10) school days.

701.5 Accountability in the Elections Process

- (i) The Elections Committee, in consultation with the Advisor and the Supreme Court, shall have the authority to remove the Elections

Coordinator from the Committee through a no-confidence vote.

- (1) Reasons for removal include, but are not limited to, repeated occurrences of:
 - a) Lack of neutrality or fairness.
 - b) The failure to fulfill their duties, as enumerated in 701.2 or 701.3.
 - c) Gross negligence in interpreting or applying the Elections Code.
 - d) Violations of the Code of Ethics as laid out in Chapter 200 and in Article 2.
- (2) The Coordinator and designated Interim Coordinator may not vote in this process.
- (3) Such a vote requires a two-thirds majority to pass.
- (4) Upon their removal, the Senate Ethics Committee will continue the investigation in consultation with the Advisor to determine if there is a need for further action, up to and including formal removal from their Officer position.

Chapter 702 – Candidates

702.1 Eligibility of Candidates

- (i) Candidates must conform to eligibility requirements as specified by University policy in Tiger Lore.
 - (1) For eligibility requirements as related to specific positions, refer to Articles IV & V of these Bylaws.
- (ii) A candidate (for any elected position) shall be an individual that has submitted a completed Application and Petition for Office, and been declared eligible by the ASuop Office.

- (iii) Write-in candidates must meet eligibility requirements. Write-in candidates' first and/or last names must be spelled so as to be easily recognizable on the ballot.

702.2 Procedures for Filing for Candidacy

- (i) The Elections Committee must provide all candidates at Orientation with the following materials:
 - (1) Election Timeline – All deadlines should be listed for all announcements, forms, and meetings. This timeline must also include all polling dates, times, and locations.
 - (2) Duties of the Position - All candidates must be provided with an outline of the duties of their position in 4-5 bullet points.
 - a) Senator tickets should also receive a copy of Article IV.
 - b) President/Vice President tickets should also receive a copy of Article V.
 - (3) A copy of this ASuop Election Code.
 - (4) A 'Violation Report' form.
- (ii) Candidates must submit the following materials ~~a completed ASuop Elections Packet~~ to the ASuop Office, if applicable. ~~The Elections Packet must contain the following:~~
 - ~~(1) Election Timeline – All deadlines should be listed for all announcements, forms, and meetings. This timeline must also include all polling dates, times, and locations.~~
 - (2) The following are required of all candidates before the beginning of the campaign period:

- a) Registration and Letter of Understanding Form with ~~(requires)~~ a signature from the candidate(s).
- b) Candidate's Application – this must be typed with a minimum of 150 words describing one’s goals if elected.
- c) Petition for Candidacy
 - a. Senators must obtain twenty-five (25) signatures.
 - b. President/Vice President tickets must obtain one hundred (100) signatures.
- d) A form to identify Campaign Staff
 - a. Only current ASuop members can serve in a candidate’s campaign staff.
 - b. If any revisions are necessary, this form must be resubmitted within forty-eight (48) hours of any changes.

~~e) Endorsements Forms~~

- ~~a. Rules regarding these forms may be found in §704.4 & §704.5 of this Article.~~

~~(3) A ‘Violation Report’ form.~~

~~(4) A copy of this ASuop Election Code.~~

(4) ~~Election Packets~~ All forms will be available a minimum of ~~four (4)~~ two (2) weeks prior to the beginning of the campaign period ~~the election~~. Any

application or petition returned after the deadline is invalid.

~~a) The deadline shall be determined by the Elections Committee.~~

- (5) On a designated posting day, as determined by the Elections Committee, a list of approved candidates for all offices will be physically and electronically posted.
- a) It will be the responsibility of the candidates to check these postings.
 - b) Any candidates determined to be ineligible may appeal to the ASuop Advisor within a time period established by the Elections Committee.

