

**RESOLUTION No. 2020-21-12**

**SPONSORED BY: A.S. Bylaws Committee**

**REFERRED TO: A.S. Board of Directors**

**FIRST READING: January 29, 2021**

**SUBJECT: An Act to Update the Elections Code for Virtual Filing**

**WHEREAS**, the Associated Students (A.S.) Board of Directors of Humboldt State University (HSU) is the single recognized voice for over 6,500 students; and,

**WHEREAS**, the Mission of the Associated Students of Humboldt State University serves to "assist in the protection of rights and interests of the individual student and the student body," and to "stimulate the educational, social, physical, and cultural well-being of the University community"; and,

**WHEREAS**, the Elections Code currently requires in-person pick-up of elections materials and wet signatures for acknowledgement; and,

**WHEREAS**, the risk of spreading COVID-19 has temporarily closed campus and pushed the University to conduct academics and co-curricular activities via online mediums and,

**RESOLVED**, that the Associated Students update the Elections Code (attached) to allow for digital acknowledgements and materials to be downloaded instead of picked up from the A.S. Office, and,

**RESOLVED**, that the General Elections be extended from three days to five days to allow for students of all schedules to receive notices and have an opportunity to cast their ballots, and,

**RESOLVED**, that in this updated edition of the Elections Code, gender neutral terms are input instead of gendered terms, and policies and titles are updated accordingly.

The A.S. Elections Code works in support of the A.S. Constitution, providing additional direction to the A.S. Board of Directors and Staff for the day-to-day governance and operation of the organization.

## **ASSOCIATED STUDENTS OF HUMBOLDT STATE UNIVERSITY ELECTIONS CODE**

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\*Note: As of April 12, 2018 the role of A.S. Elections Commissioner is held by the A.S. Public Relations Officer, an appointed advisor to the Board of Directors (Resolution 2017-18-9)

**ASSOCIATED STUDENTS OF HUMBOLDT STATE UNIVERSITY  
ELECTIONS CODE**

**Section 1            Purpose and Authority**

- 1.01            Pursuant to the requirements of Article X of the Constitution of the A.S. of Humboldt State University, there shall be an Elections Commission established to handle all elections of the A.S. (12/11)
  
- 1.02            The purpose of this Code shall be to define and outline the procedures governing the A.S. elections and the Elections Commission which will assure the broadest possible participation of students in the actual election process of this corporation and to insure fair elections. (12/11)
  
- 1.03            The Elections Code shall be administered by the Elections Commissioner\*. The Elections Commissioner\* shall be nominated by the A.S. President and approved by the A.S. Board of Directors. It will be the duty of the Elections Commission to enforce the Elections Code. The Elections Commissioner\* shall carry out procedures as set forth in the A.S. Constitution and the A.S. Code. (4/17)
  
- 1.04            All elections must be held no sooner than three weeks into the semester and no later than two weeks prior to the end of the semester. Elections may only be held when regularly scheduled classes are in session. (12/13)
  
- 1.05            The results of the A.S. elections shall be unofficial until ratified by the out-going A.S. Board of Directors at their last regularly scheduled A.S. Board of Directors meeting of the year. (4/17)

**Section 2            Amendments**

- 2.01            The Elections Code may be amended by a two-thirds (2/3) majority of A.S. Board of Directors. (4/17)

**Section 3            Elections Commission Powers and Duties**

- 3.01            The Elections Commission shall consist of the Elections Commissioner\*; three members appointed by the A.S. President and two members appointed by the Legislative Vice President. The A.S. Executive Director, or designee, shall serve as an advisor to the Commission. (12/11)
  
