

## **I. NAME**

This Code shall be known as the "ASUCI Elections Code".

## **II. AUTHORITY**

This Code is established under Article X of the Constitution of the Associated Students, University of California, Irvine (hereinafter referred to as ASUCI).

## **III. PURPOSE AND APPLICABILITY**

The purpose of this Code shall be to outline the procedures, guidelines, and regulations which govern all ASUCI Elections at the University of California, Irvine (hereinafter referred to as UCI) and to define the duties and responsibilities of those who participate in and who facilitate all ASUCI Elections. Student Fee Referenda/Initiatives regarding the ASUCI fee shall be governed by this Code. Other Fee Initiatives shall be governed by the Guidelines approved by the Chancellor of UCI.

## **IV. AMENDMENTS**

The ASUCI Joint Committee on Governance and Internal Policy shall recommend amendments to this Code to be approved by a majority vote of the ASUCI Senate. Any amendments to the Elections Code, which are to be applied to an upcoming election must be made prior to the publication of the Elections Website. Any amendments made subsequent to this date will not be binding until the following elections cycle. The one exception to this rule shall be instances in which the Elections Code must be amended to remedy an act of impropriety on the part of the Elections Commission.

## **V. STUDENT VOTING ELIGIBILITY**

All registered undergraduate students at UCI during the quarter in which the an ASUCI election is to take place shall be eligible to vote in the respective election.

## **VI. VOTING PROCEDURES**

A. All students may vote for open At-Large Senate, Executive Officer, and Student Advocate General positions.

B. Students may only vote for additional Senate candidates representing the School(s) of their major(s).

C. All students may also vote for additional Special Interest Senators that represent one of the following categories:

- a. Transfer Students
  - i. Students, for whom the University of California, Irvine, is not the first U.S. based institution of higher education that they are attending.
- b. International Students
  - i. Students who are studying on a valid student visa and pay out of state tuition. Non immigrant visitors who come to the United States to primarily take classes.

D. The Senate may appoint, with the approval of the Judicial Branch, the First Year Senator that represents all first-year students during Winter quarter.

- a. First-year students shall be classified as students for whom the University of California, Irvine, is the first institution of higher education that they are attending and are not classified as either international or transfer students (as mentioned above).
- b. The First Year Senator's term will end during Fall quarter of the following year.

E. Undeclared and unaffiliated majors may only vote for those candidates stipulated in Article VI, Section A and C<sub>1</sub>.

F. Any efforts to falsify registration or to vote more than once is in violation of this Code and shall be referred to the disciplinary bodies of UCI.

G. Voting shall only take place online and in order to vote online, each voter must enter their UCInetID and password.

H. The order of names of candidates shall be changed at random for each student voter. I.

The ballot order in elections shall be as follows:

1. Constitutional Amendments
2. Legislative Initiatives
3. Legislative Referrals
4. Legislative Referenda
5. Fee Referenda
6. Recall Elections
7. Executive Officer Seats
8. Student Advocate General
9. Senate Seats
  - I. At-large
  - II. School-based
  - III. Special Interest

