

**ASSC**

**ELECTION**

**CODE**

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## ASSC ELECTION CODE

### I. PURPOSE AND AUTHORITY

- A. This Election Code is established to clarify the eligibility requirements for election or appointment to the Student Senate; to establish procedures for fair and efficient elections; and to promote the broadest level of student participation.
- B. This Code complies with relevant provisions of the California Education Code, Sierra College Board Policies and Administrative Procedures, and the ASSC Constitution and Bylaws. See APPENDIX A for relevant sections.

### II. SCHEDULING OF ELECTIONS

- A. The Election Committee shall determine the dates and voting-hours for all general, special, and recall elections – subject to confirmation by the Student Senate.
- B. The spring general student election shall be held no later than the third week of April.
- C. All elections shall be held on at least two consecutive school days.
- D. It is expected that most elections will be conducted via online balloting. If balloting is not solely conducted online, the Election Committee shall also determine the placement of polling locations. Such polling stations shall be open at least from 10 a.m. to 5:30 p.m., subject to staffing availability.
- E. For elections conducted utilizing polling locations instead of online balloting, absentee ballots shall be available four (4) school days before the election in the Campus Life Office for students who are unable to vote during the election days. Absentee ballots are due in the Campus Life Office by 5:00 p.m. the last day of the election.

### III. ELECTION COMMITTEE

- A. All Associated Students' elections, recalls, and referenda will be overseen by the Election Committee.
- B. The Election Committee shall be comprised of:
  - 1. Associated Students' President (committee chair)
  - 2. Three Student Senate members, appointed by the Student Senate.
  - 3. Three students-at-large, appointed by the President with Senate approval, not members of the Student Senate.
  - 4. Students running for office, or publicly endorsing candidates, are not eligible for appointment to the committee.
- C. The Committee shall ensure that each candidate has been provided with a copy of, or been given online access to, this Election Code. All candidates shall be required to acknowledge in writing they have obtained a copy of this Code and will abide by its procedures, including all rules concerning campaign activities and expenses.

- D. If the Committee chooses to hold one or more candidate forums, it shall conduct them at times and places and in such a manner as to allow for maximum student participation, including a forum during evening class hours.
- E. The Elections Committee shall be impartial in all dealings with candidates, students, and members of the public. Members of the Elections Committee shall not endorse or campaign for any candidate(s), including but not limited to social media posts.
- F. The Campus Life Coordinator shall verify that candidates satisfy eligibility requirements for GPA and units carried. Except as otherwise required by the Education Code or ASSC Bylaws, the Election Committee shall resolve any questions or disputes concerning candidate eligibility, campaign rules, and election protests. Decisions of the Elections Committee shall be the final authority on ASSC elections and election protests.

#### IV. VOTER ELIGIBILITY

All students enrolled at Sierra College are entitled to vote in Associated Students' elections.

#### V. CANDIDATE ELIGIBILITY AND QUALIFICATIONS.

- A. All candidates shall be currently enrolled at Sierra College, have in progress at least five units, have a minimum 2.0 cumulative GPA, and shall meet and maintain any additional minimum standards of scholarship that may be prescribed by the college district. If elected, students must continue to maintain at least five units throughout their term in office.
- B. No candidate may concurrently run for more than one Student Senate office.
- C. The term limits for members of the Student Senate are:
  - 1. The President and Executive Vice President shall be limited to two consecutive semesters each.
  - 2. All other Executive positions shall be limited to four consecutive semesters each.
  - 3. A student may not serve more than six semesters as a member of the Student Senate.
- D. The Campus Life Coordinator and/or the Dean of Student Services shall verify that all candidates meet any additional eligibility requirements that may be imposed by the Cal. Education Code, Sierra College Board Policies and Administrative Procedures, or the ASSC Constitution and Bylaws. See APPENDIX A for relevant sections.

#### VI. CANDIDATE APPLICATION PROCESS

- A. Candidate Applications will be available online five weeks prior to the scheduled election dates. The Application Packet shall include a copy of this Election Code.
- B. For their name(s) to appear on the ballot, candidates must file their applications with the Campus Life Office by no later than the deadline established by the Election Committee.

- C. Students who fail to apply by the established deadline may run as 'write-in candidates' provided they submit a completed Candidate Application to the Campus Life Office at least one school day prior to the first day of balloting. 'Write-In' votes for students not having applied by this deadline shall not be counted as legal votes.
- D. Candidates may not begin campaigning publicly until their eligibility has been confirmed and the date for campaigning to begin has been set by the Election Committee.

