



CALIFORNIA STATE UNIVERSITY, FULLERTON™

A RESOLUTION TO AMEND THE POLICY CONCERNING ASI ELECTIONS

Sponsors: Brian Rubio

WHEREAS, the Associated Students, Incorporated (ASI) is a 501 (c)(3) nonprofit organization that operates as an auxiliary organization of California State University, Fullerton; and

WHEREAS, ASI is governed by ASI Board of Directors, sets policy for the organization, approves all funding allocations to programs and services, and advocates on behalf of student interests on committees and boards; and

WHEREAS, the ASI Policy Concerning ASI Elections provides guidance on the facilitation of the ASI Elections program to elect the ASI President and Vice President and sixteen ASI Board of Director college representatives each spring; and

WHEREAS, the ASI Policy Concerning ASI Elections was established in spring 2019, and has last been reviewed and revised in fall 2019 and spring 2021; and

WHEREAS, periodically ASI as an organization must review its policies to ensure that current operations mirror the requirements as outlined in these governing documents and that minor language, grammar, spelling, and punctuation corrections are made; and

WHEREAS, the recommended removal of the recount language in the outlined process to determine winners will help reinforce the thoroughly established complaint and appeals processes via the Elections Judicial Council and ASI Board of Directors and the certification procedures outlined; and

WHEREAS, the Office of the Chancellor has provided system-wide guidelines known as the CSU Minimum Qualifications for Student Office Holders which established eligibility criteria for candidate unit load, candidate residency, incumbent unit load, incumbent maximum allowable units for student leaders in holding roles as Major Student Government Offices, Minor Representative Officers, and Systemwide Committee Appointees¹; and

WHEREAS, the CSU defines Major Student Government Offices as students who are executive officers or board members on student government; students who serve on campus auxiliary organizations (student union, recreation centers, foundations and commercial enterprises); and students who are officers or board members of California State Student Association (CSSA)¹; and

WHEREAS, the recommended changes to the ASI policy will reflect that the ASI leadership

¹ See attachment.

positions elected during the ASI Elections constitute Major Student Government Offices¹ and the relevant eligibility criterion established for holding these major offices; and


WHEREAS, the additional inclusion of incumbent training attendance codifies the requirement of ASI student leaders to attend training throughout their leadership term from June 1 to May 31, and provides additional accountability guidelines to ensure student leaders receive adequate preparation and onboarding to serve their constituency; and

WHEREAS, the recommended language clarifies requirements of write-in candidates and reinforces that these students are upheld to the same candidate eligibility requirements during the election and incumbent requirements if elected; and therefore, let it be

RESOLVED, ASI approves the amendments to the ASI Policy Concerning ASI Elections effective immediately to add clarity to policy language related to appropriate reference of system-wide eligibility criteria, enhancing accountability measures for student leader training attendance, focusing candidate recourse avenues on the current complaint and appeals processes, clarifying write-in candidate expectations, and correcting other minor language, grammar, spelling, and punctuation errors; and let it be finally

RESOLVED, that this Resolution be distributed to the ASI Executive Director and applicable departments and staff.

Adopted by the Board of Directors of the Associated Students Inc., California State University, Fullerton on the third day of December in the year two thousand and twenty-four.


ASI Board Chair (Dec 3, 2024 23:14 PST)

Gavin Ong
Chair, Board of Directors


Noah Alvarez (Dec 7, 2024 09:46 PST)

Noah Alvarez
Secretary, Board of Directors

MINIMUM QUALIFICATIONS FOR STUDENT OFFICE HOLDERS

Given the representative, fiduciary, legal, and other long-range policy-making responsibilities and influence of student office holders, it is the policy of the California State University (CSU) that student office holders and systemwide committee appointments have an obligation to demonstrate academic involvement, achievement, and progress.

All student representatives, candidates, and incumbents for major and minor office positions must be matriculated at a CSU campus maintaining a minimum on-campus 2.0 term grade point average (GPA), are in good standing, and must not be on academic, disciplinary or administrative probation. This requirement applies to the major student government offices defined below, minor student representative offices as defined by the campus, and student representatives to systemwide committees.

These requirements are minimum qualifications. The campus president or designee is authorized to increase the minimum qualifications and establish additional requirements as determined by the campus.

MAJOR STUDENT GOVERNMENT OFFICES

Major student offices include students who are executive officers or board members on student government; students who serve on campus auxiliary organizations (student union, recreation centers, foundations and commercial enterprises); and students who are officers or board members of California State Student Association (CSSA).

