

Fiorello H. LaGuardia Community College



Elections Code

Revised by Student Election Review Committee
February 2010

The Student Elections Review Committee wishes to express its gratitude to Brian Goldstein, Irene Sosa and their staff at the Office of Student Life, for their invaluable contribution to this revision of the Elections Code.

INTRODUCTION

Pursuant to section 15.2 of the University Bylaws, each College establishes a Student Elections Review Committee (SERC) to approve election procedures and certify the results of student government elections. Bylaw Section 15.2 (d) reads as follows:

Each College shall establish a student elections review committee in consultation with the various student governments. The student elections review committee shall approve the elections procedures and certify the results of elections for student government and student body referenda.

LAGUARDIA COMMUNITY COLLEGE STUDENT ELECTIONS CODE

Each term the College President establishes the LaGuardia Community College Student Elections Review Committee (SERC), to oversee the conduct of the Student Government elections. SERC consists of two students, two faculty members and two administrative staff members. Nominations can be made by the Student Government Association and by the Dean of Students (Vice President/Associate Dean) or by his/her representatives.

I. APPOINTMENT TO SERC:

- 1.1 The College President will select from the nominations two students, two faculty and two administrators to serve on the SERC for a period of two years.
- 1.2 The official positions of Chairperson, Vice-Chairperson and Secretary shall be decided upon by the SERC members at their first meeting.
- 1.3 This committee shall have the power to decide on issues regarding the entire elections process. The purpose of the committee is as follows:

II. PURPOSE:

- 2.1 To develop procedures and guidelines for college-wide student elections as described in 2.3.
- 2.2 To hear challenges from candidates and registered students, concerning Code of Elections violations
- 2.3 To certify the Student Government and Student Judicial Review elections.
- 2.4 To resolve disputes related to elections issues.
- 2.5 To review and certify all petitions for referendums, and to certify the results of all student referendums to the College President.
- 2.6 To conduct the elections for the Executive Board members of the Student Government, given the fact that students do not vote directly for the officers during the elections.
- 2.7 To examine the Elections Code at least once per year.
- 2.8 To distribute the Elections Code and other pertinent material to candidates.

STUDENT ELECTIONS REVIEW COMMITTEE **PROCEDURES AND GUIDELINES**

In order to ensure that the Student Government Elections are conducted properly and fairly for all students, it is the responsibility of the Student Elections Review Committee to ensure establishment of the following procedures and guidelines.

III. SPECIFIC DUTIES

Pre-Elections Period:

- 3.1 Develop timetable for the following items:
 - a) Period of time for applications and deadline dates for submission.
 - b) Period of time in which the elections will occur with specific dates, times and locations.
 - c) Period of time in which all publicity materials for candidates will be created and developed.
 - d) Period of time in which candidates will be allowed to campaign.
 - e) SERC will Schedule and conduct a MANDATORY orientation session for candidates.
- 3.2 Identify an organization that will conduct the actual elections. The Office of Student Life will coordinate all logistic activity on behalf of SERC. This function will include reserving the locations where the elections will actually take place and procuring any necessary equipment.
- 3.3 Develop a process to verify each student's eligibility to vote and to insure that a student cannot vote more than once. (Registrar's Office verification and checkoff). This function includes obtaining from the Registrar's Office information that contains the names and identifying numbers of all matriculated students.
- 3.4 Checking all applications to ensure that all candidates meet eligibility criteria.
- 3.5 Sending out letters to candidates informing them in a timely manner that they are either eligible or ineligible to run in the college-wide student elections.
- 3.6 Establish and schedule debates for candidates to present their platforms and reasons for running for college-wide student elections.
- 3.7 SERC will conduct a MANDATORY orientation session for candidates on election procedures and guidelines. Candidates who do not attend this training become ineligible to continue their candidacy.

Elections Period:

- 3.8 Oversee the college-wide student elections to ensure that all candidates for Student Government and Student Judicial Review are adhering to established procedures, guidelines and electioneering regulations.
- 3.9 Mediating disputes between candidates or slates.
- 3.10 Investigate complaints lodged by members of the student body concerning elections.

Post Elections Period:

- 3.11 Certified results of the Student Government elections shall be sent to the College President and Chief Student
Affair Officer.
- 3.12 Conduct elections for the Executive Board of Student Government from those elected.

