Elections Code

The following documents shall govern and supersede the following Associated Student Government Elections Code: the Associated Student Government Constitution and Bylaws, the San Jose City College Student Conduct Code, San Jose Evergreen Community College District policies, and California Education Code.
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ARTICLE 1. PURPOSE

SECTION 1.1 The purpose of the Elections Code is to establish clear rules intended to provide all San Jose City College students with an equal opportunity to present their views and qualifications to the SJCC student body for election to ASG.

ARTICLE 2. DEFINITIONS

SECTION 2.1 LAC shall refer to the Legislative Affairs Committee.

SECTION 2.2 SJCC shall refer to San Jose City College.

SECTION 2.3 ASG shall refer to the Associated Student Government.

SECTION 2.4 ASG Advisor shall refer to Associated Student Government Advisor.

SECTION 2.5 VIG shall refer to the Voter Information Guide.

SECTION 2.6 ASG General Election(s) shall be defined as a regular yearly election of officers to the positions of ASG Directors and ASG Academic Senators, as well as referenda and initiatives placed on the ballot.

SECTION 2.7 ASG Runoff Election(s) shall be defined as an election that is a result of a tie-vote during a general or special election. If a tie-vote also occurs in a runoff election, the ASG shall appoint one of the two run-off candidates by a two-thirds majority.

SECTION 2.8 ASG Special Election(s) shall be defined as an election held outside of a regularly scheduled general election.

ARTICLE 3. PROCESS

SECTION 3.1 The Elections Code provisions and process apply to all SJCC students and to all elections held on campus by the ASG.

SECTION 3.2 The Election Code may not be amended or revised after advertising has begun for an election cycle.
SECTION 3.3  The LAC shall publicize all matters pertaining to the election in conjunction with the Public Relations Committee. Both committees shall adhere to SJCC policies on postings. Any candidate serving on the LAC will have to resign their position on the committee.

SECTION 3.4  In setting the dates and times for the elections, the LAC shall ensure that the following timeline is maintained.

3.4.1 Promote running for office: minimum 2 weeks
3.4.2 Provide and receive candidate application materials: minimum 1 week
3.4.3 Deliver Candidate Orientations: minimum 2 days
3.4.4 Begin and conclude campaigning period: minimum 1 week
3.4.5 Host Candidate Forum(s): minimum 2 sessions
3.4.6 Hold Elections: minimum 2 consecutive days

SECTION 3.5  All Candidates must be nominated by the San Jose City College Student Body by producing a list of no less than fifty (50) student signatures accompanied by student identification number. Student names will then be verified by the ASG Advisor for eligibility. All signatures must be submitted by close of business on the date set by the LAC to be eligible.

3.5.1 This is the one and only time candidates will be authorized to obtain Student Identification numbers. To ensure student privacy, all Student Identification numbers and names must be given to ASG Advisors within deadline established by the LAC.

3.5.2 All student information shall be strictly confidential and only used as outlined above.

SECTION 3.6  All SJCC ASG Election voting shall be cast online and electronically counted. Each student must personally, or by official proxy through the Office of Student Development and Activities, cast their ballot with their own individual student identification number. All votes shall be tallied on the next day after the election. Election
results shall be posted in the Student Services Building before the end of the business day the following Monday.

3.6.1 Elections shall be held on a consecutive Wednesday and Thursday by online ballot (day and evening).

3.6.2 In order to apply for proxy students must contact the Office of Student Development and Activities a minimum of three working days prior to elections taking place via email, phone call, or in person meeting to request assistance or paper ballot vote.

SECTION 3.7 All Candidates are required to participate in the Candidate Debates, along with two (2) additional Election Events.

3.7.1 The LAC with the approval of the ASG and in collaboration with the Director of Public Relations and the Director of Programming shall host a minimum of four (4) candidate events including but not limited to the following:

(a) Elections/ Campaign Kick Off

(b) Open Forum

(c) Candidate Debates

(d) Voting Party

(e) Election Results

SECTION 3.8 Any ballot created by the LAC shall be voted on and approved by two-thirds of the SJCC ASG Student Senate. Final approval and electronic posting of said ballots shall be at the discretion of the SJCC ASG Advisor and Vice-President of Student Services for continuity.

SECTION 3.9 A General ASG Election must be held in the spring of every academic year and be held before the end of the academic term.

SECTION 3.10 A Special Election may be called in the event that the Student Trustee position of the SJCC ASG becomes vacant or the General Election becomes nullified for any reason within this Election Code or to decide initiatives that affect the SJCC student body.
3.10.1 Election may be called upon the approval of the ASG Student Senate with a two-thirds (2/3) vote.

3.10.2 Special Election Rules shall be created by the LAC upon the approval of the ASG Student Senate immediately following the nullification of the General Election.

