

CHAPTER 205: ELECTORAL PROCESS

SECTION 01: ESTABLISHMENT

- a) There is hereby established an Electoral Process as an extension of the executive branch of CSUN.
- b) The electoral process will be conducted within the Department of Operations, and supervised by the Director of Operations.

SECTION 02: MISSION

- a) The mission of the electoral process is to provide for fair and efficient elections for CSUN.

SECTION 03: ASSISTANT DIRECTOR OF ELECTIONS

- a) There is an Assistant Director of Elections, who shall be appointed by the Executive Board with the consent of the Senate.
- b) The duties of the Assistant Director of Elections include, but are not limited to, the following:
 - 1) Serve as head of the process and manage all activities therein.
 - 2) Present a budget for each election to the Elections Commission for approval. Once approved, the budget shall be submitted to the Senate for approval.
 - 3) Present election rules for each election to the Elections Commission for approval. Once approved, the rules shall then be submitted to the Senate for approval.
 - 4) Create, and make available, a filing packet for all elections in which candidates appear on the ballot. This packet shall be submitted to the Senate for approval before filing for each election begins.
 - 5) Ensure that physical voting booths, if applicable, are opened and closed at their designated times.
 - 6) Deliver a report to the CSUN Senate as needed in order to update Senators on each election cycle.
 - 7) Serve as the chairperson for the Elections Commission, and shall vote only to break a tie.
 - 8) Maintain agendas, minutes, and attendance for all meetings of the Elections Commission.

SECTION 04: ASSOCIATE DIRECTOR OF ELECTIONS OUTREACH

- a) There may be an Associate Director, who shall be appointed by the Executive Board with the consent of the Senate.
- b) The duties of the Associate Director includes, but is not limited to, the following:
 - 1) Serve on the Elections Commission.
 - 2) Serve as the liaison between the Elections Commission and candidates in each election.
 - 3) Assist the Assistant Director with the needs of the electoral process.
 - 4) Assist with various duties on Election Days.

- 5) Count ballots on Election Days.

SECTION 05: ELECTIONS COMMISSION

- a) There is an Elections Commission, members of which shall be appointed by the Executive Board with the consent of the Senate.
- b) The Commission shall consist of the Assistant Director of Elections, the Associate Director of Elections Outreach, one Assistant or Associate Director from each department in the Executive Branch excluding Operations, one member from the Legislative Branch, and up to three additional members of CSUN. The Director of Operations shall be an ex-officio, non-voting member of the Elections Commission.
- c) The duties of the Elections Commission include, but are not limited to, the following:
 - 1) Conduct the following CSUN Elections:
 - i) CSUN Executive Board Primary Election.
 - ii) CSUN Executive Board General Election.
 - iii) CSUN Senate Election.
 - iv) CSUN may conduct the election for Rebel Yell Advisory Board, on behalf of *The Rebel Yell*, upon request.
 - v) CSUN Homecoming Election
 - vi) Any CSUN referendum, initiative, or recall elections.
 - 2) Review and approve a budget for each election, as prepared by the Assistant Director of Elections.
 - 3) Review and approve rules for each election, as prepared by the Assistant Director of Elections.
 - 4) Conduct all complaint hearings arising from complaints filed in CSUN elections.
 - 5) Enforce all election rules and assess all penalties for infractions thereof, including the disqualification of candidates.
 - 6) Evaluate petitions for initiative proposals and recall elections.
 - 7) Assist the Assistant Director of Elections with election-related duties including, but not limited to, assisting with candidates and poll workers on Election Days.
 - 8) Assist the Assistant Director of Elections with ballot counting on Election Days.
 - 9) Certify CSUN elections within two weeks of the closing of the polls.

SECTION 06: MECHANICS OF THE ELECTIONS

- a) ELECTION DATES:
 - 1) Election Dates shall be held in accordance with the CSUN Constitution.
- b) POLLING LOCATIONS
 - 1) All polling locations are classified as either a “physical polling location” or an “electronic polling location.”
 - 2) Physical Polling Location: Any location on campus at which undergraduate students may vote in a CSUN election.
 - 3) Electronic Polling Location: Any active device through which CSUN election ballots may be distributed including, but not limited to, laptop computers, mobile phones and computer workstations.
 - 4) With the exception of referendum elections, which may be conducted entirely online, one or more physical polling booth locations shall be established prior to the start of the Filing Period, and may not be changed until the conclusion of the

election. Physical polling locations shall be published in the Election Rules. Each location shall be open on election days between 9:00AM and 5:00PM.