- 3.01            No member of the Elections Commission shall be a candidate in

- the A.S. Elections. (12/11)
- 3.02 The Elections Commission shall maintain an impartial attitude towards the elections and the election issues. (12/11)
- 3.03 The Commission shall not campaign in any election nor publicly support any candidate or cause in any election they are administering. (12/11)
- 3.04 The Commissioner shall coordinate and direct all A.S. elections and shall encourage voter participation through legal and acceptable means. (12/11)
- 3.05 The Commissioner shall make information packets available to the candidates containing at a minimum: a copy of the Constitution, Elections Code, the most current HSU Policy on “HSU Executive Memorandum P13-01, [Minimum Qualifications for Student Office Holders](#)” dated January 2013, and existing publicity regulations. (1/21)
- 3.06 The Commissioner shall oversee coordination of the Voter’s Guide. (12/11)
- 3.07 The Commissioner shall supervise placement of all required advertisements in the Lumberjack publicizing all available positions as well as the times, dates, and voting instructions for on-line voting. (12/11)
- 3.08 The Commissioner shall coordinate the candidate forums at times and places in such a manner to allow for maximum student participation. (12/11)
- 3.09 The Commissioner shall supervise the voting process and may require a campaign to temporarily cease an activity that affects the orderly voting process of the election until it can be resolved. (12/11)
- 3.10 The Commissioner shall immediately hear all infractions, quarrels, disputes and disagreements involving campaigns and elections and refer them as deemed necessary to the Elections Commission for a ruling. (12/11)
- 3.11 The Commissioner shall oversee the prompt and accurate posting of the unofficial results. (12/11)

- Section 4**                    **Election Staff**
- 4.01                    The Elections Commissioner\* shall be responsible for hiring and training election workers. (12/11)
- 4.02                    The election workers, volunteers, and employees on the election staff shall not campaign in any election. (12/11)
- 4.03                    The Commissioner may remove any election worker, volunteer, or employee on election staff whose actions may improperly affect the outcome of the election. (12/11)
- Section 5**                    **Minimum Qualifications for Office Holders**
- 5.01                    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) and HSU that student office holders have an obligation to demonstrate a reasonable degree of the academic involvement, achievement and progress for which HSU exists. (12/11)
- 5.02                    The A.S. of Humboldt State University shall follow the guidelines from the most current HSU Policy on “[HSU Executive Memorandum P13-01, Minimum Qualifications for Student Office Holders](#)” dated January 2013 (1/21)
- Section 6**                    **General Elections - Filing for Candidacy**
- 6.01                    Candidates may appear in person to obtain nomination materials at the A.S. Business Office or download the nomination materials from the A.S. Website. Candidates must declare what office they are running for by emailing the Elections Commissioner. (1/21)
- 6.02
- 6.03                    At the time nomination materials are filed, the Candidate shall also file an electronically signed or acknowledged statement indicating candidates’ understanding of the Constitution, Elections Code and other election materials of the A.S. of Humboldt State University. (2/20)
- 6.04                    Executive Officers shall file a Petition for Candidacy form signed by one-hundred and fifty (150) members of the Association. (12/11)
- 6.05                    A.S. Board of Directors Representatives shall file a Petition for Candidacy form signed by fifty (50) members of the Association within the college they are representing. (4/17)

- 6.05 A.S. Graduate Student Representative shall file a Petition for Candidacy form signed by twenty (20) members of the Association within the graduate programs. (12/11)
- 6.06 A.S. At-Large Representatives shall file a Petition for Candidacy form signed by fifty (50) members of the Association. (12/11)
- 6.07 A.S. Officer of Social Justice and Equity shall file a Petition for Candidacy form signed by one hundred (100) members of the Association. (2/17)
- 6.08 A.S. Environmental Sustainability shall file a Petition for Candidacy form signed by one hundred (100) members of the Association. (3/17)
- 6.09 The period for filing Petitions for Candidacy forms will be from 8:00 a.m. not more than forty-two (42) calendar days prior to the first day of the regular elections through 5:00 p.m. not less than fourteen (14) calendar days prior to the first day of the regular elections. (12/11)
- 6.10 No candidate may file for more than one Office. (12/11) In the event that a candidate is elected for the A.S. President or A.S. Student Affairs Vice President, and for a University Center Board of Directors position, the A.S. position supersedes the University Center Board of Director position. (1/21)
- 6.11 Candidates for College Representatives must be declared within that major for at least the semester prior to filing for candidacy. Candidates for graduate student representative need not meet this requirement. (12/11)
- 6.12 Candidates for At-Large Representatives must be a registered student for at least the semester prior to filing for candidacy and may be of any major or undeclared. (12/11)
- 6.13 If a student is elected as a representative from a particular major and, during their term of office, the student elects to change their major to one that lies within a different college, and does not maintain a minor within the college, then that representative's position on the A.S. Board of Directors shall be declared vacant. (1/21)
- 6.14 There shall be a candidates' orientation meeting called by the Elections Commissioner\* within two (2) instructional days

