



# ELECTIONS CODE

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# DASB ELECTIONS CODE

## TABLE OF CONTENTS

Article I	Elections Committee .....	1
Section	(1) Elections Committee Membership .....	1
	(2) Duties and Responsibilities of Elections Committee .....	1
	(3) Individual Duties and Responsibilities .....	1
 Article II	 Election Schedule and Procedure .....	 2
Section	(1) Election Schedule .....	2
	(2) Election Procedure .....	2
	(3) Ballot Measures .....	2
	(4) Candidates' Meeting .....	2
	(5) Election Events .....	2
	(6) Election Results Process .....	3
 Article III	 Candidates .....	 4
Section	(1) Positions .....	4
	(2) Candidate Eligibility Requirements .....	4
	(3) Coalitions .....	4
 Article IV	 Campaign Regulations .....	 6
Section	(1) Definition .....	6
	(2) Campaign Conduct .....	6
	(3) Campaign Material .....	6
	(4) Campaign Expense Limits .....	7
	(5) ICC Club Endorsements .....	7
 Article V	 Determination of Violation(s) .....	 8
Section	(1) Corrective Action .....	8
	(2) Submission of Complaint .....	8
	(3) Complaint and Appeal Meetings .....	8
 Article VI	 Election Results and Swearing In .....	 9
	(1) Determination of Election Results .....	9
	(2) Swearing In of DASB Senators Elects .....	9
	(2) Swearing In of Newly Elected De Anza Student Trustee .....	9

## **ARTICLE I: ELECTIONS COMMITTEE**

### **Section 1: Elections Committee Membership**

The DASB Elections Committee shall consist of the following:

- A. Voting Members:
  - DASB President or designee (DASB Senator)
  - ICC officer
  - At least two (2) additional DASB Senators
  - No more than three (3) ICC representatives
- B. Advisory Members:
  - DASB Senate Advisor
  - ICC Advisor

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

The Elections Committee shall:

- A. Remain impartial in all dealings with DASB members.
- B. Act in accordance with the DASB Constitution, DASB Senate Bylaws, and DASB Codes.
- C. Ensure that all candidates are eligible to hold office.
- D. Encourage DASB members to apply for DASB Senate and De Anza Student Trustee positions.
- F. Advertise and promote the DASB General Election.
- G. Meet once per week until the committee is dissolved.
- H. Meet twice per week during campaign exhibition week and election weeks.
- I. Produce and conduct a bylaws and code test
- J. Manage and oversee the DASB Election Account (41-55180).
- K. Propose amendments to and review proposed amendments by Administration Committee to the DASB Elections Code.
- L. Provide a study guide for the codes and bylaws test to all candidates.
- M. Provide an expense report template to all candidates.

### **Section 3: Individual Duties and Responsibilities**

- A. Elections Committee members shall not campaign for or against, nor endorse any candidate or ballot measure verbally, in writing, directly, or implied.
- B. The DASB President (or designee) shall be the authorized signer of all DASB Election Account expenditures.

## **ARTICLE II: ELECTIONS SCHEDULE AND PROCEDURE**

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

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

- Winter Quarter Week Three (3) ..... Elections Committee is Formed
- Winter Quarter Week Five (5) ..... Announcement of Election Schedule and Procedure
- Winter Quarter Week Five (5) ..... Elections Committee Begins Promoting Elections
- Spring Quarter Week Two (2) ..... Application/Petition Submission Deadline
- Spring Quarter Week Three (3) ..... Mandatory Candidates' Meeting
- Spring Quarter Week Five (5) ..... Campaign Exhibition Week
- Spring Quarter Week Six (6) ..... Election Week
- First Business Day After Last Day of Polling Expense Reports and Complaint Forms Due
- Second Business Day After Last Day of Polling ..... Complaint Meeting
- Fourth and fifth business days after the Complaint Meeting ..... Appeal Meetings
- First Saturday after election is certified ..... New Senate Orientation
- Spring Quarter Week Nine(9) ..... Winning candidates are sworn in to office

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

- A. The elections shall follow a simple plurality voting system.
- B. Candidates shall run on individual tickets, with the exception of the positions of President and Executive Vice President who must run on the same ticket.
- C. If less than 3% of the current DASB members have voted by the end of Election Week, the voting shall be extended until at least three percent (3%) of the current DASB members have voted.
  1. The election for the De Anza Student Trustee shall automatically end ten (10) days before the Student Trustee is to be sworn in regardless of the number of votes cast.

### **Section 3: Ballot Measures**

- A. All ballot measures submitted by the submission deadline, and proposed by petitions containing the signatures of at least one hundred (100) DASB members, or by majority votes of the DASB Senate shall be included on the ballot.
  1. All ballot measures that would amend the DASB Constitution must contain the signatures of at least one thousand (1000) DASB members.