## **VII. TIMELINE**

A. Spring Elections:

1. The Elections Website shall be available no later than Friday at 11:59 P.M. of seventh week of Winter Quarter.

2. The Declaration of Candidacy is due no later than Friday at 5:00 P.M. of tenth week of Winter Quarter.
3. There will be a mandatory candidates' meeting to be held during first week of Spring Quarter.
  - a. The Elections Commissioner must notify all the candidates of the time and place of the meeting by email at least 72 hours before the meeting.
  - b. In the event that the candidate cannot attend the meeting, they must notify the Elections Commissioner of their absence before the meeting.
  - c. If the candidate or representative (in the case of referenda, initiatives, and referrals) fails to attend the meeting without notifying the Elections Commissioner, they will receive a level two punitive measure, as stipulated in Article XXI, section B.
4. All Slate Declaration Forms are due no later than Friday at 5:00 P.M. of first week of Spring Quarter.
5. Public candidate forum(s) will be held during second week of spring quarter, in which all candidates shall have the opportunity to speak according to the following guidelines :
  - a. Candidates for Executive Offices: A debate-style forum will be held for at least 30 minutes in which all candidates can participate and speak.
  - b. Candidates for Senate seats: A public candidate forum will be held at Student Center Terrace in which all candidates can participate and speak for at least 2 minutes each.
  - c. Referenda Representatives: A public candidate forum will be held at Student Center Terrace in which all candidates can participate and speak for at least 3 minutes each.
  - d. No campaign material of any kind, including slander, shall be present during the event.
6. Elections shall be held during third week. Voting shall begin Monday at 9:00am, terminate Friday at 5:00 P.M., and be available 24 hours online within that time period.
7. Each candidate and slate must submit a Financial Statement/Slate Financial Statement form as well as any endorsement forms. The deadline to turn in a Financial Statement/Slate Financial Statement and any endorsement forms to the Student Government and Student Media Business Office or to email a scanned copy of the documents to the Elections Commissioner is Friday of third week at 5:00 P.M. The Elections Commission shall post each candidate's and slate's financial statements and endorsement forms on the Elections website by Saturday of third week.
8. Deadline for students to file an official complaint form to the Elections Commission shall be the Sunday of fourth week at 5:00pm.
9. Elections Commission will have until 5 P.M. of Tuesday of fourth week to release their decisions on the complaints.

10. Evidentiary Hearings held by the Elections Commission for Official Complaints shall be held as needed. Decisions regarding punitive measures (or lack thereof) after Evidentiary Hearings will be posted within three (3) days of said Evidentiary Hearing.

11. The results of the Elections shall be posted on Wednesday of fourth week following ratification from the ASUCI Senate, outside the ASUCI offices, except for those races where an official complaint has been filed with the Judicial Board or the Elections Commission.

12. For races where an official complaint has been filed with the Judicial Board or the Elections Commission, all the decisions made by the Elections Commission can be appealed to Judicial Board by 5 P.M. of Thursday of fourth week.

13. Judicial Board will have until 4:00 P.M. of Tuesday of fifth week to release their decisions on the appeals.

14. All Elections results must be released by 5 P.M. Tuesday of fifth week.

B. The candidate with the highest number of votes shall be declared the winner, unless disqualified. Candidates do not have to receive the majority of the votes cast to be declared winner.

### **VIII. RUN OFF ELECTIONS**

A. In the event that two or more candidates for a position receive the same number of votes (highest for that contested position), a run-off Election shall be held.

B. The Election shall take place as soon as deemed possible by the Elections Commission, not to exceed two weeks from the previous Election.

C. Run-off Elections shall last two consecutive days as determined and pre-announced by the Elections Commission.

### **IX. SPECIAL ELECTIONS**

A. A special election may be called in the event of one or more of the following circumstances:

1. Vacancy of more than  $\frac{1}{3}$  of the total existing positions in the Senate.
2. Disqualification or withdrawal of all candidates for a particular position.
3. Vacancy of one or more of the elected Executive officers.
4. Vacancy of the position of the Student Advocate General.
5. In the event of a validated petition of either legislative initiatives, fee initiatives, recall elections, or legislative referenda.

B. In the event that all candidates are disqualified for a particular office, the Elections Commission shall re-open applications. All registered undergraduate students at UCI are eligible to run in the Special Elections including those individuals disqualified in the previous Elections.

C. In the event it is decided that a re-election is necessary because of disqualification of one or more but not all candidates of a multi-candidate race for the same office, only those candidates who were not disqualified are eligible to run.

D. The Elections Commission shall set the date and time for Special Elections, subjected to the approval of the Senate.

## **X. ELECTIONS COMMISSION**

A. The Elections Commission is composed of the following people, who are nominated by the Governance and Internal Policy Committee and confirmed by the Senate:

1. The Elections Commissioner.

i . In the event of a vacancy in the position of the Elections Commissioner, the ASUCI Senate must appoint an Interim Elections Commissioner within two weeks.