702.3 Candidate Orientation

- (i) At least one Candidate Orientation Meeting will be held ~~one~~ during the week before the official campaign period begins.
- (ii) Candidates must attend ~~this~~ at least one of the orientation meetings.
 - (1) Failure to attend the orientation meeting will result in termination of a candidate's campaign privileges.
 - (2) If unable to attend, a candidate may be represented by an official designee, so long as the candidate informs the Elections Coordinator a minimum of four (4) hours before the orientation meeting.
 - (3) No individual may represent more than one candidate or ticket at the orientation meeting.
- (iii) The date, time, and location of the orientation meeting shall appear in the Election Packet.

- (iv) The Orientation Meeting must include a broad overview of the Elections Code, with a particular focus on the limits on their conduct during the election.
 - (1) The Orientation Meeting should finish with a candidate quiz, designed by the Elections Committee, to make sure they understand the limits on their conduct.

702.4 Responsibilities of Candidates

- (i) It is the responsibility of all candidates to be completely familiar with all regulations contained in this code and all documents mentioned in this code.
 - (1) A lack of understanding of the code shall never serve as a valid excuse for violations.
 - (2) Further, it is the responsibility of all candidates to have unclear aspects of this code clarified by the Elections Coordinator/Committee before any potentially code-violating action is taken.
- (ii) Each candidate is responsible for the actions of all persons and organizations participating in one's campaign. Furthermore, it shall be the responsibility of each candidate to inform and educate all persons and organizations involved with one's campaign of the spirit and letter of this election code.
 - (1) A violation by one candidate does not justify reciprocal action by another candidate.
 - (2) Candidates may not take down or destroy campaign materials of another candidate.
 - (3) Violations should be reported immediately to the Elections Committee.

Chapter 703 – Election Procedure

703.1 Election Dates

- (i) The ASuop general election shall be held annually in the spring semester for a minimum of five (5) consecutive school days.

703.2 Electronic Voting

- (i) All voting shall be done online.
- (ii) The Elections Committee shall determine which online voting service shall be used, within the budget that is allocated to the Committee.

703.3 Voter Outreach

- (i) All dates, times and locations shall be published in all available campus media the week prior to each election.
- (ii) The Elections Committee shall maintain suitable amenities intendant on increasing voter turnout (e.g. Laptops, tablets, etc.).

703.4 Run-off Election Procedures

- (i) In case of a tie vote, a run-off election shall be ~~held~~ completed within ten (10) school days of the release of the results of the general elections
 - (1) Candidates shall be allowed to campaign during the first five (5) school days.
 - a) All campaigning regulations apply.
 - (2) The voting period shall begin on the sixth (6) school day and run through the end of the tenth (10) school day.
 - (3) If the run-off election results in another tie, then the Senate shall determine the outcome of the election.
 - a) If the Vice President is a candidate ~~of~~ in the election in question, then they may not preside over these proceedings.
 - b) The candidate that receives a majority in favor shall be the winner of the election. In the event of a tie

another vote shall be taken, and this shall continue until a candidate receives a majority of the votes. The Vice President may not vote to break a tie.

- c) The vote of the Senate shall be done through a secret ballot.
- d) Candidates that are serving as Senators during the election may not vote in the determination of an election in which they are a candidate.

Chapter 704 – Campaigning

704.1 Commencement of Campaigning

- (i) The official campaign period will begin at 12:00pm the day after the Candidate Orientation meeting. Campaigning may not begin until the official campaign period begins.

704.2 Regulations Regarding Posters, Banners, and Fliers, ~~and Online Materials~~

- (i) Posters, banners, and fliers may be displayed as designated by the ASuop Elections Committee.
- (ii) All candidates shall have an equal opportunity to post a banner in a major area as determined by the ASuop Elections Committee.
- (iii) Candidates may only use public kiosks, booths, and marquees.
- ~~(iv) Candidates may not use ASuop property such as, but not limited to, phones, computers, copy machines, printers and any other supplies/equipment purchased by ASuop funds in order to further their campaigns.~~
- (v) Candidates may not engage in any campaigning or distribution of campaign materials within the ASuop office.
 - (1) Candidates may not use ASuop property such as, but not limited to, phones, computers, copy machines, printers and

any other supplies/equipment purchased by ASuop funds in order to further their campaigns.

