

## WARREN COLLEGE ELECTION BYLAWS

Earl Warren College  
University of California, San Diego  
Adopted 01/20/2005

### ARTICLE I: AUTHORITY, PURPOSE, AND TIME

- A. The authority to govern Warren College elections is vested in these bylaws by Article IX of the Constitution of the Warren College Student Body (WCSB).
- B. The purpose of these Election Bylaws is to provide procedures to conduct all elections held under the jurisdiction of the Warren College Student Council (WCSC).
- C. Elections for all positions as specified in the WCSB Constitution shall be held as part of ASUCSD elections in Spring Quarter. However, special elections may be scheduled and conducted pursuant to these Bylaws on dates and time as approved by WCSC.

### ARTICLE II: ELECTIONS MANAGER

- A. Shall be nominated by the WCSC President no later than fourth week of Winter Quarter and approved by a 2/3 vote of the Legislative Board and shall serve until the newly elected Council takes office
- B. Shall have the responsibility to conduct Warren College Elections in accordance with these Bylaws
- C. Shall not support or oppose any candidate, slate, or referendum, or be eligible to be a candidate in any Warren College election while serving as the Elections Manager. Failure to comply with this requirement shall be sufficient grounds for removal by the Warren College Judicial Board.
- D. Elections Manager duties consist of the following:
  - 1. Publicize the upcoming Warren College elections to solicit candidates, and inform the Warren College Student Body (WCSB) of relevant information concerning the dates, times and locations of voting on Election Days.
  - 2. Submit a complete list of qualified candidates, initiatives, and referenda to campus media.
  - 3. Schedule, coordinate and publicize candidates' speeches & forums.
  - 4. Work with the A.S. Executive Assistant and the Warren Dean of Student Affairs Office to maintain all Warren College elections-related financial records, complaints, violations, candidate packets, slate authorization forms, and other documents as appropriate. This shall not apply in the case of special elections.
  - 5. Receive verified election results which include, but are not limited to, the total number of votes for each candidate and/or referenda and transmit them to:
    - a. Warren College Student Council
    - b. Warren College Dean of Student Affairs
  - 6. Shall serve as the AS Elections Committee representative.
  - 7. Shall serve as a non-voting member of WCSC Legislative Board.

### ARTICLE III: ELIGIBILITY

- A. Each candidate for office, for the duration of the election period, must:

1. satisfy the requirements for eligibility for that office that are articulated in the WCSB Constitution and the appropriate set of bylaws.
  2. be a registered student of Warren College and be in good academic standing with the college and the University.
- B. Referenda intended to apply exclusively to Warren College students may only be sponsored or proposed by Warren College students.

#### ARTICLE IV: FILING

- A. The Election Period shall be defined as the period between the starting date of the initial candidate(s) or slate filing period and the close of the polls on the last day of voting for that election.
- B. Candidates
1. The filing period shall be a minimum of one week with starting dates and times to be determined by the Elections Manager.
  2. Candidates for all WCSC offices, including candidates for AS Senate, must submit the items listed below to the Dean of Student Affairs Office in person by 12-noon on the final day of filing:
    - a. Candidate Intent Form, including a statement that they acknowledge receipt of the Warren College Election Bylaws and agree to adhere to them
    - b. Candidate Endorsement Petition: Petitions must have 50 Warren College undergraduate printed student names, signatures, student ID, and college affiliation.
    - c. Candidate statement must be submitted via the online form.
  3. Candidates for AS Senate may file a copy of the AS candidate endorsement petition form with the Warren College Dean of Student Affairs Office in lieu of the Warren College form.
  4. All candidates that fail to meet the necessary filing requirements as stated in these Bylaws shall be ineligible to be placed on the election ballot and shall be so notified by the Warren College Elections Manager within twenty-four hours from the determination of ineligibility.
  5. A candidate may withdraw from the election at any time during an election period by notifying the Elections Manager in writing. In the event that a candidate withdraws after his/her name has been printed on the ballot, none of the votes that he or she received will be counted toward him or her. Every effort will be made to delete the candidate's name from the ballot including striking through the candidate's name on the ballot.
  6. Candidate order may not be changed after the close of the ASUCSD Mandatory Candidates Meeting.
  7. A candidate may file for only one (1) Warren College office per election.
- C. Slates
1. Shall be defined as any group of two or more candidates who mutually agree to use the same slate/group name and conduct a joint campaign.
  2. All candidates who wish to run as a slate must file the Slate Authorization Form that includes candidate positions and signatures of members with the Warren College Dean of Student Affairs Office.

