



## Student Union Assembly

Hello Candidates!

On the behalf of the Elections Commission, we would like to formally thank you for participating in the Student Union Assembly Elections for the 2016-2017 school year! We look forward to a fun, fair, and spirited elections season.

As we all know, it is a tumultuous time for students. Your interest in the SUA reflects a need that is in high demand: a need for leaders willing to step up, organize and be the representative of the student voice. While there are many difficulties ahead of us, exciting things are happening. The elections are just one of those things.

Again, the Commission looks forward to helping everyone run smooth, clean campaigns. All candidates put an intense amount of time, effort and heart into these campaigns and we want everyone to be respectful of this. If you have any questions, comments or concerns, please do not hesitate to contact us.

We thank you again for your participation, and good luck!

Simba Khadder  
SUA Elections Commissioner

Leslie Magana  
SUA Associate Elections Commissioner

## 2016 Elections Timeline

Event	Date	Day and Location
Officer/Representative Candidate Petitions [Open]	March 30 <sup>th</sup> , 2016	SUA website
Officer/Representative Candidate Petitions Due at SUA Office	April 27 <sup>th</sup> , 2016 by 5:00pm	Wednesday at Dean of Students Office
Current Officer Meet and Greet	TBD	TBD
Candidate Orientation(s)	Week of April 27 <sup>th</sup> , 2016	TBD
Candidates Verification with Dean of Students Office	April 30, 2016	Online
Candidate May Begin Campaigning	May 3, 2016	Tuesday
Candidate Debates	TBD	TBD
Candidate Meet and Greet	TBD	TBD
Voting Begins	May 11, 2016	Wednesday
Voting Ends	May 17, 2016	Tuesday
Results Announced	~ May 18, 2016	TBD

# 2016-2017 Student Union Assembly Petition for Candidacy

**APPLICATION DEADLINE: Wednesday, April 27, 2016**

**Petitions Due at the front desk of  
the Dean of Students Office by 5:00pm**

**NO EXCEPTIONS!**

**Questions? Contact the Election Commissioners at: [elections.sua@gmail.com](mailto:elections.sua@gmail.com)**

## **What is the Student Union Assembly?**

**The Student Union Assembly (SUA)** is the official undergraduate student government at UC Santa Cruz. First created in 1985, the SUA was the product of the growing desire amongst students for an umbrella establishment to organize and help sustain all the various campus groups. The SUA has since grown in scale, and its current officers and voting members all represent a broad cross-section of the university population.

The SUA is entirely student-funded and student-run, and deals directly with student concerns - both those that relate directly to UCSC students (such as student fees, campus labor issues, and matters of academic integrity), and those that affect students on a statewide level (including budget cuts, voter registration, and accessibility to higher education). The SUA also funds student events, holds political rallies, establishes coalitions with other campus entities and the school administration, and facilitates student internship and activist opportunities.

## **What is this Petition for?**

This petition is for declaring candidacy in the Spring 2016 campus elections for one of the following:

SUA Elected Officer or Representative positions:

- Student Union Assembly President
- Student Union Assembly Vice President of Internal Affairs
- Student Union Assembly Vice President of External Affairs
- Student Union Assembly Vice President of Diversity and Inclusion
- Student Union Assembly Vice President of Academic Affairs
- Student Union Assembly Vice President of Student Life
- Student Union Assembly College Representative (One per College)

For position descriptions, please go to: [sua.ucsc.edu](http://sua.ucsc.edu)

In order for a Nomination Petition to be valid, the following requirements must be met:

1. Officer candidates must acquire a petition signed by at least **fifty (50) undergraduates** who are currently registered at UCSC and Representative candidates must acquire a petition signed by at least **twenty-five (25) undergraduates affiliated with their respective college**. Candidates are encouraged to collect over the required minimum to ensure that their petition is valid. **A valid signature consists of first and last name, college affiliation, last 4 digits of Student ID number, and signature.**
2. The officer candidate petition must be signed by at least three students from each of the ten colleges.
3. **Students cannot endorse more than one candidate for each position.** Any signature appearing on more than one petition for a given position will be invalid. The SUA Elections Commissioners will verify signatures.
4. All Petitions for Candidacy must be submitted by **Wednesday, April 27<sup>th</sup> at 5pm to the Dean of Students Office.**
5. All candidates need to complete a **150-word typed** Candidate Statement and **attach it to their petition.** If statements are longer than 150 words any additional words will be cut off. In addition to the attached statement, **an electronic copy** must be submitted to the Undergraduate Elections **e-mail [elections.sua@gmail.com](mailto:elections.sua@gmail.com) by April 27<sup>th</sup>, 2016 by 5 pm.**