2. Four (4) Deputy Elections Commissioners.

B. Once appointed, all members of the Commission listed here waive their constitutional right to file a declaration of candidacy until the beginning of the next academic year.

This Commission shall meet daily during Election week to review all official complaints submitted online.

C. This Commission shall review all violations, and all official complaints filed by individuals

D. This Commission shall have the authority to penalize candidates and/or slates for Elections Code Violations.

E. The Elections Commission shall verify the Financial Statements and investigate alleged violations or infractions committed by any candidate. In addition, they shall be responsible for acknowledging and verifying within one (1) school day all endorsement statements.

## **XI. ELECTIONS COMMISSIONER**

A. The Elections Commissioner's duties and responsibilities are as follows:

1. Facilitate and supervise all ASUCI Elections.

2. Post and hold regular office hours in the ASUCI offices throughout the academic year for at least one hour per week. These hours will increase to at least two hours per week as soon as applications for candidacy are available and until Elections Ratification has concluded.

3. In conjunction with the Governance and Internal Policy Committee, recommend the appointment of four Deputy Elections Commissioners to the ASUCI Senate.

4. Hold Evidentiary Hearings as part of the Elections Commission to review official ASUCI Complaints, as well as any official complaints submitted by students or candidates. All decisions on official complaint(s) shall be in writing and posted on the ASUCI Elections website and on the inside of the window next to the Student Government Student Media office front doors as soon as the Elections Commission reaches a decision.
5. Attend any ASUCI Senate meeting as requested by the President of the ASUCI Senate.
6. Attend any ASUCI Executive Cabinet meeting as requested by the Chair of the ASUCI Executive Cabinet.
7. Conduct a Mandatory Orientation meeting for all candidates or their representatives at which time the Elections Code, the University policy, and UCI Principles of Community shall be reviewed and the rules and candidate deadlines explained.
8. Review disqualifications before the ASUCI Judicial Board as requested or if an appeal is made by a disqualified candidate.
9. Update Elections Website and all of its mandatory components to be available online. The website shall include:
  - i. Cover Letter
  - ii. Elections Timeline
  - iii. Declaration of Candidacy
  - iv. Candidate Statement Form
  - v. GPA Verification Consent Form
  - vi. University Policy and Principles of Community Consent Form
  - vii. Financial Statement
  - viii. Endorsement Form
  - ix. ASUCI Elections Code
  - x. Slate Information
  - xi. Slate Declaration Form
  - xii. Slate Endorsement Form
  - xiii. Slate Financial Statement
10. The Elections Commissioner or a selected representative from the Elections Commission shall be present at all Judicial Board hearings that concern the candidate(s) and/or the Elections process.
11. Instruct the Deputy Elections Commissioners on their duties and responsibilities, ensuring that each Deputy Commissioner has full knowledge of the Elections Code.

## **XII. DEPUTY ELECTIONS COMMISSIONERS**

- A. The duties of the four Deputy Elections Commissioners shall be as follows:
1. Verifying the eligibility of each candidate with the Executive Director of Student Government and Student Media designee.
  2. Promoting all elections, including all advertising in the campus media concerning the elections.
  3. Taking minutes in all Elections Commission meetings and Evidentiary Hearings for the purpose of presentation to Judicial Board should candidates challenge the constitutionality of the decision of the Elections Commission.
- B. The Elections Commissioner and the Senate may adjust the compensation of the Deputy Elections Commissioners to an amount commensurate with the adequacy of their performance if the Deputy Commissioners do not fully meet their duties as specified in this code.

## **XIII. CANDIDATE REQUIREMENTS**

- A. A candidate shall be defined as any member of the Associated Students of UCI who has filed a Declaration of Candidacy with the Elections Commission and has met the following criteria:
1. Must have a cumulative GPA of 2.0 or higher on a 4.0 scale.
  2. Must not be on University disciplinary probation and must be in good standing with the University in compliance with the UCI Code of Student Conduct.
- B. Candidates for Executive Officer shall have attained junior standing at the time of assuming office.
- C. Any candidate for an ASUCI school-based Senate seat must be majoring in the academic unit for the school that they are running to represent.
- D. Any candidate may withdraw from an Election by presenting a letter of withdrawal to the Elections Commission.
- E. No candidate may file a Declaration of Candidacy for more than one position.