3.10.3 Rule changes within this Election Code are at the discretion of the LAC for Special Election purposes only. Special Election Rules are then brought back to the ASG Student Senate for approval with two-thirds (2/3) vote of members seated.

ARTICLE 4. CANDIDATES

SECTION 4.1 Candidates must satisfy all policies set forth by the LAC relating to elections. Any violation of said policies may result in disqualification. Matters of policy violation will be handled on a case by case basis by the LAC and SJCC ASG Advisor.

4.1.1 Candidate must have a 2.0 GPA or above at the time of application.

4.1.2 Candidate must be enrolled in 6 or more units at the time of application and must have previously completed 6 units prior to the semester of elections.

SECTION 4.2 Candidates will be able to campaign on or after the date set by the LAC. Any campaigning before said date shall result in immediate disqualification.

4.2.1 Candidates must turn in their “Candidate Packets” no later than the date set by the LAC. Failure to do so will result in immediate disqualification, no exceptions.

4.2.2 It is mandatory for candidates to report all expenses and donations made to their campaign.

4.2.3 Receipts for expenses must be submitted to the LAC twenty-four (24) hours before the last day of voting using the Candidate Expense Sheet.

(a) Candidates are not to exceed more than the amount as specified by the LAC in campaign expenses. Such is grounds for disciplinary action by the LAC and ASG.

(b) Candidate Expense Sheet is considered public information.
4.2.4 Candidate Expense Sheets must be submitted to and reviewed by the Director of Student Development and Activities, the Director of Legislative Affairs and the ASG Advisor prior to the Election being certified and results posted.

SECTION 4.3 Any and all complaints regarding the elections or election policy shall be adjudicated according to ASG bylaws on disciplinary action.

SECTION 4.4 Each Candidate may spend no more than the amount determined by the LAC on any and all campaign materials and paraphernalia. Each candidate must turn in a portfolio of any and all materials used in said campaigning, along with all receipts. In addition, Candidates must produce and submit a line item budget for all expenditures.

4.4.1 Any and all donated materials used in campaigns must have a printed donations receipt or certified letter from the contributor in said portfolio. If the LAC questions the integrity of said receipt, the actual monetary value will be assessed by the LAC with consent and approval of the ASG Advisor.

SECTION 4.5 Candidates may choose to run in the SJCC ASG Elections with other Candidates or ticket, so long as they adhere to all policies and procedures regarding the election. Should candidates running together decide to combine campaign finances, they may do so. Candidates must still produce a lined itemed budget including any and all receipts pertaining to the election.

SECTION 4.6 To be eligible to stand for office, the candidate must attend the Candidate Orientation. A minimum of two (2) Candidate Orientations shall be held prior to the candidate campaigning period and be held at the time, date and place as designated by the LAC.

SECTION 4.7 A minimum of two Candidate Forums shall be held at the start of campaigning period for the SJCC ASG Elections. Times, dates, and venues will be determined by the LAC. To be eligible to stand for office the candidate must attend a minimum of one Candidate Forum.

SECTION 4.8 Under no circumstances shall any candidate harass, bully, make verbal or physical threats, or show any kind of aggression toward other candidates, any member of
the LAC or the ASG Advisor. Doing so will result in immediate disqualification or disciplinary action as deemed by the ASG Advisor and the Disciplinary Action Committee.

4.8.1 Should any candidate feel threatened or bullied by another candidate, the candidate may immediately report such action to the LAC and the ASG Advisor.

4.8.2 Any disciplinary actions will be undertaken by the hearing committee as specified by the ASG bylaws on disciplinary action.

SECTION 4.9 No candidate shall use San Jose City College or San Jose/Evergreen Community College District resources of any kind including electronic resources, unless authorized during the candidate workshop by the LAC.

SECTION 4.10 No student shall formally hold more than one Associated Student Government office, excluding committee memberships, during the tenure of their office.

ARTICLE 5. CAMPAIGNING

SECTION 5.1 All Campaign posting of any kind must adhere to the San Jose City College Posting Policies. Posting Policies will be given at the time of the Candidate Workshop and be posted in the Student Services building throughout the election. Failure to adhere to SJCC posting policies will result in disqualification.

5.1.1 All candidate materials used during campaigning must be taken down no later than a week after voting has taken place.

SECTION 5.2 Any election event that is approved by the LAC must not favor a candidate in any way. The LAC shall facilitate the events and grant each candidate equal time and opportunity to speak and make personal statements.

SECTION 5.3 All elections and candidate events must be publicized using all reasonable and available mediums including but not limited to: posters, online, print and broadcasting in accordance with the Elections Calendar/Timeline.
SECTION 5.4 The Voter Information Guide (VIG) shall be made available both online and in printed form at least forty-eight (48) hours after the Candidate Orientation in accordance with the Elections Calendar/Timeline.

