The ASUCSD Council approved the Amendment to the Elections Bylaws. See Attached.
ARTICLE I. VALIDITY
A. Purpose
The purpose of these Election Bylaws is to provide for the conduct and control of all undergraduate elections held under the jurisdiction of the Associated Students (ASUCSD), as provided by Article V of the ASUCSD Constitution.

B. Equal Protection
1. These Bylaws ensure that each candidate is afforded an opportunity for election equal to that of any other candidate for that office; this bylaw is a statement of purpose and is not in itself violable.

ARTICLE II. ELECTION MANAGER
A. The Election Manager shall be appointed by the A.S. President no later than second week of Winter Quarter and approved by a two-thirds (2/3) vote of the ASUCSD Council and has full authority over the Elections. This bylaw is a statement of operation and is not in itself violable.

B. The Election Manager shall not support or oppose any candidate, slate, or referendum, nor shall run for office in that year's ASUCSD Election(s). Failure to comply shall be sufficient grounds for removal by the ASUCSD Judicial Board.

C. Election Manager Duties consist of working directly with the A.S. Secretary to ensure the following:
1. Publicize the upcoming ASUCSD elections in order to solicit candidates, and inform the ASUCSD of relevant information concerning the dates, times, and locations of voting on Election Days.
2. Submit a complete list of qualified candidates to all campus media for public viewing.
3. Schedule, coordinate and publicize candidates' speeches & forums.
4. Arrange for poll workers.
5. Act as the informal hearing officer for complaints concerning violations of the Election ByLaws. The Election Manager may mediate when possible violations are reported. If the dispute cannot be settled to the satisfaction of the parties involved, a formal violation report may be filed and heard before the Election Review Committee.
6. Work with the A.S. Secretary who will insure the maintenance of all A.S. Election financial records, complaints, violations and other documents.
7. Arrange for the voting and tabulation of ballots.
8. Receive verified election results which include the total number of votes cast for each candidate and/or referenda, and to ensure the deliverance of said results to the following:
   a. A.S. Council
   b. A.S. Advisor
   c. A.S. Secretary
9. Secure Election Committee appointments from each College Council and the A.S. If appointments are not made by fifth week of Winter Quarter, the Elections Manager is responsible for securing Election Committee members. This bylaw is a statement of operation and is not in itself violable.

D. Establish the schedule of speakers at the Presidential debate.
1. One forum may be held at a date, time, and location determined by the Elections Manager.

E. The Special Election Manager shall be appointed by the A.S. President and approved by a two-thirds vote of the ASUCSD Council at least one week prior to the start of the election period. The Special Election Manager shall have all applicable powers, responsibilities, and restrictions of an Election Manager as described in these bylaws. If an Election Manager for the general election has already been appointed, he or she may serve in the same capacity for the special election.

ARTICLE III. ELECTIONS COMMITTEES
A. Membership

1. The membership of the Election Committee shall be:
   a. One student at large appointed by the Vice President Internal and approved by a majority vote of the A.S. Council.
   b. One college representative appointed by each respective college council.

2. The Election Committees shall be established no later than the fifth week of Winter Quarter and shall serve until the end of Spring Quarter. If College Councils fail to appoint its college representative by the fifth week of Winter Quarter, the Elections Manager shall appoint the college representative to the Elections Committees. The appointed individuals must attend the college in which they are representing.

3. The members of the Election Committees shall not be candidates for elected offices or shall they support or oppose any candidate, slate or referendum in that year's ASUCSD General Election, run-offs, and/or special elections. Failure to comply herewith shall be sufficient grounds for removal by the ASUCSD Judicial Board.

4. The Elections Manager shall appoint an Assistant Election Manager to serve in the absence of the Election Manager. The Assistant Election Manager shall be chosen from Election Committee members.

5. The Special Election Committee shall have the same membership as the general Election Committee, except that the members shall be appointed by the start of the election period. If they have not been appointed by the start of the election period, the Special Election Manager shall have the authority to appoint them in a manner consistent with this Article of these bylaws. The Special Election Committee shall have all applicable powers, responsibilities, and restrictions of an Election Committee. If members of the Election Committee for the general election have already been appointed, they may serve in the same capacity for the special election.

