

# Associated Students of Modesto Junior College

## *Election Code*

The *Associated Students of Modesto Junior College Election Code* represents guiding procedures for how student elections will be conducted at Modesto Junior College. The code derives its authority from the *Associated Students of Modesto Junior College Constitution and Bylaws*.

For the purposes of this code, the Associated Students of Modesto Junior College will be referred to as ASMJC.

Per *ASMJC Bylaw 12.7.3*, the ASMJC Political Development Committee shall conduct two elections on the East Campus for two days and the West Campus for two days by the end of the first week of April. Elected positions shall be President, Vice-President of the Student Senate, Vice-President of the Inter-Club Council, Director of Political Development, Director of Events, Treasurer, Secretary, Student Trustee, and up to ten Student Senators.

### **A. Candidate Eligibility**

To be an eligible candidate for office, applicants must meet the minimum requirements to hold office as stated in the *ASMJC Constitution and Bylaws* and the California Education Code.

#### 1. Application Process

- a. Applicant must complete and submit a candidate application herein listed in the Election Code to the Director of Political Development or representative by the announced deadline without exception.
- b. The ASMJC Advisor or representative shall process all applications then forward them to the Political Development Committee for review.

### **B. Applicant Due Process**

Applicants who do not meet all the minimum requirements to hold office as stated in the *ASMJC Constitution and Bylaws* and the California Education Code are ineligible to run for office, and may appeal through a two-thirds ruling of both the Student Senate and Inter-Club Council.

### **C. Candidates Briefing**

The Political Development Committee shall hold a candidates briefing that shall meet the following stipulations:

1. All candidates must attend the candidates briefing without exception unless authorized by a simple majority of the Political Development Committee.
2. Candidates are expected to be familiar with the *ASMJC Election Code* prior to the briefings which are to be disseminated to candidates no later than two weeks prior to the briefing.
3. A petition for candidacy of no less than two-hundred (200) signatures is to be presented to the Political Development Committee at the briefing.

### **D. Campaign Regulations**

Candidates shall comply with campaigning guidelines outlined within this code.

1. Campaigning must be free of elements that interfere with the education process, endanger persons, or damage property on campus; campaigning is defined by gatherings, meetings, rallies, and/or special stunts.
2. The use of supplies purchased or paid for by the ASMJC, Modesto Junior College, or the Yosemite Community College District is strictly prohibited.
3. All election materials for posting and distribution must meet the following standards:
  - a. The posting on non-approved building walls, doors, glass windows, entry ways, restrooms, stairwells, trees, light posts, or automobiles is strictly prohibited.
  - b. All campaign materials must bear the ASMJC “Approved” stamp prior to posting; the removal of violating materials will be strictly enforced.
  - c. Candidates are responsible for the removal of campaign materials no later than two weeks following elections.
  - d. Materials shall not be removed by other candidates or representatives; the first offense shall ban the candidate from participation in the candidate’s forum. The second shall disqualify a candidate from the elections.
  - e. All financial contributions shall be documented and submitted to the Director of Political Development or representative by the Friday preceding elections week.

#### **E. Ballot**

The ASMJC Advisor shall prepare ballots with candidates’ names appearing in alphabetical order and classified by title of office; the term “incumbent” shall not be included. The provision of a write-in candidate shall be included on the ballot.

#### **F. Voting**

Voting in the general election shall be conducted in the following manner:

1. Every currently enrolled student is entitled to one ballot and one vote.
2. No student, or non-student, can vote in place of currently enrolled student; proxy voting prohibited.
3. The ASMJC Advisor shall order an alpha list of all currently enrolled Modesto Junior College students prior to the first day of voting. The alpha list shall be titled “Voter’s Register”.
4. Students must present a Modesto Junior College student identification card to a ballot box booth attendant before receiving a ballot.
5. Voter shall sign the Voter’s Register to attest to his/her identity in order to obtain and submit a ballot.

#### **G. Tabulation**

The Political Development Committee shall tabulate the election ballots according to this code:

1. Tabulation Procedure
  - a. All properly marked ballots shall be tabulated.
  - b. The Director of Political Development or representative shall supervise the tabulation

process.

- c. Two (2) or more members of the Political Development Committee shall tabulate all valid ballots.
  - d. Tabulation shall be conducted in public. For security purposes, the ASMJC Advisor may limit access to the tabulation area.
  - e. Tabulation shall be officially endorsed by all of the following: the ASMJC Advisor, the Director of Political Development, and the Political Development Committee.
2. Determination of Winner: The ASMJC Advisor shall announce in ascending order the candidates of each office and his/her votes concluding with the winner.
  3. Ties and Runoffs: In case of a tie, a runoff election may be held within one (1) week of the official tabulation. Runoff elections shall be subject to the same regulations, when reasonable, that govern general elections.
  4. Public Notice: Public notice of election results shall be given by way of campus-wide e-mail, posting in the East Campus Student Center and the West Campus Mary Stuart Rogers Center, as well as the *Pirates Log*.
  5. Recount: Candidates shall have two (2) business days after official notice of results to request a recount. The signature of the candidate and thirty (30) currently enrolled students shall be necessary to engage a recount process of all valid ballots.
  6. Securing of Ballots: The ASMJC Advisor shall maintain ballots in a locked container for a minimum of seven (7) business days after certification of the election.

## **H. Certification**

The Political Development Committee shall certify the election after the ballots are tabulated, all recount requests have been addressed, and all pending candidate complaints have been accorded due process. Certification shall be achieved by a two-thirds (2/3) vote of the Political Development Committee.

## **I. Candidate Due Process**

Candidates who feel that they have been the victim of severe and/or repeated violations of any part of the *ASMJC Election Code* will have their complaint reviewed by the Political Development Committee and the ASMJC Advisor in a timely manner (within one business day on election days).

1. Process
  - a. All complaints must be filed in writing and must be signed by the candidate. The burden of proof is on the complainant.
  - b. Accused individuals must be notified of a complaint prior to any ruling; he/she has the right to appear before the Political Development Committee to defend him/herself prior to a decision.
  - c. The Political Development Committee reserves the right to enforce penalties of any decision the body reaches.

## **J. Enforcement of Election Code**

The Political Development Committee may impose any one, or a combination of, the following penalties to individuals or groups found guilty of violations:

1. Removal of campaign literature
2. Banning of participation in the candidate's forum
3. Disqualification from election

## **K. Amendment of the Election Code**

To amend the Election Code, a two-thirds ( $2/3$ ) vote of the Student Senate and Inter-Club Council is required. Dates of amendments shall be listed at the conclusion of the *ASMJC Election Code*.



**Application for Candidacy in ASMJC Elections**

**Name:** \_\_\_\_\_

**Phone:** \_\_\_\_\_

**W#:** \_\_\_\_\_

**E-mail:** \_\_\_\_\_

**Units Completed:** \_\_\_\_\_

**Most recent GPA:** \_\_\_\_\_

*Please attach transcript*

**Position Running For:**

(Circle only one)

President

Vice-President of the Student Senate

Vice-President of the Inter-Club Council

Director of Political Development

Director of Events

Treasurer

Secretary

Student Senator

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**To be completed by ASMJC Advisor:**

*Eligible*

*Ineligible*