## VII. PUBLICITY

- A. The Student Senate and Election Committee shall take all necessary steps to publicize the dates and times of all student elections.
- B. A list of candidates and/or Voter Guide shall be posted in the Campus Life Office, the Sierra College website, and in ASSC social media platforms.
- C. Announcements for all ballot initiatives, referendums and Constitutional amendments shall be made and publicized at least ten school days prior to the election.

## VIII. CANDIDATE POSTING AND CAMPAIGNING

- A. Candidates and campaign workers shall not engage in campaign activities that interfere with or disrupt the teaching or administrative functions of the college. On-campus campaign events, if any, shall not use any amplified sound.
- B. Candidates may use signs, banners, leaflets, and posters for their campaign. The Election Committee may prescribe size and material limitations.
- C. Posting of campaign literature is permitted on campus bulletin boards and other campus locations where postings are normally authorized. In addition to this Code, all candidates must follow the college's normal posting regulations; all items shall be subject to review and approval by the Campus Life Coordinator or their designee in the Campus Life office.
- D. Campaign literature shall not be posted on windows, glass doors, or vehicles other than the candidate's vehicle itself. Banners may not be placed on the college's infrastructure or buildings.
- E. No candidate, or candidates' representative, may deface or remove any other candidate's campaign material. Complaints of violations shall be referred to the Elections Committee and may result in disqualification.
- F. For any election held in whole or part by means of on-campus polling locations, on the days of the election, there shall be no voter solicitation of any form (including banners, posters and flyers) within 50 feet of any polling station or 10 feet from any building where voting is taking place.
- G. Candidates, whether successful or not, shall remove all campaign signs, posters, and banners by 10:00 p.m. the Friday of election week.

- H. No support or endorsement may be solicited for candidates or initiatives/referenda from faculty, staff, administration, or non-student employees of the College. This does not prohibit asking permission to speak in front of classes.
- I. Except for college-recognized Clubs, ASSC-funded organizations are prohibited from endorsing candidates.
- J. If candidates choose to create or use social media accounts for campaigning, they shall submit a link to the account(s) or provide the username(s) to the Election Committee.
- K. All campaign materials, including social media posts, must adhere to any rules established by Title IX, the College, or ASSC concerning student conduct, including but not limited to Student Code of Conduct, Harassment, Defamation, etc.
- L. Candidates are encouraged to adopt environmentally sustainable practices when preparing and distributing campaign materials and while engaging in any campaign-related activities.

#### IX. ALLOWABLE CAMPAIGN EXPENSES

- A. Except as provided below, ASSC funds and supplies may not be used for campaign purposes:
  - 1. Candidates for President/Student Trustee may have up to fifty (50) 8-1/2"x11" color flyers printed for them by the Campus Life Office. Candidates for all other offices may have up to twenty-five (25) flyers printed.
  - 2. Candidates for President/Student Trustee may be reimbursed by the Campus Life Office for the cost of mileage [IRS Rate] to visit the two satellite campuses for campaign purposes. Each candidate is authorized two round trips to the Rocklin and Nevada County campuses and one round trip to the Tahoe-Truckee campus. Candidates may be reimbursed for utilizing Uber/Lyft in lieu of mileage. Candidates are encouraged to ride-share when possible.
- B. The maximum campaign expenditures per candidate including the fair market value of any donated materials or services, shall be limited to:
  - 1. President/Student Trustee: \$500
  - 2. Executive Vice-President: \$250
  - 3. Directors: \$100
  - 4. Student Senators: \$50
  - 5. The cost of power or hand tools needed to assemble campaign materials is exempt.
  - 6. Costs, if any, associated with a candidate's pre-existing social media account(s) are exempt. Costs associated with set-up of campaign-specific websites or social media accounts are included in these limits.
  - 7. If campaign materials solicit votes for more than one candidate, each candidate will be assessed the full value [or 50%] of the materials used.
  - 8. Campaigns may accept contributions from other students but are prohibited from offering *quid pro quo* incentives. E.g., 'Vote for X and receive a coupon for a free pizza.'

9. Candidates shall provide the Election Committee with a statement of all expenses and donations by no later than five days following the last day of the election.