Candidate Requirements

A. Candidate Unit Load

Undergraduate candidates must maintain 6 semester (9 quarter) units per term while running for office. Graduate and credential student candidates must maintain 3 semester (4 quarter) units per term while running for office.

B. Candidate Residency

Undergraduate candidates for office must have been enrolled on the campus and have completed at least one semester or two quarters prior to the election, earning a minimum of 6 semester (9 quarter) units during that year. Graduate and credential candidates must be currently enrolled on the campus in a minimum of 3 semester (4 quarter) units per term to be eligible.

Year-round quarter campuses may establish a lower number of quarter units that new graduate and credential students must earn to fulfill candidate residency requirements for major student government offices.

Incumbent Requirements

A. Incumbent Unit Load

Undergraduate students must earn 6 semester (9 quarter) units of credit per term while holding office. Graduate and credential students must earn 3 semester (4 quarter) units of credit per term while holding office.

Students enrolled at quarter campuses must attend a minimum of two quarters during the academic year to maintain eligibility. However, year-round quarter campuses may require student office holders to be enrolled a minimum of three quarters during the calendar year to maintain eligibility.

B. Incumbent Maximum Allowable Units

Undergraduate students are allowed to earn a maximum of 150 semester (225 quarter) units or 125 percent of the units required for a specific baccalaureate degree objective, whichever is greater. Graduate and credential students are allowed to earn a maximum of 50 semester (75 quarter) units or 167 percent of the units required for the graduate or credential objective, whichever is greater. Students holding more than this number of units will no longer be eligible for major student government office.

MINOR REPRESENTATIVE OFFICERS

CSU student presidents and treasurers of campus-approved student clubs and organizations shall be defined as minor representative student officers. The campus president or designee retains the authority to define additional minor representative officers as appropriate.

Candidate Requirements

Requirements regarding unit candidate unit load and candidate residency are determined by the campus president or designee.

Incumbent Requirements

A. Incumbent Unit Load

Undergraduate incumbents must earn 6 semester (9 quarter) units per term while holding office. Graduate and credential incumbents must earn 3 semester (4 quarter) units per term while holding office.

Students enrolled at quarter campuses must attend a minimum of two quarters during the academic year to maintain eligibility.

B. Incumbent Maximum Allowable Units

Undergraduate students are allowed to earn a maximum of 150 semester (225 quarter) units or

125 percent of the units required for a specific baccalaureate degree objective, whichever is greater. Graduate and credential students are allowed to earn a maximum of 50 semester (75 quarter) units or 167 percent of the units required for the graduate or credential objective, whichever is greater. Students holding more than this number of units will no longer be eligible for minor student government office.

SYSTEMWIDE COMMITTEE APPOINTEES

All students who are appointed by the CSU to serve on regular or ad hoc systemwide committees must meet the following criteria.

Candidate Requirements

A. Candidate Unit Load

Requirements regarding candidate unit load are determined by the campus president or their designee.

B. Candidate Residency

Undergraduate nominees for systemwide committee appointment must have been enrolled in the CSU system and have completed one semester (two quarters) prior to the appointment, earning a minimum of 6 semester (9 quarter) units during that year. Graduate and credential candidates must be currently enrolled on the campus in a minimum of 3 semester (4 quarter) units per term to be eligible.

A. Incumbent Unit Load

Undergraduate students must earn a minimum of 6 semester (9 quarter) units per term while serving on a committee. Graduate and credential students must earn a minimum of 3 semester (4 quarter) units per term while serving.

Students at quarter campuses must attend a minimum of two quarters during the academic year to maintain eligibility.

B. Incumbent Maximum Allowable Units

Undergraduate students are allowed to earn a maximum of 150 semester (225 quarter) units or 125 percent of the units required for a specific baccalaureate degree objective, whichever is greater. Graduate and credential students are allowed to earn a maximum of 50 semester (75 quarter) units or 167 percent of the units required for the graduate or credential objective, whichever is greater. Students holding over that number of units will no longer be eligible to participate on systemwide committees.

EXCEPTIONS

Under extraordinary circumstances the campus president or designee may make an exception to the requirements for unit load, maximum allowable units, residency, and GPA.

POLICY CONCERNING ASI ELECTIONS

PURPOSE

The following policy has been established in order for the Associated Students Inc. (ASI) to facilitate [the](#) elections of the ASI President, Vice President, and Board of Directors. The policy includes an overview of ASI Elections, qualifications, candidacy, complaints, and enforcement.