B. Duties of the Election Committees:

1. The Election Committee shall be appointed to plan, conduct and coordinate in conjunction with the Election Manager any or all elections to be held during any academic quarter. The Election Committee shall serve as Board of Inquiry for Election violations.

2. The Election Committee shall be chaired by the Elections Manager.

ARTICLE IV. CANDIDATES/REFERENDUM

A. Each candidate must meet the requirements of eligibility for the office for which he/she is running as stated in the ASUCSD Constitution.

1. He/She must be a registered student with a minimum cumulative GPA of 2.0 with their college and the University regardless of pending appeals at the time of filing and candidacy. The burden of proof of minimum GPA as needed, will be on the student.

2. Each candidate for College Senator must meet the requirements of eligibility for that office as established by their college, if any exist, and those requirements as stated in the ASUCSD Constitution.

3. The burden of proof of confirming eligibility will be on the student.

B. Filing

1. The filing period for candidacy shall be a minimum of one week with the dates and times to be determined by the Election Manager.

2. Candidates for all ASUCSD offices and referendum must submit the following to the A.S. Secretary in person by 12 noon on the final day of filing in order to be considered eligible.
   a. Candidate Intent Form
   b. Voluntary Spending Limit Contract
   c. Candidate Endorsement Petition with the following requirements:
      Petitions must have undergraduate student name printed, signature, and college affiliation.
      A.S. President 150 signatures
      A.S. Vice Presidents 150 signatures
      Commissioners 100 signatures
      Senators 50 signatures - college specific
   d. All referendum items must be submitted to the A.S. Secretary by 12 noon on the final day of filing with the appropriate number of valid signatures to be eligible.

3. The Candidate statement must be submitted by 9pm on the final day of filing to be considered eligible.
   a. The candidate statements shall be submitted via the online form at http://as.ucsd.edu/elections/statements in accordance with word limits established on the website.
4. All candidates who fail to meet the necessary candidate requirements including academic standing as stated in these Bylaws and the ASUCSD Constitution shall be declared ineligible to run and shall be notified by the Elections Manager.

5. A candidate may withdraw in writing from the election at any time, by notifying the Election Manager. In the event that a candidate withdraws after his/her name has been printed on the ballot, none of the votes that he/she received will be counted toward him/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, slate name, and referendum order shall not be changed after the close of the Mandatory Candidate's Meeting, and no candidate shall be added to any slate.

7. When filing, all candidates must sign a statement that they shall adhere to the election ByLaws, acknowledge receipt of the Bylaws, and adhere to the information that will be presented at the Mandatory Candidates Meeting.

8. An undergraduate student may file for only one (1) ASUCSD office per election and if filing as part of a slate, may only claim association with one (1) slate.

9. Incomplete or fraudulent filing can result in candidate(s) and/or slates being declared ineligible at any time during the Election Period by the Elections Manager including violations discovered prior to the official seating of the newly elected A.S. Council Members.

C. Mandatory Candidates’ Meeting

1. The meeting shall be conducted by the Elections Manager and shall be held before the beginning of the campaign period. Failure to attend the meeting or to designate a proxy is grounds for removal as a candidate. The Election Manager must be notified of all proxies in writing, via a form on the A.S. website, prior to the meeting. In the event that a candidate cannot access the A.S. website, the notification can be submitted on paper in person. All candidates, or their designee must attend this meeting. It will be the responsibility of the student to ensure that confirmation notice is received.

2. Purpose of Candidates’ Meeting
   a. To acquaint all candidates with the basic structure, functions, and authority of the Election Committees and of the Election Bylaws;
   b. To discuss the administrative details of the election;
   c. To outline the Election calendar;
   d. To arrange the candidate names in the order in which they shall appear on the ballot, which is determined by the Random Alphabetical Selection Process.
   e. To establish the schedule of speakers at the Presidential debate.

   1. At least one forum will be held at a date, time, and location determined by the Elections Manager. At said forum, all Presidential candidates will be afforded an equal amount of time to speak. Proponents or opponents of referendum who have filed as such will also be afforded equal time to speak. The format of the forum shall be determined by the Elections Manager.

ARTICLE V. CAMPAIGN PROCEDURES

A. Campaign Period

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

2. For Special Elections, the campaign period shall begin at 8:00 PM on the day designated by the Elections Manager, and shall end when the polls close on the last day of voting for that election.