- (vi) Posters and fliers shall be posted only on the open bulletin boards as designated by the Tiger Lore.
- (vii) Posters and fliers must be fastened by approved methods outlined in the Tiger Lore.
- (viii) Posters, banners and fliers shall be confined to the campus. They must not be attached to buildings, sidewalks, power poles, trees, traffic signs, building rails, on roads, fences, glass doors or windows, or distributed on parked vehicles. Drinking fountains and indoor trash cans are also unacceptable places for posting. The use of chalk is prohibited on sidewalks or other structures except for the DUC walkway, in accordance with the guidance in Tiger Lore.
- (ix) Posters, banners, and fliers shall not be permitted on any traffic islands near campus entrances.
- (x) Posters, banners, and fliers must be removed within the established deadline after the official closing of the polls.
- (xi) Nothing shall be posted until the official campaign period begins.
- (xii) No campaign material shall cover another candidate's campaign material.
- ~~(xiii) All online material must be made available to the Election Committee upon their request.~~
- ~~(1) Online material is defined as any posting online that promotes a candidate in the election that is published by a candidate or one's campaign team.~~
- (xiv) The Elections Committee reserves the right to remove any campaign material posted that is found to be in violation of these rules.

704.3 Social Media and Online Material

- (i) Online material is defined as any posting online that promotes a candidate in the election that is published by a candidate or a member of one's campaign staff.
- (ii) Online material, including campaign posts and endorsements, will be reviewed by the Elections Coordinator as requested.
 - (1) The Elections Committee should follow and monitor the official campaign accounts of the candidates.
 - (2) The Coordinator shall provide the candidate with warnings about any potential violations according to Article VII, or, if the Coordinator believes there are no potential conflicts, inform the candidate of that.
 - (3) All requests must be reviewed within 48 hours.
- (iii) All online material must be made available to the Elections Committee upon their request.
- (iv) All candidates are expected to comply with requests from the Elections Committee to take down or edit any posts or online material.
 - (1) As requested, posts or online material are to be removed entirely as soon as possible, or no later than twenty-four (24) hours following the written notice to remove them.
 - (2) The Committee may request the removal of online material for the following reasons:
 - a) Failure to comply with the Elections Code.
 - b) Failure to comply with Tiger Lore.
 - c) Explicit attack of the other candidate(s).

704.4 Faculty and/or Staff Involvement

- (i) Candidates may not solicit or accept any material, funds, assistance, or endorsement from any faculty, staff, or administrative personnel.
- (ii) Any candidate who has been found guilty of accepting faculty, administration, Regent, and/or full-time staff assistance shall be subject to disqualification pending a hearing before the ASuop Elections Committee.

704.5 Organizational Endorsements

- (i) Candidate(s) may solicit the endorsement of a University of the Pacific organization by submitting an “Organization Petition of Endorsement.”
 - (1) This document requires the signatures of both the current organization president and advisor to authenticate that a vote, consistent with the rules & regulations of the organization, was taken to endorse the candidate.

704.6 General Endorsement Regulations

- (i) Endorsement forms must be completed and submitted to the Elections Coordinator prior to use in campaigning.
- (ii) Current students and alumni (not prohibited by 704.4) can endorse candidates.
- (iii) All students can provide a personal endorsement, except
 - (1) ASuop Officers
 - (2) Students serving on the Elections Committee
- (iv) Failure to comply with ~~to~~ these endorsement regulations may result in the suspension of a candidate(s) campaign.

704.7 General Election Regulations

- (i) Samples of all publicity (physical and online), should be submitted to the Elections Coordinator or designee prior to distribution. The Elections Coordinator or designee shall

offer advice regarding the potential consequences of distributing certain campaign materials or the exercise of certain campaign activities.