IV. DUTIES OF THE MEMBERS OF THE SERC

Chairperson

- 4.1 Shall formulate the time schedule of the elections and make all changes, with the approval of the SERC.
- 4.2 Shall call a meeting of the SERC whenever necessary prior to an election to familiarize the members with the
code.
- 4.3 Shall supervise along with the other members of the SERC the voting tabulations once the elections are
completed.
- 4.4 All powers and duties not delegated to the SERC and not in conflict with this Code shall be decided by the SERC
by a majority vote of the membership. In case of a tie vote for the last (e.g.12th) Student Governor position, the tie
shall be resolved by lottery or coin toss.
- 4.5 Shall be the official spokesperson for the SERC with the power to release official information, after the SERC has
reviewed it, to student candidates about policy or official election results and procedures.

Vice Chairperson

- 4.6 Shall assist the chairperson in carrying out the above duties
- 4.7 Shall act as chairperson in the event that the chairperson is unable to attend a meeting, hold office, and if
necessary, until the SERC can elect a new chairperson.

Secretary

- 4.8 Shall keep minutes of the SERC's meetings.
- 4.9 Shall contact members of the SERC to announce meetings.
- 4.10 Shall perform any other duties deemed necessary by the SERC.

Responsibilities of SERC.

- 4.11 Shall vote to determine actions in response to claims of voting irregularities and campaign violations of the
Elections Code. Each member of the SERC shall have 1 (one) vote. Any written complaints that are received
before the close of the polls will be acted upon as soon as possible.
- 4.12 Quorum shall consist of four (4) SERC members.

- 4.13 May establish such programs of information to the voters as it deems necessary.
- 4.14 Shall designate the time when campaigning and publicity shall begin.
- 4.15 All discussions and proceedings concerning SERC Committee must be kept confidential.
- 4.16.1 No member of the SERC shall:
 - a) Be elected, nominated or appointed to any office in the Student Government.
 - b) Campaign for any candidate
 - c) Express verbally or in writing any opinion of any candidate
 - d) Reveal whom they are voting for.
 - e) The College President or designee may request the student governing bodies to nominate individuals from whom he/she may then appoint a set number. If in response to this request the student governing bodies do not nominate impartial person, or if they fail to nominate such persons by the time the SERC should begin operation, the College President or designee shall appoint the necessary number of members to reach the prescribed 6-member composition.

V PROCEDURE FOR CANDIDATES

- 5.1 The SERC shall formulate an application which shall ask of the candidates:
 - a) Name
 - b) Address
 - c) Phone Number(s)
 - d) Class Standing
 - e) Statement that he or she will abide by all rules and regulations and understands the duties of the office he or she is running for
 - f) Signature and identifying number
 - g) Slate name, if any.
 - h) E-Mail Address
- 5.2. All candidates must be registered students at the time of their application. No candidate's application will be accepted if he/she has registered "Intent to Graduate."
- 5.3 No Student Elections application form will be accepted by the SERC that is incomplete. Notification in writing will be sent to the applicants indicating whether they are eligible to run in the elections.
- 5.4 The Office of Student Life shall log, clock and provide a receipt for all accepted applications.
- 5.5 All candidates must attend a mandatory orientation session under the guidance of the SERC. If you miss the session, you must re-schedule a session with a representative assigned by SERC.
- 5.6 Be advised - you will become ineligible as a candidate if you do not attend an orientation in a timely manner.
- 5.7 At the time the application is returned, the "Position Sought" area must be marked appropriately. Positions not marked will not be honored on the ballot.

Campaigning

- 5.8 Candidates will be solely responsible for all information on flyers.

- 5.9 Publicity shall begin at a time designated by the SERC.
- 5.10 Candidates may begin to campaign from the time so designated by the SERC until the end of the voting period.
- 5.11 The platform of each candidate may be included on publicity for Elections. The publicity for candidates may be produced by the Office of Student Life. Publicity disseminated prior to the dates established by SERC violates the Elections Code.
- 5.12 A candidate may address a class only with the permission of the Instructor.
- 5.13 A candidate may campaign without the Instructor's permission if the Instructor is not present.
- 5.14 During the voting period, no campaigning shall take place in the restricted areas, which are any computer lab or anywhere internet voting can take place on campus.
- 5.15 During the Elections, a debate or forum may be held among the candidates under the guidance of the SERC and/or The Office of Student Life.
- 5.16 The official results of the elections will not be released until all votes have been tabulated and all candidates have remove posted publicity material.
- 5.17 No candidate shall deface college property at any time. Publicity can be posted on Student Life bulletin boards (using staples or push pins, DO NOT USE TAPE), or brick walls in the Main Building (DO NOT POST ON PAINTED WALLS, POLES, DOORS, or RESTROOMS)

VI. Online Voting

Procedure

- 6.1 The SERC shall designate voting areas that are accessible to all students and that have electrical power and on-line capabilities. Specific locations will be publicized prior to elections.
- 6.2 Voting shall take place over a period designated by the SERC for a minimum of three (3) days.
- 6.3 A computer list containing the names and identifying numbers of all LaGuardia College Students shall be obtained through the Registrar's Office.