3. Campaigning is allowed only within the campaign period.

B. Conduct of Campaign

1. All campaign materials shall include a clearly discernible “VOTE AT STUDENTTRITONLINK”.

2. It shall be a violation of the Election Bylaws for any candidate, and/or slate, to:
   a. Willfully destroy, deface, move, and/or remove from their places posters, signs, flyers, banners, or campaign materials of any other candidate or slate.
   b. Violate UCSD Posting Policies in the distribution of campaign materials.
   c. Falsify information on Election Candidacy forms or campaign materials.
   d. Commit libel or slander against another candidate or slate.
   e. Refuse to appear before the Election Committee when so requested by the Committee.
   f. Falsify a statement to the Elections Committee.
   g. Fail to file on time any of the Election Candidacy forms specified in these ByLaws.
   h. Tamper with or improperly influence the distribution, collection, tabulation, and/or storage of the election ballots.
   i. Use alcoholic beverages or firearms or any other controlled substance as campaign materials on or off campus.
   j. Campaign within 50 feet of the polls on election days, as measured by the Elections Manager.
k. Use ASUCSD offices, services, enterprises or equipment including computers, paints, stationery and/or logo for advocacy of a candidate or slate at any time. University department services or phone numbers shall not appear on any campaign materials produced by candidates.

l. Actively campaign in any classroom or computer lab, with the exception of student organization meetings.

m. Break the Voluntary Spending Limits Contract

n. Violate safety posting guidelines.

o. Use of equipment that amplifies sound within 150 feet of the polling site in both directions on Library Walk and 100 feet in all other directions during elections week.

p. Violate an order, decision, or penalty of the Election Committee.

C. Finances

1. Candidates
   a. All candidates/slates shall have the option to accept campaign spending limitations, not to exceed the limits listed below:
      1. Slate expenditures (applies to any candidate on a slate)
         a. All Executive Officers $200.00
         b. Commissioners $200.00
         c. College Senators $75.00
      2. Slate expenditures for the entire slate may not exceed the sum of the individual limits of the members of that slate based on the amounts stated in the Election Bylaws Article V. C. 1
      3. Independent candidate expenditures
         a. All Executive Officers $500.00
         b. Commissioners $500.00
         c. College Senators $175.00
         b. If a candidate/slate accepts campaign spending limitations, election bylaws Article V. C. 3. a-f shall apply.
   c. No ASUCSD supported organization, registered student organization, service or enterprise may use ASUCSD allocated activity fees to fund, support, or endorse a candidate, slate, or referendum. This section shall not apply to print and electronic media editorials by ASUCSD funded media and electronic media.

2. Referenda
   a. ASUCSD Council shall spend no funds on a referendum except in a neutral manner, such as providing educational information including both sides of the issue.

   Each Candidate/Slate or referendum proponent/opponent shall provide to the A.S. Secretary the following materials:
   a. Prior to distribution, an original receipt along with one samples of each piece of all campaign materials produced must be attached to an itemized Campaign Expense Record form.
   b. An original receipt for all clothing which is produced (regardless of time of use) must be attached to an itemized Campaign Expense Record before being used by candidates or agents in connection with campaigning activities.
   c. All items pertaining to the campaign must be included in the Campaign Expense Records.
   d. Estimated cost or value of donated items, supplies, or services by a person(s) other than a candidate or referenda proponent/opponent must be itemized on the Campaign Expense Record. Fair market value to be determined by Elections Manager.
   e. The use of residence, personal phones, staples, staple guns, tape and tacks shall not be assessed on the Campaign Expense Record.
   f. Failure to follow these financial requirements is grounds for suspension or removal as a candidate and/or slate, to be determined by the Elections Manager.

4. Campaign contributions may not be accepted from any sources not affiliated with UCSD, with the exception of the immediate family of the candidate.

ARTICLE VI. THE BALLOT

A. Official Ballots
   1. Immediately prior to the first candidate statement on the official ballot shall appear these definitions for accepting or declining voluntary spending:
      a. Accepting voluntary spending limits requires candidates to spend at or below the following limits:
         1. Members of slates:
            a. Executive Officers $200
            b. Commissioners $200
            c. Senators $75
2. Candidates running individually:
   a. Executive Officers $500
   b. Commissioners $500
   c. Senators $175

b. Declining voluntary spending limits allows the candidate to spend an unlimited amount of money on their campaign.