**All candidates** are required to attend a Candidate Orientation meeting. The Orientation meetings will be the week of April 27th. The final dates and location will be emailed to the address given on the candidate information statement by **Wednesday, April 27<sup>th</sup> at 5pm.** Meetings are mandatory for all officer and representative positions. Failure to attend may be grounds for disqualification for **regular and write-in candidates.**



# SUA Petition for Candidacy

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

Student ID # \_\_\_\_\_

Class Level Next Fall: \_\_\_1st\_\_\_2nd\_\_\_3rd\_\_\_4th\_\_\_5th

UCSC E-Mail: \_\_\_\_\_ Telephone: (\_\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

**Do you wish to receive public financing for your campaign\*? \_\_\_ YES \_\_\_ NO**

\*Pursuant to the SUA Elections Code: Article V. Section C

**Indicate the position in which you are seeking candidacy:**

- \_\_\_\_\_ **Student Union Assembly President**
- \_\_\_\_\_ **Student Union Assembly Vice President of Internal Affairs**
- \_\_\_\_\_ **Student Union Assembly Vice President of External Affairs**
- \_\_\_\_\_ **Student Union Assembly Vice President of Diversity and Inclusion**
- \_\_\_\_\_ **Student Union Assembly Vice President of Academic Affairs**
- \_\_\_\_\_ **Student Union Assembly Vice President of Student Life**
- \_\_\_\_\_ **Student Union Assembly College Representative (One per College)**

## Candidate Statement

Please attach your candidate statement no longer than 150 words, any additional words will be cut off. Also, email an electronic copy to [elections.sua@gmail.com](mailto:elections.sua@gmail.com)

I agree to adhere to the following:

- I will not begin campaigning until authorized by the Elections Commission.
- I have read the Elections Code in full and agree to all of its conditions.
- I will not violate the SUA Elections Code and/or university policy prior or during my candidacy.
- I agree and am responsible for all deadlines outlined in the SUA Timeline.
- I understand that the Elections Commission may enforce additional campaign rules not outlined in the SUA Bylaws to ensure equal opportunity for all candidates.

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

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

By Signing this petition I endorse \_\_\_\_\_ for their Candidacy  
as \_\_\_\_\_ in the Student Union Assembly

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By Signing this petition I endorse \_\_\_\_\_ for their Candidacy  
as \_\_\_\_\_ in the Student Union Assembly

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**2016 SUA Spring Elections  
Endorsement Form**

I, \_\_\_\_\_ (name), \_\_\_\_\_ (position and name of club or organization), hereby state that I, and the members I represent, support \_\_\_\_\_ (candidate name) for the position of \_\_\_\_\_ (name of position) in the Student Union Assembly of the University of California, Santa Cruz. I also understand that any fraudulent endorsements shall be subject to immediate disqualification.

Signature of Endorsing Party \_\_\_\_\_ Date \_\_\_\_\_

Signature of Candidate \_\_\_\_\_ Date \_\_\_\_\_

**2016 SUA Spring Elections  
Endorsement Form**

I, \_\_\_\_\_ (name), \_\_\_\_\_ (position and name of club or organization), hereby state that I, and the members I represent, support \_\_\_\_\_ (candidate name) for the position of \_\_\_\_\_ (name of position) in the Student Union Assembly of the University of California, Santa Cruz. I also understand that any fraudulent endorsements shall be subject to immediate disqualification.

Signature of Endorsing Party \_\_\_\_\_ Date \_\_\_\_\_

Signature of Candidate \_\_\_\_\_ Date \_\_\_\_\_

# SUA Elections Code

(taken from Section D of the SUA Constitutional Bylaws)