- i. Each location shall be equipped with at least two (2) electronic devices on which student may vote electronically. Paper ballots will be provided in the event that a student cannot access the electronic ballot.
- 5) Electronic voting will be conducted via an approved UNLV voting service. Online voting shall be open from 9:00AM on the first Election Day and remain open until 5:30PM on the second Election Day.
- c) CLOSING OF POLLS:
 - 1) No person in line to vote at the time the physical polling location closes shall be prevented from voting at that place and time.
- d) STAFFING THE POLLS:
 - 1) The Assistant Director of Elections shall staff each physical polling location with at least two poll workers.
 - 2) Poll workers shall have completed poll worker training with the Clark County Elections Department.
 - 3) CSUN officials, students, faculty, and staff of UNLV or the Nevada System of Higher Education, are not permitted to be poll workers, nor are they allowed to sit at polling locations at any time during open polling times.

SECTION 07: VOTERS' GUIDE

- a) The Voters' Guide shall provide an opportunity to candidates and proponents and opponents of petitions to express their opinions on the Elections, and for information to be disbursed to the electorate about CSUN, the voting procedures, and the candidates and petitions.
- b) The Voter's Guide shall include candidate statements, the full text of all petitions and constitutional amendments, an explanation of voting procedures, and a description of the duties of contested offices.
- c) The distribution of the Voters' Guide shall include, but is not limited to, polling locations and the Disability Resource Center.

SECTION 08: CANDIDATES

- a) ELIGIBILITY:
 - 1) Each candidate must meet the requirements of eligibility for the office for which they are running as stated in the CSUN Constitution.
 - 2) The CSUN Faculty Advisor, CSUN Business Manager, or in their absence, the CSUN Graduate Assistant, shall verify the eligibility of the candidates.
 - 3) All candidates declared ineligible to run shall be notified by the Assistant Director of Elections.
- b) CANDIDATE NAME:
 - 1) In any election the name of a candidate printed on a ballot may be the given name and surname of the candidate, a contraction, or familiar form of the given name followed by the surname. A nickname may be incorporated into the name of a candidate. The nickname must be in quotation marks and appear immediately before the surname of the candidate. A nickname must not be vulgar or threatening and must not indicate any political, economic, social or religious view or affiliation and must not be the name of any person, living or

dead, whose reputation is known on a campus-wide, statewide, nationwide or worldwide basis, or in any other manner that deceives voters regarding the person or principles for which they are voting.

- 2) In any election if two or more candidates have the same surname or surnames so similar as to be likely to cause confusion, the middle initials, if any, of the candidates must be included in the names of the candidates as printed on the ballot.
- 3) The Assistant Director of Elections shall verify the validity and legality of all candidate names, as submitted on the filing form by the candidates, and shall inform all affected candidates of any problems or inconsistencies.

c) FILING:

- 1) The Filing Period for candidates shall be established in accordance with the CSUN Constitution.
- 2) Candidates for all positions must indicate their desire to run by submitting an official CSUN Candidate Filing Packet to the Assistant Director of Elections, or their designated agent, during the Filing Period.
- 3) The Candidate Filing Packet may be downloaded from the CSUN website, or obtained from the Assistant Director of Elections by email request. Prospective candidates may also fill out the online filing packet, the link to which will be published on the CSUN website and social media.
- 4) Prospective candidates in legislative elections, who are members of multiple colleges, shall file under only one college of their choice. Candidates may only file for one office in a given election.

d) CANDIDATE FILING PACKET:

- 1) The Candidate Filing Packet shall include:
 - i) The Candidate's name as it appears on their UNLV-issued identification card, and their name as it is to appear on the ballot.
 - ii) The office the Candidate is seeking.
 - iii) Contact information of the Candidate.
 - iv) A student identification number.
 - v) Ticket Agreement Form, if applicable.
 - vi) Grade Verification Form.
 - vii) A statement signed by the Candidate that he or she is responsible for all information contained in this Chapter, the CSUN Filing Packet, the CSUN Election Rules, and that the candidate will attend mandatory meetings as set forth by the Elections Commission.
- 2) The Candidate Filing Packet shall be considered a binding contract between the Prospective Candidate and the Elections Commission.
- 3) Packets which are submitted but incomplete shall be considered void.

e) DEADLINE FOR WITHDRAWAL:

- 1) A candidate may withdraw his or her name from the election by filing a written notice with the Assistant Director of Elections.
- 2) The deadline for withdrawal from any election shall be 48 hours prior to the opening of voting for that election.
- 3) The Elections Commission reserves the right to remove the name of any withdrawn or disqualified candidate from the ballot at any time prior to the start of voting in an election.

f) FINANCIAL PENALTIES:

- 1) In lieu of a filing fee, candidates shall authorize the CSUN Faculty Advisor, the CSUN Business Manager, or in their absence the CSUN Graduate Assistant, to place a charge on their UNLV account for the amount of any fines incurred during an election.

g) GPA REQUIREMENT VERIFICATION:

- 1) A waiver must be signed by the candidate and submitted with the CSUN Elections Filing Packet that authorizes the CSUN Faculty Advisor, the CSUN Business Manager, or in their absence the CSUN Graduate Assistant, in order to verify the candidate's GPA to determine whether that candidate is eligible for elections.

SECTION 09: QUALIFICATIONS OF VOTERS

- a) All members of CSUN, as defined in Article II of the CSUN Constitution, shall be eligible to vote in CSUN elections.
- b) Students shall either show their Rebel Card at the physical polling location, or provide valid credentials to electronic polling locations, in order to access a ballot.
- c) For legislative elections, students who are enrolled in multiple colleges shall vote for the candidates in one college of their choice.

SECTION 10: PETITIONS FOR INITIATIVE AND REFERENDUM

a) DEFINITIONS:

- 1) PETITION: A petition is any Initiative or Referendum which will be placed before the student body in a CSUN election, in pursuance of constitutional definitions of initiative and referendum.
- 2) PRIMARY PROPONENT(S) OF A PETITION: A Primary Proponent of a petition of any student that submits a petition. The Primary Proponent(s) of any petition is responsible for the conduct of the campaign in support of the petition.
- 3) PROPONENT OF A PETITION: A Proponent of a petition is any person, including the Primary Proponent(s) of a petition, who acts in support of a petition by delegation, either explicitly or implicitly, of one or more of the Primary Proponents of that petition. This shall include any person who circulates or attempts to circulate a petition. This shall not be construed as to include individuals who act in support of a petition independently and without the knowledge of the Primary Proponent(s).
- 4) PRIMARY OPPONENT(S) OF A PETITION: After the verification of a petition for an initiative or referendum, the Assistant Director of Elections shall inform the CSUN President, all other CSUN Elected or Appointed Officer, and any member of CSUN, in that order, that they may claim the role of Primary Opponent. The Primary Opponent may then submit to the Elections Board a statement for the Voters' Guide, and submit to the Assistant Director of Elections a statement acknowledging that he or she is responsible for the conduct of the campaign in opposition to the petition.
- 5) OPPONENT OF A PETITION: An Opponent of a petition is any person, including the Primary Opponent(s) who acts in opposition to a petition by delegation, either explicitly or implicitly, of one or more of the Primary

Opponents of that petition. This shall not be construed as to include individuals who act in opposition to a petition independently and without the knowledge of the Primary Opponent(s).

b) DATE OF VOTING:

- 1) The vote on an initiative or referendum shall take place in accordance with the CSUN Constitution.

c) PETITION STATEMENT REQUIREMENTS:

- 1) The statement of each petition must be at most two sentences in length. The first sentence may state the issue to be voted on in an unbiased manner. The last sentence shall be a neutrally worded question to which an answer of “yes” or “no” is appropriate.

d) NOTIFICATION TO THE ELECTIONS Commission:

- 1) It shall be the responsibility of the Director of elections to provide all of the petitions for each election to the Elections Commission.

e) REQUIRED VOTES FOR PETITIONS:

- 1) Unless otherwise stated in the CSUN Constitution or Bylaws, a favorable vote of a majority of the votes cast for and against the petition shall be necessary for adoption of the petition.

f) SUBMISSION OF PETITION TO THE ASSISTANT DIRECTOR OF ELECTIONS:

- 1) Prior to circulating any petition, the Proponent(s) shall submit to the Assistant Director of Elections the proposed question.
- 2) The Proponent(s) shall submit a statement to the Assistant Director of Elections that he or she is the Primary Proponent of the petition and is responsible for the conduct of the campaign in support of the petition.
- 3) The Assistant Director of Elections shall certify that the question is an impartial and accurate description of the proposal, and shall assign the petition an Official Name and Number. If the petition creates a law, the Assistant Director of Elections shall prepare an Official Summary of the petition, and shall confer with the office of Legal Counsel or his or her designee for approval of language on questions of student fees.
- 4) The Assistant Director of Elections shall create the petition and return to the Primary Proponent three copies of the petition which have been time-stamped.
- 5) The Assistant Director of Elections shall be available to assist any student interested in writing a petition.