3. All Warren College candidates who file as members of a slate will be held accountable for the actions, conduct, and expenditures of the slate and for any violations of these Bylaws by any member of the slate.
4. Candidates for AS Senate may run on both a Warren College slate and an AS slate. However, to satisfy these bylaws, they are only required to file the Slate Authorization Form for the Warren College slate with the Warren College Dean of Student Affairs Office.
5. Slate name shall not be changed and no candidate shall be added to any slate after the close of the ASUCSD Mandatory Candidate's Meeting.
6. To withdraw from a Slate, a candidate must provide written notice to the Elections Manager.

#### D. Referenda

1. The filing period for referenda shall be a minimum of one week with the starting dates and times to be determined by the Elections Manager.
2. All referenda must be submitted to the Warren College Dean of Student Affairs Office by 12-noon on the final day of filing with the appropriate number of valid signatures.
3. All referenda sponsors that fail to meet the necessary filing requirements as stated in these Bylaws shall be ineligible to have their referenda placed on the election ballot and shall be so notified by the Warren College Elections Manager within twenty-four hours from the determination of ineligibility.
4. A referenda sponsor may withdraw a referendum from the election by notifying the Elections Manager in writing only with the consent of Council.
5. Referendum order shall not be changed after the close of the ASUCSD Mandatory Candidate's Meeting.

### ARTICLE V: CAMPAIGN PROCEDURES

- A. The campaign period shall begin at 8:00 PM Sunday prior to the first day of classes for Spring Quarter and continue until the polls close on the final day of elections.

#### B. Conduct of Campaign

1. All campaign materials shall include a clearly discernible "VOTE AT STUDENTLINK," except when online voting is not being used.
2. It shall be a violation of these Bylaws for any candidate, referendum sponsor, and/or slate, to:
  - a. Willfully destroy, deface, move, and/or remove from their places posters, signs, flyers, banners, or campaign literature of any candidate or slate.
  - b. Violate UCSD or Warren College Posting Policies in the distribution of campaign literature.
  - c. Falsify information on Election Candidacy forms or campaign materials.
  - d. Commit libel or slander against another candidate or slate.
  - e. Refuse to appear within three (3) days before the Warren College Judicial Board when so requested by the Board.
  - f. Fail to file on time any of the Election Candidacy forms specified in these Bylaws.
  - g. Tamper with or improperly influence the distribution, collection, tabulation, and/or storage of the election ballots.

- h. Use of, offer for use of, or sale of alcoholic beverages, controlled substances, weapons, or dangerous objects as campaign materials.
  - i. Campaign on election days within 50 feet of the official polling stations.
  - j. Use at any time of Warren College offices, services, resources, enterprises or equipment including, but not limited to, computers, paints, stationery and/or logo for advocating in favor of or against a candidate, referendum, or slate.
  - k. University department services or phone numbers shall not appear on any campaign literature produced by candidates.
  - l. Campaign in any classroom or computer lab, except when they are being used for student organization meetings.
  - m. Use their position in a media organization, program, activity, or event that is sponsored, funded, or administered by Warren College to campaign.
  - n. Violate an order of the Warren College Judicial Board
3. Warren College Media
- a. The Warren College Elections Manager, in collaboration with Warren media organizations, shall ensure that all candidates, referenda and slates listed on the ballot have equal access to Warren College media resources.
  - b. No candidate shall use any Warren College media without the prior written approval of the Elections Manager.

#### ARTICLE VI: QUALIFICATION OF VOTERS

Every Warren College student enrolled for Spring Quarter shall be eligible to vote.

#### ARTICLE VII: THE BALLOT

Refer to the ASUCSD Election Bylaws

#### ARTICLE VIII: MECHANICS OF THE ELECTION

The General Spring Election shall occur concurrently with the ASUCSD General Election.

#### ARTICLE IX: TALLYING OF VOTES

Refer to the ASUCSD Election Bylaws

#### ARTICLE X: GRIEVANCE RESOLUTION

##### A. Violation Grievances

- 1. Any members of the WCSB may file a Violation Grievance against a candidate for violating campaign procedures, obtainable from the Warren College Dean of Student Affairs Office or on the WCSC website.
  - a. The signed Violation Grievance form must be filled out in full, detailing as much information about the alleged violation as possible. This may include the date, time, location, and specific information regarding the individual(s) behavior with regard to the alleged violation.
  - b. All Violation Grievances must be completed and filed with the Warren College Dean of Student Affairs Office no later than the close of the polls on the final day of the elections.