- (ii) All campaigning must stay within the guidelines of University's Posting Policies and the ASuop Election Code.
- (iii) Campaigning, with the exception of posted materials, shall be limited to the DeRosa University Center and DUC Lawn.
 - (1) Alternate locations are allowed, at the discretion of the Elections Coordinator.
 - (2) All candidates may table for up to two (2) hours each day during the campaign period.
- (iv) ~~Door-to-door soliciting in campus housing is prohibited.~~
- (v) The ASuop Elections Coordinator/Committee has the authority to take reasonable and appropriate action against what is deemed to be inappropriate or unfair campaign material/activity only after the distribution/exercise.
- (vi) All candidates may host one (1) event during the campaign period to promote their campaign.
 - (1) All materials/expenses must be itemized according to section 708.

704.8 Election Regulations regarding University Housing

- (i) Door-to-door soliciting in university housing is prohibited.
- (ii) Elections materials shall not be posted in shared community spaces within university housing.
 - (1) Active campaigning including tabling is prohibited within university housing.

- (iii) The use of official housing-related communication channels for campaigning is prohibited.

704.9 Campaign Period

- (i) Campaigning shall begin on a Monday at 9am.
 - (1) At least one Orientation Meeting shall take place the week before campaigning begins.
- (ii) The Campaign period shall end on the third Sunday following the beginning of the campaign period at 11:59pm.
- (iii) After the Campaign Period ends, voting shall take place.

Chapter 705 – Voting

705.1 Eligibility to Vote

- (i) All current ASuop members are eligible to vote.
 - (1) All students who have paid the ASuop fee within fifteen (15) days of the semester, as confirmed by the University Registrar, shall be eligible to vote.
- (ii) In elections within an academic college/school, voting is limited to those within that specific college/school. Students who are exploratory majors may vote for candidates running for an office within their academic college/school. If they have no declared college/school, they may only vote for University-wide offices.
- (iii) Voting will take place via secret ballot – no one may know who voted for whom unless it is required to adjudicate an issue related to the election.
- (iv) All necessary instructions and the names of the candidates must appear on the ballot and/or a ballot instruction sheet.
- (v) Final voting procedures shall be established by the Elections Committee.

705.2 Counting the Votes

- (i) The Elections Committee will establish the specific method of tabulating the votes.
- (ii) Counting of the ballots shall be done only by the Elections Committee, while in the presence of the ASuop Advisor.
- (iii) The Elections Committee shall post and publicize the official results after counting is completed.

705.3 Challenging the Outcome of the Election

- (i) Any member of ASuop may challenge the outcome of an election.
- (ii) Any ASuop member challenging the outcome of an election must present a written challenge to the ASuop Supreme Court within two (2) school days after the official election results are announced.
 - (1) The Supreme Court has the authority “to certify election results when contested by a member of the ASuop”. Therefore, if an election is challenged, the Supreme Court shall determine whether the election was conducted within the policies of this Article and the ASuop Constitution.
 - (2) In the event that the Supreme Court determines that the results of an election cannot be certified, the Supreme Court reserves the right to mandate a new election take place.

705.4 Voting Period

- (i) The voting period shall begin the Monday immediately following the end of the campaign period at 12am until the following Friday at 11:59pm.

705.5 Campaigning during the Voting Period

- (i) No active campaigning, including but not limited to events and tabling, may take place during the voting period.
 - (1) Previously posted promotional materials may remain up during the voting period.
 - (2) Any physical promotional materials must be taken down within 48 hours of the end of the voting period.

Chapter 706 – Violations and Penalties

706.1 Jurisdiction

- (i) The Elections Committee shall have original jurisdiction to hear any and all cases of alleged violations of this code.
- (ii) Allegations of violations must be submitted to the Elections Coordinator, who will call a meeting of the Elections Committee to discuss the issue.

706.2 Filing Regulations

- (i) Allegations may be filed by any candidate, any qualified voter, any officer of the Associated Students, or any Elections Committee member.
- (ii) The allegation shall be considered filed when the completed Violation Report Form is accepted, and logged in with the time and date indicated. *At this time the person filing the Violation Report, will be referred to as the Complainant.*
 - (1) *Violation Reports are accepted at any time until the results of the elections have been published.*
- (iii) The Elections Committee may, if deemed necessary, suspend the tabulation of votes or the publication of results until such time that the allegations filed are resolved by the procedures set forth in this code.