- 6.15 following the close of the filing period. (12/11)
- 6.16 All candidates must attend a mandatory candidates' orientation meeting. At the conclusion of the orientation meeting, the candidate shall digitally acknowledge a statement that they have read and fully understand all provisions of the Elections Code materials issued with the nomination materials, and confirm their intentions to run. (1/21)
- 6.17 Under unusual circumstances candidates may request an alternative meeting time with the Elections Commissioner\*. A request must be submitted in writing at least 24 hours in advance of the mandatory meeting. (12/11)
- 6.18 Candidates who fail to appear for the meeting or properly submit a request for an alternative meeting will be automatically disqualified from the election unless extreme extenuating circumstance for failure to attend can be documented by the candidate as determined by the Elections Commission. (12/11)
- 6.19 Coalitions must be recognized as temporary political organizations at the time of filing Petitions for Candidacy form. A standard form is available infrom the A.S. Office. Coalitions must have a minimum of four candidates in the election. Any group of four or more candidates campaigning as a group is to be considered a coalition and must register. (1/21)

**Section 7 Write-in Candidates-Filing for Candidacy**

- 7.01 All persons conducting a "write-in" campaign shall file completed nomination materials by 5 p.m. on the ~~Friday~~Thursday before the General Election. (1/21)
- 7.02 At the time nomination materials are filed, the "write-in" candidate shall also file an electronically signed or acknowledged statement indicating candidate's understanding of the Constitution, Elections Code and other election materials of the A.S. of Humboldt State University. (1/21)
- 7.03 The Elections Commissioner\* shall certify that the candidate meets the minimum qualifications for that office. All sections of the Constitution and the Code shall apply to write-in

candidates. (12/11)

7.04 The “write-in” candidates name shall not appear on the ballot. (12/11)

7.05 A “write-in” vote for a candidate who has not filed a write-in campaign intent petition shall be invalidated. (12/11)

**Section 8 Elections - Withdrawal**

8.01 All qualified candidates who choose not to participate in the General Elections shall notify the Elections Commissioner\* in writing by the Thursday before the General Election. (1/21)

**Section 9 Campaign Conduct and Responsibility - General Policies**

9.01 Campaigning shall not begin until after the ~~nomination materials are available~~ until the first day of filing. (1/21)

9.02 Candidates may not begin campaigning until after the time they file nomination materials in person. (1/21)

9.03 Campaigning shall be defined as posting or distribution of campaign material. Campaign material is defined as anything distributed or posted that seeks to influence the vote of any student. Campaigning shall also be defined as any material distributed electronically. (12/11)

9.04 Campaign materials may be removed only by the candidate, their designated representative, or the Elections Commission. If applicable, candidates must notify the Elections Commissioner to designate a representative for campaign materials. Campaigners may not destroy or remove other campaign materials. Complaints of violations of destroying or removing campaign material will be referred to the Elections Commissioner\*. (1/21)

9.05 Candidates are responsible for the actions of their campaign committee, whether authorized by the candidate or not. For the purpose of the election, campaign committee shall be defined as persons actively campaigning for the candidate, whether authorized directly or indirectly by the candidate. (12/11)



