

# ASCMA Election Code

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## **Section 1. Election Committee Membership**

1.1 Pursuant to the requirements of the Bylaws of the Associated Students of the California Maritime Academy, there shall be an Election Committee established to ensure proper, fair, and impartial elections of all elected positions within the Associated Students (ASCMA) Board of Directors.

1.2 The Election Committee shall consist of, at a minimum, the Director of Student Affairs as Committee Chair, two (2) ASCMA Board members, two (2) Students at Large, and an ASCMA Executive Director. Committee members shall be members of ASCMA at the time of their appointment and during the term of their office. Each member will serve for a period of one year, and shall be eligible for reappointment. A quorum of the committee shall be a simple majority of voting members.

1.3 The most senior ASCMA Board member will serve as Vice-Chair of the committee and will fulfill the duties of Chair in the circumstance of the Director of Student Affairs seeking an elected office within the period falling under their term of appointment.

## **Section 2. Election Committee: Powers and Duties**

2.1 It will be the duty of the Election Committee to enforce the Elections Code. When the polls are open, poll workers will enforce regulations, note violations, and resolve voter challenges on site as appropriate.

2.2 Poll sites, times, appointments, ballot positions, and penalties recommended by the Election Committee for ASCMA general and special elections shall be subject to the approval of the ASCMA Board.

2.3 The duties and responsibilities of the Election Committee Chair shall be as follows:

- a. Administer elections in accordance with this Code.
- b. Carry out the policy actions of the Election Committee not in conflict with this Code.
- c. Coordinate equipment set-up/ take-down of all poll sites, student enrollment rosters listed by major code, and hanging of election promotional banners.
- d. Make regular reports the ASCMA Board regarding the election.
- e. Maintain public neutrality with regards to any candidate or issue in any election within his/ her jurisdiction.

- f. Inventory supplies needed at each poll site and restock as needed.
- g. Assist in the recruitment, scheduling, and orientation for poll workers.
- h. Verify spending infractions committed by the candidate and/ or person(s) associated with the candidate.
- i. Verify expense accounts with Board's imposed spending limit.
- j. Make recommendations to the Election Committee regarding any financial infraction by the candidate and/ or person(s) associated with the candidate.

2.4 The Election Committee and the Election Committee Chair shall perform any other duties as may be required by ASCMA Board, or the Election Code.

### **Section 3: Election Procedures**

3.1 The filing period shall be at least five (5) school days in length and shall be announced at least five (5) days during this period in campus media.

3.2 The Election Committee and ASCMA Board will not facilitate the process of ASCMA Election Code Article XI 3 offering prospective voters incentives and/or merits of any kind in exchange for voting.

3.3 At the time an application for office is filed, the student will be considered an official candidate. A student may not be a candidate for more than one elected office simultaneously. At the time the application is filed, the candidate shall also file a signed statement indicating all provisions of the Elections Code issued with the application form have been read and understood, confirming the candidate's intentions to run.

#### **3.4 Candidate Policy**

All candidates must be in good academic and disciplinary standing (not on academic or disciplinary probation) with the institution by the last day of election, as stated in Article IV, Section 1.4(c) of the ASCMA Constitution.

- a. All candidates for ASCMA Board Representative must hold required class standing during term of office for the elected position they will assume.

3.5 General Elections are to be held no earlier than three (3) weeks from the beginning or later than three (3) weeks prior to the end of the Spring and Fall semesters.

### 3.6 Voting Locations

- a. The Election Committee shall designate the location of the poll(s). The location and the polling times shall be announced in all campus media.
- b. The Election Committee may select an online election service. Any online service must be secure, Certified ADA section 508 compliant and able to meet all stated guidelines in this Election Code.
- c. A placard, no smaller than 11 x 14, shall be placed conspicuously on all polling tables with the following language:

*“Official voting instructions are available to you on the polling table. Please read carefully before voting.”*

3.8 The following procedures shall be utilized at each poll site during balloting:

- a. Poll workers shall have the authority to determine the eligibility of voter by checking I.D. cards, signatures, and other identification.
- b. Any handicapped voters requiring assistance in voting may have a person of their own choosing assist them with the voting process.