706.3 Complaints Against the Elections Committee

- (i) Complaints of violations by the Elections Committee or any of its members must be submitted in writing to the ASuop Advisor. The

violations will be reviewed by the ASuop President, Vice President, and the Chief Justice of the Supreme Court to determine the need for a hearing.

- (1) If two of the three find that there is sufficient need to call a hearing, the Vice President will call a special meeting of the Senate to hear the violation complaint.
 - (2) In the event that up to three of these individuals is serving on the Elections Committee and therefore cannot be a part of this decision, others, as long as they are also not on the Elections Committee, may replace them. The following is a list of replacements by order:
 - a) Senator Pro-Tempore
 - b) Chair of the Senate Ethics Committee
 - c) Chair of the Senate Rules Committee
 - (3) In the event that the quorum of three cannot be reached, the complaint automatically goes to the Senate for a hearing.
- (ii) Any violation hearing by the Senate will be held in accordance with the procedures for a normal violation hearing as defined in Chapter 706.4-706.7~~07~~ of this Election Code. In such a case, the Vice President will replace references to the Election Committee Chair and the Senate will replace references to the Elections Committee.

706.4 Violation Hearing Procedures

- (i) Upon receipt of a Violation Report, the Elections Coordinator shall determine the time, date, and location of a hearing.
 - (1) The Elections Committee shall conduct the hearing within five (5) school days

following the submission of the Violation Report.

- (2) The hearing shall be conducted in the same logistical manner outlined in 605.2. In such a case, the Complainant will replace references to the Plaintiff.
- (ii) The Complainant ~~person filing the Violation Report~~ and the Respondent, or the person(s) and/or group(s) charged with the alleged violation, shall receive written notification of the scheduled hearing time, date, and location at least forty-eight (48) hours prior to the scheduled hearing.
- (iii) The Complainant ~~person filing the Violation Report~~ shall be required to notify the witnesses named in the Violation Report of the time, date, and location of the scheduled hearing and shall be responsible for the appearance of said witnesses at the hearing.
- (iv) The Elections Committee shall notify the campus community, with reasonable efforts, by posting or publicizing the scheduled hearing time, date, and location, the parties involved, and the charges filed.
 - (1) Notification must begin two (2) days prior to the hearing, excluding weekends and academic holidays.
- (v) All hearings shall be conducted with a minimum of three-fourths (3/4) of the appointed voting members of the Elections Committee present. The Elections Coordinator shall preside at the hearing.
- (vi) All individuals, parties, or organizations involved in the case(s) shall be allowed to present any witness(es), arguments, and/or evidence within reasonable limits.
- (vii) The Elections Coordinator shall have the authority to exclude any and all disorderly person(s) from the hearing.

- (viii) Minutes shall be taken at all hearings by the ASuop Clerk.
 - (1) Minutes and copies of all documents and other items submitted in evidence shall be available to the individuals or parties involved for use in the preparation of arguments for appeals.

- (ix) The Elections Committee shall, after consideration of all testimony and evidence, render its decision by a majority vote of eligible voting members present at the hearing within three (3) school days after the completion of the hearing.
 - (1) Minor penalties shall require a simple majority vote of the committee. Major penalties require a two-thirds (2/3) vote of the committee.
 - (2) The case decision and penalty shall be prepared in writing.
 - (3) A copy of the case decision and penalty shall be distributed to the following persons:
 - a) Complainant
 - b) Respondent
 - c) ASuop President
 - d) ASuop Vice President
 - e) Chief Justice of the Supreme Court
 - f) ASuop Advisor(s)

706.5 Penalties for Code Violations

- (i) The Elections Committee may find the respondent(s) guilty of either a minor violation or a major violation.
 - (1) A minor violation may include, but is not limited to, the following violations:
 - a) Isolated false or misleading activities.