- 9.06 No candidate, nor persons campaigning for the candidate, shall physically approach a voter with an electronic voting capable device in an attempt to encourage them to vote (e.g. smart phone, IPad, laptop computer, PDA's, etc.) Candidates found participating in such activities will be subject to sanctions as outlined in Section 16 by the Elections Code. (12/11)
- 9.07 No support may be solicited for candidates or special issues from faculty, staff, administration, or non-student employees of the University. This does not prohibit asking permission to speak in front of class. (12/11)
- 9.08 University staff shall not coerce, manipulate, or attempt to influence students in the voting process. This also includes referendums, initiatives, recalls, and amendments to the Constitution. (12/11)
- 9.09 A.S. funded programs may not expend A.S. funds to endorse a candidate (including coalitions) or engage in an activity that is beneficial or detrimental to any candidate. Use of A.S. funds for these purposes is prohibited. (12/11)
- 9.10 A.S. funds shall not be used to endorse referenda, initiatives, or recalls during the elections. (12/11)
- 9.11 A.S. funded organizations are prohibited from endorsing candidates, coalitions or recalls during the elections (this does not include **University Recognized Student Organizations Clubs**). (12/11)

## **Section 10**

### **Campaign Conduct and Responsibility - Publicity**

- 10.01 The Commission will advise candidates on current rules upon receipt of nomination materials and at the mandatory candidates' orientation meeting. (12/11)
- 10.02 The University Posting Policy, including Housing and Dining, must be followed when posting campaign materials. (12/11)
- 10.03 Candidates' campaign materials shall not be placed in a way that they block any portion of signs placed by the A.S. Elections Commission advertising the elections. At least a two-foot distance between A.S. elections materials and candidate materials, with the exception of bulletin boards, must be maintained. See Section 11.02-Section 10 of the University "Time, Place and Manner of Free Expression Policy" for appropriate placement of campaign materials (1/21)
- 10.04 All campaign materials, etc. must be removed within forty-eight (48) hours after the close of the elections. (2/20)
- 10.05 A candidate may use all official HSU media in **their** campaign. Media shall be defined as a publication or broadcast that does not exist for the sole support of a candidate's campaign. (12/11)
- 10.06 Publicity in violation of any HSU regulations will be removed by the Elections Commission. (12/11)

## **Section 11**

### **Campaign Finances**

- 11.01 Each candidate will file with the Elections Commissioner\* a statement of finance related to their elections efforts. (12/11)
- 11.02 The campaign expenses per individual candidate for any executive office shall not exceed \$300.00. The campaign expenses per individual candidate for representative position shall not exceed \$150.00. (12/11)
- 11.03 If a candidate is a member of a coalition, **their** individual expenditures limitation shall be one-half the amount stated in Section 11.02. Campaign funds may be jointly pooled by coalition members. (12/11)
- 11.04 Campaign expenses shall be defined as the retail value of all materials and/or services purchased by the candidate

**themselves.** No funds or materials contributed by outside persons shall be excluded from this total. (12/11)

11.05 All candidates (including coalitions) must turn in a statement to the Commissioner listing all expenses and donations. Donated material will be reported at fair market value for the items or services. (12/11)

11.06 Expense reports will be due by 4:45 p.m. on the Friday following the last day of the election. Failure to submit a financial statement will result in the Elections Commissioner\* having the option to take action as prescribed Section 17 of this Code. (2/20)

## **Section 12**

### **General Elections**

12.01 As per Article X of the Associated Student Constitution, Board of Directors Representatives shall be elected on a plurality basis. Executive Officers must receive a majority of the ballots cast for that office. The A.S. shall use the method of Ranked Choice Voting to establish the plurality necessary to elect Board of Directors Representatives and majority necessary to elect Executive Officers. (4/17)

12.02 An election to select Association Executive Officers and Board of Directors Representative shall be held annually at a time specified by the A.S. Board of Directors during Spring semester. (4/17)

