

**Associated Students of**

**Modesto Junior College**

**Election Code 2021-2022**

This election code is hereby established in accordance with our Bylaws, Article XIII, Section 1. The student senate authorizes the establishment of an Elections Subcommittee to plan, implement, coordinate, and evaluate elections and processes set forth by this Code.

1. **Candidate Eligibility**
   1. Candidates must meet the minimum requirements for eligibility set forth by the California Education Code, Yosemite Community College District (YCCD) Board Policy, and the Associated Students of Modesto Junior College (ASMJC) Constitution and Bylaws:
      1. Minimum Cumulative Grade Point Average (GPA) of 2.5.
      2. Current enrollment in at least nine (9) units.
      3. Must not have reached 70 units.
      4. Not having been removed from office as a result of impeachment.
   2. The following requirements are solely for Presidential candidates:
      1. At least one (1) semester involvement as an Executive Officer or senator within the last fiscal year.
      2. Shall have participated in a leadership course training which has been approved by the Campus Life and Student Learning Manager or his/her designee prior to application.
      3. Participate in one leadership course per term. This course must be approved by Campus Life and Student Learning Manager or his/her designee.
      4. Shall not concurrently hold a student government position and the Inter-Club Council Representative position in a club.
2. **Application Process**
   1. Candidates must complete and submit an application to the Campus Life and Student Learning Manager or his/her designee via email ([espinozaa@mjc.edu](mailto:espinozaa@mjc.edu)) by the announce deadline, without exception—March 5, 2021.
   2. The Campus Life and Student Learning Manager or his/her designee shall process all applications for eligibility as defined by Section A of this code and forward all eligible application to the Elections Subcommittee.
   3. Applicants who do not meet all minimum requirements to hold office as stated in Section A of this Code are ineligible to run for office.
3. **Candidates Briefing**
   1. All candidates must attend a candidate briefing hosted by the Elections Chair or his/her designee. Due to COVID-19, all briefing meetings will be in zoom. Zoom links will be sent to candidates’ student emails.
   2. If candidate does not attend briefing, the candidate will not be eligible to run.
4. **Campaign Regulations\***

\*due to COVID-19, there is no campaigning posting allowed on campus during this closure.

* 1. Campaigning is defined by gatherings, meetings, rallies, and/or special stunts.
  2. Campaigning must be free of elements that endanger persons or damage property on campus.
  3. The use of supplies purchased or paid for by Modesto Junior College (MJC) or the YCCD is strictly prohibited.
  4. All election materials for posting and distribution must meet the following standards:
     1. The posting on non-approved building walls, doors, glass windows, entry ways, restrooms, stairwells, trees, light posts, or automobiles is strictly prohibited.
     2. All campaign materials must bear the “MJC Approved” stamp prior to posting; the removal of violating materials will be strictly enforced.
     3. Candidates are responsible for the removal of campaign materials no later than April 6, 2021.
  5. Campaign Contributions and Expenditures
     1. All candidates shall keep a public record of all contributions and expenditures, unless the candidate receives funding thought ASMJC.
        1. Upon approval of request, any qualified candidate (see Candidate Eligibility) will receive campaign materials through ASMJC.
           1. All campaign materials will be of a universal design.
     2. All financial contributions, with amount listed, and expenditures, with receipts, shall be documented and submitted to the Elections Chairs or his/her designee by the Friday preceding elections week, if they did not receive funding from ASMJC.
        1. No individual shall expend more than a total of fifty ($50.00) U.S. Dollars. Candidates receiving assistance from ASMJC shall not expend any funds on further campaign materials.
        2. Individuals, clubs, and student organizations may endorse candidates under the following conditions:
           1. For clubs and student organizations, minutes approving the endorsement(s) of candidates must be submitted to Campus Life & Student Learning Manager via email [espinozaa@mjc.edu](mailto:espinozaa@mjc.edu)
           2. No club or student organization may use club funds to contribute to a campaign.
  6. No benefit from YCCD Faculty and students shall be offered to vote in the elections (i.e. extra credit for class).

1. **Ballot**
   1. Write-ins
      1. Write-in candidates will only be allowed for positions in which there are no candidates running.
         1. A minimum of twenty-five (25) votes will be required for a write-in candidate to be considered for nomination to an open position.
         2. A write-in candidate who wins the nomination for an open position must complete a candidate’s briefing outlining the responsibilities of the position before accepting the position, and must meet all eligibility requirements.
2. **Voting**
   1. In response to the COVID-19 crisis Voting will be moved to an online format though Survey Monkey.
   2. Every currently enrolled student is entitled to one (1) ballot.
   3. No student, or non-student, can vote in the place of a currently enrolled student; proxy voting is strictly prohibited.
3. **Tabulation**
   1. Tabulation is generated automatically through the online format of Survey Monkey.
   2. The Campus Life and Student Learning Manager shall check the online format to ensure each student has only voted once.
   3. Determination of the winner
      1. The Campus Life and Student Learning Manager or his/her designee shall announce the winner of each position.
      2. The winner of each office shall be chosen by a majority of votes cast.
   4. Ties and Run-offs
      1. In case of a tie, a run-off election may be held within two (2) weeks of the official tabulation. Run-off elections shall be subject to the same regulations, when reasonable, that govern elections.
   5. Public Notice
      1. In response to the COVID-19 crisis, public notice of elections results shall be given by way of the Campus Life & Student Learning web page under ASMJC Elections and through the Campus Life & Student Learning Instagram.
   6. Recount
      1. Candidates shall have one (1) business day following the official notice of election results to request a recount in writing.
4. **Candidate Due Process**
   1. Candidates who feel they have been a victim of severe and/or repeated violations of any part of this Code shall have their complaint revised by the Elections subcommittee in a timely manner.
   2. All complaints must be filed in writing within 48 hours of the incident, and must be signed by the candidate. The burden of proof lies within the complainant.
      1. The Election Subcommittee shall notify both the complainant and the party/parties involved of a time and place to discuss the complaint.
      2. Upon hearing both sides of the complaint, the Elections Subcommittee shall deliberate and render its decision within 48 hours of the meeting to all parties involved.
   3. Any parties found to be in violation of this Code shall be subject to one, or a combination, of the penalties mentioned in the section “Enforcement of Election Code.”
   4. The Elections Subcommittee reserves the right to enforce penalties of any decision the body reaches.
5. **Enforcement of Election Code**
   1. The Elections Subcommittee may impose any one, or a combination, of the following penalties to individuals or groups found guilty of violations of this Code:
      1. Removal of Campaign Literature
      2. Disqualification from the Election
   2. Any parties that are accused of breaking, or have broken, the Election code will be investigated by the Elections Subcommittee.