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All referenda, initiatives, and recalls..... 10

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WHO SHOULD KNOW THIS POLICY

- | | |
|---|---|
| <input type="checkbox"/> Budget Area Administrators
<input type="checkbox"/> Management Personnel
<input checked="" type="checkbox"/> Supervisors
<input checked="" type="checkbox"/> Elected/Appointed Officers | <input type="checkbox"/> Volunteers
<input type="checkbox"/> Grant Recipients
<input checked="" type="checkbox"/> Staff
<input checked="" type="checkbox"/> Students |
|---|---|

DEFINITIONS

For Purpose of this policy, the terms used are defined as follows:

Terms	Definitions
Automatic Disqualification	Occurs immediately due to the Elections Judicial Council’s vote on violation(s).
Campaigning	Any effort by any individual or group to influence the decision of any potential voter in support or against any candidate or candidate team appearing on the ballot.
Candidate	One (1) student who has filed the “Petition for Candidacy” forms, attended the mandatory candidate orientation, and fulfilled the requirements to run for office as stated in ASI Policy.
Candidate team	Two (2) students who have filed the “Petition for Candidacy” forms with the intention of running for ASI President and Vice President, attended the mandatory candidate orientation, and fulfilled requirements to run for office as stated in ASI Policy.
Disqualification	This is a condition under which a person may not assume, continue in, or run for any elected or appointed ASI position. Can only be finalized by the Elections Judicial Council.
Removal from the ballot	A candidate running for elected ASI office is removed from the ballot. These candidates are prevented from running for ASI office as a write-in candidate.
Violation	A formal complaint that has been filed with and confirmed by the Elections Judicial Council.
Write-In Candidate	Any person who runs for office within ASI and does not have their name pre-printed on the ballot. Write-in candidates shall have the same rights and responsibilities as all other candidates, except they did not attend the Candidate Orientation.

STANDARDS

1. ELECTIONS

Each year, the [CSU-Cal State Fullerton](#)’s Student Body shall elect the ASI President, ASI Vice President, and ASI Board of Directors for the upcoming academic year. The elections shall be held Tuesday through Wednesday three weeks prior to Spring Recess.

Public notice of an election must be given to ~~student~~the student body no later than ten (10) legal days prior to the election. The notice shall specify the place(s), the legal day(s), the hours of such elections, and the general nature of the issue(s) to be decided.

The ASI President and Vice President shall run as a candidate team. Individual candidates for either office shall not be allowed. An ASI Board of Director ~~candidate~~candidate must run in one academic college which they are enrolled.

No member of the ASI Executive Officers or ASI Board of Directors shall serve in any other position that receives a financial award or scholarship.

2. VOTING PROCEDURES

Voting will take place ~~the~~ Tuesday through Wednesday three weeks prior to Spring Recess. Voting will open at 8:00 AM PST on the first day and close at 8:00 PM PST on the final day.

Candidates are required to use their name on record with CSU-Cal State Fullerton on the ballot. The order of candidates appearing on the ballot will be in alphabetical order.

Each student shall be required to authenticate their eligibility to vote by entering their CSU-Cal State Fullerton credentials on the voting website. A student will vote on a single ballot, in most to least preferred: ASI President and Vice President and ASI Board of Directors.

When voting for the ASI Board of Directors, the student will be voting in the academic college which they are enrolled. If a student is undeclared, they may choose which one academic college to vote in. If a student has multiple declared majors in different academic colleges, they shall choose one academic college that they are enrolled to vote in. If a student is voting for a write-in candidate their name must be spelled correctly, as CSU-Cal State Fullerton has on record, for the vote to count.

3. DETERMINING WINNERS

The Instant Run-Off Voting method will be used to count the votes. On the ballot, voters will rank candidate teams and Director candidates in order of most preferred to least preferred. The Instant Run-Off Voting method simulates an election with multiple run-off rounds until a candidate receives a majority.

The winners will be the candidate or candidate team who receives a majority of votes in the regular election. A majority shall be defined as 50% plus one individual vote of the total votes cast.

President and Vice President:

- If no candidate team receives a majority of votes in the regular election, the candidate team with the fewest votes shall be eliminated and an Instant Run-Off will occur, as defined by the Instant-Runoff Voting method.
- The eliminated candidate team's votes are transferred to the other candidate team(s), depending on each voter's preference as stated on their ballot. An Instant Run-Off election will be simulated with the new vote totals. This process will repeat until a candidate team receives a majority of votes.

ASI Board of Directors:

- The winners shall be the two (2) candidates from each college who receive the most votes.
- If two candidates tie for second place, the candidate(s) with the fewest votes shall be eliminated and as Instant Run-Off will occur, as defined by the Instant-Runoff Voting method.