## SECTION D. Elections Code

### 1. General Procedures

- A. In accordance with ARTICLE III. SECTION C.1 of the Constitution, the SUA must conduct a campus-wide election for all members of the Assembly and/or Constitutional Amendments during each Spring quarter, and the SUA charges an Elections Commission to fulfill this duty.
- B. The official website for SUA elections will be determined by the SUA Elections Commissioner in collaboration with the Student Affairs Campus Elections Commissioner.
- C. The SUA will not recognize “slates” or “parties” in the election process such that, the election ballot will not name, list or acknowledge party affiliations, slate names, party or slate identifications or any other distinguishable affiliations.
- D. The ballot shall be non-partisan
- E. The Elections Packet shall be both available and advertised for at least twenty (20) working days prior to the deadline of Petitions for Candidacy.
- F. The Elections Packet shall include: A Cover Letter, Elections Timeline, the SUA Elections Code, Endorsement Form, and the Petition for Candidacy.
- G. In the event that more than one candidate for the same position receives the same number of votes, a run-of election shall take place.
  - I. The Election shall take place as soon as deemed possible by the Elections Commission and must occur before the concurrent academic year terminates.
  - II. The Commission shall hold an additional day of voting for the contested position.
- H. The Assembly shall authorize Special Elections, as it deems necessary, and shall assign a temporary Elections Commissioner for such Elections to carry out all duties and responsibly outlined in this code for such Elections.
- I. All deadlines shall be at 5:00pm on the due date.

### 2. Elections Commission

- A. **Purpose.** The purpose of this Code and Elections Commission shall be to outline the procedures, guidelines, and regulations which govern all SUA Elections at UCSC and to define the duties and responsibilities of those who participate in and who facilitate all SUA election procedures. Enforcement of this code shall ensure a fair, equal and open election for the Undergraduate Student Body at UCSC.
- B. **Composition**
  - I. The Elections Commission shall consist of the following:
    - a. The SUA Chair; non voting, ex-officio
      - i. In the event the Chair is a candidate an acting SUA officer may serve in his/her place

- ii. In the case that all officers are up for election the SUA reserves the right to appoint a representative from the Assembly by a simple majority
    - iii. Votes only to make or break a tie.
  - b. The SUA Elections Commissioner
    - i. Non-voting member to ensure impartiality during rule making and hearings.
  - c. The SUA Associate Elections Commissioner
  - d. One College Elections Commissioner from each college
    - i. College Elections Commissioners may be compensated by the SUA for their work.
  - e. The SOAR Director, or designee; non-voting staff adviser to the Commission.
    - i. Need not be present to conduct business of the commission.
- II. Once appointed, commissioners waive their Constitutional right to file a petition for candidacy until the next academic year.
- III. Quorum shall constitute as 50% + 1 of all currently filled commissioners.
- IV. Each commissioner, excluding the Elections Commissioner, the SOAR Director, and SUA Chair (except in making or breaking a tie), shall receive one vote on the Commission.
- V. No commissioner shall be a candidate nor shall he/she support or oppose any campus candidate, party, or referenda while serving on the Commission. Any commissioner so doing may be removed from the Commission by the SUA Elections Commissioner or by a two-thirds (2/3) vote of the Commission.
  - a. Removal of a member from the Commission is subject to be overturned by the Assembly.
- VI. In the event a college commissioner is a candidate for an elected position in the concurrent election, or is the author or co-author of a measure or Constitutional Amendment on the upcoming ballot, then he/she shall be ineligible to serve on the Commission and the respective college council must appoint another commissioner as soon as possible.
- VII. Colleges forfeit their right to appoint college commissioners after the Petition for Candidacy is due.
- VIII. Commissioners must uphold confidentiality in all matters reviewed by the Commission. Failure to do so will result in removal from the Commission by the SUA Elections Commissioner and action by the SUA.
  - a. Action by the SUA can be, but is not limited to, barring an individual from any participation in the current elections process (including working on campaigns for candidates, Amendments, and/or measures).

### **C. Responsibilities and Powers**

- I. This Commission shall be responsible for working with the SUA Elections Commissioner and Chair to enforce the SUA Elections Code.
- II. This Commission shall meet as often as the SUA Elections Commissioner deems appropriate proceeding and during Elections week to review all official complaints in accordance to the official complaint deadline.
- III. The Elections Commission, or designated individuals, has the right to remove all campaign materials and literature that do not comply with University Posting Regulations and/or as stipulated in the Elections Code.
- IV. The Elections Commission may, after a hearing has been held, take judicial actions against an individual for violations of this code.
- V. The Commission reserves the right and power to establish rules, in addition to those outlined by this code, such that it furthers fairness, transparency, and equal opportunity for all SUA candidates.
  - a. Upon approval of such rules, the SUA Elections Commissioner must submit notification to the Assembly detailing the new rule(s) and provide valid reasoning within 24 hours.
  - b. The Assembly may overturn such rules.
  - c. After the Petition for Candidacy is due, the Commission shall institute no new rules.
- VI. The Commission shall ratify the results of the Elections by a simple majority vote.