12.03 The voting period shall be **Monday**, Tuesday, Wednesday, and Thursday, **and Friday** for each general election. (1/21)

12.04 Dates for the general elections shall be recommended by the **Elections Commissioner** with the approval of the A.S. Board of Directors. It is recommended that the general elections be held no later than four (4) weeks prior to the end of the Spring semester. (4/17)

12.05 Ballots shall be accessed on-line via the Humboldt State University web page or through official HSU e-mail. (12/13)

- 12.06 Hours of voting shall be from 12:00 a.m. on the first day of voting thru 11:59 p.m. on the final day of voting. (12/11)
- 12.07 All regularly matriculated students of the Association are eligible to vote in all student body elections. (12/11)
- 12.08 The Association shall use Ranked Choice Voting to elect candidates for each office. (12/13)
- 12.09 Members of the Association shall vote for candidate(s) for representatives of the college in which that member is enrolled in their primary major. Graduate student members shall also vote for a graduate student representative candidate. All members of the Association may vote for the At-Large representative candidates. (2/14)
- 12.10 If there is no candidate for an A.S. Board of Directors Office in an election, the vacancy shall be filled by an individual nominated by the President and approved by a two-thirds (2/3) vote of the newly elected Board of Directors. To be eligible for appointment to any vacant office, the candidate must meet the same qualifications as set forth in the Elections Code. (4/17)
- 12.11 All executive officers and representatives shall assume office at the last regularly scheduled A.S. Board of Directors meeting of the Academic year. (4/17)

### **Section 13**

#### **Special Elections**

- 13.01 A Special Election shall be defined as an election that occurs outside of the General Election for the purposes of an Initiative, Recall, or Constitutional Amendment. (12/11)
- 13.02 Special Elections may be called as outlined in Article V or Article XI and XII of the A.S. Constitution. (12/11)
- 13.03 In the absence of an Elections Commissioner\* for a Special Election, the Legislative Vice President shall serve as an Interim Elections Commissioner\*. (12/11)
- 13.04 Special Elections will only be held as needed. They will be held during a general election whenever possible. (12/11)
- 13.05 A Special Election shall be conducted in the same manner as a general election as outlined in this Elections Code. (12/11)

- 13.06 The voting period shall be Wednesday and Thursday for each Special Election. (12/11)
- 13.07 The Elections Commissioner\* will make available copies of the voter pamphlet and ballot and information regarding the dates, times, and voting instructions for on-line voting to students and published in the Lumberjack Newspaper prior to the elections. (12/11)

**Section 14**                    **Ranked Choice Voting Policies and Procedures**

- 14.01 The ballot shall allow voters to rank candidates in order of preference equal to the total number of candidates for each office. Election of Board of Directors Representatives will not be by ranked ballot and will be elected on a plurality basis. The ballot shall not interfere with a voter's ability to cast a vote for a qualified write-in candidate. (4/17)
- 14.02 If an Executive candidate receives a majority (50%+1) of the first choices, that candidate shall be declared elected. If no candidate receives a majority, the candidate who received the fewest first choices shall be eliminated and each vote cast for that candidate shall be transferred to the next ranked candidate on that voter's ballot. This process of eliminating candidates and transferring their votes to the next ranked continuing candidates shall be repeated until a candidate receives a majority of the votes from the continuing ballots. (12/13)
- 14.03 In the event of a tie the candidate, from among those tied, with fewest first choices is eliminated. If this cannot break the tie, then the candidate with the fewest second choices is eliminated. If a candidate cannot be eliminated by evaluating the second rank subsequent ranks shall be used. (12/13)
- 14.04 In the first or any round, in the event that any ballot reaches a ranking with no candidate indicated, that ballot shall immediately be advanced to the net ranking. (12/13)
- 14.05 After each round any ballot that is not continuing is an undervote, overvote, or exhausted ballot, as follows: Any ballot that has no candidate indicated at any ranking shall be declared an "undervote." In the event that any ballot reaches a ranking with more than one candidate indicated, that ballot shall immediately be declared an "overvote." In the event that any

ballot cannot be advanced because no further candidates are ranked on that ballot, that ballot shall be declared “exhausted.” Any ballot that has been declared an undervote, overvote, or exhausted shall remain so and shall not count towards any candidate in that round or in subsequent rounds. (12/13)