- b) Posting campaign material in an unauthorized location.
 - c) Failure to remove posters, banners, and fliers by the specified deadline.
 - d) Campaigning within the restricted area of a polling place or University housing.
 - e) Failure to comply with endorsement regulations.
 - f) Failure to comply with social media regulations.
- (2) A major violation may include, but is not limited to, the following violations:
- a) Ballot box stuffing. This includes candidates approaching voters with a device that can be used to vote and having voters use said device to vote.
 - b) Falsification of campaign information, including all submitted documentation.
 - c) Failure to comply with 704.4.
 - d) Violations of Chapter 708: Campaign Finances.
 - e) Excessive and/or repeated improper conduct or activity which affected the results of an election.
 - f) Libel/slander (harmful false and misleading activities).
 - g) Falsification of information or evidence presented at an Elections Committee hearing.
 - h) Failure to comply with any and all penalties imposed for a minor violation.

- i) The use of unsolicited electronic, telecommunication, or postal solicitation for campaign purposes.
 - j) Visiting classes/classrooms to talk about the ASuop elections/their campaign.
 - k) Any action which necessitates a second written reprimand.
 - l) Any action that constitutes a third minor violation, regardless of whether or not it garnered written reprimand.
- (ii) The Elections Committee shall have the authority to impose the following penalties:
- (1) For Minor Violations which are processed during the campaign or voting period:
 - a) Written Reprimand
 - b) Restraint of further conduct
 - c) Removal of any unauthorized material
 - (2) For Major Violations, the penalty must include disqualification from the current general election and prohibition from aiding in any current campaigns.
 - a) The Elections Committee may also impose a prohibition from actively taking part in any campaign for office in the following year.
 - ~~b) Any second written reprimand will qualify as a major written violation.~~

706.6 Appeal Procedure

- (i) Any decision of the Elections Committee may be appealed by the respondent to the ASuop Supreme Court within four (4) days after the Elections Committee has announced its decision. If the fourth day should fall on an academic holiday or on a weekend, the time limit

shall be extended to 12:00pm of the next school day.

Chapter 707 – Voiding Procedures

707.1 Reason for Voiding an Election

- (i) The Election Committee shall void any election in which there is:
 - (1) Theft of ballots
 - (2) Changing of ballots
- (ii) The Election Committee shall have the authority to void any election with due cause upon violence or disruption that would significantly affect the operation of the election (e.g. natural disasters or uncontrollable circumstances).

707.2 Vote to Void an Election

- (i) A two-thirds (2/3) vote of the Election Committee is required to void an election.

707.3 The ASuop Advisor reserves the right to void an election in extraordinary circumstances.

Chapter 708 – Campaign Finances

708.1 Purpose

- (i) In order to ensure a fair and equal election, this chapter outlines regulations and restrictions regarding money that is used during campaigns.

708.2 Spending ~~Limits & Donations~~ Regulations

- ~~(i) Candidates for Senate seats may not spend more than \$100 on campaign materials. This includes the spending of money donated to the candidate.~~
- ~~(ii) Candidates for the Presidency/Vice Presidency may not spend more than \$200 on campaign materials. This includes the spending of money donated to the candidate.~~
- (iii) Candidates for Senator or for the Presidency/Vice Presidency may not spend money on campaign materials.

- (iv) ~~Candidates may not accept donations in any form other than money. Campaign materials, such as posters, banners, and so on, may not be accepted by any candidate.~~
- (v) Candidates may not accept donations, except donation of services provided by other students on the candidate's campaign team.
 - (1) All services donated must be accompanied by a written agreement explaining the donation of their time and service.

708.3 Campaign Materials

- (i) Campaign materials are defined as all items that are used to promote, encourage, and/or support a candidate. This includes fliers, buttons, banners, t-shirts, pamphlets, a-frames, graphics, and videos that promote, encourage, and/or support a candidate.
 - (1) ~~Pre-owned campaign materials must be declared to the Elections Committee by name and quantity before the official campaign period defined in Chapter 704.1 (i) begins.~~
 - (2) ~~Pre-owned items such as pens, pencils, erasers, and other small stationery items shall not be itemized as a cost on a candidate's expenditure report. Each Senate and Presidential/Vice Presidential candidate shall be limited to fifty (50) fliers/handouts of all sizes, respectively, from pre-owned materials before a candidate must~~
- (ii) Physical campaign materials shall be limited to the following:
 - (1) Candidates can request that ASuop provide 8.5 x 11 printouts printed at duplicating, which the candidate can then use for their campaign as pamphlets, fliers, and handouts of any size.