3.9 The ASCMA President, Vice President of Operations, Director of Student Affairs, and ASCMA Board Major Senators shall be elected by a plurality vote. A student may not hold more than one elected office simultaneously.

3.10 In the event of a tie vote for two or more candidates for the same elected office, the Election Committee shall determine and publish a date for a run- off election in all available media. The date shall be within fourteen (14) calendar days of the first election. The Committee shall, at the time of announcing the run- off date, specify further allowable campaigning as may be necessary for any run- off date.

3.11 The Elections Committee shall maintain complete records of all elections, locations of polling places, lists of polls workers and the times and locations of their attendance, copies of any written challenges or complaints or other documents giving rise to Committee hearings, request for and results of recounts and any other information or documents appropriate to all elections for three (3) months after the election, or until any dispute arising from the election is resolved. Election records shall be accessible to interested students, officers of the Associated Students, and officers of the Academy upon written request to the Committee. At least one copy of the election results shall be maintained in the Associated Students files.

3.12 Special elections or an approved appointment process may be used to fill seats on the ASCMA Board, as deemed by the ASCMA Board.

### 3.13 Counting Ballots

- a. A final tally of votes shall be counted by an authorized person in the presence of no less than a quorum of the Election Committee, and the ASCMA Executive Director.
- b. Election results shall be signed by the Election Committee Chair and the ASCMA Executive Director and posted in the ASCMA office upon completion of the count.

## **Section 4: Campaigning**

4.1 All candidates shall conduct their campaigns in accordance with the provisions of the Elections Code stated in this document and with regard for the principles of truthful and ethical campaign practices.

4.2 Harassment as defined as a violation of campus policy will not be ASCMA Election Code tolerated. This includes verbal and/ or written and/ or physical abuse by any candidate. Candidates will be responsible for the actions of individuals working their campaign as defined in 4.5.n.

4.3 Campaigning may begin on the day and time specified in the election candidates email, providing the candidate has met the requirements set forth in Subsections 3.3 and 3.4.

4.4 Campaigning includes any verbal or non- verbal action that promotes the election of an official candidate. This includes any material(s) that promote the election of a candidate. Verbal campaigning is defined as persuasive speaking to prospective voters.

4.5 Regulations and classifications of publicity for campus elections shall be found within this Subsection of the Elections Code.

- a. The jurisdiction of the elections includes the campus proper, all parking lots, residence halls, and roads through campus.

- b. It is the intent of the ASCMA Board that posted publicity must comply with campus regulations as outlined in the University Signage Policy, Graphic Identity Guidelines, and this Elections Code document. Publicity may only be posted within the defined jurisdiction. These areas are as follows: Morrow Cove (not on any doors), Classroom building/Simulation Building, Engineering classroom building (Not on any doors or glass on doors), Residence halls (must receive approval for posting by either Director of Residence Life or a Residence Life Coordinator), Lab building and Student Services building (only on the large wall by the Bistro/Bathrooms). The following buildings are not suitable for posting: PEAC, Police Services, Administration, and the Market Place.
- c. Advertising or campaigning which endangers persons or campus is illegal.
- d. Persons shall refrain from posting campaign material over another candidate's material.
- e. No active campaigning will be allowed within one hundred (100) feet of a polling place.
- f. No partisan election materials of any kind will be worn by any person having anything to do with the running of the election, working at the polls, or working in an election area.
- g. There shall be no campaigning or advertising anywhere other than the designated campaigning spaces.
- h. A candidate's name may not appear on a sign without his/ her permission.
- i. All campaign posters, signs, and banners must be removed by 4:30 PM on the day after election.
- j. Candidates are responsible for the actions of their campaign staff, whether authorized by the candidate or not. For the purposes of the election, campaign staff shall be defined as a person actively campaigning for the candidate, whether authorized directly or indirectly by the candidate.
- k. Use of social media is acceptable, and must follow the guidelines set forth in this Election Code, Student Handbook, and all campus signage policies.
- l. There shall be no verbal or written campaigning (use of flyers, buttons, stickers, signs, etc.) during ASCMA Board meeting by Board members.