g) CONTENT OF PETITIONS:

- 1) The petition shall contain the full title and statement of the petition as it is to appear on the ballot on each page on which signatures are to appear.
- 2) The petition shall contain the Official Summary of the petition on each page on which signatures are to appear.
- 3) The petition must have room for the signature of each petition signer, his or her printed name, and the UNLV-issued Student Identification Number.
- 4) Signature spaces must be consecutively numbered commencing with the number 1 for each page.
- 5) Attached to each page of the petition on which signatures are to appear shall be any other material not in the text of the petition which is directly relevant to the petition.

h) CIRCULATION OF PETITION:

- 1) The petition may be circulated by many different people carrying separate, identical sections.
- 2) Petitions may be circulated only by registered UNLV undergraduate students.
- 3) Each petition circulator who obtains signatures must complete a declaration attached to the petition containing the printed name, address, phone number and e-mail address of the circulator, and written certification that:
 - i. He or she is a registered UNLV undergraduate student.
 - ii. He or she witnessed the appended signatures being written.
 - iii. He or she believes, to the best of his or her information, each signature to be the genuine signature of the person whose name it purports to be.
- 2) If any information given under this statement is false, the entire Section of the petition shall not be used.

i) PETITION SIGNATURES:

- 1) Each signer must personally place on the petition his or her signature, printed name, and UNLV-issued identification number.
- 2) None of the above may be preprinted on the petition. Any signature line which is not legible or complete shall not be counted.
- 3) Each signer may sign a petition only once.

j) PRESENTATION OF COMPLETED PETITION:

- 1) A petition shall be considered presented when it has been physically presented to the Assistant Director of Elections within 45 days of the timestamp on the original copies of the petition given to the Primary Proponent(s).
- 2) To prevent unauthorized petitions from circulating and unauthorized persons from filing petitions, only the Primary Proponent(s) of a petition and persons authorized in writing by one or more of the Primary Proponent(s) may submit Petitions to the Assistant Director of Elections. Any other petitions submitted will be disregarded.
- 3) Once submitted, petitions may not be amended except by order of the Judicial Council.

k) VERIFICATION OF THE PETITION:

- 1) The Assistant Director of Elections shall verify, via the CSUN Faculty Advisor, CSUN Business Manager or, in their absence, the CSUN Graduate Assistant that there are a sufficient number of valid signatures on each petition, by checking the student status of each person who signed the petition. Any signatures or pages of signatures not in compliance with this section shall not be counted toward the minimum number of signatures necessary for qualification.
- 2) If the Assistant Director of Elections discovers that the petition submitted lacks sufficient valid signatures, the Primary Proponent(s) shall be notified immediately and no further action shall be taken on the petition.
- 3) The Assistant Director of Elections must preserve the petition for the same time period as the Elections Commission preserves the ballots for the election for which the petition qualified or attempted to qualify for placement on the ballot.
- 4) If a petition has not been verified in time for the start of an election's Filing Period, the petition shall be treated as valid until the verification is complete.

l) PLACEMENT OF PETITION ON BALLOT:

- 1) Once a petition has qualified for the ballot, the Assistant Director of Elections shall ensure its placement on the ballot.

m) ADDITIONAL PROVISIONS FOR CONSTITUTIONAL AMENDMENTS

- 1) A petition for a constitutional amendment shall be filed with the Assistant Director of Elections in the same manner as a petition for initiative or referendum, who shall submit it to the Senate once it has been qualified. No constitutional amendment shall be placed on the ballot without action of the Senate.

SECTION 11: RECALL ELECTIONS

- a) Before a petition to recall a public officer is circulated, the persons proposing to circulate the petition must file a notice of intent with the Assistant Director of Elections.
- b) After the notice of intent has been filed, the Assistant Director of Elections will provide the petitioner with an official CSUN Recall Election Petition Form on which the signatures to initiate a recall election must be collected.
- c) A Recall Election Petition shall be verified or rejected, and a Recall Election held or not held, in accordance with the CSUN Constitution.