**D. Meetings of the Commission**

- I. Shall be convened as the SUA Elections Commissioner, or a majority of Commission members, sees fit.
- II. May any decision not already laid out in this code shall require a simple majority.
- III. Meetings shall be closed to members of the Commission.

**3. Elections Commissioner and Associate Elections Commissioner**

**A. Appointment**

- I. The SUA Elections Commissioner
  - a. The SUA shall appoint the campus-wide Elections Commissioner, previously and herein after referred to as the “Commissioner”, who must be an undergraduate student enrolled at UCSC, familiar with campus regulations and student concerns, and be enrolled at UCSC during winter and spring quarters.
  - b. The campus-wide Elections Commissioner is responsible for coordinating the campus-wide Elections Commission, which consists of the college-level election.
  - c. The campus-wide Elections Commissioner shall be paid a total of \$500 for his or her work. He or she shall receive half of the payment at the mid-point and half upon satisfactory completion of the job.

- d. If it is decided by two-thirds (2/3) of the Assembly that the campus-wide Elections Commissioner is not doing a satisfactory job, the second payment can be withheld.
- II. The SUA Associate Elections Commissioner
  - a. The SUA shall appoint an Associate Elections Commissioner, who must be an undergraduate student currently enrolled at UCSC during winter and spring quarters.
  - b. The Associate Elections Commissioner shall be paid a total of \$400 for his or her work. He or she shall receive half of the payment at the mid-point and half upon satisfactory completion of the job.
  - c. If it is decided by two-thirds (2/3) of the Assembly that the Associate Elections Commissioner is not doing a satisfactory job, the second payment can be withheld.
- III. The SUA Elections Commissioner and Associate Commissioner can be recalled by two-thirds (2/3) of the Student Union Assembly. In the event that this should occur, the Assembly shall review the performance of the former Commissioner's tasks and may withhold the second portion of his or her pay.
- IV. The campus-wide Elections Commissioner and Associate Commissioner shall begin working on the elections as soon as possible.
- V. In the event that the Elections Commissioner or the Associate Elections Commissioner resigns, they shall only receive pay if they have satisfied the stipulations of Sections 3.A.I.c or 3.A.II.b

**B. Responsibilities and Powers**

- I. The Elections Commissioner is responsible for overseeing the elections process and coordinating the campus-wide Elections Commission in order to ensure a fair and open election for the Undergraduate Student Body of UCSC.
- II. The duties and responsibilities of Elections Commissioner's shall be as follows:
  - a. Facilitate and supervise all SUA Elections.
  - b. Post and hold regular office hours in the SUA Office as soon as the Elections Packet is made available and until the Elections Ratification has been concluded.
  - c. Confirm candidates after all proper verification have taken place.
  - d. Hold Hearings as part of the Elections Commission to review official complaints, in accordance with this code, submitted by students and/or candidates.
  - e. Attend Assembly meetings during the Elections process if requested by members of the Assembly and/or officer.
  - f. Conduct a Mandatory Orientation meeting for all candidates or their representatives at which time the Elections Code and University policy shall be reviewed and candidate deadlines explained.

- g. The Elections Commissioner will meet and coordinate with the Campus representative responsible for campus elections.
  - h. The Elections Commissioner may sanction, censure, or issue an order to candidates to end actions that are in violation of the Elections Code or University policies and regulations.
  - i. The Commissioner shall be authorized to release the results of the Election upon ratification by the Commission and certified by the Chair.
- III. The duties of the Associate Elections Commissioners shall be as follows:
- a. Shall be the Assembly's official voting representation on the Commission.
  - b. Shall be responsible for verifying the eligibility of each candidate with the Student Affairs Campus Elections Commissioner.
  - c. The Associate Elections Commissioner shall be responsible for promoting all elections, including all advertising in the campus media concerning the elections and commissioners if the positions have not yet been appointed.
  - d. The Associate Elections Commissioner shall be responsible for taking minutes in all Elections Commission meetings and Evidentiary Hearings for the purpose of presentation to the Assembly should candidates challenge the decision(s) of the Elections Commission.
  - e. The Associate Elections Commissioner shall work under the direction of the Elections Commissioner and shall perform such duties, which the Elections Commissioner may assign.