- a) Candidates for Senate seats are limited to one hundred (100) 8.5x11 printouts.
 - ~~(2) itemize these costs on their expenditure report according to production value by University of the Pacific's Duplicating Services.~~
 - a) Tickets for the Presidency/Vice Presidency are limited to two hundred (200) 8.5x11 printouts.
- (iii) No other physical campaign materials are permitted.
 - ~~(1) Pre-owned items to create one (1) A-frame for all candidates shall not be itemized. Any additional A-frames created from pre-owned items shall be itemized on a candidate's expenditure report according to the proper retail value during the campaign period. Pre-owned items used to decorate the A-frame must be itemized as a cost according to its current value at any retail store.~~
 - ~~(2) Any issues regarding pre-owned items that are not answered in these bylaws shall be decided by the Elections Coordinator.~~
- (iv) All candidates shall have the option of one free graphic developed by the ASuop Strategic Marketing ~~Graphic Design~~ team. This graphic may be used for multiple purposes. The ASuop Strategic Marketing ~~Graphic Design~~ team is only responsible for one free design and does not include printing services. Any additional graphics designed by the ASuop Strategic Marketing ~~Graphic Design~~ team shall be billed to the candidate according to the Strategic Marketing ~~Graphic Design~~ rates.
- ~~(v) Candidates may not accept donations in any form other than money. Campaign materials,~~

~~such as posters, banners, and so on, may not be accepted by any candidate:~~

708.4 Enforcement

~~(i) No more than five (5) days after the final day of voting aAll candidates must turn in an expenditure report:~~

~~(1) Expenditure report forms shall be distributed by the Elections Committee, and shall include the following: Copies of all receipts of purchases related to campaign materials:~~

~~a) A signed statement attesting to the validity of the report.~~

~~(ii) Any candidate that intentionally, purposefully, or knowingly violates this Chapter shall be immediately disqualified from the election:~~

~~(1) The Election Committee may disqualify the victory of any candidate found to violate this policy within five (5) days of the final expense report:~~

~~(iii) Unintentional violations of this Chapter shall be considered minor offenses, unless their actions constitute gross negligence. An omission, or failure to act, due to a lack of knowledge regarding said policy shall not constitute unintentional behavior = all candidates are expected to know all policies within this article:~~

~~(iv) Candidates are responsible for reporting the campaign expenditures of all individuals who are listed as “Campaign Staff” (Chapter 702.2(ii)(2)):~~

(v) Violations of these spending limits shall be considered a major violation as defined in 706.5.

708.5 Transparency

(i) All expenditure reports shall be made public by the Elections Committee within three (3) days of receiving each report.

(1) Any personal information, such as the debit/credit card number, home address,

phone number, or email shall be redacted from the report before it is publicly posted.

- a) Candidates may request that additional information be redacted, and it shall be up to the Elections Coordinator to determine if that is appropriate.

Chapter 709 – Public Access to Elections

709.1 Campus-Wide **Presidential** Debate

- (i) A campus-wide debate shall be held to ensure that voters are given an opportunity to hear from the Presidential and Vice Presidential candidates and assess their platforms.
- (ii) All Presidential and Vice Presidential candidates are **required** ~~invited~~ to participate in the debate.
 - (1) If the number of President/Vice President tickets exceeds three (3), then the debate shall be only between the Presidential candidates and not the Vice Presidential candidates.
 - (2) Exemptions may be granted upon request due to classes or other significant conflicts.
 - (3) Requests for an exemption should be submitted to the Elections Coordinator at least 48 hours in advance of the event.
- (iii) Time, date, and place of the debate shall be as follows:
 - (1) The debate shall be held no earlier than 5pm on a weekday.
 - (2) The debate shall take place during the second week of campaigning.
 - (3) The debate shall take place on-campus in a public location that is available to all students, as determined by the Elections Committee.