SECTION 12: MEETINGS AND EVENTS

a) The Informational Session

- 1) The Assistant Director of Elections shall schedule an Informational Session during the week following the closing of the Filing Period. The time and location of this meeting shall be included in the Election Filing Packet.
- 2) The Informational Session shall not be made mandatory for either the Senate or Executive Commission elections.
- 3) The function of the Informational Session is to:
 - a) Acquaint all candidates with the basic structure, functions, and authority of CSUN.
 - b) Acquaint candidates with the culture, rules, and expectations of the CSUN electoral process.
 - c) Answer any and all questions candidates may have about CSUN's electoral process, as well as the office which they are seeking.
- 4) The Assistant Director of Elections may hold a separate meeting for any candidate who is unable to attend the scheduled Informational Session.

b) Mandatory Senate Meetings

1) Senate Election

- a) Senate candidates are required to attend one senate meeting in its entirety during the campaigning period.
- b) The Assistant Director of Elections shall determine which meeting will be required, and whether a candidate may make up the requirement with a different meeting during the campaigning period.
- c) Further details about this meeting shall be included in the rules for the election.

2) Executive Board Election

- a) Executive Board candidates are required to attend one Senate

Meeting from 6:00 pm – 8:00 pm between the Primary and General Executive Board Elections.

- b) The Assistant Director of Elections shall determine which meeting will be required, and whether a candidate may make up the requirement with a different meeting during the campaigning period.
- c) Further details about this meeting shall be included in the rules for the election

3) Absences

- a) Absences from Mandatory Senate Meetings will result in disqualification unless proper excusal documentation is provided within the timeframe stated in the election rules.
 - i. Documentation may include class schedules, work schedules, and/or letters requesting excusal.
 - ii. Excusals may be granted for any UNLV sponsored events which the candidate is required to attend, as well as classes, work and emergencies.

c) Executive Board Candidate Debate

- 1) The Assistant Director of Elections shall schedule an Executive Board Candidate Debate to be held after the Primary Election and before the General Election.
- 2) The time and location of the Debate shall be included in the filing packet.
- 3) The debate may only be moderated by faculty, staff or alumni of UNLV.

SECTION 13: ELECTION RULES

- a) The Elections ~~Board~~ Commission shall publish a set of election rules for each election, no later than the start of the filing period for the election in question.
- b) Election rules shall remain unaltered throughout the entire election cycle.

SECTION 14: COMPLAINT PROCESS

- a) The Elections Commission shall publish a complaint process as part of the election rules for each election, no later than the start of the filing period for the election in question.

SECTION 15: PENALTIES FOR VIOLATIONS OF ELECTION RULES

- a) The Elections Commission shall publish a list of penalties for violations of the election rules, as part of the election rules for each election, no later than the start of the filing period for the election in question.

SECTION 16: DISCLAIMERS

- a) CSUN shall not be responsible for issues relating to:
 - 1) The operation of the approved online voting system.
 - 2) The actions of non-CSUN departments including, but not limited to, the improper set up of polling booth tables.
 - 3) The failure of students to properly maintain a valid Rebel Card or log-in credentials to the approved online voting system.
- b) Disallowing access to third-party software may prevent students from accessing online

ballots.

SECTION 17: COUNTING OF THE BALLOTS

- a) The Assistant Director of Elections, or a designee from the Elections Commission, shall collect all ballots from physical polling locations beginning at 5:00PM on each Election Day.
- b) The Assistant Director of Elections shall be responsible for ensuring the security of all ballots.
- c) The Assistant Director of Elections, in the presence of a minimum of two Elections Commission members, may verify ballots after polls close on the first day of the election.
- d) The Assistant Director of Elections shall, in the presence of a minimum of two Elections Commission members and one poll worker, count all ballots after the election closes, and post the results in the lobby of the CSUN Offices upon completion.

SECTION 18: CERTIFICATION OF THE ELECTION

- a) The Elections Commission and a minimum of one poll worker shall certify that the election has been conducted in accordance with all election rules, operating policies, and any other rules and guidelines governing CSUN elections including the CSUN Constitution, its Bylaws, and the Nevada Revised Statutes.

SECTION 19: OPERATING POLICIES

- a) The Electoral Process Operating Policy shall be CSUN Bylaw 205.
- b) The Elections Commission Operating Policy shall be CSUN Bylaw 205.05.

SECTION 20: AMENDMENTS AND SUSPENSIONS

- a) Any amendment to CSUN Bylaw 205 shall take effect immediately.
- b) Amendments must pass the Elections Commission, and/or the Constitution and Bylaws Committee before being passed by the Senate.
- c) Neither CSUN Bylaw 205, nor any provision contained within, may be waived or temporarily suspended once filing has begun for an election and until the election has been certified.