## **XIV. CANDIDATE/SLATE RESPONSIBILITIES**

- A. All candidates must file a declaration of candidacy in accordance with the elections timeline. All slates must fill out a Slate Declaration form in accordance with the Elections Timeline.
- B. All candidates must adhere to the ASUCI Code of Ethics.
- C. All candidates are required to attend the mandatory orientation meeting conducted by the Elections Commissioner at which time the Elections Code and campaigning rules shall be fully reviewed. Under extenuating circumstances that have been discussed with the Elections Commissioner in which a candidate cannot attend the scheduled Candidates Meeting, a private meeting may be scheduled for the candidate.

D. All candidates and slates shall be responsible for meeting all deadlines of the Elections Timeline and the deadline to turn in a financial statement.

E. All candidates shall check the sample ballot, created by the Elections Commission, for misspellings or errors. Any corrections shall be presented to a member of the Elections Commission in writing at least five (5) school days prior to the first day of voting.

F. All candidates shall familiarize themselves with this Elections Code.

G. Any candidate or slate can be endorsed by an organization registered with the Dean of Students and must submit the Candidate Endorsement Form signed by the leading student officer(s) of the organization, stating that the organization (not the individual) has officially endorsed them. No publicity of an endorsement can be made until the Elections Commission has acknowledged receipt of the endorsement.

1. In the event that an umbrella organization endorses a candidate or slate, the endorsement will only represent the umbrella organization and not its constituent organizations and vice-versa.

H. Candidates or slates may not coordinate with outside organizations to further their campaign or to receive aid for their campaign for elected office. Candidates or slates may not coordinate with outside organizations regardless of an official endorsement received by them, which are invalid due to Section G. Such collaboration by any candidate or slate with an outside organization is strictly prohibited. If violated, the candidate(s) or slate(s) involved will face action from the Elections Commission, higher authority, or both.

## **XV. INITIATIVES AND REFERENDA**

A. A fee initiative or referendum shall have declared candidacy by receiving a petition of support from 8% of the undergraduate student body or by receiving a 2/3 vote in favor from at least 3/4 of the filled Senate seats of ASUCI and the Student Fee Advisory Committee (SFAC).

B. The referendum may not be campaigned for until candidacy has been declared.

C. Upon official declaration of candidacy, an undergraduate student shall present themselves as the official representative of the campaign. This representative shall be commensurate with the other candidates, with the purpose of being the primary point of contact for the Elections Commission on behalf of the referendum. Furthermore, the representative shall be responsible for going to the mandatory candidate meetings, submitting a financial statement, submitting endorsement forms, and any other duty delegated to the whole of the candidates by the Elections Commission.

D. Non-student university staff and/or faculty may advise the undergraduate student representing the referendum, but may not campaign for the referendum or be the official representative of the campaign.



E. A financial statement shall be submitted by the referendum representative commensurate with the financial statement of the other candidates.

F. Those running the referendum shall be responsible for complying with the University of California Policy on Student Fee Initiatives. This is to be made available by the Elections Commissioner.

G. Unlike candidates running for position, a referendum may receive money from a department if an equal amount of money is made publicly available to run a campaign against the referendum. Moreover, the department must make available all materials that are granted use to the referendum campaign team.

H. Upon presenting the referendum to the Student Fee Advisory Committee (SFAC), the referendum team shall present a series of unbiased pros and cons to the Committee. The Committee shall have the ability to publish the list of pros and cons in the student newspaper. If the Committee feels that the list is not unbiased, they have the ability to modify the list for the sake of removing bias.