2. The Official Ballot for general elections shall allow for candidates to include a statement of their candidacy. Statements of Candidacy shall appear next to the candidate’s name on the ballot.
   a. All Candidate Statements shall comply with the following length constraints, where the number of characters is defined as the number of visible non-whitespace typographical characters:
      1. Candidates for President and Vice Presidential positions will be allowed 1000 characters.
      2. Candidates for Commissioner positions will be allowed 650 characters.
      3. Candidates for Senator positions will be allowed 350 characters.
      4. Candidates for college-level positions that appear on the general A.S. ballot will be allowed 350 characters.
   b. The Elections Manager, with consultation from the A.S. Secretary, shall judge how many characters exist in a submitted Candidate Statement, and notify candidates that require revisions of their statements at least two dates prior to submitting the sample ballot for printing.
   c. A Candidate Statement’s eligibility to appear on the ballot is to be determined only on the basis of its length, as specified above.
   d. Before the candidate statement, if a candidate has accepted voluntary spending limits it shall read “Accepted voluntary spending limits” and if a candidate has declined voluntary spending limits it shall read “Declined voluntary spending limits.”

3. The order in which positions and referenda appear on the ballot shall be determined by the Elections Manager. This bylaw is a statement of operation and is not in itself violable.

4. No other candidate information is to appear on the official ballot.

B. Sample Ballots
   A sample ballot shall be prepared by the Elections Manager and A.S. Executive Assistant for any and all A.S. Elections.
   1. All information in the Sample Ballot shall be verified by each candidate and each college dean’s office for accuracy prior to printing.
   2. The Sample Ballot shall contain all information shown as it appears on the election ballot with the addition of the information stated in Article VI.B.3.
   3. The Sample Ballot shall contain a picture of the candidate positioned next to their name and candidate statement. The picture will be taken at the Mandatory Candidates Meeting.
      a. Date and time of make up photos will be at the discretion of the Elections Manager.
   4. The Sample Ballot shall be clearly marked “SAMPLE”.
   5. The Sample Ballot shall be posted in the A.S. Office and copies shall be made available to the campus at large by the first day of voting.
   6. No other candidate information is to appear on the Sample Ballot.
   7. Sample Ballots for the General Election Run-off shall only state the office, candidate’s names, and whether or not candidates accepted the voluntary spending limits as designated in Article VI.A.5. In addition it shall be noted that candidate statements can be found of the General Election Sample Ballot and online at the AS Website. This bylaw is a statement of operation and is not in itself violable.

B. Sample Ballots
   A sample ballot shall be prepared by the Elections Manager and A.S Executive Assistant for any and all A.S. Elections.
   1. A voter information guide accompanying the sample ballot shall include complete arguments both in favor of and opposed to all referenda on the official ballot. The length of the pro and con statements shall each be limited to 1,000 characters.
   2. All information in the Sample Ballot shall be verified by each candidate and each college’s dean’s office for accuracy prior to printing.
   3. The Sample Ballot shall contain all information shown as it appears on the election ballot with the addition of the information stated in Article VI.B.4.
   4. The Sample Ballot shall contain a picture of the candidate positioned next to their name and candidate statement. This picture will be taken at the Mandatory Candidates Meeting.
       a. Date and time of make up photos will be at the discretion of the Elections Manager.
   5. The Sample Ballot shall be clearly marked “SAMPLE”.
   6. The Sample Ballot shall be posted in the A.S. Office and copies shall be made available to the campus at large by the first day of voting.
   7. No other candidate information is to appear on the Sample Ballot.
8. Sample Ballots for the General Election Run-off shall only state the office, candidate’s names, and whether or not candidates accepted the voluntary spending limits as designated in Article VI.A.5. In addition it shall be noted that candidate statements can be found in the General Election Sample Ballot and online at the AS website. This bylaw is a statement of operation and is not in itself violable.

This amendment shall expire upon the completion of the Winter Quarter 2006 ASUCSD Special Election.