#### **4. SUA CHAIR**

##### **A. Responsibilities and Powers**

- I. The Chair is responsible for overseeing the entire elections process unless he/she is a current candidate.
- II. The Chair shall serve as an ex-officio, non-voting impartial adviser to the Commission.
- III. Shall ensure the election process is in accordance with the Constitution, Bylaws, and/or all applicable SUA documents.
- IV. Upon ratification by the Commission and before results are made public, the Chair shall sign, on behalf of the Assembly, and certify the results of the Election.

#### **5. Candidate Rules and Regulations**

##### **A. Candidacy and Qualification**

- I. Any enrolled member of the Undergraduate Student Body who wishes to run for an SUA Officer position shall be required to submit a Petition for Candidacy signed by a minimum of fifty (50) enrolled members of the Undergraduate Student Body, with at least three (3) students from each of the colleges, by a specified deadline set by the Elections Commissioner as well as a Candidate Statement not to exceed 150 words.

- II. Any enrolled member of the Undergraduate Student Body who wishes to run for a college representative position shall be required to submit a Petition for Candidacy signed by a minimum of twenty-five (25) enrolled members of their respective college, by a specified deadline set by the Elections Commissioner as well as a Candidate Statement not to exceed 150 words.
- III. Duplicate signatures on petitions by candidates for the same position will be void.
- IV. The Commissioner shall verify the candidate's qualification and eligibility within five (5) school days of the Mandatory Orientation Meeting.
  - a. The Candidate must be an enrolled member of the Undergraduate student body to be eligible.
  - b. No candidate shall hold or run for more than one elected position within the SUA.
  - c. The Candidate must not file to graduate before the fall quarter following the election. Recommended punishment for violation of this clause can be found under Section 6.C.VI.d.
- V. All candidates must attend a Mandatory Orientation Meeting conducted by the Commissioner at which the Elections Code and campaign rules will be fully reviewed.
  - a. If for any reason a candidate is unable to attend this meeting, they may send a representative (with a letter of confirmation from the candidate). Failure to attend this meeting or send a representative shall cause the candidate to be disqualified.
- VI. A candidate may withdraw their nomination petition at any time during the Election Process.
  - a. If the Candidate withdraws after the deadline to declare candidacy, the candidate may not run for any other position during that same election.

**B. Write in Candidates**

- I. The SUA will allow write-in candidates for Officer and Representative positions.
  - a. Write-in candidates must be enrolled members of the Undergraduate Student Body.
  - b. A space on the SUA Elections Ballot will be provided for write-in candidates
  - c. Write-in candidates are not allowed to submit a Candidate Statement.

**C. Financial Reporting**

- I. The Student Union Assembly recommends that students spend no more than a total of \$250.00 on their campaigns.
- II. The SUA will reimburse officer candidates up to a maximum of \$250.00 per candidate.

- III. The SUA will reimburse representative candidates up to a maximum of \$125.00 per candidate.
- IV. Each candidate must save all receipts for costs of their campaigns in the event of an audit.
- V. The Commissioner may issue an audit for a candidate's campaign at anytime or at the request of two-thirds (2/3) of the Assembly.
- VI. If receipts are not presented when asked, the candidate may be eligible for disqualification.
- VII. Candidates may receive contributions to their campaigns but receipts of contributions must be saved. Contributions may not exceed \$15.00.

**D. Campaign Rules**

- I. The following campaign rules are established to ensure that each candidate is afforded an opportunity for election equal to that of any other candidate for that office.
- II. Candidates may be sanctioned or disqualified by the Elections Commission for a violation of any of the following campaign rules:
  - a. Any violation of this Election Code or University policies and regulations.
  - b. Willfully violating a lawful order from the Elections Commissioner or Commission;
  - c. Intentionally falsifying information on any SUA Elections forms;
  - d. Knowingly and actively campaigning within 20 feet of the any SUA or College government polling location, provided that the polls are properly marked off;
    - i. This rule does not apply to a college government's poll in the case that a college government endorses one or more SUA candidates in the concurrent election.
  - e. Altering the screen appearance of the official University on-line voting site
  - f. Badgering or intimidating the Commissioner or members of the Commission;
  - g. Failing to appear before the Elections Commission after receiving 24 hour prior notice; except if he/she can provide a valid medical excuse, out of town commitment, death in the family, or prior employment obligation. It shall be the Commission's right to determine the validity of any claim as to the above.
  - h. Obstructing in a hearing or judicial processes conducted by the Elections Commission;
  - i. Willfully destroying, defacing, covering, moving or removing from their places elections-related posters, signs, banners, leaflets or flyers;
  - j. Filing frivolous or bad faith appeals charges against any candidate or party or engaging a third party to file such charges;