## **XVI. FINANCIAL REPORTING**

A. Each independent candidate must submit a Financial Statement. Each candidate within a slate must submit a Financial Statement. Each slate must submit one Slate Financial Form. The deadline to turn in a Financial Statement and/or a Slate Financial Form to the Student Government and Student Media Business Office is outlined in Article VII.

B. The following must be included on the Financial Statement/Slate Financial Statement:

1. A list of all campaign expenditures including the source and amount of each expenditure.
2. A list of all donated money, supplies, or materials.
3. Any discounted, or sale purchases must be reflected on the receipt. If a candidate accepts a discount, which is not offered to the general public, for materials, the candidate or slate is required to declare the full value (i.e., the non-discounted price) and price of purchase of the material on their Financial Statement/Slate Financial Statement. If a candidate accepts a discount not offered to the general public for services rendered, the candidate or slate is required to declare the price at which the services rendered have been purchased on their Financial Statement/Slate Financial Statement.

C. The financial statements of the candidates and slates shall be posted for the public on the ASUCI website, as outlined in Article VII.

D. The intent of the Financial Statement/Slate Financial Statement is to allow for the fairness and transparency of ASUCI elections rather than to assess the direct financial activities of individuals running for office. The financial statement/slate financial statement does not function as an accounting spreadsheet to which meticulous scrutiny shall be paid, but rather as a document declaring donations and fiscal decisions made by a candidate so that the fairness and integrity of ASUCI can be maintained.

## **XVII. DONATIONS**

A. In conformity with the laws of the State of California and the policies of UCI, campaign candidates and slates, with the exception of referendum representatives, may not receive funding from the University, its departments, or Associated Students funds.

1. For the purposes of this Code, the term “donor” means any individual (except an immediate family member) or organization who makes any monetary or non-monetary contributions including goods but not including services rendered or goods borrowed, up to \$75, to a candidate.
2. For the purposes of this Code, the term “goods borrowed” means any good utilized by a candidate and/or slate at no monetary expense and was returned to the original purchaser after use.

B. A good is defined as any tangible product that satisfies an economic want. A service is defined as activities performed by people or organizations to satisfy an economic want.

C. All referendum representatives shall be exempt of this \$75 limit.

D. Each Executive Office or Senate candidate is restricted from accepting more than seventy-five dollars (\$75) per donor during any regular, special, and run-off Election. The candidates who compose a slate can pool resources from their respective spending limits (\$1500 per candidate) towards campaign expenditures to promote the entire slate, not towards other individual candidates within the slate. However, the cumulative total of spending by the slate and all of its candidates individually may not exceed the combined spending limit of the total number of candidates in the slate in each of their individual financial statements.

E. All material donations must be valued at a fair market price and claimed as donations.

F. Each candidate is prohibited from spending more than \$1500 on their campaign.

G. All Candidates are required to turn in a donor's list with the contact information of Organizations or Individual donors and the amount donated as well as an expenditures list including the amounts and copies of receipts of all expenditures along with their Financial Statement.

## **XVIII. CAMPAIGNING AND PUBLICITY**

A. No campaigning will be allowed until after the submission of the Declaration of Candidacy for candidates and until after the submission of the Slate Declaration Form for slates.

B. All acts of voter intimidation and voter solicitation are expressly prohibited.

1. Intimidation includes, but is not limited to: threatening, coercing, or any other means of harassment, as described in the UCI Code of Student Conduct, any person for voting or attempting to vote.
2. Solicitation includes, but is not limited to: directly coercing a voter in-person to vote for a candidate on a device that has access to the Internet.

C. All campaigning and publicity shall maintain the aesthetic quality of our campus.

D. Expenses incurred in campaigning off-campus shall be included in the candidate's or slate's Financial Statement/Slate Financial Statement.

E. The Elections Commission has the right to remove all campaign materials and literature that do not comply with University Posting Regulations and as stipulated in the Elections Code.

F. No candidate and/or slate is allowed to store campaign material in the ASUCI working space, including but not limited to: the ASUCI student suite, the Student Government and Student Media business offices, and professional staff offices. Any campaign material found in these spaces will be disposed of and candidate(s) and/or slate(s) will face punitive measures as deemed fitting by the Elections Commission.

