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## ASWC Senate Election Code (2020 Updated Version)

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**ELECTION CODE OF THE  
ASSOCIATED STUDENTS OF WHITTIER  
COLLEGE**



Updated March 2020

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## TABLE OF CONTENTS

Article I:	<b>Definitions</b>
Article II:	<b>Eligibility</b>
Article III:	<b>Campaign Duration</b>
Article IV:	<b>General Rules</b>
Article V:	<b>Finances</b>
Article VI:	<b>Campaigning</b>
Article VII:	<b>Penalties</b>
Article VIII:	<b>Write-In Candidates</b>
Article IX:	<b>Polling</b>
Article X:	<b>Counting the Votes</b>
Article XI:	<b>Run-Off Election</b>
Article XII:	<b>Posting the Results</b>
Article XIII:	<b>Recount</b>
Article XIV:	<b>Recall</b>
Article XV :	<b>Appeal Process</b>
Article XVI:	<b>Fall Election Positions</b>
Article XVII:	<b>Spring Election Positions</b>
Article XVIII:	<b>Special Circumstances</b>

## **ARTICLE I: Definitions**

- A. "Committee" shall refer to the Election Committee
- B. "Member" shall refer to a member of the Election Committee
- C. "Campaigning" shall be defined as any attempt to influence the preference of a voter for a candidate.

## **ARTICLE II: Eligibility**

- A. Candidates for offices must satisfy the eligibility conditions specified in Articles VIII and IX of the ASWC Constitution
- B. Before running in any ASWC election, the candidate must attend a meeting held by the Committee prior to campaigning. This meeting will inform the candidate about the rules and answer any questions the candidate might have.
- C. Candidates must submit an election petition to the Committee with a minimum number of 100 signatures of Whittier College students. Unsuccessful candidates for the offices of President, Vice-President, Campus Relations Director, or Secretary, who run for other offices in the same semester, are not required to obtain additional signatures.
  - a. A copy of the petition is provided by the Committee Chair.
  - b. Petitions must be submitted to the Committee or Committee Chair by the time published in the Elections Calendar.
  - c. If any school property is damaged by the candidates during their campaign, their school business account will be charged by Whittier College for the full amount of the damage. A contract will be signed between the ASWC, Whittier College and the candidate for office prior to submitting their application.
- D. The President, Vice President, Campus Relations Director, Secretary, and Treasurer shall be full time students with a cumulative GPA of at least 2.7 at the time of nomination.
  - a. All Senators shall be full-time students with at least a cumulative 2.5 grade point average (GPA) at the time of nomination.
- E. Treasurer elections shall adhere to the following guidelines:
  - a. The Elections Committee shall assume the responsibility of collecting applications from the ASWC for the ASWC Treasurer application. The following shall apply to the Treasurer application process:

- b. Applications must be open and distributed to all ASWC students prior to the General Election,
- c. Applications shall be due, at a minimum, two (2) weeks prior to the start of the General Election,
- d. An application shall consist of:
  - i. A résumé,
  - ii. A transcript,
  - iii. Completion of an online application packet,
- e. The Elections Committee shall review and nominate up to three (3) candidates for the position. The chosen candidates will be added to the General Election electronic voting document to be considered and voted upon by the ASWC;
  - i. All applicants must have completed at least one (1) semester of service in the ASWC Senate by the end of the semester in which they apply,
- f. A Treasurer must be selected prior to the conclusion of the academic year.

### **ARTICLE III: Campaign Duration**

- A. An Elections Calendar shall be established by the Committee
- B. Candidate campaigns will be held on a date pre-approved by the Elections Committee subsequent to the receipt of Candidate packages and following a candidate information meeting being held. Active campaigning (talking to students, visiting residence halls, making speeches, etc.) will only be permitted between the hours of 9:00am and Midnight.

### **ARTICLE IV: General Rules**

- A. No ASWC Senate-funded office or supplies, machines, telephones, etc. may be used for campaign purposes; Candidates are allowed to use blue painter's tape as well as paper supplied by OSE.
- B. All campaign materials must be removed within 48 hours of completion of voting by the candidate.
- C. If a candidate enlists the help from fellow students, the candidate must take full and direct responsibility for any violation to the Elections Code. All candidates may enlist the aid of support in their campaign with an understanding that the candidates are to be held directly responsible for the actions of their campaign workers' conduct. All of the students that the

candidate enlists to their campaign committee shall be named at the time signatures are given to the Elections Committee.