- k. Committing, according to established legal standards, libel or slander against another candidate or party;
  - l. Claiming an endorsement of an individual, group, or party without his/her/its consent. Candidates are required to obtain endorsements in writing.
  - m. No campaigning will be allowed until after a candidate is confirmed by the Commissioner and has attended the mandatory Candidate Orientation.
  - n. Regarding solicitation and dorm-storming, Elections code will refer to university policy.
  - o. No candidates may engage in campaigning in any University classroom. This includes, but is not limited to, posting and/or distributing flyers, making announcements in front of a class with or without the permission of the instructor, and writing and/or displaying campaign messages on boards and/or projectors.  
\*This subsection was added with the stipulation that it be reviewed after the 2013–2014 election cycle.
- III. Failure to comply shall result in disqualification and inability to participate in the concurrent election.

**E. Candidate Responsibilities**

- I. All candidates must file a declaration of candidacy according to the timeline in made available in the Elections Packet.
- II. All candidates are required to attend the mandatory orientation meeting conducted by the Elections Commissioner at which time the Elections Code and campaigning rules shall be fully reviewed. Under extenuating circumstances that have been discussed with the Elections Commissioner in which the candidate cannot attend the scheduled Candidates Meeting, a private meeting may be scheduled for the candidate.
- III. All candidates shall be responsible for meeting all deadlines of the Elections Timeline.
- IV. All candidates shall check the Petition for Candidacy for misspellings and/or errors.
- V. All candidates shall familiarize themselves with this Elections Code.
- VI. Every candidate is required to comply with University posting policies.
- VII. The use of SUA and/or University equipment, and/or telephones (except in a manner available to the entire student population) for campaigning is prohibited.
- VIII. Any candidate can be endorsed by an organization registered with SOAR and/or any campus entity and must submit the Candidate Endorsement Form signed by the leading student officer(s) of the organization, stating that the organization (not the individual) has officially endorsed him/her. No campaign material may be distributed with the endorsement until the Commissioner for Compliance has acknowledged receipt of the

endorsement. Failure to do so may result in violation of SECTION. D.I. of this code.

**F. Rights of Candidates**

- I. Once confirmed as candidates by the Elections Commissioner, candidates can expect timely and responsive communication with the SUA Elections Commissioner.
- II. Not to be impeded in campaigning for office by any other candidate.
- III. To be afforded all possibility of campaigning that any other candidate for the same office is.
- IV. To use proprietary information for campaigning that has been collected in any non-SUA endorsed setting that is not in violation of another provision of this code.
- V. To appeal any and all actions of the Elections Commission to the Assembly.
- VI. When requested, be provided direct contact to University Legal Counsel for consultation on actions of the Elections Commission or Assembly.

**6. Judicial Action of the Elections Commission**

**A. Procedure**

- I. Judicial action shall be considered: Any judgment, decree, or decision rendered by the Commission, which concerns a contested issue brought before the Commission by parties. It is the interpretation, application, and enforcement of this code relating to a particular set of facts in a particular case. The Commission and SUA Elections Commissioner do not have the power to consult on hypothetical situations.
- II. All judicial matters of the SUA Elections Commission shall originate via a complaint. All registered undergraduate students at the University of California, Santa Cruz, shall have the right to file a complaint, until 24 hours after the close of voting to the SUA Elections Commissioner. All members of the Elections Commission forfeit the right to file a complaint, save the SUA Elections Commissioner in the capacities outlined in this code.
  - a. A complaint must include: the name, UCSC ID Number and contact information of the filer; the name of the person the complaint is filed against; the position the person is a candidate for (or the measure or Amendment they are the author of); time, date, and place of the alleged violation; specific citation of this code which was violated; and any evidence or witnesses of the alleged violation. In less than 500 words. Persons who wish to submit a complaint anonymously must meet with the Campus Elections Commissioner, in order to verify their identity prior to the presentation of this evidence and the authenticity of the evidence.
    - i. The Elections Commissioner shall submit the evidence to the Elections Commission on behalf of the anonymous.