ARTICLE VII. QUALIFICATIONS AND CONDUCT OF VOTERS

A. Eligibility of Voters
Each undergraduate student who is enrolled for the Spring Quarter will be eligible to vote.

ARTICLE VIII. MECHANICS OF THE ELECTION

A. General Spring Election Dates and Times
1. The polls shall be open for the General Spring Election Monday through Friday of the election week during Spring Quarter. Polls shall open no later than 10:00 AM and shall close no earlier than 4:00 PM each day of the election. This bylaw is a statement of operation and is not in itself violable.

B. Special Election Dates and Times
1. Special Elections can be held during Fall, Winter, and Spring Quarters, in accordance with ASUCSD Election Bylaws and ASUCSD Constitution.
2. If a Special Election is to be held, either because ASUCSD Council has called for one or an override petition was submitted, the dates and times of the Special Election shall be set by the A.S. President; however, ASUCSD Council may override the decision of the A.S. President by a majority vote.

C. Polls
1. There shall be no campaign signs, posters, banners, flyers or other materials or any campaigning within 50 feet of the polling place when the polls are open. All campaign materials in the polling area (within 50 feet) will be removed by 10:00 am of Election Day(s).
2. A fifty (50) foot area around the polls will be clearly marked by the Elections Committee. This bylaw is a statement of operation and is not in itself violable.
3. The location of the polls shall be well publicized before and during the Election. Poll locations must not be moved after they are announced. In the event of inclement weather or unforeseeable circumstances, polls may be moved to an alternate location. In this case, signs shall be posted clearly indicating the new locations of the polls. Polls shall be located to avoid congestion and provide easy access to the voter. The opening and closing time of the polls shall be decided before the elections and no changes can be made except by authorization of the ASUCSD Judicial Board.
4. At the time designated for the closing of the polls, the poll workers shall allow those persons in the process of voting to vote. This bylaw is a statement of operation and is not in itself violable.

ARTICLE IX. TALLYING OF VOTES

A. Ballot Tabulations
1. College Council Elections not appearing on the ASUCSD General Spring Election Ballot shall be tabulated by each respective College Deans Offices. This bylaw is a statement of operation and is not in itself violable.
2. The ballot tabulation shall be supervised by the Elections Manager, a designate from the Election Committee, the A.S. Advisor and the A.S. Secretary. This bylaw is a statement of operation and is not in itself violable.
3. Ballot counting for any election shall begin immediately following and not before the closing of all polls on the final day of the election and shall continue until all ballots are tabulated. This bylaw is a statement of operation and is not in itself violable.
4. A vote shall be declared invalid, and excluded from the counting in a particular race for a particular office, only if there is not one distinguishable preference. This bylaw is a statement of operation and is not in itself violable.
5. The candidate who receives the greatest number for votes for the respective position shall be declared the winner.

6. It shall be a violation of these Election Bylaws for any individual who has access to the counting room to release the result(s) during the tabulation of the ballots. There shall be no discussion concerning the tabulation procedures outside of the ballot tabulation room.

7. The results of the Election shall be released by the Election Manager as soon as possible after the final tabulation. The results shall not be released until the Elections Manager has certified enough campaign materials have been removed. The results shall be posted in the ASUCSD Offices, and at EDNA. This bylaw is a statement of operation and is not in itself violable.

8. The election results shall become official following certification by the Elections Manager and when released to the ASUCSD.

9. The Election Manager has the power to withhold the tabulation of votes or the release of official results until such time all procedures, complaints, grievances, and or protests are completely resolved by the procedures set forth in these Bylaws. This bylaw is a statement of operation and is not in itself violable.
10. In the case of an online election the election shall take the following security steps:
   a. Secure that election tabulation cannot commence without proper password authentication.
   b. Have the Student Triton link security coordinator create a password to be divided, sealed and held by
      two persons. The Elections Manager shall hold one portion and a representative from the UCSD
      Student Affairs Administration shall hold the remaining portion.
   c. Secure a mechanism in which tabulation cannot happen more than once.
   d. Secure a mechanism which will allow undergraduate students to cast only one vote per position or
      referendum.
   e. This bylaw is a statement of operation and is not in itself violable.

B. Tallying of Referendums and Ballot Propositions
1. All Referenda and/or Ballot propositions which do not require the establishment or increase of student
   fees shall require a simple majority (50% + 1) of those voting on the specific referendum or ballot
   proposition or shall require the number of vote as specified in the ASUCSD Constitution.
2. All student fee referenda shall meet the requirements as set forth in the Guidelines for Student Fee
   Referenda, University of California, San Diego; as outlined in the UCSD Policies & Procedures Applying
   to Student Activities.