14.06 A voter shall not be required to rank all candidates on a ballot. (12/13)

14.07 Each time a candidate is eliminated it is consider to be a round. (12/13)

## **Section 15**

### **Ballot**

15.01 A sample ballot must be printed in the campus newspaper no later than the issue immediately preceding the general, run-off or special election. (12/11)

15.02 A sample ballot must be printed in the campus newspaper at least thirty days prior to the election if it includes a student fee referendum. (12/11)

15.03 Each Spring semester candidates from the University Center (UC) Board of Directors will be placed on the A.S. Elections ballot. The UC is responsible for submitting candidates’ materials to the Elections Commission immediately following the A.S. filing deadline for inclusion in the Voter’s Guide and on the A.S. Ballot. (4/17)

## **Section 16**

### **Policies and Procedures Regarding Elections Code Violations**

16.01 The Elections Commissioner\* shall be empowered to call special meetings of the Elections Commission in accordance with the Gloria Romero Open Meeting Act of 2000 in order to review alleged elections code violations. (12/11)

16.02 All complaints of violations of the Elections Code must be presented, in writing, to the Election Commissioner. Those making the complaints against candidates must be able to present proof at a meeting of the Elections Commission. (12/11)

16.03 The complaint must be signed and have contact information. Anonymous complaints will not be considered. (12/11)

16.04 Complaints must be submitted to the Elections Commissioner\*

by 11:59 p.m. (via e-mail after 5:00 p.m.) the last day of voting. (12/11)

- 16.05 The Elections Commissioner\* may make an effort to resolve any and all complaints or disputes informally. (12/11)
- 16.06 Failing informal solution, the Elections Commission must make a ruling upon a complaint within two (2) instructional days of the submission of the complaint. (12/11)
- 16.07 Complaints must be proven at a special meeting of the Elections Commission, with the burden of proof being on the complainant. (12/11)
- 16.08 A quorum of the Elections Commission shall be a simple majority of the filled voting seats. (12/11)
- 16.09 A simple majority vote of Elections Commission members present shall be required for a complaint of a violation to be upheld. (12/11)
- 16.10 If a candidate has been proven to have violated any provision of this election code, the Elections Commission 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; forfeiture of all or part of a performance bond; limitation of ability to campaign; disqualification of candidacy; declaring the elections null and void. Disqualification is a last resort; other disciplinary action should be considered first. (12/11)
- 16.11 A simple majority vote of Elections Commission members present shall be required for approval of the recommended penalty to be upheld except as noted below. (12/11)
- 16.12 A two-thirds (2/3) vote of Elections Commission members present may disqualify a candidate or invalidate all or any portion of an election within its jurisdiction when a hearing by the Election Commission has shown that sufficient evidence exists that violations of the Election Code may have significantly affected the outcome of the election. (12/11)
- 16.13 Decisions of the Elections Commission regarding “Policies and Procedures Regarding Elections Code Violations” shall

constitute the final authority of the A.S. (12/11)

- 16.14 The results of the A.S. elections shall be unofficial until ratified by the out-going A.S. Board of Directors at their last regularly scheduled A.S. Board of Directors meeting of the year. (4/17)

## Section 17

### Initiatives

- 17.01 For the purposes of A.S. elections, initiatives are defined as questions placed on the ballot regarding legislative acts, student fee referendums, or appropriations. (12/11)

- 17.02 As outlined under the powers and duties of the Executive Officers and A.S. Board of Directors Representatives, the A.S. Board of Directors can initiate measures for the ballot. (4/17)