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

- A. During the mandatory candidates' meeting, an Elections Committee member shall draw random numbers from a container to determine the ballot order.
- B. Photos to be placed on the ballot shall be taken at the candidates' meeting.
- C. All candidates must take a codes and bylaws test. Any candidate unable to answer sixty percent (60%) of the questions correctly will have seven (7) days to retake the test. If a candidate can not answer seventy percent (60%) of the questions they will be disqualified.

### **Section 5: Election Events**

- A. The Elections Committee shall coordinate the following events prior to and during Campaign Exhibition Week, including but not limited to:
  1. One (1) Meet the Candidates event.

**Section 6: Election Results Process**

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

- A. Review all candidates and coalitions' expense reports.
- B. Validate the ballots and tally.
- C. Certify the election results and publicly post them for at least five (5) business days.

## **ARTICLE III: CANDIDATES**

### **Section 1: Positions**

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

- A. DASB Senate
  - President
  - Executive Vice President
  - Senator (28 positions)
- B. De Anza Student Trustee

### **Section 2: Candidate Eligibility Requirements**

- A. All candidates must:
  - 1. Submit a completed application to the Office of College Life by the application submission deadline.
    - a. Candidates for President and Executive Vice President must both turn in individual application in order for them to be considered eligible.
  - 2. Attend the mandatory candidates' meetings. Any candidate unable to attend must arrange an alternate time to meet with the DASB Senate Advisor and at least one (1) Elections Committee member.
  - 3. Be enrolled in at least eight (8) units at De Anza College, and intend to enroll throughout the following academic year.
  - 4. Not be on academic or disciplinary probation.
  - 5. Not have filed transfer applications to any College/University.
  - 6. Not be a member of the Elections Committee.
- B. In addition, all DASB Senate Candidates must:
  - 1. Be a current De Anza Associated Student Body member.
  - 2. Have a cumulative GPA of at least 2.5.
  - 3. Not be running for the De Anza Student Trustee position.
  - 4. Not have held office for three (3) consecutive or non-consecutive terms.
  - 5. Fully attend at least three (3) DASB Senate Meetings prior to swearing in.
  - 6. Attend at least three (3) DASB Committees' meetings prior to swearing in.
  - 7. Be familiar with DASB Constitution, DASB Bylaws, and DASB codes.
  - 8. Attend New Senate Orientation.
- C. In Addition, all De Anza Student Trustee Candidates must:
  - 1. Be a California resident as defined by the college Admissions and Records Office.
  - 2. Have a cumulative GPA of at least 2.5.
  - 3. Not be running for any DASB Senate positions.

### **Section 3: Coalitions**

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

- D. Candidates for the positions of President and Vice President are automatically considered a coalition and only need to submit a form if they intend to campaign with additional candidates.
- E. Candidates who form a coalition shall all be jointly responsible for their campaign.

## **ARTICLE IV: CAMPAIGN REGULATIONS**

### **Section 1: Definition**

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

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

- A. Failure to obey the campaign conduct provision in this section shall result in disqualification.
- B. Candidates may begin verbal campaigning at any time during the year. Campaigning that consists of physical materials such as: flyers, posters, giveaways, classroom presentations, electronic media, or any other form of advertising shall only be permitted during Campaign Exhibition Week and Election Week.
- C. No candidate shall interfere with the campaigning of any other candidate, nor shall they interfere with the dissemination of information by any student publication.
- D. No candidate shall use any club, ICC, DASB, or college resources not normally provided to the general student body for campaigning purposes or for campaign coordination purposes. This includes: computers, paper, printer, copier, DASB office, club room, pens, general office supplies, and anything else deemed appropriate by the Elections Committee.
- E. No candidate shall deliberately violate the Elections Code or any Elections Committee ruling.
- F. Candidates shall not attempt to subvert the election. Subverting the election shall include but not be limited to:
  1. Attempting to use the Elections Committee to bias the outcome of the election or overlook violations of the Elections Code.
  2. Attempting to gain additional votes by defacing or molesting campaign materials of other candidates or engaging in libelous behavior with intent of fraudulently shifting public confidence away from other candidates.
  3. Attempting to use media or other such public entities to publish or spread false information about candidates, or to use media or other such public entities to promote a candidate based on inaccurate or false information.
  4. Purposely providing inaccurate or false information to the Elections Committee; to include submission of documents, evidence, and witnesses.
  5. Impeding an Elections Committee member during the discharge of their duties.
  6. Attempting to bribe students or buy votes. This includes providing food or beverages.
  7. Publishing or posting campaign materials featuring factually inaccurate information about any candidate, their actions, or their endorsements.

### **Section 3: Campaign Material**

- A. All campaign materials must be posted in accordance with the Student Election Posting Guidelines that is published by the Office of College Life.
- B. All candidates' campaign materials must contain the candidate's name (only one) and the position for which the candidate is running. Campaign material for coalitions must contain the:
  - Coalition's name
  - Name of each member of the coalition
  - Position for which each member is running

Failure to fulfill this requirement shall result in removal of the material at the direction of the Elections Committee and withholding of candidates' reimbursements by at most Fifty percent (50%) for this violation.