ARTICLE X. VIOLATIONS, RESOLVING OF GRIEVANCES, AND SANCTIONS
A. Filing Grievances
1. Any individual may file a Violation Report in person, obtainable from the A.S. Secretary. Alleged
   violations must have occurred during the election period. The signed Violation Report 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 regards to the
   alleged violation. Failure to do so may result in the Election Manager refusing to accept the Violation
   Report as originally submitted.
   a. All Election Violation Reports must be completed and filed with the A.S. Secretary no later than the
      close of the polls on the final day of the Elections.
   b. The Election Committee shall conduct the hearing within two (2) academic days of the filing of a
      Violation Report form unless a later date/time is agreed upon by both parties and the Elections
      Manager.
   c. The Election Manager, with assistance from the A.S. Secretary, shall notify, in writing (email is
      acceptable), of the time, date, and place of the hearing and a copy of the Violation Report Form
      to the person(s) filing the Violation Report and the person(s) and/or group(s) charged with the
      alleged violation.
   d. All hearings shall be conducted by a majority of the members of the Election Committee, with the
      Election Manager presiding.
   e. If a voting member of the Election Committee is the person filing the allegation, the person charged
      with the alleged violation, or a witness to testify in the hearing, she/he shall be required to abstain
      as a Committee member at the hearing of the case in which she/he is involved.
2. The Election Committee shall provide means for keeping a record of all proceedings:
   a. Minutes shall be taken at all hearings.
   b. 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.
   c. A tape recorder shall be used for recording all hearings.
3. All hearings shall be open unless the Election Manager mandates, for reasons of maintaining order and/or
   compliance with right to privacy regulations, a closed hearing.
   a. In the event of a closed meeting, only the following persons may be present at the Board of Inquiry.
      1. The Election Manager
      2. Voting members of the Election Committee
      3. Defendant(s) and her/his counsel (max. 3)
      4. Person filing the allegation and her/his counsel (max. 3).
      5. One (1) witness at any given time.
      6. Student Judicial Affairs representative.
   b. The Election Manager shall have the authority to exclude any and all disorderly person(s) from the
      hearing.
4. The agenda for each case shall be as follows:
   a. Reading of the Violation Report by the Election Manager.
   b. Statement of person filing allegation, including witnesses. (10 minutes)
   c. Cross examination of witnesses by the defendant. (5 minutes)
   d. Statement of defendant(s), including witnesses. (10 minutes)
   e. Cross examination of witnesses by the person filing the allegations. (5 minutes)
f. Closing statements of the person filing the allegations and then those of the defendant. (5 minutes each)
g. At anytime, with the permission of the presiding officer, voting members of the Election Committee shall be allowed to ask questions of those testifying. The time required for asking and answering these questions shall not count towards the total time allowed for each section.

5. The defendant(s) shall be entitled to the following rights:
   a. To receive a copy of the completed Violation Report at least one academic day prior to the scheduled hearing.
   b. To be confronted with all of the evidence against him/her a minimum of one day prior to the hearing, such that a defense may be prepared. If the complainant refuses to comply with this, the Election Committee may dismiss the case.
   c. To have through his/her own means outside counsel to assist in the case. The A.S. Student Advocate Office shall not represent either party.
   d. To confront his/her accuser, to be able to be called as a witness or cross examined. If the accuser refuses to comply with this, the Election Manager must dismiss the case.
   e. To question all witnesses, within time constraints.
   f. To refuse to answer any question(s) that might tend to incriminate her/himself.

6. In determining guilt or innocence and in determining a penalty, for any violation, the voting members of the Election Committee may consider these points, but are not required to use this as a check list in final evaluation of guilt or innocence.
   a. Kind of Violation
   b. Degree of Severity.
   c. Knowledge of involvement of the person(s) accused.
   d. Intent of the person(s) accused.
   e. Prior Violation.
   f. Acknowledgment of the violation by the person(s) accused.
   g. Number of counts.
   h. Precedent.