- ii. Evidence submitted anonymously must be verified with the Campus Elections Commissioner.
  - b. A complaint must be written and either emailed to the SUA Elections Commissioner (via an email on the SUA website and given at candidate orientations) or placed in the Elections Commission box in the SUA office.
  - c. Complaints may be filed against candidates; authors of measures or Constitutional Amendments; or any other individual. (While the Commission does not have prevue over measures, the Commission may request judicial action against a measure by the Campus Elections Commissioner. In addition, the Commission may find it difficult to take judicial action against non-candidates or non-authors).
  - d. The SUA Elections Commissioner may file a complaint for the following:
    - i. Frivolous or bad faith complaints
    - ii. Harassment of a Commission member
    - iii. Violation of a direct order of the Commission or sentencing by the Commission
- III. All individuals that have a complaint filed against them shall be notified (with a copy of the complaint) within 24 hours of the complaint being filed.
- IV. All complaints shall be address in a bifurcated fashion, with a hearing on the alleged violation and, upon conviction, a hearing on sentencing.
- V. The SUA Elections Commissioner may take immediate action on a complaint by giving a warning or cease-and-desist order. All members of the Commission shall immediately receive a copy of any such action.
  - a. If one-third of Commission members feel that the complaint warrants a hearing, there shall be one.
- VI. The SUA Elections Commissioner may decide to dismiss any complaint, if necessary. If a complaint is dismissed, the person who filed the complaint, the person the complaint is filed against, and the Commission shall be notified (with a copy of the complaint and reasoning for dismissal) within 24 hours. A majority of the Commission may decide to overturn the dismissal of the complaint, in which case the complaint shall proceed as if it were never dismissed.
- VII. All communication with candidates or authors with a complaint filed against them shall be to the email provided at the candidate orientation or to the Campus Elections Commissioner.

## **B. Hearing**

- I. A hearing by the Commission shall be an opportunity for the author of the complaint and the accused to plead their case in front of the Commission. The Commission shall decide if the accused is guilty of a violation of this code.

- II. The SUA Elections Commissioner shall run hearings.
- III. Upon receipt of a complaint, the SUA Elections Commissioner shall arrange a hearing and notify the person who filed the complaint, the person the complaint was filed against, and the Commission of the hearing time and place. The SUA Elections Commissioner shall attempt to consult with all parties prior to setting the hearing time.
- IV. All parties shall be given 24-hour notice of a hearing.
- V. If the author of the complaint or accused fails to attend and does not provide the Commissioner valid notice before the meeting (valid medical excuse, out of town commitment, death in the family, or prior employment obligation) the Commission will proceed. If notice is given before the meeting and accepted as valid by the Commission, a second and final hearing will be called to hear the author and accused.
- VI. At the meeting, the author of the complaint and the accused shall be given no more than 10 minutes each to present and 5 minutes to rebut. Starting with the author.
- VII. Both the author of the complaint and accused shall be permitted to present evidence and witnesses that are cleared by the SUA Elections Commissioner first, in the allotted time.
  - a. Evidence that is not directly related to the alleged violation shall not be permitted. One example is evidence that is aimed at attacking the character of either the author or accused.
  - b. A member of the Commission maybe provided as a witness. However, that member may not participate in deliberations.
- VIII. All hearings shall be closed to the public but documented for internal commission use only
- IX. The burden of proving the violation true shall rest on the author of the complaint.
- X. Deliberations of the Commission shall be closed.
  - a. The SUA Elections Commissioner shall facilitate deliberations.
  - b. Notes or minutes of the deliberations shall be kept for future reference, but never distributed or published.
  - c. No members of the Commission are permitted to discuss any deliberations to non-participants of the deliberations.
  - d. In no circumstance should the Commission deliberate on anything but the question at hand: "Is there, beyond a reasonable doubt, sufficient evidence to convict the accused of violation in the complaint?"
  - e. The SUA Chair shall cast a vote to make or break ties.
  - f. After a decision is reached, a summary opinion of the decision shall be released to the public. This decision summary shall include the complaint, majority opinion, and any minority or dissenting opinions.

- XI. Conviction or acquittal must be decided within four calendar days of receiving the complaint, unless valid or procedural delays happen.
- XII. Conviction of a violation of this code shall require a simple majority vote. The author of the complaint and the accused shall be notified immediately upon the conviction or acquittal of the accusation in the complaint.
- XIII. If an individual is acquitted of all allegations, the allegations may not be used against the individual. The acquitted individual reserves the right to file a complaint if the allegations are utilized in any way, shape, or form in the elections.
- XIV. Further complaints on the allegations for which an individual has been acquitted shall be considered frivolous complaints.
- XV. The SUA Elections Commissioner shall compile all related documents to all hearings held during the election process and deliver them to the Assembly prior to the end of spring quarter.