SECTION 5.5 Statements by Candidates must be submitted at the place, date, time, and in the format designated by the LAC and ASG.

5.5.1 Word limits for candidate statements submitted for the VIG are as followed:

(a) A maximum of 250 words for candidate statements.

(b) A maximum of 500 words for ballot initiatives or recall election descriptive text or referendums.

SECTION 5.6 The LAC shall provide the Director of Public Relations and Director of Programming with all eligible candidate names, statements, referenda, and initiatives to be included in the VIG along with any other related content, no later than twenty-four (24) hours after the VIG information deadline.

SECTION 5.7 Examples of campaigning are provided but not limited to:

5.7.1 Distributing or displaying posters, flyers, pamphlets, or any other forms of printed publicity to students on campus in order to obtain votes.

5.7.2 Making public statements about candidacy to individuals or groups such as presenting, giving a speech, organizing supporters.

5.7.3 Posting any type of online content or image related to candidacy on websites, social media, online groups, or any other kind of online media.

(a) The posting and distribution of campaign materials on campus, online or in any form shall not begin before a time and date specified by the LAC

(b) Campaign materials cannot exceed 216 square inches.

SECTION 5.8 No campaigning within 75 feet of a polling location.

5.8.1 Outdoor campaigning may only be placed in the areas designated by the LAC with the approval of the Director of Student Development and Activities and ASG Advisor.
5.8.2 Campaign materials may not be posted or carried into any ASG department, unless only for purposes of utilizing the ASG Print and Technology Center services.

(a) Candidates may not use the ASG logo on any campaign material unless provided by the LAC during campaigning events.

(b) Campaign materials may not be posted on or in vehicles without the consent of the vehicle owner.

SECTION 5.9 Current ASG officers may not use their position within ASG to support any candidate.

SECTION 5.10 No candidate shall interfere with the campaign of other candidates. Candidates may not use any form of unethical behavior, bribery, or monetary promises or gifts to sway votes. Doing so will result in disqualification or disciplinary action as deemed by the ASG Advisor and the Disciplinary Action Committee.

5.10.1 Students may immediately report such action to the LAC and the SJCC ASG Advisor. Any disciplinary action will be undertaken by the hearing committee as specified by the ASG Bylaws and Disciplinary Action.

SECTION 5.11 Candidates may seek endorsements from recognized student organizations on campus.

5.11.1 SJCC recognized Student Organizations may not endorse a candidate before the start of the campaigning period designated by the LAC.

5.11.2 Endorsements must be confirmed by the recognized Student Organization and the Candidate via an endorsement form that is signed and dated by both the candidate and the president or chair of the Student Organization.

(a) Endorsements that are not confirmed by both the candidate and the Student Organization will not appear.

(b) Endorsement forms must be submitted at the time, date, and place as designated by the LAC.
5.11.3 It is highly recommended that organizations only endorse one candidate per position per election calendar but are not limited to one endorsement.

ARTICLE 6. VOTING

SECTION 6.1 Each student attending San Jose City College that pays the student fee has equal voting rights in all ASG elections. Ballots will be casted online, unless a proxy vote is petitioned through the Office of Student Development and Activities a minimum of three (3) working days prior to the election.

6.1.1 Each ballot should include the names of the candidates running for office and the position they are seeking.

6.1.2 During the construction of the electronic ballots, the order in which candidates appear on the ballot are alphabetically organized by referenda and initiative title, then by officer title.

SECTION 6.2 Election voting shall be held within a span of no less than 48 hours and no more than one full week.

6.2.1 Should the LAC determine that accommodating for lost time from an unexpected event be necessary, they can extend election voting for up to one full week. An unexpected event can be defined as but is not limited to:

(a) A Natural Disaster
(b) Campus Shutdown
(c) Faculty Strike

SECTION 6.3 No person shall be allowed to promote a candidate, initiative or referendum, and conduct campaigning activities, or loiter within 75 feet of an authorized predetermined polling location. Only eligible voters casting ballots and designated election officials are allowed in polling locations.

6.3.1 Authorized Polling locations may only be designated by the LAC
6.3.2 Should the vote result in a tie, a runoff election shall be held for that office/initiative/referendum no later than 10 days after closing of the previous election ballot.

SECTION 6.4 The Director of Student Development and Activities and ASG Advisor are responsible for compiling and publicizing the election results along with a confirmation assuring the results are true, accurate, and have not been compromised.

6.4.1 Results shall be distributed to the Director of Student Development and Activities and ASG Advisor.

6.4.2 Results shall be announced, posted and made public on the door of the ASG offices no later than 24 hours after the close of the Voting Period and remain posted for a minimum of 7 business days.