7. The Election Committee shall, after consideration of all testimony and evidence, render its decision by a majority vote of those voting members present throughout the entire committee within two (2) academic days after the completion of the hearing.
   a. The Election Manager shall vote only in case of a tie.
   b. The decision shall be prepared in writing.
   c. The minority opinion, if any, shall be prepared in writing and attached to the case decision.
   d. A copy of the case decision and minority opinion shall be distributed to the following:
      1. Defendant(s)
      2. Person filing the allegation
      3. A.S. Files
      4. A.S. Advisor
      5. Posted in the A.S. Office

8. If a candidate/slate is found guilty of violating Bylaws during the Election Period, they may be disqualified. This will be the maximum penalty, other less severe penalties, such as shortened campaign time, etc., may be imposed at the discretion of the Elections Committee.

9. Appeal Procedures
   Decisions of the Election Committee may be appealed to the A.S. Judicial Board and must be filed within two (2) academic days following the rendering of the written decision by the Election Committee.

B. Procedures and Protest of an Election
   1. No later than the academic day following an election, any member of the ASUCSD may file a protest of the election with the ASUCSD Judicial Board, as per A.S. Judiciary Procedures, based only on a mechanical difficulty as outlined in Article VIII of these ByLaws, Mechanics of the Election.
   2. New Elections: The ASUCSD Judicial Board shall review the case and submit its findings to the A.S. Council. If the Board rules that the election results have been substantially affected, the ASUCSD Judicial Board may void the elections. The ASUCSD Judicial Board may not void an election on any other grounds or by any other procedures. The Council may not void an election.

3. In the event of the invalidation of an election, a new election shall be scheduled by the Election Manager.

Article XI. RECALL
   1. Any office of ASUCSD may be subject to recall by presentation to the council of a petition to that effect signed by at least ten percent (10%) of the members of the ASUCSD containing a specific statement of the reasons for the proposed removal.

   2. The question of removal of the impeached officer shall be submitted by a vote of the members of the ASUCSD within eighteen days (18) of the submission of the petition.
3. If two-thirds (2/3) of the vote cast are in favor of impeachment, the impeached officer shall be removed from office.
4. The special recall election shall have a minimum voter turnout of fifty percent (50%) of the average number of voters from the past three (3) general elections in order to be valid.

**ARTICLE XII. AMENDMENTS**
These ByLaws may be amended by a majority vote of the A.S. Council. These ByLaws cannot be amended during the course of an Election period.

**ARTICLE XIII. DEFINITIONS**
A. Academic Day: Day shall refer to those days on which University Academic classes are held.
B. Agent: Representative of candidate/slate acting on behalf of aforementioned candidate/slate.
C. Campaigning: Any public action initiated by either a candidate or a candidate’s agent to persuade members of the student body to vote for or against a candidate(s). This includes any use of campaign materials. An exception can be granted by the elections manager for the sole purpose of holding a debate with all candidates for a respective position.
D. Campaign Materials: Campaign material is defined as material initiated by a party or candidate, with the intent to contact voters publicly, that explicitly speaks, pleads, or argues in favor of the election or defeat of a candidate or Slate. Materials that are controlled by a candidate’s campaign and/or party that mention a candidate’s name, and/or the office a candidate is seeking, shall be defined as explicitly speaking, pleading, or arguing in favor of the election of a candidate.
E. Candidate Eligibility: Enrolled and in good standing. Refer to Article IV.A of these ByLaws. Refer to ASUCSD Constitution.
F. Election Day(s): Election Day(s) is the actual day(s) of voting during the election period.
G. Election Period: Election Period is the period of time 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. For Special Elections, the Election Period shall begin when a date for the Special Election is established by the President. The election period for special elections shall end at the close of the polls on the final day of voting.
H. Quarter: Quarter shall refer to the instruction periods as determined by the University: Fall, Winter and Spring Quarters. Summer session shall not be considered a quarter.
I. Registered Student: A currently enrolled and fee paying student of UCSD.
J. Simple Majority: A simple majority occurs when a candidate or ballot issue receives fifty percent plus one (50% + 1) of the total votes cast.
K. Slate: Slate shall refer to any group of two or more candidates who mutually agree to use the same slate/group name. All members of slates shall be accountable for actions, conduct and expenditures of the slate.
L. Violation: Any violation of ASUCSD Election ByLaws, which may affect the outcome of the election.