- 17.03 The Association membership shall also have the power to initiate legislation by means of a written petition, which has been signed by ten percent (10%) of the current members of the Association. (12/11)

- 17.04 Initiatives to be qualified by the petition process shall be submitted to the A.S. Elections Commissioner\* prior to collection of signatures. Within five (5) instructional days the Elections Commissioner\* shall provide the sponsor(s) of the initiative the petition format for signature collection and the minimum number of signatures to be collected to meet the 10% minimum. The Elections Commissioner\* shall work with the Vice President of Enrollment Management or designee and ~~Student Affairs~~ to determine this number. (12/11)

- 17.05 Collection of signatures shall be completed within fifteen (15) instructional days after petition format is provided. (12/11)

- 17.06 Petitions will be verified by the Elections Commissioner\*. (12/11)

- 17.07 The Elections Commissioner\* shall render a decision in writing within five instructional days after a petition has been filed. (12/11)

- 17.08 When such petition is certified as legal, the A.S. Board of Directors shall call a special election or determine such vote shall be held in conjunction with the General Election as allowed for in Section 18.09. (4/17)



- 17.09 All initiatives shall be brought before the electorate no less than fifteen (15) instructional days and no more than thirty (30) instructional days after the date such petition was certified as legal. (12/11)
- 17.10 For passage, the legislation must receive a majority of those voting on the issue. (12/11)
- 17.11 Any initiative passed shall override any legislative acts or appropriations. (12/11)
- 17.12 All alterations to the A.S. fee shall follow all guidelines set forth in the California Education Code and the California Code of Regulations, Title 5 and any policy adopted by the CSU Trustees, University President and the A.S. of HSU. A referendum is required before adjusting the A.S. fee as per Education Code Section 89300. (12/11)
- 17.13 Constitutional Amendments that are placed on the ballot shall be approved by two-thirds (2/3) of the total votes cast on the issue. (12/11)

## **Section 18**

### **Recalls**

- 18.01 For the purposes of A.S. Elections, Recalls are defined as questions placed on the ballot that would remove a member from the A.S. Board of Directors that is answered in the affirmative or negative. (4/17)
- 18.02 Any elected officer or representative of the Association may be subject to recall by a petition containing a specific statement of the reasons for the proposed removal. (12/11)
- 18.03 Such petition must be signed by at least ten (10%) percent of the membership of the Association which that officer represents, and then presented to the Elections Commission. (12/11)
- 18.04 Recall(s) to be qualified by the petition process shall be submitted to the A.S. Elections Commissioner\* prior to collection of signatures. Within five (5) instructional days, the Elections Commissioner\* shall provide the sponsor(s) of the recall the petition format for signature collection and the minimum number of signatures to be collected to meet the 10% minimum within. The Elections Commissioner\* shall work with the Vice

President of Enrollment Management or designee and Student Affairs to determine this number. (12/11)

- 18.05 Collections of signatures shall be completed within fifteen (15) instructional days after the petition format is provided. (12/11)
- 18.06 Petitions will be verified by the Elections Commissioner\*. (12/11)
- 18.07 The Elections Commissioner\* shall render a decision in writing within five (5) instructional days after a petition has been filed. (12/11)
- 18.08 All recalls shall be brought before the electorate no less than fifteen (15) instructional days and no more than thirty (30) instructional days after the date such petition was certified as legal by the Elections Commissioner\*. (12/11)
- 18.09 The person(s) subject to recall may request the Legislative Vice-President to call a special meeting, in compliance with Open Meeting Law, of the Association within five (5) days of the date that the recall election has been called scheduled to be brought before the electorate. At said meeting, the officer shall be allowed to speak in their own defense. (12/11)
- 18.10 If two-thirds (2/3) votes are cast for recall, the officer shall be removed from office. (12/11)

### **Section 19 Constitution Enabling and Amendments**

- 19.01 Enabling and amendments to the Constitution shall be administered as per Article XIII of the A.S. Constitution. (12/11)