2. The Warren College Judicial Board shall conduct a hearing on the grievance within three (3) academic days from the date of the filing of a Violation Grievance form unless both parties and the Elections Manager agree a later date/time.
  - a. These bylaws shall take precedence if any conflict should arise between these bylaws and the Bylaws of the Warren College Judicial Board.
  - b. The Elections Manager shall notify all parties to the complaint in writing of the time, date, and place of the hearing and provide a copy of the Violation Grievance Form to the person(s) filing the Violation Report and the person(s) and/or group(s) charged with the alleged violation.
  - c. If a member of the Warren College Judicial Board is a candidate in the Warren College elections, he or she shall be disqualified to sit before cases arising under the jurisdiction of these bylaws.
  - d. The Judicial Board shall provide means for keeping a record of all proceedings:
    - 1) Minutes shall be taken at all hearings.
    - 2) A tape recorder may be used for recording all hearings as an alternative to the requirement of taking minutes.
    - 3) Records of all proceedings including the minutes and copies of all relevant documents and other items submitted in evidence, shall be available to the individuals or parties involved for use in the preparation of arguments for appeals. However, all disclosures of information from any files, records or recordings of any kind shall comply with all UCSD policies relating to University and/or student records, such as but not limited to UCSD PPM 160-2.
  - e. All hearings shall be open unless the Judicial Board Chair, with the Board's approval, mandates a closed hearing for reasons of maintaining order and/or compliance with right to privacy regulations.
  - f. The Judicial Board Chair, with the Board's approval, shall have the authority to take any action necessary to preserve the integrity and decorum of the hearing.
  - g. The agenda of the hearing shall be as follows:
    - 1) Reading of the Violation Report by the Elections Manager.
    - 2) Statement of complainant(s), including witnesses
    - 3) Cross examination of witnesses by the accused(s).
    - 4) Statement of accused(s), including witnesses
    - 5) Cross examination of witnesses by the complainant(s)
    - 6) Questioning of witnesses by Judicial Board
    - 7) Closing statements of complainant(s) and then those of the accused(s)
  - h. The complainant shall be entitled to:
    - 1) Be provided with all of the evidence submitted by the accused at least twelve hours prior to the hearing, such that a defense may be prepared.
    - 2) Be assisted in the case by a representative of his or her choice and at his or her expense. Neither the A.S. Student Advocate Office nor the Warren College Student Advocate shall represent either party.
    - 3) Question all witnesses at the hearing

- i. The accused(s) shall be entitled to:
    - 1) A copy of the completed Violation Grievance form at least one academic day prior to the scheduled hearing.
    - 2) Be provided with all of the evidence submitted by the complainant at least twenty-four hours prior to the hearing, such that a defense may be prepared. If the complainant refuses to comply with this requirement, the Judicial Board Chair may dismiss the case.
    - 3) Be assisted in the case by a representative of her/his choice and at his/her expense. Neither the A.S. Student Advocate Office nor the Warren College Student Advocate shall represent either party.
    - 4) Question all witnesses at the hearing
    - 5) Refuse to answer any questions that might incriminate him or her.
  - j. In determining guilt and the penalty for any violation, the Judicial Board may consider the points listed below, but are not required to use them as a check list in the deliberation process:
    - 1) Kind of Violation
    - 2) Degree of Severity.
    - 3) Knowledge of involvement of the person(s) accused.
    - 4) Intent of the person(s) accused.
    - 5) Prior Violation.
    - 6) Acknowledgment of the violation by the person(s) accused.
    - 7) Number of counts.
    - 8) Precedent
  - k. If a candidate, slate, or referenda sponsor is found guilty of violating these Bylaws during the Election Period, they may be penalized.
    - 1) For disqualification to be considered as a penalty, the complainant(s) must show one of two things:
      - (a) Malicious intent on the part of the accused(s), or
      - (b) The actions of the accused(s) changed the outcome of the election
    - 2) The maximum penalty shall be disqualification, but less severe penalties such as shortened campaign time may be imposed.
  - l. The Judicial Board shall, after consideration of all testimony and evidence presented at the hearing, render its decision within two (2) academic days after the completion of the hearing. Refer to Article VIII (The Decision) of the Bylaws of the Warren College Judicial Board.
  - m. A copy of all the decisions (majority, concurring, and dissenting) shall be distributed to the following parties:
    - 1) Accused(s)
    - 2) Complainant(s)
    - 3) Warren College Dean of Student Affairs
    - 4) Elections Manager
  - n. Decisions of the Warren College Judicial Board are final. If extraordinary circumstances arise, either party may request a rehearing pursuant to Article IX (Rehearing a Case) of the Bylaws of the Warren College Judicial Board. This request must be submitted before the Council-elect takes office.
- B. Protest of Procedures of an Election

1. Any member of WCSB may file a protest of the procedures of the election with the Warren College Judicial Board no later than the academic day following an election by submitting a letter detailing the grievance to the Dean of Student Affairs Office or the Chair of the Warren College Judicial Board.
2. The Warren College Judicial Board may void the election if they find that:
  - a. The procedures governing the election were not followed, and
  - b. Because of this, the outcome of the election was substantially affected
3. The Judicial Board may not void the election on any other grounds, for any other reason, or by any other procedures.
4. The Warren College Judicial Board shall be the only body with the authority to void an election. The Council, or any member thereof, shall have no such authority.
5. In the event of an invalidation of the election, the Elections Manager shall schedule a new election.