- The eliminated candidate(s) votes are transferred to the other candidates, excluding the candidate that received the highest vote total, depending on each individual voter's preference as stated on their ballot. The winner shall be determined by a simulated election based on the new voting totals.

If no candidate or candidate team receives a majority of votes in the regular election, the candidate or candidate team with the fewest votes shall be eliminated and an Instant Run-Off will occur. The eliminated candidate or candidate team's votes are transferred to the other depending on each voter's preference as stated on their ballot. A Run-Off election will be simulated with the new vote totals. This process will repeat until a candidate or candidate team receives a majority of votes.

At the close of the elections the results will be counted. If there are no pending complaints or appeals, the Elections Director will submit the results to be certified within twenty-four (24) hours. The certification process will include review by the Elections Director, [ASI Executive Director](#) or designee, and the Vice President of Student Affairs or designee. Results are only certified after any complaints have been heard by the Elections Judicial Council and appeals have been heard by the Board of Directors. Once certified, the results shall be released to the public.

Recounts

~~Recounts may be requested by any candidate for the position in which they are running if there is a reason to believe the count was inaccurate. Recounts must be requested before the results have been certified.~~

4. ELECTIONS TEAM

The Elections Team shall be composed of the Elections Director and two (2) Coordinators. They shall be responsible for promoting ASI Elections and encouraging participation and promotional events for ASI Elections.

The Elections Team shall encourage students to run prior to the Petition for Candidacy form due date, promote voter participation prior to and throughout the election, plan and execute ASI Elections events, and have thorough knowledge and understanding of election rules and procedures.

The Elections Team shall maintain impartiality towards elections. The Elections Team will not campaign in any election nor publicly support any candidate or cause in any election they are overseeing. The Team will not have any other ASI [student leadership](#) position in a [Major Student Government Office](#) during their term, and will sign an ASI Conflict of Interest Agreement in accordance with California Education Code. The [Elections](#) Team is prohibited from privately discussing elections except with the Elections Advisor.

The Elections Team reserves the right to remove any campaign materials in violation of the guidelines provided in this policy.

Additional Elections Director Duties

The Elections Director will be required to follow the responsibilities:

- Oversee ASI Elections.
- Accountable for implanting and enforcing all provisions of the ASI Bylaws and ASI Policy that pertain to ASI Elections.
- Recruit, oversee, and train the Elections Coordinators.
- Chair the Elections Judicial Council.
- Submit a budget request for the next fiscal year to the ASI Board of Directors Treasurer in compliance with the established budget process and deadlines.

- Reassess and reevaluate current practices pertaining to ASI Elections.
- After the candidate certification, the Elections Director shall provide a report to the ASI Board of Directors summarizing the election and proposing any recommendations for the following year.
- Recommend the Board of Directors to remove any member(s) from the ASI Elections Team for due cause.

If any interpretation or question of these Bylaws is required, the Elections Director shall consult the Elections Advisor first prior to announcing a decision.

a. Appointment of Elections Team

The Elections Director shall be appointed by the incumbent President and confirmed by a majority vote of the ASI Board of Directors. The Elections Coordinators shall be appointed by the incumbent President, upon recommendation of the incoming Elections Director, and confirmed by a majority vote of the ASI Board of Directors.

The Elections Director and/or Elections Coordinator(s) may be removed for cause by a two-thirds vote of the ASI Board of Directors.

In the event of a vacancy in the position of the Elections Director and/or Elections Coordinator(s), the President shall appoint a new Elections Director and/or Elections Coordinator(s) confirmed by a majority vote of the ASI Board of Directors.

5. CANDIDATE AND INCUMBENT ELIGIBILITY

At the time of filing for candidacy and throughout their term, elected ASI student leaders must meet and maintain the requirements outlined below. All students must also be in good standing and must not be on academic or disciplinary probation. Once grades are finalized by the university at the end of a regular semester (fall and spring), eligibility is checked and certified by the Office of the Vice President for Student Affairs. Changes, corrections, or other modifications to grades or academic records must follow standard university process and do not reestablish eligibility. Eligibility can only be reestablished at the completion of the standard university process and after a recheck and certification of eligibility by the Office of the Vice President for Student Affairs.