## X. BALLOTING

- A. Voting shall be conducted electronically through an online platform selected by the Student Senate with the assistance of the Campus Life Office. The Election Committee, working with the Campus Life Office, shall be responsible for preparing ballots and other voting materials.
- B. Names on the ballot shall be listed in random order by legal name, separated by office. All ballot records shall be kept for a minimum of four weeks following the election.
- C. Tabulation of Ballots
  1. The candidate(s) receiving the highest number of votes [plurality] shall be elected. In case of a tie, Student Senate will elect one of the tied candidates by majority vote.
  2. Where candidate(s) for office are running unopposed, the ballot shall include an option for members to vote 'no' to reject the candidate.
  3. Candidates running unopposed for an Executive Office must receive a majority vote to be elected. Example: If 400 total ballots are cast for that office, including 'No' votes, an unopposed candidate must receive at least 201 affirmative votes.
  4. Candidates running unopposed for a Senator position must receive at least 20% of the votes cast for that office to be elected. Example: If 400 total ballots are cast for the office of Senator, including 'No' votes, an unopposed candidate must receive at least 80 affirmative votes.
  5. If a write-in candidate is unopposed, they must receive affirmative votes representing at least 10% of the total number of ballots cast. Example: If the total number of ballots cast in the election is 400, an unopposed write-in candidate must receive at least 40 affirmative votes. Successful write-in candidates are subject to confirmation of eligibility.

## XI. ELECTION PROTESTS

- A. All election results shall be unofficial until the period for filing an election protest has closed.
- B. All complaints of violations of the Elections Code must be presented, in writing, to the Campus Life Coordinator. The complaint must be signed and have contact information. Anonymous complaints will not be considered.
- C. All candidate(s) involved in the protest shall be invited to meet with, or respond in writing to, the Election Committee.
- D. The Election Committee will review the complaint and render a decision within five days of receiving the complaint. If necessary, the Election Committee may extend this deadline by up to five school days. The Election Committee may

deem a charged candidate's failure to personally appear or to respond in writing to be sufficient cause to sustain the protest. If a candidate has been shown to have violated any provision of this Election Code, the Elections Committee will determine the penalty. Violations could result in, but not limited to, any or all of the following actions: formal written warning; formal public letter of reprimand; limitation of ability to campaign; disqualification of candidacy.

- E. Except for disqualification, the penalty for Election Code violations shall be determined by a majority vote of the committee. Disqualification of a candidate shall occur only if the Election Committee determines, by a two-thirds (2/3) vote of members present, that the violation substantially affected the outcome of the election for that office. Disqualified candidates will be ineligible to run for or be appointed to any ASSC office for up to one full semester. The period of ineligibility shall be determined by the Election Committee.
- F. If a successful candidate is disqualified, the next candidate with the most votes will be declared the winner for that position provided they attained at least 30% of the votes cast. The Election Committee may call for a Special Election if it deems it necessary; alternatively, the position may be deemed vacant.
- G. The Elections Committee, by a 2/3 vote of the members present, may invalidate all or any portion of an election when a hearing by the Elections Committee has shown that sufficient evidence exists that violations of the Election Code may have significantly affected the outcome of the election.
- H. The Election Committee shall keep minutes of its meetings and provide copies to the incumbent Student Senate once the election protest period has ended.

## XII. VACANCIES & APPOINTED POSITIONS

- A. An office is deemed vacant when any of the following occurs:
  - 1. No one was elected to the position.
  - 2. The individual in office resigns.
  - 3. The individual in office is recalled.
  - 4. The individual is impeached.
  - 5. The individual in office is elected or appointed to another position.
  - 6. The individual no longer meets the eligibility requirements in place at the time of their election or appointment.
  - 7. Death or severe incapacity of the individual in office.
- B. NOTICE OF VACANT OFFICES AND APPOINTMENTS
  - 1. If the President/Student Trustee position becomes vacant, a special election shall be held within 30 days to fill the position (Board Policy 2105). The election deadlines and timelines prescribed by Article VIII of these Bylaws shall not apply to special elections. The Election Committee shall prepare an appropriate schedule to ensure the election is completed within 30 days. Vacancies in all other positions may be filled by a majority vote of the Student Senate.
  - 2. The Student Senate Director of Public Relations, working with the Campus Life Coordinator, shall ensure immediate publication of all vacancies,