G. The use of ASUCI and/or University equipment purchased or funded by student funds allocated to ASUCI eg.(telephones, computers, printers, papers, copy machines, fax, scanners, cameras, projectors, tables, chairs, canopies, etc.) or any other property not available to the entire student population for campaigning is prohibited.

1. Student Government and Student Media staff shall not be defined as ASUCI and/or University equipment and may be used as a resource to all candidates, with all standard fees for services requested.

## **XIX. SLATES**

A. For the duration of any type of election, candidates may come together to create slates that will allow them to share policy goals and objectives in order to properly coordinate their election campaigns. All candidates for the Student Advocate General position are banned from being a part of any slate or being affiliated with any slate.

B. Each slate must have a unique name in order to avoid voter confusion. Unique is defined as being easily discernible from all other slate names.

C. All slates must register with the Elections Commission. To be considered an official slate, they are required to submit the name of their slate, all members of this slate, and all member signatures on a "Slate Declaration Form" that shall be created and managed by the Elections Commission.

D. All candidates campaigning together in manners including, but not limited to, sharing resources, creating flyers and/or media, posting on any type of forum, attending any official meeting, boothing and/or any publicity event must do so under a registered slate. Candidates may only be a part of one slate at any time.

E. The Slate Declaration Form shall contain the name and contact information of a candidate who shall be designated as the "slate representative." The slate representative shall be contacted and expected to correspond with the Elections Commission on matters concerning:

1. All complaints, hearings, and appeals concerning the declared slate.

2. Filling out and submitting the Slate Financial Form on time. A slate representative will be held liable for failure to turn in the Slate Financial Form on time. In that case, the slate has until midnight of that day from the original deadline time to turn in the required form.

F. Slates shall be permitted to seek the endorsement of organizations, as defined in Article XIV, and have the same responsibilities of completing the "Slate Endorsement Form" should the organization approve of endorsing the slate. Endorsements of a slate shall be counted as an endorsement of all members on that slate once acknowledged by the Elections Commission.

G. Slates must have at least two (2) members in order to be created. Slates represent a mutual pact made by candidates, to make a solid effort towards the benefit of all constituent members.

H. Any candidate who wishes to be removed from a slate must provide either written notification or email to the Elections Commissioner, that explicitly states their desire to be removed from their slate with their signature attached. A candidate is not officially removed from the slate until the Elections Commission has acknowledged receipt of the withdrawal.

I. A slate that wishes to remove a fellow member must provide a written notification to the Elections Commissioner of the member they wish to remove, the reason for this member's removal, and the signatures of at least three-fourths ( $\frac{3}{4}$ ) of the remaining members in that slate.

J. A slate, due to removal, with only one person on it will be dissolved. However, on a case-by-case basis, the Elections Commission may grant a temporary reprieve if a candidate still wishes to recruit for the slate, provided the final deadline to declare a slate has not yet passed.

K. When the Elections Commissioner has recognized and confirmed a candidate to be removed from a slate, the Commission must notify the removed candidate and the slate within a reasonable amount of time.

## **XX. PROHIBITED CAMPAIGNING LOCATIONS DURING ELECTIONS WEEK**

A. No candidate shall solicit votes during Elections Week anywhere on or off campus.

B. No candidate is allowed to provide any polling location under any circumstance other than official polling locations as designated by the Elections Commission.

C. Candidates are prohibited from campaigning inside and within fifty (50) feet of any official polling location as set by the Elections Commission.

D. No candidate is allowed to actively campaign in the ASUCI working space, including but not limited to: the ASUCI student suite, the Student Government and Student Media business offices, and professional staff offices. The act of active campaigning shall be defined by the Elections Commission.