#### ARTICLE XI: SPECIAL ELECTIONS

- A. At least 4 weeks before the date of the special election, the WCSC Legislative Board shall vote by a simple majority whether or not to hold a special election and must specify the dates on which the special election is to be held and the type of ballot to be used.
- B. Individual ballot items shall be approved separately from the motion to hold a special election by a simple majority of the WCSC Legislative Board at least 3 weeks before the special election.
- C. WCSC shall provide sufficient funds to conduct the election in a fair, unbiased manner.
- D. Eligible voters are all Warren College students who are enrolled for the quarter in which the special election is being held.
- E. The Special Elections Manager shall be nominated by the WCSC President at least 4 weeks before the date of the special election and approved by a 2/3 vote of the Legislative Board.
- F. The Special Elections Manager shall have all the duties and responsibilities of an Elections Manager as detailed in Article II (Elections Manager) of these bylaws.
- G. The campaign period shall begin at 8:00 PM on the day designated by the Elections Manager, and shall continue until the polls close on the last day of voting for that election.
- H. There shall be at least two polling places:
  1. One shall be in the Warren Residential Life facilities
  2. One shall be outside the Warren Residential Life Facilities in a location easily accessible to Warren College commuter students.
  3. At least two people shall operate each polling place at all times the polls are open.
  4. Polling place operators shall be appointed by the Special Elections Manager and shall not publicly support or oppose any candidate, slate, or referendum, nor shall they run for office in that year's Warren College special election. Failure to comply with that requirement shall be sufficient grounds for removal by the Warren College Judicial Board as a polling place operator or from the ballot as a candidate.

5. The list of polling place operators shall be presented to the WCSC Legislative Board for their review and approval at least one week before the special election begins.
- I. Paper Ballots
  1. If WCSC Legislative Board decides to use paper ballots, they shall print at least as many ballots as the average number of students who voted in the last three elections plus ten percent of the current number of eligible voters.
  2. The Special Elections Manager shall be responsible for ballot security, counting of the ballots, and the prevention of ballot tampering.
  3. The polling places shall each have complete lists of all eligible voters and shall maintain constant contact to check off those voters who have already voted.
  4. Voters shall be required to present their UCSD Student Identification Card to verify their identity, eligibility to vote, and personal ID number.
- J. Any special election shall be conducted for five (5) consecutive academic days.

#### ARTICLE XII: REFERENDA

- A. Placement of a referendum on the ballot shall require a majority vote of the WCSC Legislative Board or a petition of 5% of registered Warren College students.
- B. For referenda voted on during the annual general election, the minimum voting pool shall be defined as the average number of students who cast ballots in the three (3) previous general elections.
- C. Special referenda shall not be considered valid unless fifteen percent (15%) or more of the eligible voters cast ballots on the specific referendum question.
- D. Advocacy Organizations
  1. An advocacy organization is a group of students that officially supports or opposes any ballot initiative or referendum and has registered its members with the Elections Manager.
  2. Any organization that receives funding from WCSC for supporting or opposing an initiative or referendum must register as an advocacy organization with the Elections Manager.
  3. WCSC shall make available funds in equal amounts to campaign in support of and in opposition to initiatives and referenda.
  4. WCSC funds provided to advocacy organizations shall be not be used for any activity or purpose that violates these Bylaws, including, but not limited to:
    - a. Deviation from the budget presented to WCSC Legislative Board in organization's request for funds.
    - b. Changing the organization's stated purpose or position during the campaign.
    - c. Uses unrelated to the campaign.
  5. Complaints alleging misuse of WCSC funds must be submitted to the Election Manger who shall assess such complaints in collaboration with the WCSC Legislative Board Treasurer who is responsible for ensuring the proper use of WCSC funds by advocacy organizations. If improper uses of WCSC are found, the Elections Manager shall forward the complaint to the Warren College Judicial Board with a report of the findings from the assessment conducted jointly by Elections Manager and the Legislative Board Treasurer.



6. Funds used improperly, as determined by the Warren College Judicial Board, shall be reimbursed by the advocacy organization to WCSC.
7. These Bylaws apply to advocacy organizations and their members in like manner and to the same extent as they apply to the candidate or referendum that is supported by the advocacy organization.

#### ARTICLE XIII: AMENDMENTS

These bylaws may be amended by a 2/3 vote of the WCSC Legislative Board. These bylaws cannot be amended within two weeks of any Election Period as defined herein.