These Eligibility requirements are established by the CSU system as the Minimum Qualifications for Student Office Holders. The below criteria pertain to the CSU definition of Major Student Government Offices. Major student offices include students who are executive officers (ASI President and Vice President) or board members (ASI Board of Directors) on student government. These eligibility requirements are not able to be suspended by the ASI Board of Directors and ineligibility based on CSU established requirements are not appealable.

a. Candidate Residency

Undergraduate student candidates for office must have been enrolled at CSU-Cal State Fullerton for one semester preceding the election, earning a total of at least six (6) semester units during that semester. New graduate students who received a bachelor's degree or credential within the past three (3) years from CSU-Cal State Fullerton must have earned a total of twelve (12) units during their last year as an undergraduate to be eligible. Graduate student candidates for office must have earned at least six (6) semester units per term of continuous attendance as a new graduate student to be eligible.

b. Candidate Grade Point Average

All student candidates for, or current student officers serving in, an elected or appointed position within ASI must be in good standing, must not be on probation, must have earned a CSU-Cal State Fullerton semester grade point average of 2.0 and a CSU-Cal State Fullerton cumulative grade point average of 2.5 for all classes at CSU-Cal State Fullerton during the semester prior to their candidacy, and must

maintain these standards.

c. Candidate Unit Load

Undergraduate student candidates must maintain at least six (6) semester units per term while running for office. Graduate student candidates must maintain at least three (3) semester units per term while running for office.

d. Faculty or Staff

A student candidate for office may not be a member of the faculty or staff at [CSU-Cal State Fullerton](#). This does not apply to faculty or staff appointed positions. Graduate assistants shall not be considered faculty or staff.

e. Incumbent Grade Point Average

All student officers serving in an elected or appointed position within ASI must be in good standing, must not be on probation, must have earned a Cal State Fullerton semester grade point average of 2.0 and a Cal State Fullerton cumulative grade point average of 2.5 for all classes at Cal State Fullerton during the semester prior to starting their term of office. Officers must maintain these standards for each semester during their term.

e.f. Incumbent Unit Load

Undergraduate student officers must earn six (6) semester units of credit per term while holding office. Graduate student officers must earn three (3) semester units of credit per term while holding office.

f.g. Incumbent Maximum Allowable Units

Undergraduate student officers are allowed to earn a maximum of 150 semester units or 125 percent of the units required for a specific baccalaureate degree objective, whichever is greater. Graduate student officers ~~are allowed to~~can earn a maximum of 50 semester units. Students holding over the maximum allowable units are no longer ~~be~~ eligible for office.

h. Incumbent Training Attendance

Undergraduate and graduate student officers are required to attend all leadership development training dates throughout their elected term beginning June 1 through May 31 of the academic year. This includes Student Government Installation and the first Board of Directors meeting on the first business day after June 1, all June and August summer training activities, and January winter training activities.

Excusals may be granted for unanticipated illness, emergency, or university business relating to the responsibilities of the student officer. Academic, employment, or other leadership involvement duties are the responsibility of the student officer to manage and maintain with their respective faculty, employer, or other supervisor.

To ensure all student officers are accountable for being adequately prepared to represent their constituents and uphold all responsibilities of their elected or appointed office, a reduction of financial leadership award by 10% may be instituted for cumulative unexcused absences from training during the duration of the leadership term.

6. SPECIFIC ELIGIBILITY FOR ASI BOARD OF DIRECTORS

a. Students with Undeclared Majors

A student with an undeclared major may serve on the ASI Board of Directors representing any academic college of their choice. The candidate must declare an academic college for which they intend to run in their Petition for Candidacy.

b. Students with Multiple Majors

A student with multiple declared majors in different academic colleges may serve only one of their academic colleges in which they are enrolled.

c. Students with Minors

A student with a minor in an academic college different than their declared major ~~may be only be~~ may only be appointed to represent the academic college of their declared minor. An appointment of this nature would be due to a vacancy on the ASI Board of Directors as described in ASI Policy Concerning Board of Director Operations.

d. Students Interested in Representing the College of Education

A student interested in representing the College of Education has to either be enrolled in the academic college or be an active member of a club which is a member of the Education Inter-Club Council (EICC).

7. CANDIDACY

a. Filing for Candidacy

To be a candidate a student must submit a "Petition of Candidacy" form declaring to run during an election. Candidates may run for only one elected position during a single election. Candidates must be eligible to be elected or appointed to any ASI leadership position.

The "Petition of Candidacy" forms will open at least one month before and are due at 5 PM PST ~~the~~ Monday three business days before the Mandatory Candidate Orientation. All deadlines, meetings, trainings, and events will be listed on the candidacy form.