- D. Any candidate found by the Committee to be directly or indirectly responsible for destroying, defacing, moving, or removing posters or any campaign material without permission from the candidates owning the material, may be automatically disqualified and/or fined.
- E. Any candidate found by the Committee to be directly or indirectly responsible for willfully interfering in the campaigning of any other candidate will be subject to review, as deemed best by the current president, and disqualification by the Committee.
- F. The Committee reserves the right to create any other policies during the course of the elections, including campaigning, in order to ensure a fair election for all candidates.

## **ARTICLE V: Finances**

- A. The ASWC elections committee should have a designated account given \$300 per semester for the purpose of conducting elections.
- B. The ASWC Senate will reimburse each candidate up to ten dollars (\$10.00) as reimbursement for personal funds spent on campaign materials.
- C. Candidates may spend up to a total of eighty-five dollars (\$85.00) of their own personal funds on campaign materials, which shall not include the ten dollars (\$10) provided by the ASWC Senate (total expense shall not exceed ninety-five dollars (\$95.00)). Any contributions or undocumented expenses will be assessed by the Committee.
- D. All receipts must be turned in to the Committee prior to the beginning of the Polling Period.

## **ARTICLE VI: Campaigning**

- A. All campaigning must refrain from the following:
  - a. Profanity
  - b. Sexually explicit material
  - c. Degradation of a certain demographic
- B. KPOET, QCTV, and the QC may be used for campaigning except for a single campaign forum at which all candidates must be present.

C. No campaigning will be permitted:

- a. In a classroom when class is in session, with the exception of campaign materials worn by individuals which satisfies the limitations of Section D of this Article;
- b. Within one hundred feet (100ft) of the polls on the day(s) of election (including campaign flyers, posters, etc., or physical campaigning by the candidates or their representatives)
- c. No campaigning material may be placed:
  - i. In or on the Wardman Library;
  - ii. In or on the Faculty Center;
  - iii. In or on the Chapel;
  - iv. In or on Mendenhall Hall;
  - v. In or on the Graham Athletic Center;
  - vi. In or on the east windows of Hoover Hall; (these places are reserved by Senate)
  - vii. On Public Sidewalks;
  - viii. On other campus inanimate objects, such as lampposts or benches;
  - ix. In or on Faculty Master's Houses;
  - x. In or on Departmental Bulletin Boards;
  - xi. On top of other candidates' campaign material;

D. Campaign Materials

- a. All campaign materials and posting must adhere to College Policy as indicated in the Student Handbook, especially with regards to posting areas and content. Violating these policies will be a violation of the Elections Code and the Committee will take action against the candidate.
- b. No campaign material may disrupt classes or other college functions.
- c. No campaign material may be:
  - i. Nailed or placed on any trees or exteriors of buildings, including roofs;
  - ii. Placed in any location not safely accessible or where the person who places the material must climb;
  - iii. Placed where it conflicts with Senate publicity.
- d. Campaign materials can be placed in the following places only with permission and compliance with student life policy:
  - i. In or on vehicles only with permission of the owner;
  - ii. On residents' doors only with permission of the resident;
  - iii. In or on other locations in the residence halls only with the permission of the Assistant Director;