- (iv) The rules of the debate are as follows:
- (1) The debate shall be moderated by the ~~Elections Coordinator~~ Pacifican.
 - a) In the event that the Pacifican is unable to moderate, the Elections Coordinator shall moderate the debate.
 - (2) Each candidate shall be afforded an opportunity to give an opening statement no longer than three (3) minutes in length.
 - (3) Each candidate shall be afforded two (2) minutes to respond to each question asked by the moderator. After each answer, the moderator may allow other candidates to respond at their discretion.
 - a) Candidates will be given the topics of the questions ~~three (3) days~~ ~~one (1) week~~ ~~one (1) week~~ prior to the debate, so that they may prepare their responses.
 - (4) The moderator may ask follow-up questions to clarify the position of candidates.
 - (5) Candidates may not ask questions during the debate.
 - (6) Each candidate shall be afforded an opportunity to give a closing statement no longer than two (2) minutes in length.
 - (7) No personal attacks are allowed. The moderator reserves the right to remove anyone from the debate who engages in such behavior.
 - a) Candidates are encouraged to focus on the benefits of their candidacy rather than on the flaws of their opponent(s). However, it is appropriate for candidates to respectfully compare and contrast

their platform with their opponent's during the debate.

709.2 Campus-Wide Senate Forum

- (i) A campus-wide forum shall be held to ensure that voters are given an opportunity to hear from the senatorial candidates and assess their platforms.
- (ii) All senatorial candidates are required invited to participate in the forum.
 - (1) Exemptions may be granted upon request due to classes or other significant conflicts.
 - (2) Requests for an exemption should be submitted to the Elections Coordinator at least 48 hours in advance of the event.
- ~~(iii) The forum shall be held immediately after the Campus-Wide Debate.~~
- (iv) The rules of the forum are as follows:
 - (1) The forum shall be moderated by the ~~Elections Coordinator~~ Pacifican.
 - a) In the event that the Pacifican is unable to moderate, the Elections Coordinator shall moderate the debate.
 - (2) Each candidate will be afforded five (5) minutes to present their platform.
 - a) All candidates for a specific senate seat (i.e. College of the Pacific) shall present consecutively. The order shall be determined randomly by the moderator.
 - (3) No personal attacks are allowed. The moderator reserves the right to remove anyone from the forum who engages in such behavior.
 - a) Candidates are encouraged to focus on the benefits of their candidacy rather than on the flaws of their

opponent(s). However, it is appropriate for candidates to respectfully compare and contrast their platform with their opponent's during the forum.

709.3 Voter's Handbook

- (i) The Elections Committee shall be responsible for organizing, producing, and distributing a "Voter's Handbook"
 - (1) The Voter's Handbook will include a brief statement about each candidate, initiative, constitutional amendment, and other matters that are on the ballot.
- (ii) A "Voter's Handbook" shall be made publicly available to voters within five (5) days of the beginning of the campaign period.
- (iii) All candidates may submit a statement to the Elections Committee to be included in the Voter's Handbook.
 - (1) Senatorial candidates may submit a statement up to 250 words.
 - (2) Presidential/Vice Presidential tickets may submit a statement up to 500 words.
- (iv) The Elections Committee shall write and approve impartial statements regarding matters unrelated to candidates, such as initiatives, constitutional amendments, and so on.
- (v) The Voter's Handbook shall be made available at polling places, online, and in residential common areas (if approved by Residential Life and Housing).



Senate Bill
students serving students

Respectfully Submitted,

Bailey Pearson

Bailey Pearson, Senator for the SIS

11/19/2022

Date

Approved _____ by the Rules Committee

By a vote of : 3 - 0 - 0

Bailey Pearson

Bailey Pearson, Senator for the SIS

_____ by the ASuop Senate

By a vote of : _____ - _____ - _____

Brooke Tran, Vice President of ASuop

Date

RECEIVED BY THE OFFICE OF THE PRESIDENT



Signed,

Angel Zhong, President of ASuop

Date