1. Campaign materials smaller than two inches by three inches are exempt.
- C. Candidates are allowed to campaign using the internet via personal websites, blogs, social networking sites, etc; but only after the URL to such internet resources is submitted in writing to the Office of College Life. The Elections Committee may rule an internet site to be prohibited and any candidate(s) that continues to use such resource after twenty-four (24) hours notice shall be considered in violation and may face withholding of candidates' reimbursement by at most fifty percent (50%) and/or disqualification.
- D. Candidates shall remove all signs, posters, displays, electronic media, all fragments of such signs, posters, or displays, including tape, rope, and all other such materials used to attach said campaign materials within twenty-four (24) hours of the official closing of the General Election.
1. Willfully failing to remove the majority of their materials may result in withholding of a candidate's reimbursement amount by at least fifty percent (50%).
  2. Failing to remove a minority of materials may result in withholding of a candidate's reimbursement amount by at most fifty percent (50%).

#### **Section 4: Campaign Expense Limits**

- A. The campaign expense limit for independent candidates shall be one hundred dollars (\$100).
- B. The campaign expense limit for coalitions shall be fifty dollars (\$50) per coalition member or five hundred dollars (\$500), whichever is lower.
- C. All donated materials and professional services must be assessed at retail value and counted towards the campaign expense limit.
- D. Each independent candidate and each coalition, regardless of whether they campaigned or used funds to campaign, shall submit an expense report to the Office of College Life.
- D. Candidates shall not be reimbursed for donated items or for items without original receipt.
- E. Expense reports containing a substantial amount of inaccuracies may result in disqualification.
- G. Expense reports must account for every campaign item bearing the candidate's name or the coalition's name and must include receipts, and sources of all gifts and donations.
- J. Reimbursements may not exceed campaign expense limits. K. Reimbursements shall be on an individual basis only, regardless of whether candidates' expense reports were submitted individually or for a coalition.

#### **Section 5: ICC Club Endorsements**

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

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

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

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

- A. All candidates who violate any part of the Elections Code or Posting Guidelines shall be informed of the infraction by any member of the Elections Committee and instructed to correct the violations. The infraction must be corrected within twenty-four (24) hours of confirmed notification (witnesses or proof). Candidates are responsible to identify and correct violations regardless of being notified.
- B. **Minor Infractions**  
If the infraction is corrected within twenty-four (24) hours and is not determined to damage college property, create an unfair campaign advantage, or impede the elections in any way, no further action shall be taken.
- C. **Major Infractions**  
If the infraction is not corrected within twenty-four (24) hours, or is determined to have damaged college property, created an unfair advantage or impeded the elections, further action shall be taken.
- D. Disqualification may only be based on violations of rule(s) specified in the DASB Election Code and may only occur during or after the Complaint Meeting. However, the Elections Committee shall have the discretion to determine the applicability of reported or discovered violations.
- E. Valid methods for candidates or coalitions to be punished for violations are limited to the following methods:
  - Withholding of reimbursements, in accordance with the description of the violation
  - Requiring community service as an additional condition to swearing-in/affirming to office
  - Disqualification
- F. A reduction to the count of votes for any candidate is illegal and shall never be considered a valid punishment for infractions.
- G. A plea of ignorance shall not be considered a valid defense to an infraction of the DASB Elections Code or any ruling of the Elections Committee.
- H. If either the President candidate or the Executive Vice President candidate becomes not part of the election for any reason, the other one may continue in the elections.

### **Section 2: Submission of Complaint**

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

### **Section 3: Complaint and Appeal Meetings**

- A. All alleged violation(s) of the Elections Code shall be reviewed by the Elections Committee.
- B. All appeals shall be heard by the DASB Senate.
- C. The Elections Committee shall record all meetings in which deliberation regarding alleged violations or disqualification of any candidate occurs.
- D. Any decision to disqualify any candidate shall require a two-thirds (2/3) vote.

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

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

- A. Up to thirty (30) candidates who receive the highest number of votes equal to or in excess of at least twenty percent (20%) of the total votes cast in the General Election shall be considered elected as DASB Senators. No candidate will be considered elected as a DASB Senator who receives less than twenty percent (20%) of the total votes cast in the General Election.
- B. Those not elected to the positions of DASB President and DASB Executive Vice President shall be considered to have run for the position of DASB Senator. They shall be considered elected for the position of DASB Senator if and only if there are vacant Senator positions available and they receive more than twenty percent (20%) of the total votes cast.

### **Section 2: Swearing in of DASB Senator Elects**

- A. All newly elected DASB Senators must be sworn/affirmed into office during or after the DASB New Senate Orientation.
  - 1. The swearing in/affirming shall consist of the verbalization and signing of the DASB Oath of Office.

### **Section 3: Swearing in of Newly Elected De Anza Student Trustee**

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

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