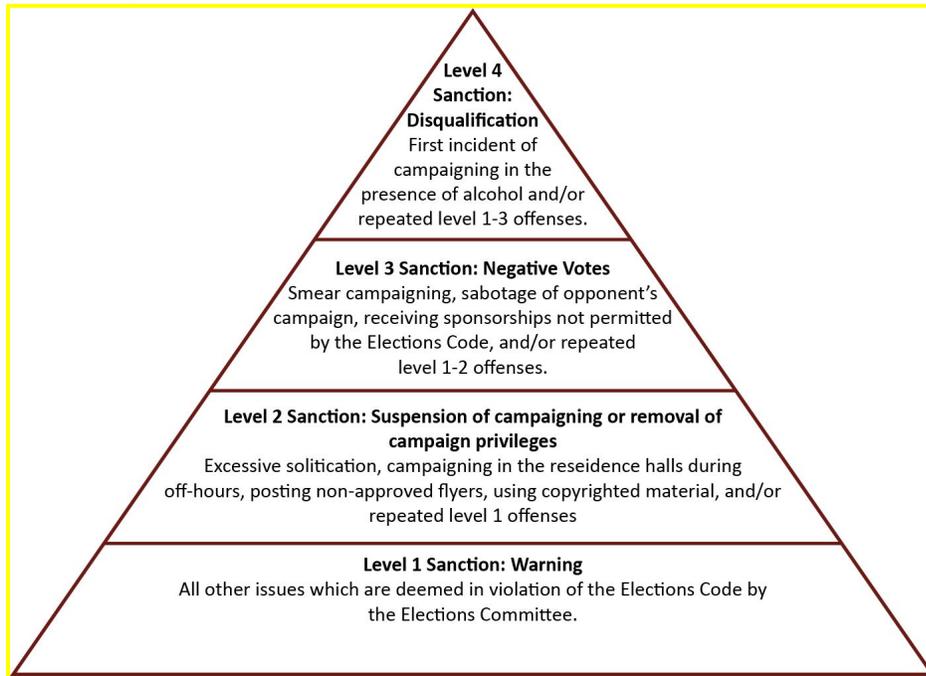
- iv. In chalk on certain areas on campus with proper space reservation and approval through the OSE, facilitated by Elections Committee Chair.
  - e. Size Limitations
    - i. Each candidate is limited to 2 large posters or banners which are no larger than 2 x 3 feet.
    - ii. Such posters and banners may only be hung on the railings outside of the Campus Inn or on stand-alone sandwich boards (not provided by the Senate or the College) and may not disrupt other organizations or candidates from advertising.
  - f. Mailing
    - i. Any on-campus mass mailings, including e-mail, must first be approved by the OSE and must adhere to all relevant College Policies.
    - ii. Any mailed items must be folded and individually addressed;
    - iii. Mail must be placed in mailboxes by the candidate (or the candidate's enlisted helpers);
    - iv. Mail can be placed in boxes only during the times specified by the mail room staff.
  - g. Internet Campaigning
    - i. Internet campaigning must abide by all policies mentioned in the Election Code.
  - h. Removal
    - i. Committee members may remove and destroy any campaign material in violation of these rules.
- E. Campaign Violations
- a. A “violation” is any act committed against the policies outlined in the Elections Code, the ASWC Constitution, or the Student Handbook.
  - b. Violations may be reported by any full-time student, faculty or staff member at Whittier College.
  - c. Violations should be reported to the Elections Committee chair, or any other member of the Committee. A report including type of violation, location, and any other pertinent information should be submitted in person or via email.
  - d. Process of hearing reports:
    - i. Chair receives the violations and notifies the Committee and the advisor(s)
    - ii. If it is a first violation, the Chair will issue a warning, with a letter to be sent to the candidate’s poet e-mail. For subsequent warnings, the Chair will call a hearing with the Committee, the advisor and the candidate, at the end of which the Committee will render sanctions for the violation(s).

## ARTICLE VII: Penalties

A. Penalties for campaign violations may include:

a. Disqualification

- i. Disqualification requires a unanimous vote of the Elections Committee.
- ii. If the disqualification occurs before the polling begins, the candidates name will be removed from the ballot. As well as the notification of the candidate whilst name is removed. If the disqualification occurs during the polling, a notice will be posted at the polls indicating that the candidate was disqualified and that votes for the candidate will not be valid.
- iii. In the case of a disqualification, the Committee may decide to invalidate the election. Another election will be held as soon as possible. Only the candidates in the original election will be eligible in the replacement election. Disqualified candidates will not be eligible to run in the replacement election.



B. Fines

- a. For Level 1-3 Sanctions no fines will be permitted, however if Level 4 Sanctions take place a fine of \$50 dollars will be given and must be billed to the Candidate within 48 hours of sanction. However before the Level 4 Sanction warning will be

given to the candidate at the candidate information meeting before campaigning. The reason for the fine and the amount of the fine will be posted at the polls.

- i. Any fines received by the ASWC Senate in regards to elections will be placed in the Elections Account as mentioned in Article 5 Section A.

## **ARTICLE VIII: Write-in Candidates**

- A. Write-in candidates are subject to the same restrictions and penalties as recognized candidates.
- B. Write-in candidates must also complete the required Eligibility Form signed by the Dean of Students prior to the assumption of Office.