- including notices on the ASSC website and social media accounts.
3. The deadline for applications shall be seven calendar days from the posting of the vacancy. Interested students must submit a Student Senate Application to the Campus Life Office, which shall confirm the student meets eligibility requirements.
  4. Applicants must then attend four [4] consecutive meetings (starting at the meeting they turn in their packet) to complete the appointment process.
  5. At the third meeting they attend, the Student Senate will interview the candidate concerning their qualifications. The Chair will then ask for a nomination from the floor to move the candidate to an “Action Item” at the next meeting. If no nomination occurs, the candidate will not move forward.
  6. At the fourth meeting, the Student Senate shall vote on the appointment.
  7. If another position on the Senate has become vacant during this four-week period, a candidate may elect to change the position for which they apply.
  8. If there are two or more candidates for a vacancy; the candidate with the most votes shall be appointed [Plurality]. In case of a tie, the President shall make the tie-breaking vote.
  9. Unopposed Candidates must receive a majority vote of the Student Senate to be appointed.
  10. A rejected candidate must resubmit a new application to be considered for another appointment.
  11. The Student Senate may waive the requirement for attendance at four consecutive meetings if an applicant has previously served on the Student Senate or has previously applied for a position and satisfied the meeting requirements.
  12. The Student Senate will not accept applications for appointment during the following periods:
    13. After the spring election until the beginning of the fall semester.
    14. After the spring semester add/drop period.

### XIII. SPECIAL ELECTIONS

- A. “Special election” means an election other than a regular election to decide referenda, recalls of Student Senate members, or filling of vacancies.
- B. A special election is mandatory in the case of a recall or a vacancy in the position of ASSC President/Student Trustee. For the latter, the special election must be held within 30 calendar days after notice of the vacancy has come to the attention of the Campus Life Coordinator. Special elections for recalls must be held within 30 school days after presentation of the petition.
- C. The Student Senate may call for a special election to bring a constitutional amendment to the student body for a vote, to conduct referenda, or to fill a vacancy on the Student Senate.
- D. The Election Committee may schedule a special election if a successful candidate is disqualified and the next candidate with the most votes did not attain at least 30% of the votes cast, or if the Election Committee has invalidated all or a

portion of an election due to violations sufficient to have affected the outcome of the election.

- E. The election deadlines and timelines prescribed by Article VIII of this Code shall not apply to special elections. The Election Committee shall prepare an appropriate schedule to ensure that special elections are completed within 30 days. The Election Committee shall give public notice of the election dates, timetable, and where to obtain further information and applications.
- F. Poll Locations and/or electronic balloting shall be open for a minimum of two consecutive days.
- G. Special elections shall have at least one (1) forum/debate.
- H. There shall be no write-in candidates for special elections.
- I. If a special election cannot be completed by the end of the current semester due to limited school days, it shall take place within 30 days after the beginning of the following semester, not including summer session.
- J. If an office becomes vacant during the summer, it shall remain vacant until the fall semester when a special election can be held.

#### XIV. RECALL

Any member of the Student Senate is subject to recall by a vote of the ASSC students. A petition to recall a member of the Student Senate must be signed by five percent of the registered students. All names listed on petition will be verified by college officials. A special election shall be called within 30 school days after presentation of petition. During the special election, a majority of the votes cast must be in favor of the recall. If a recall is successful, the vacancy shall be filled pursuant to Section XI.

#### XV. AMENDMENTS

This Code may be amended by a majority vote of the Student Senate, but any amendments adopted within ten weeks prior to an election shall not take effect until the next semester.

## APPENDIX A

### Cal. Education Code. ARTICLE 4. Student Organizations Section 76061.

A student who is elected to serve as an officer in the student government of a community college shall meet any of the following requirements:

(a) (1) The student shall be enrolled in the community college at the time of election, and throughout the student's term, with a minimum of five semester units, or the equivalent quarter units.

(2) The student shall meet and maintain the minimum standards of scholarship prescribed for community college students by the community college district.

(b) The student shall be enrolled in an adult education program offered by a community college district pursuant to Article 9 (commencing with Section 84900) of Chapter 5 of Part 50, at the time of the election and throughout the student's term.

(c) The student is enrolled in the community college at the time of election, and throughout the student's term, and is a disabled student, as defined in subdivision (b) of Section 84850.

*(Amended by Stats. 2022, Ch. 79, Sec. 1. (AB 1736) Effective January 1, 2023.)*

## ASSC CONSTITUTION

### Article VI: The Sierra College Student Senate

#### Section 1: Membership

The Student Senate shall consist of an executive board and 12 (twelve) Student Senators. The executive board and Senators shall be elected and/or appointed to serve the students, by the students of the college pursuant to the election procedures established by The Sierra Joint Community College District, Administrative Procedure 5410, California Education Code, Section 760615 and the Student Senate Bylaws.