## **Section 5: Campaign Finance Law**

5.1 A candidate running for Associated Students position shall be allowed to spend a maximum of \$3000.00.

5.2 In the case that any candidate is forced into a run- off election, the candidate will be allowed to spend one- half (1/2) the maximum amount of money designated to that candidate's position.

5.3 Signs and campaign material listed by candidates in their campaign expenditure statement for regular ASCMA elections need not be included as an expense for the run- off election. All new materials used during the run- off elections must be listed on the new campaign expenditure statement.

5.4 If a candidate receives any gifts, discounts, and/ or donations, retail cost shall be counted in the candidate's expenses.

5.5 All professional labor related to the candidate's campaign, including previously owned material must be considered as an expense and must be computed at its fair market value less depreciation. Volunteer promotion work need not be included in the campaign statement.

#### 5.6 Endorsement Policy

- a. A candidate need not include endorsement by a campus organization to their campaign expenditure statement if:
  1. They are endorsed in written materials (flyers or newsletters published by the organization) regularly distributed to members of the organization during an announced scheduled meeting of the organization.
  2. They are endorsed during announced scheduled meetings of the organization.
- b. With the exception of the Elections Committee Chair and members of the Election Committee, the Associated Student Board members may endorse candidates. Members are subject to the Student Conduct System.
- c. Associated Students Board, as a whole, does not endorse any candidate for any office.

5.9 The candidate shall be required to turn in to the Election Coordinator an itemized sheet listing all campaign expenses by 4:30 PM the day after regular and run- off elections. This sheet shall include the following:

- a. The receipts of all items bought, including name and telephone number of all businesses dealt with.
- b. A listing of all gifts, donations, and/ or rental materials.
- c. All professional labor costs.

- d. All previously- owned material
- e. Newspaper ads and classifieds that promote a candidate, unless it can be shown that the candidate did not consent to the placement.

5.10 An itemized campaign expense statement is required of all candidates regardless of the amount of money spent, even if no money is spent.

## **Section 6: Violations of the Elections Code**

6.1 All complaints of violations of the Election Code must be presented, in writing, to the Election Committee Chair.

6.2 All complaints must be submitted within 24-hours after the last day of voting, unless the complaint involves events subsequent to the last day of voting.

6.3 The Election Committee must make a ruling upon a complaint within two (2) school days of the submission of that complaint. A two-thirds (2/3) vote of the Election Committee (members present and voting) will be required for a complaint of a violation to be upheld.

6.4 The accused will be notified of any upheld complaint and may request a hearing or submit a statement of defense within 24 hours of notification. The date and time of the hearing will be sent to the party making the complaint as well as the accused. For a hearing of the Election Committee upon complaints of violations to be official, a quorum of voting members of the Election Committee, including the Election Committee Chair must be present. The accused will be notified of the Committee decision in writing within 24 hours of the hearing. Appeals of the decision may be made to the ASCMA Executive Director within three (3) days of the decision.

6.5 Penalties for Violation of any Elections Code may result in written warning to disqualification.

Revision History			
Rev	Designer	Date	Description
1	JB	01/2020	Changed accordingly to ASCMA new structure (i.e. VP of Student affairs changed to Director of Student Affairs, Class Representatives changed to School senators, etc.) Campaign spending limit raised A.S. changed to ASCMA
2	ST	03/2025	Changed accordingly to ASCMA new structure (i.e. VP of Finance changed to VP of Operations, School Senators changed to Major Senators)