## **XXI. VIOLATIONS OF ELECTIONS REGULATIONS AND PENALTIES**

A. The purpose of the elections code is to protect the rights of the student body to make informed and independent decisions about candidate(s) or slate(s) and other ballot measures, as well as to ensure that candidate(s) or slate(s) have an equal opportunity to garner votes. Therefore, disqualifications should be reserved for instances where there are serious violations of student rights that impede students ability to fairly or fully participate in the democratic process.

B. The Five Levels of Punitive Measures are as follows:

1. Level 1 Censorship: Censorship of a candidate(s) or slate(s) in violation of an ASUCI Elections Code. The censorship will require the Elections Commissioner to review and approve any publicity methods and content the disciplined candidate or slate wishes to utilize over the duration of their censorship period. Censorship would be only reserved to be invoked into action for only during the actual election cycle in order to have some punitive measure on the Candidate or Slate. It may not be employed after the election has ceased/ended. Censorship will require the ASUCI Elections Commission to publish a statement to ASUCI website's elections page (and may employ ASUCI social media) stating that a Candidate, Candidates, Slate, or Slates has/have been found guilty of a said violation and that ASUCI Elections Commission condemns this action by the candidate or slate.

2. Level 2 Restrictions on Posting: Restrictions on Posting will include a moratorium on any type of posting of campaign material for a candidate, slate, candidates, or slates on any surfaces outlined in the UC Irvine posting policy. This moratorium shall last for three days and shall not permit the candidate or slate to put up additional campaign material for three days from the exact time that the ASUCI Elections Commission formally notifies the candidate or slate. It will be noted by the Elections Commissioner what time the ruling was made and that this punitive measure shall last until that time has elapsed for a period of three days. If Level 2 is imposed on a candidate(s) or slate(s), neither they nor their campaign will be able to put up new material, but will be permitted to keep up whatever material they already have. Candidates or slates will also be permitted to continue to booth and pass out campaign material with their campaign team to pedestrians. This measure can only be employed during the election cycle and not after it has ceased.

3. Level 3 Moratorium of Boothing and the Distribution of Campaign Material: This level shall include aspects of Level 2 requiring a candidate(s) or slate(s) and their campaign(s) to cease the posting of campaign material on any surfaces outlined in the UC Irvine posting policy (excluding already posted material), prohibiting boothing for said candidate(s) or slate(s) and their campaign(s) on UC Irvine grounds or anywhere administered by the Student Center that rents spaces, and the ceasing in distribution and solicitation of campaign material to pedestrians for three days. The exact time of this ruling shall again be noted by the Elections Commissioner and recorded and the punitive measure shall be carried out for three days from that time recorded. This measure can only be employed during the election cycle and not after it has ceased.

4. Level 4 Suspension of Campaign: This level shall include the full suspension of a said candidate's or slate's campaign. This includes a full cease in boothing, posting of campaign material, soliciting about one's campaign/candidacy on UC Irvine grounds, and a cease in distribution of campaign material/literature to the general populace. In addition to the suspension of the campaign the ASUCI Elections Commission shall also release a notice like the one from Level 1, expressing the charges and publicly condemning the action of the candidate(s) or slate(s) and their campaign(s) through the medium of the ASUCI Elections website (and the social media available to ASUCI if deemed necessary by the Elections Commission). This punitive measure shall be implemented for a week (7 days) from the ruling and the exact time as to when the ruling was issued and it shall be enforced for seven days from that time. This measure can only be employed during the election cycle and not after it has ceased.

5. Level 5 Disqualification: The measure of disqualification can be evoked both during the election cycle and when it has ceased. It is the only punitive measure that can be enforced at both times. Disqualification shall be reserved as the highest form of punishment for a violation of the ASUCI Elections Code. Its use, like the other levels of the 5 Levels of Punitive Measures, shall be evoked at the discretion of the ASUCI Elections Commission.