**C. Sentencing**

- I. Once an individual has been convicted of a violation of this code, the SUA Elections Commissioner shall be permitted 2 hours to provide a sentence to convicted individual and the Commission.
  - a. Sentence issued by the Elections Commissioner shall not be in consult of the Commission.
  - b. A petition by two-thirds of the Commission may over-rule a sentence within 12 hours of sentencing. This petition must include detailed reasoning for over-ruling the sentence and will immediately over-rule the sentence. Upon receipt, the SUA Elections Commissioner shall provide the petition to the whole Commission and the convicted individual.
  - c. If a sentence is over ruled, the SUA Elections Commissioner shall have 2 hours to issue another sentence to the convicted individual and the Commission, after consulting with the commission.
- II. Consideration of other violations of this code, sanctions, cease-and-desist orders, and warnings, in the current election season only, is permissible in sentencing.
- III. Any sentence shall stand even with pending appeals to the Assembly.
- IV. If the convinced individual does not comply with the sentence, the SUA Elections Commissioner reserves the right to file a complaint for judicial action.
- V. If the SUA Elections Commissioner sees disqualification, or barring an individual from involvement with the current election cycle (including the denying of a petition for candidacy), as a possibility, a disqualification hearing shall be held.
  - a. A disqualification hearing shall operate in the same fashion as a conviction hearing, with the exception that the disqualification

hearing shall be set within 24-hours of conviction (no exceptions), and character witnesses shall be allowed.

- b. The author of the complaint and the accused shall be notified if there will be a disqualification hearing held at the same time as notification of conviction.
- c. The deliberations of the Commission shall be to address the question, "Does this violation merit disqualification as a Candidate?"
- d. Disqualification shall require two-thirds of the Commission and shall be decided within 24 hours of a disqualification hearing. In the event that the margin of passage is less than one vote, the SUA Chair shall decide whether to disqualify or not.
- e. If the commission runs out of time, the individual will not be disqualified and the SUA Elections Commissioner shall issue a sentence.
- f. If a vote to disqualify fails, the author of the complaint and the accused shall be notified immediately, and the SUA Elections Commissioner shall follow the procedures of sentencing as if the disqualification hearing did not happen.
- g. In the event that all candidates are disqualified, the position shall be available for appointment by the SUA according to procedures listed in the Constitution and Bylaws.

VI. Some examples of sentencing are as follows:

- a. Disqualification
- b. Halt of all campaigning
- c. Limited campaigning
- d. Elimination or adjustment to public financing
- e. Sanction notification placed on the ballot
- f. Asking for judicial action by the campus
- g. Requesting action of the Campus Elections Commissioner

#### **D. Investigations**

- I. The SUA Elections Commission does not have the power to conduct investigations.
- II. The SUA Elections Commissioner is afforded the ability to file complaints only in ensuring the administrative and judicial power of the Commission; this power should not be utilized as means to take action against any individual who the Commission believes to have violated this code.

### **7. Appeals to the Assembly**

#### **A. Procedures**

- I. A written appeal of actions by the Commission must be submitted to the SUA Chair (via the email on the SUA website and provided in the candidate orientation) within 24 hours of receiving notification of the decision. This appeal should be less than 500 words and include as many

specifics as possible, including what is being appealed (i.e. conviction or sentencing).

- a. Acquittal may not be appealed.
- II. The SUA Chair shall place the appeal in a prioritized position on the agenda of the next regularly scheduled meeting of the Assembly.
- III. The Assembly shall receive a copy of the appeal at least 24 hours prior to the meeting.
- IV. The Assembly shall not discuss the appeal in closed session.
- V. The appellant and the SUA Elections Commissioner shall each be given 10 minutes to present and 5 minutes to rebut to the other. The Elections Commissioner shall go first.
- VI. The SUA shall have the power to overturn the decision of the Commission by a 3/4<sup>th</sup> vote.
  - a. The Assembly reserves the ability to over-turn only a portion of the decision.
  - b. Both conviction of violations of this code and sentencing are appealable.
  - c. Once a decision is over-turned, the SUA can choose to remand the issue to the Commission for further action, when applicable. (i.e. a portion of a conviction may be overturned and then the Assembly can request for the Commission to finish with sentencing.)

#### **B. Appealable Actions**

- I. Include but is not limited to:
  - a. Removal of a member of the Elections Commission.
  - b. Conviction of violating this code.
  - c. Rules approved by the SUA Elections Commission.
  - d. Decisions made by the Elections Commission or Commissioner.