The Candidate Orientation time, date, and location shall be stated on the Petition for Candidacy forms. The mandatory candidate orientation must occur at least two weeks prior to the general election.

b. Write-in Candidates

Write-in candidates are responsible for complying with all provisions of ASI Bylaws and ASI Policy, including all candidate and incumbent eligibility requirements, except for attending the Candidate Orientation.

Write-in candidates may run for any one office of their choice for which an election is being held, but will not have their name pre-printed on the ballot. Write-in candidates for the ASI President and Vice President positions must run

Write-in candidates must complete ~~the Petition for Candidacy form and~~ an ASI Conflict of Interest Agreement. Agreements must ~~All documents must~~ be submitted to the ASI Elections Director before 5:00 PM PST on Tuesday prior to the start of the election. to the start of the election the write-in candidate's campaigning activities begin.

c. Verification

The ~~Dean of Students~~Vice President for Student Affairs or designee will verify the qualifications of candidates running for office or those whom~~who~~ have applied for an appointed position. They will report to the ASI Executive Director concerning the qualifications of all candidates or applicants. The ASI Executive Director will have the responsibility to report any ineligible candidate or applicant as set forth ~~in~~ ASI Bylaws, ASI Policy, and/or directives from ~~by~~ the Chancellor's Office.

8. ENDORSEMENTS

Students may receive endorsements from clubs and/or organizations. If a candidate wants an endorsement, they must receive written consent from clubs and/or organizations.

Any club and/or organization receiving sponsorship or funding from ASI shall be prohibited from spending any ASI funds or using any resources to promote or discourage a vote in favor or against any proposition, candidate, or candidate team in any election.

Any unit, body, or office of ASI shall be prohibited from promoting or discouraging a vote in favor or against any proposition, candidate, or candidate team in any election.

9. EXPENSES

All candidates must submit an Election Expense Report to the Elections Director. This report must list all expenses and donations: copies of all campaign materials, receipts for expenses, and donated material will be reported at fair market value for the items or services.

Election Expense Reports will be due by 5:00 PM PST on the Tuesday after the election unless otherwise arranged with the Elections Director.

Election Expense Reports will be considered public information.

10. VIOLATIONS

The purpose of the Campaign Violation System is to hold candidates and candidate teams responsible for threatening the democratic process, committing ethical breaches, interfering with the mission of the ASI, threatening the safety of the campus, and violating ASI and CSU-Cal State Fullerton protocols. Any candidate or candidate team found before the Elections Judicial Council ~~whom~~ ~~violated~~ these Bylaws or ASI Policy shall be subject to consequences.

a. Class A (Automatic Disqualification) Violations

Class A (Disqualifiable) Violations shall carry three (3) strikes. If a candidate commits any of the following, the candidate is automatically disqualified from the election:

- A violation of these Bylaws, ASI Policy, [CSU-Cal State Fullerton Policy](#), State or Federal Law in connection to the election in a way which extensively affects the outcome or integrity of the electoral or judicial processes.
- Using [CSU-Cal State Fullerton](#) or ASI authority, facilities, funds, or resources that are not open to all students for campaign purposes to an extent which extensively affects the outcome or integrity of the election.
- Intimidating, impeding, threatening, or retaliating against voters, parties of ASI Board of Directors appeals case, Elections Team, Elections Judicial Council members, candidates, potential candidates, or other persons related to the election.
- Interfering with the polling, voting, or vote count mechanism. Including but not limited to: submitting multiple ballots, modifying any ballot other than one's own, or submitting a ballot for another person.
- Failing to appear at a formal hearing before the ASI Board of Directors.

b. Class B (Major) Violations

Class B (Major) Violations shall carry two (2) strikes. If a candidate commits any of the following, the candidate will acquire two (2) strikes against their campaign and, the official ballot shall reflect the specific violation and circumstance:

- A violation of these Bylaws, ASI Policy, [CSU-Cal State Fullerton Policy](#), State or Federal Law in connection to the election in a way which moderately affects the outcome or integrity of the electoral or judicial processes.
- Using [CSU-Cal State Fullerton](#) or ASI authority, facilities, funds, or resources that are not open to all students for campaign purposes to an extent which moderately affects the outcome or integrity of the election.
- Repeatedly destroying, defacing, covering, moving or removing from their places, posters, signs, banners, leaflets, or flyers representing student organizations and/or University departments in connection to the election.
- Disseminating information intended to mislead or deceive as to the mechanics of the election or intentionally disseminating information that is objectively and probably false on matters pertaining to the [CSU-Cal State Fullerton](#) or the ASI in connection to the election.
- Willfully violating an order from the Elections Judicial Council.
- Filing malicious, frivolous, misleading, or bad faith charges or complaints against any candidate, candidate team, proponent, or opponent in the Elections Judicial Council. If an individual engages a third party to file such charges, both individuals shall be held responsible.
- Actively campaigning or posting campaign materials before the mandatory Candidate Orientation.
- Any Board of Directors candidates from the same college officially or unofficially campaigning together.
- Claiming an endorsement of an individual, group, organization, party, etc. without consent.
- Using the intellectual property of another person or organization to campaign, without the permission of the rightful owner. Candidates shall obtain permission in writing. Action for this violation can only be brought by or on the complaint of the rightful owner.
- Purchasing paid campaign advertising, or soliciting unpaid campaign advertising, in [CSU-Cal State Fullerton](#) or ASI affiliated publication.
- Using internet enabled devices to acquire votes during the voting period. This includes cell phones, tablets, laptops, and other devices that may access the elections ballot.
- Using any means of unsolicited electronic communication "spam" to campaign (electronic mail, phone, message, text, social media). The following are not "Spam":
 - The ~~recipient-initiated~~[recipient-initiated](#) contact regarding campaign matters through the same communication medium with the author,

- The recipient gave their contact information for the same communication medium to the author's campaign,
- The communication is sent through a social network and the recipient has the author as a connection/friend/etc. on the same social network, or
- The communication is sent through a listserv/group message mechanism run by some organization and the author has permission from the leadership of that organization or is a member in good standing of that organization and the communication clearly indicates the group/listserv through which it is sent. ~~These~~ criteria shall not be valid for group messages sent to an entire class, academic program, or other groups/listservs which students are required to be or automatically are members of.

c. Class C (Minor) Violations

Class C (Minor) Violations shall carry one (1) strike. If a candidate commits any of the following the candidate will acquire one (1) strike against their campaign, and the official ballot shall reflect the specific violation and circumstance:

- A violation of these Bylaws, ASI Policy, [CSU-Cal State Fullerton Policy](#), State or Federal Law in connection to the election in a way which minimally affects the outcome or integrity of the electoral or judicial processes.
- Using [CSU-Cal State Fullerton](#) or ASI authority, facilities, funds, or resources that are not open to all students for campaign purposes to an extent which minimally affects the outcome or integrity of the election.
- Violating the [CSU-Cal State Fullerton Posting Policy](#). Refer to Student Life and Leadership for more information.
- Distributing food and/or beverage, with the exception of unopened water bottles and prepackaged snacks.
- Falsely claiming a past or current position, title, membership, award, other affiliation, etc. with an individual, group, organization, party, etc. When applicable, membership deemed shall be defined as being a member in good standing. Past membership, affiliation, etc. must be noted as such.
- Using the name of any person without prior written consent of that individual. Any materials in violation will be seized and destroyed by the Elections Director.
- Leaving or posting campaign materials in any campus computer lab or classroom containing computers provided by [CSU-Cal State Fullerton](#).

11. COMPLAINTS

Complaints regarding elections shall be filed electronically on the ASI Website. The complaint must be submitted with a valid contact phone number or email. Incomplete or anonymous complaints will not be considered. Election complaints must be submitted within twenty-four (24) hours of the infraction. All formal complaints filed after twenty-four (24) hours of the infraction will not be considered unless the severity of the violation warrants consideration.

Complainant or designee must appear at the Elections Judicial Council meeting, or the complaint will be dismissed.

Complaints regarding candidate violations shall be heard by the Elections Judicial Council. Complaints regarding the elections process or Elections Team shall be heard by the Board of Directors.

12. ELECTIONS JUDICIAL COUNCIL

The purpose of the Elections Judicial Council exists to hear all complaints pertaining to the conduct of any candidate and/or candidate team.

The Elections Judicial Council shall establish annually a schedule by the start of the spring semester. The Elections Judicial Council shall be chaired by the Elections Director and shall be comprised of the Elections Coordinators, a member of the ASI Board of Directors and a member of the Executive Team. All members of the Elections Judicial Council must have Board of Directors confirmation and declare impartiality ~~through~~throughout the elections cycle.

Members of the Elections Judicial Council shall be chosen by the last Board of Directors meeting of the fall semester. ~~Once a member is confirmed by the Board of Directors they shall be the only voting member to represent their constituents for the duration of the elections cycle.~~

Complaints of a similar nature under the discretion of the Elections Director may be considered together. ~~Once complaints have been ruled on as a violation there may be a penalty associated with it. Once complaints are ruled on as a violation, there may be an associated penalty.~~ All violations shall be thoroughly documented by the Elections Director as all violations are subject to appeal to the Board of Directors.