C. The following violations are grounds for punitive measures of a candidate or slate, depending on the severity of inappropriate conduct as determined by the Elections Commission:

1. Failure to turn in a Financial Statement/Slate Financial Statement by the deadline specified in Article VII.
2. Receiving donations or endorsements in violation of this Elections Code.
3. Falsifying Candidate or Slate Endorsement forms or endorsements on any advertisement, poster, leaflet, or other campaign materials.
4. Failure to comply with University Policy, which includes Housing Complex Rules and State and Federal Law.
5. Failure to comply with University Posting Policy.
6. Campaigning or public announcement of candidacy or slate prior to filing a Declaration of Candidacy or Slate Declaration Form.
7. Failure by parties or individuals who endorse/support a candidate or slate to abide by the Elections Code.
8. Solicitation of votes inside or within fifty (50) feet of unofficial polling locations.
9. Falsifying a Financial Statement/Slate Financial Statement.
10. Failure to comply with the UCI Principles of Community.

D. All complaints must be submitted on an official ASUCI complaint form. Official complaint forms are available and must be submitted to the front desk of the Student Government and Student Media Business office.

E. Complaints by individuals shall be in writing and shall include the following:

1. The Article, Section, and Part of this code that has been violated and supporting evidence (e.g. images, audio, video, documents, etc.).
2. Who allegedly is in violation.
3. Where the alleged violation occurred.
4. When the alleged violation occurred.

F. Any member of the Elections Commission may initiate a complaint.

G. The Elections Commission shall review all official complaints, and if necessary hold Evidentiary Hearings to try the complaints. Decisions rendered by the Elections Commission will be published as specified in the Elections timeline.

H. The Elections Commission shall provide the accused candidate or slate with an opportunity to respond to the charges in writing or a recorded meeting. The Elections Commission will meet with the accused candidate or slate and the complainant. This meeting is an Evidentiary Hearing and official minutes will be taken by the one of the Deputy Commissioners, to be presented to the Judicial Board to determine whether the decision was made constitutionally in the case that the decision of the Elections Commission is appealed by the candidate or slate.

I. In cases concerning a slate and an appeal has been filed, Elections Commission will set up a panel that the slate members may attend and present evidence and allow Elections Commission to determine responsible parties within a slate for punitive measures.

J. Deadline for submitting complaints and its procedure is outlined in Article VII, Timeline.

## **XXII. PROCESS OF APPEAL**

A. Any candidate or slate may appeal any decision of the Elections Commission to the ASUCI Judicial Board within two (2) school days following the announcement of the Commission's decision. To do so, the candidate or slate must file a "Petition for Hearing" to the Judicial Board Chair, no later than 5pm of the Thursday of the fourth week.

1. The right to appeal shall be forfeited if a candidate or slate fails to file a petition within two (2) school days of the written decision made by the Elections Commission.

B. The petition must explain all charges and contentions, cite the rule, principle or constitutional clauses at issues, and state the remedy sought. The candidate or slate may not introduce new evidence, as the purpose of the hearing is to determine the constitutional soundness of the process of the Elections Commission's decision, not a re-trial of the evidence previously tried.

C. Upon receiving a petition, the Judicial Board shall convene to review the evidence presented and shall make its own determination whether to hold a formal meeting.

D. Any decision of the Judicial Board is final.

E. No appeals will be accepted after the posting of results.

Revised on 2/16/06 per Resolution 41-46 Revised on 5/09/06 per Resolution 41-80 Revised on 3/04/08 per Resolution 43-50 Revised on 2/10/09 per Resolution 44-43 Revised on 6/02/09 per Resolution 44-80 Revised on 11/10/09 per Resolution 45-32 Revised on 11/17/09 per Resolution 45-35 Revised on 3/09/10 per Resolution 45-61 Revised on 5/25/10 per Resolution 45-107 Revised on 5/14/12 per Resolution 47-88 Revised on 2/23/12 per Resolution 48-3 Revised on 11/22/16 per Resolution 52-26 Revised on 10/12/17 per Resolution 53-15 Revised on 10/12/17 per Resolution 53-16 Revised on 11/07/17 per Resolution 53-33 Revised on 11/07/17 per Resolution 53-34 Revised on 2/18/18 per Resolution 53-31 Revised on 2/18/18 per Resolution 53-75