The Voting Procedure at the polls is as follows:

- 6.4 Currently registered students shall present his/her validated LaGuardia Community College I.D. card. In the event that a student's name does not appear on the computer printout, the student will have to provide proof from the Registrar's Office that he/she is a currently registered student of LaGuardia. The online-election company will then process the request within 24 hours.
- 6.5 The online-election company shall verify the student by checking the photo and the number on the I.D. card, with the name on the validation slip.
- 6.6 On the first day of voting, prior to the polls opening, the internet polling company will test the voting program to ensure it is working properly.
- 6.7 Students are strongly encouraged to vote in the assigned computer room; however, they may vote from any computer with internet access.

- 6.8 At the end of each voting day, online-election company personnel will lock the assigned computer room and secure all election materials.
- 6.9 The online election vendor will present the final results at a specific time and location.

VII. VIOLATIONS

- 7.1 Campaigning before the period so designated by the SERC.
- 7.2 Harassment and intimidation of any member of the SERC expressed or implied.
- 7.3 Failure to abide by any rule set forth in this code.
- 7.4 Electioneering within the restricted polling area.
- 7.5 Electioneering also constitutes: physically escorting students to a voting station and instructing the student how to, and for whom to vote.
- 7.6 Using another student's I.D. card for the purpose of voting.
- 7.7 Removing or defacing another candidate's publicity an/or damaging college property.
- 7.8. Use of unauthorized endorsements.
- 7.9 Use of public address system for campaigning purposes during the elections and campaign periods (including bullhorns)
- 7.10 Campaigning of any kind near any computer where voting is taking place.

All alleged violations shall be submitted in writing to the SERC by the end of the day the violation took place. A form will be available in the Office of Student Life for this purpose. It will include the following information:

- 7.11 Alleged offender's name.
- 7.12 Time, date, and place of occurrence
- 7.14 Nature of violation with details pertaining to Elections code regulations.
- 7.15 Complainant's name along with any witness(es) names, addresses and phone numbers.
- 7.16 This form shall be submitted by the complainant with the understanding that he/she may have to appear before the SERC as a witness. The complainant shall print name and sign the violation notice.
- 7.17 The accused offender will be entitled to a rebuttal at a hearing before the SERC.
- 7.18 Frivolous or unfounded complaints, as determined by the SERC, may be considered by the committee to be a violation of the rules and can therefore be penalized accordingly.

VIII. PENALTIES

- 8.1 Any candidate who fails to comply with the Elections Code shall be subject to penalties up to and including disqualification and can be subject to the college's disciplinary process after the mechanism for alleged campaigning violation has been followed, and a conclusion has been determined.

IX Appeals

- 9.1 Any appeals concerning decisions rendered by the SERC must be made in writing to the President of the College in Room E-513 and/or Chief Student Affairs Officer in Room C-317 within a 48 hour period.

X. PROCEDURES FOR THE ELECTIONS OF EXECUTIVE BOARD MEMBERS OF STUDENT GOVERNMENT

- 10.1 Executive board member elections of Student Government are to be conducted by the Student Elections Review Committee. After an orientation is held regarding the role and responsibilities of each of the Executive Board member positions (President, Vice-President, Secretary and Treasurer), the following process is to be adhered to in order to elect the Executive Board members:
- 10.2 The voting for the Executive Board members starts with the SGA President, followed by the Vice-President, Secretary and then the Treasurer.
- 10.3 In order to be elected successfully to an Executive Board position, an individual must be elected by a majority of the membership of Student Government.
- 10.4 Executive Board members are to be elected individually, not in a group.

XI. ROLE OF THE OFFICE OF STUDENT LIFE

- 11.1 The role of the Office of Student Life is to act as a coordinating unit of the Student Government elections. The Office of Student Life works in collaboration with the SERC in providing orientation sessions pertaining to Elections Code procedures, guidelines, timetables, space and necessary equipment reservations as approved by the SERC.

XII GUIDELINES FOR ELIGIBILITY FOR SERVICE AS MEMBERS AND OFFICERS OF STUDENT GOVERNMENT AND THE UNIVERSITY STUDENT SENATE, AND OTHER STUDENT LEADERSHIP POSITIONS (Board of Trustees Guidelines)

See these [guidelines](#) for eligibility requirements to run for office and/or serve as an officer of Student Government.

http://www.gc.cuny.edu/current_students/pdfs/StudentLeadershipEligibility-Guidelines.pdf