## **ARTICLE IX: Polling**

- A. Polling shall take place for one day between 8am – 8pm on the selected online platform.
- B. At least one (1) member of Senate is to be present outside the Campus Inn for a minimum of five (5) hours on the given Election Day.
- C. Photographs and statements not to exceed one page for all candidates shall be submitted so as to be displayed on an online voting platform on the day of the election.
- D. Ballots that are for positions that are elected by a specific constituency can only be voted on by members of that constituency (such as First Year Class Council, Off-campus Senator, etc.).
- E. The Committee Chair shall collaborate with the Study Abroad Program to be in communication with those students studying abroad during elections.

## **ARTICLE X: Counting the Votes**

- A. Before the counting begins, the candidates or their representatives will have a last chance to report possible campaign violations. Violations reported after the counting begins will not be considered by the Committee.
- B. Dummied ballots, such as voting for an ineligible candidate in a replacement election, voting for two candidates, not voting for any candidate etc. will be considered an abstention and will be counted toward the total votes cast.

C. The Counting Process

- a. The Chair of the Committee will view the online ballot as the ASWC Election Administrator in order to observe the outcome of the election, with another designated person of the Senate.
- b. Calling the Election
  - i. The winner of the election will be the candidate that receives the highest percentage of votes.
  - ii. Stand-alone candidates must receive 50%+1 of the total votes cast.

## **ARTICLE XI: Run-off Election**

- A. A run-off election will be called if the count is too close to call a clear winner.
- B. Run-off elections may occur when one of the candidates does not receive a majority vote of 50%+1. In such a case, the two candidates with the most votes will be placed on the ballot for a run-off election.
- C. Run-off elections will be held within one week of the initial election. The ballot will contain the words: "Run-Off Election" and adhere to the guidelines stated herein under Article IX, Section E, entitled "The Ballots".

## **ARTICLE XII: Posting the Results**

- A. Posted results shall consist of the names(s) of the winning candidate(s) only. The total number of votes cast in the election shall be released to the public as well as the percentage number of votes per academic class.
- B. Results shall be posted via the student email, released to the QC and posted outside the Senate Office.

## **ARTICLE XIII: Recount**

- A. A recount will be held if a petition demanding a recount is signed by at least two percent (2%) of the Student Body, or in the case of a legislative election for an officer elected for a specific constituency, by at least two percent (2%) of the constituency which the officer represents is sent to the Chair of the Committee.
- B. The Committee reserves the right to hold a recount if three-fourths (3/4) of that Committee have reason to question the results.

- C. The results of the recount shall be final. There can only be one recount.
- D. Records by Method A or B shall be conducted within three days of the election, or the results will become final automatically.
- E. A faculty or staff advisor to the ASWC Senate must be present at the recount.

## **ARTICLE XIV: Recall**

- A. Recall elections will be supervised by the Elections Committee (except in the special case covered in section G).
- B. A recall election may be called by:
  1. A majority vote of the voting members present.
  2. Through a petition process described in section C.
- C. Petitions and the Petition process
  1. The petition must contain on each page a heading which includes the words “Recall Petition,” the name of the person whose recall is being sought, and the reasons why the recall is being sought.
  2. The petitions are to be submitted to the Dean of Students or their designee who will be responsible for verifying that the conditions of subsection 1 above are met, and for counting the number of full time students who have signed the petition.
  3. The Dean of Students or their designee will submit to the President of the Student Body and to the chair of the Elections Committee a notice including a copy of the heading (see subsection 1 of this section) of the petition and the number of full time students who have signed the petition.
  4. If the subject of the recall is a Constituency Senator, the Dean of Students or their designee will be responsible for determining that the signatures represent either 15% of the entire student body or 15% of the constituency which the officer subject to recall represents.
  5. Under no circumstances will any names of people signing a petition be made known to any member of the student government or its agencies.
- D. Recall elections will be held within two weeks of the call. The ballot will contain the words “Recall Election,” the name of the person subject to recall and the two choices: “(name) should remain as (position),” and “(name) should be removed as (position).”