#### Section 2: Eligibility

To be eligible to apply and hold office for the Student Senate, the following criteria must be met:

- A. Student Senate members must have a minimum of a 2.0 cumulative GPA to be elected or appointed to an office.
- B. Every Student Senate member shall be currently enrolled at Sierra College and shall have completed and/or have in progress at least 5 (five) units during each semester of their tenure in office.
- C. Student Senate members shall not concurrently hold more than one Student Senate position.
- D. Office hours are to be completed weekly by members of the Student Senate. Executive Officers are required to complete a minimum of 2 (two) office hours and Student

Senators are required to complete 1 (one) office hour a week. Failure to complete these requirements will result in reduction of stipends and are grounds for removal from the Student Senate.

- E. Executive Officers are required to sit on at least one participatory governance entity as the official ASSC representative. Student Senators are not required to partake in shared governance but are highly encouraged.
- F. Specific duties and responsibilities are outlined in the Student Senate Bylaws

### Section 3: Term

The term of office for a member of the Student Senate is for one year commencing on June 1st and ending on May 31st of the following year. The term of office for the President/Student Trustee is May 15th until the following May 15th. The election for the following term shall be held in the spring. Any person appointed to a vacant position shall serve the remainder of the term.

- A. The following term limits shall be observed:
  - 1. The President and Executive Vice President shall be limited to two consecutive semesters each.
  - 2. All other Executive positions will be limited to four consecutive semesters each.

### Article X: Removal from Office

#### Section 1: Recall

Any member of the Student Senate is subject to recall by the ASSC. A petition to recall any member of the Student Senate must be signed by 5 (five) percent of the associated students. All names listed on petition will be verified by college officials. Only members of the ASSC who sign the petition will count towards the total number. A mandatory special election shall be called within 30 (thirty) school days after presentation of petition. During the special election, a majority of the votes cast must be in favor of the petition.

### ASSC BYLAWS

### Article VIII ELECTIONS

#### Section 1: Voter Qualification

- A. All students enrolled at Sierra College are entitled to vote in all Associated Students' elections.
- B. The Student Senate shall adopt Policies and Procedures to govern elections procedures, elections oversight, candidate eligibility and qualifications, campaign rules, and a process for adjudicating election protests. All such policies and procedures must be consistent with applicable provisions of the ASSC Constitution, Sierra College Administrative Procedure 5410, Sierra College Board Policy 2105, and the laws and regulations incorporated therein.

### Section 3: Election Committee

- A. All Associated Students' elections, recalls, and referenda will be overseen by the Election Committee.
- B. The Election Committee is comprised of:
  - 1. Associated Students' President (committee chair)
  - 2. Three Student Senate Members, appointed by the Student Senate.
  - 3. Three students at large appointed by the President with Senate approval, not members of the Student Senate nor the club coordinating the election.
  - 4. Members running for office or endorsing candidates are not eligible for appointment to the committee.

### Section 4: Elections

- A. The Student Senate shall determine the dates, location(s), and times for all elections, recalls, or referenda.
- B. The spring student election shall be held no later than the third week of April.
- C. All elections shall be held on at least two consecutive school days.
- D. The polls shall be opened from 10 a.m. to 5:30 p.m. (subject to staffing availability).
- E. Absentee ballots will be available four (4) school days before the election in the Campus Life Office for students who are unable to vote during the election days. Absentee ballots are due in the Campus Life Office by 5:00pm the last day of the election.

### Section 5: Election Eligibility and Qualifications

- A. All candidates must meet the qualifications set forth in the Associated Students' Constitution and Bylaws at the time they submit their application.
- B. No student may concurrently run for more than one Student Senate office.
- C. The term limits for members of the Student Senate are:
  - 1. The President and Executive Vice President shall be limited to two consecutive semesters each.
  - 2. All other Executive positions shall be limited to four consecutive semesters each.
  - 3. A student may not serve more than six semesters as a member of the Student Senate.
- D. Voter Turnout:
  - 1. The candidate(s) receiving the highest number of votes [plurality] shall be elected. In case of a tie, the incumbent Board of Directors may choose either to elect one of the tied candidates by majority vote or may choose to resolve the tie by a drawing of lots.
  - 2. Where candidate(s) for office are running unopposed, the ballot shall include an option for members to vote 'no' to reject the candidate.
  - 3. Candidates running unopposed for an Executive Office must receive a majority vote to be elected.
  - 4. Candidates running unopposed for a Senator position must receive at least 20% of the vote to be elected.
  - 5. Successful write-in candidates are subject to confirmation of eligibility.

**Adopted April 2024; Amended November 2024**