13. PENALITES

Any violation(s) of the ASI Bylaws or ASI Policy pertaining to an election may result in a penalty ~~including~~including suspension or revocation of any publicity, posting, campaigning privileges; posting electronic notice of candidate violations on the ballot; and/or automatic disqualification and shall be administered at the discretion of the Elections Judicial Council. Violations are appealable to the ASI Board of Directors.

Result removal from the ballot:

- Failure to meet all deadlines listed on the Petition for Candidacy form, including the mandatory candidate orientation
- Each candidate shall sign an ASI Conflict of Interest Agreement before campaigning may begin
- Each candidate or candidate team who has accrued three strikes of any combination

14. APPEALS

When a formal complaint becomes a ~~violation~~violation by the Elections Judicial Council, any party identified receiving consequences may appeal the decision to the ASI Board of Directors.

Once notified of the appeal, the Board of Directors will conduct a formal hearing at the next Board of Directors meeting. All parties identified will be required to attend the hearing, including a member of the Elections Judicial Council.

An individual shall be exempt from appearing before the ASI Board of Directors if they can show:

- A valid health excuse, out of town commitment, death in the family, employment obligations,
- Exam/paper due twenty-four hours following the case, an academic commitment during the meeting time,
- Observance of a religious holy day or ceremony which prevents attendance,
- Jury duty or mandatory appearance for legal/administrative proceedings during the meeting time, or
- A force majeure which prevents attendance (this shall be defined as a chance occurrence or unavoidable accident that is not the result of negligence or misfeasance ~~by~~by the individual).

Once the Board of Directors has reached a verdict on the appeal through a formal vote, there shall be no further course of action for all parties involved in the hearing.

15. REFERENDUM, SPECIAL ELECTIONS, INITIATIVES, AND RECALL

All referenda, initiatives, and recalls shall be considered binding if done in coordination with the above processes unless they contradict Federal, State, or local law, the Articles of Incorporation, the ASI

Bylaws, or the purpose of the Corporation.

a. Referendum

The Board of Directors will be empowered to direct the Elections Director to place certain matters, including constitutional changes or business, before the student body. A majority vote of the Board of Directors shall be sufficient to enact referenda. All referendums shall follow CSU Chancellors Office and [CSU-Cal State Fullerton](#) set guidelines.

b. Special Elections

Only determined by a majority vote of the Board of Directors. All special elections will be held during a general election whenever possible.

When a special election is held separate from a general election, the following conditions shall apply:

- The availability of the voting practices will be identical to that of the most recent previous general election.
- Eligibility requirements shall not change.
- Winners shall be determined by the same method as noted in ASI Policy.
- Candidates shall have the seven (7) consecutive calendar days before voting to campaign.

c. Initiative Legislation

Initiative legislation from the student body may be submitted to the Board of Directors in the form of a petition signed by at least 10% of the total membership of the student body. An initiative can either enact new legislation or repeal existing legislation.

The Vice President for Student Affairs shall verify through the Dean of Students Office the enrollment status of all the students whose signature appears on the petition. After verification, a special election shall be called by the President within fifteen (15) legal days of certification of signatures.

A majority vote in favor of the proposed legislation shall be sufficient to adopt any initiative legislation.

d. Recall

The President, Vice President, or a member of the Board of Directors may be removed from the remaining term of office when the following conditions are met:

- A petition stating the desire to remove a Director must be signed by ten percent (10%) of the headcount of the Director's respective academic college. In the case of the President or Vice President, a petition stating the desire to remove that officer must be signed by five percent (5%) of the entire headcount of the University. The petitions must include each petitioner's printed name, Campus Wide ID number, and signature to be considered valid.
- ~~Prior to the~~ Before gathering of signatures, the leader of the recall drive must state in a letter or in person at an ASI Board of Directors meeting the intent to recall an officer. The petition drive has thirty_ (30) calendar days from announcement to gather the necessary signatures or the recall fails.
- If the correct number of signatures is gathered, they must be verified by the Office of the Vice President of Student Affairs.
- If the appropriate number of signatures is verified, the President must call a special election within fifteen (15) legal days.
- The availability of the Voting Practices will be identical to that of the most recent previous general election.
- Two-thirds of students voting in a special election must vote to recall the officer for the officer to be removed.

DATE APPROVED:

02/12/2019

DATE REVISED:

12/03/2019

04/20/2021
12/03/2024










A Resolution Amending Policy Concerning ASI Elections

Final Audit Report

2024-12-07

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