- E. Participation of at least thirty percent of the full time registered Whittier College student population is needed to consider the vote of a recall election. If a 2/3 count of the above mentioned minimum thirty percent (30%) of students voting vote in favor of a recall, the subject of the recall will be removed from their position in student government. The position will be filled as stated in Article XI.
- F. All other details of the procedure shall be described in the Election Code.
- G. If it is a member of the Elections Committee who is subject to recall, the process described above will be modified as follows:
  - 1. The notice described in section C, paragraph 3 above will be submitted to the ASWC President and the ASWC Vice President.
  - 2. The President, with the approval of the Legislature, will appoint a Special Elections Committee, which will assume the duties of the (existing) Elections Committee for the purposes of this recall election. The Senate may, at its option, appoint members from the (existing) Election Committee (except the person subject to recall) to the Special Election Committee.
  - 3. The Special Election Committee will have the same authority and be bound by the same rules as the Elections Committee.
  - 4. All election duties not related to this recall will continue to be handled by the (existing) Elections Committee. The subject of the recall process shall not participate in (existing) Elections Committee business while the recall process is in progress.
  - 5. The process will continue as described in paragraphs A through F above with Special Election Committee taking the role of the (existing) Elections Committee for the recall election.

## **ARTICLE XV: Appeal Process**

- 1. There shall be an appeals process established and made known to prospective candidates. Notice of the appeals process is to be added to the “Candidate Packet.”
- 2. The Elections Committee establishes a “Candidate Packet” of information that must be completed in order to run in an ASWC election.
- 3. The “Candidate Packet” includes the following;
  - a. Signatures from the student body
  - b. Academic good standing signature
  - c. Disciplinary good standing signature
  - d. Process for Appeals

4. If any piece of information is incomplete at the due date, each candidate with an incomplete packet is told when an appeals board will convene to hear their case, except in cases of academic probation and/or disciplinary good standing.
5. The appeals board shall consist of three people:
  - a. The Faculty Advisor or their designee
  - b. The Administrative Advisor or their designee
  - c. The Secretary of the Senate, who serves as the chair of said board, or any other Senator, appointed by the membership, that is not running in the elections
6. The following are items that may not be appealed:
  - a. Academic probation
  - b. Disciplinary good standing
7. The appeals board shall meet, review, and render a decision within a 4 hour period of receiving that appeal as to give the candidate time to plan their campaign.
8. The appeals process is as follows:
  - a. The Secretary briefs members of case(s) brought before them.
  - b. A meeting is called and participants are notified.
  - c. The board reviews the case and calls participants in for questioning.
  - d. The meeting shall be closed to review all information.
  - e. The board renders a decision based on all the information at the time of the review.
  - f. The board notifies the participant in a timely manner.
  - g. The board notifies the Senate at the next Senate session of the board's decision.
9. The appeals board shall make a unanimous decision. The appeals board shall give its decision(s) to the Senate about those candidates that are able to run in the election.

## **ARTICLE XVI: Fall Election Positions**

- A. Positions that are up for election in the Fall Semester are as follows;
  1. First Year Class Council President;
  2. First Year Class Council Vice President;
  3. First Year Class Council Treasurer;
  4. First Year Class Council Secretary
- B. If the positions listed below resigns before Fall Elections take place, the open position(s) shall be up for election during the Fall Elections;

1. Senator Positions:
  - a. Student Body Representatives (4);
  - b. Non-traditional Student Representative (1);
  - c. Resident Hall Representative (1);
  - d. Commuter Representative (1);
  - e. Academic Affairs Representative (1);
  - f. Environmental Action Advocate Representative (1);
2. Officer Positions:
  - a. President;
  - b. Vice President;
  - c. Treasurer;
  - d. Campus Relations Director;
  - e. Secretary

## **ARTICLE XVII: Spring Election Positions**

A. Positions that are for election in the Spring semester are as follows;

1. Officer Positions:
  - a. President;
  - b. Vice President;
  - c. Treasurer;
  - d. Campus Relations Director;
  - e. Secretary
2. Senator Positions:
  - a. Student Body Representatives (4);
  - b. Non-traditional Student Representative (1);
  - c. Resident Hall Representative (1);
  - d. Commuter Representative (1);
  - e. Academic Affairs Representative (1);
  - f. Environmental Action Advocate Representative (1);

## **ARTICLE XVIII: Special Circumstances**

A. In times of unforeseen and/or uncontrollable circumstances, the ASWC Elections Committee Chair reserves the right to conduct the process of elections in any manner necessary to fulfill their obligation. The new process must be approved by the ASWC Senate Executive Board and the Dean of Students Office.

**Revision dates:**

November 2005

November 2006

March 2008

May 2014

September 2015

October 2017

November 2017

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