

# **Fiorello H. LaGuardia Community College**

## **Elections Code**

Revised by the Student Elections Review Committee  
March 2020

The Student Elections Review Committee wishes to express its gratitude to the staff of the Office of Campus 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 examine the Elections Code at least once per year.
- 2.7 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**

The Office of Student Life will coordinate all logistic and operational activities on behalf of SERC.

#### **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) Schedule a MANDATORY orientation session for candidates.
- 3.2 Identify an organization that will conduct the actual elections. 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 ensure that a student cannot vote more than once. 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 forums, such as debates, for candidates to present their platforms and reasons for running for college-wide student elections.
- 3.7 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.

## **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 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 SERC and not in conflict with this Code shall be decided by the SERC by a majority vote of the membership.
- 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 the 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 the SERC Committee must be kept confidential.
- 4.16 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 an 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 online application with instructions. Completed applications must be electronically submitted by the date and time specified. Please note that late applications will not be accepted.
- 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 All candidates must have below 40 credits to be considered eligible to participate in the elections.
- 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 Campus Life shall be the arbiter of the eligibility of a student to be a candidate.
- 5.5 All candidates must attend one of the mandatory orientation sessions provided by members of the Office of Campus Life.
- 5.6 Be advised - you will become ineligible as a candidate if you do not attend an orientation in a timely manner. You will also become ineligible if you have more than 40 credits.

### **Campaigning**

- 5.7 Candidates will create the template for their flyers and submit them for approval by the designated staff of the Office of Campus Life.
- 5.8 Only staff of Campus Life will post flyers in designated areas. Candidates cannot post publicity anywhere on campus.
- 5.9 Candidates can reproduce publicity flyers at their own cost. The content of these flyers must be consistent with the conduct expected of students at the College. In addition, their distribution must be consistent with the stipulations of this Code.
- 5.10 Publicity shall begin at a time designated by the SERC.
- 5.11 Candidates may begin to campaign from the time so designated by the SERC until the end of the voting period.
- 5.12 The platform of each candidate may be included on publicity for Elections. Publicity disseminated prior to the date established by the SERC is a violation of the Elections Code.
- 5.13 A candidate may address a class only with the permission of the Instructor.
- 5.14 A candidate may campaign without the Instructor's permission if the Instructor is not present.
- 5.15 During the voting period, no campaigning shall take place in the restricted areas, which, on campus, is any

computer where internet voting can take place.

- 5.16 During the Elections, one or more debates or forums may be held among the candidates under the guidance of the SERC and/or The Office of Campus Life.
- 5.17 The official results of the elections will not be released until all votes have been tabulated.

## **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 Only currently registered students will be allowed to vote. The Office of Institutional Research (IR), which is the independent College entity conducting the Election, will obtain the list of eligible students from the Registrar.
- 6.5 Before the polls open, IR will test the voting program to ensure it is working properly.
- 6.6 Students are strongly encouraged to vote in the assigned computer room; however, they may vote from any computer with internet access.
- 6.7 At the end of each voting day, the assigned computer room will be locked and all election materials will be secured.
- 6.8 IR will report the final election results to the SERC and the Office of Campus Life at a specific time and location.

## **VII. VIOLATIONS**

- 7.1 Campaigning before the period so designated by the SERC.
- 7.2 Candidates cannot use their personal devices to collect votes during election period.
- 7.3 Harassment and intimidation of any member of the SERC expressed or implied.
- 7.4 Failure to abide by any rule set forth in this Code.
- 7.5 Electioneering within the restricted polling area.
- 7.6 Interfering with a student's ability to vote freely without intrusion of any type. This includes campaigning in the computer room where voting is taking place.
- 7.7 Defacing another candidate's publicity.
- 7.8 Defacing any college property; this includes altering any property without institutional permission.
- 7.9 Use of unauthorized endorsements.
- 7.10 Use of public address system or bullhorns for campaigning purposes during the Election and campaign periods.

- 7.11 Any action that fails to abide by the conduct expected of LaGuardia Community College students as described in the Student Handbook.
- 7.12 Any other action or behavior that contradicts the stipulations of this Code.

All alleged violations shall be submitted in writing to the SERC no later than 24 hours after the violation took place. A form will be available in the Office of Campus Life for this purpose. It will include the following:

- Alleged offender's name.
- Time, date, and place of occurrence.
- Nature of violation with details pertaining to Elections Code regulations.
- Complainant's name along with those of witnesses. Relevant information (email address, phone numbers) to permit staff to contact them.
- Complainant's and witness's signatures and date.

This form shall be submitted by the complainant with the understanding that he/she may have to appear before SERC. The accused offender will be entitled to a rebuttal at a hearing before the SERC.

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, including disqualification from running as a candidate or serving in the Student Government. The penalty will be determined by the SERC. In addition, to this penalty, a student found guilty of violating the Code could be subject to the College's disciplinary process.

## **IX APPEALS**

- 9.1 Any appeals concerning decisions rendered by the SERC must be made in writing to the President of the College, or to an Officer of the College designated by the President, within a 48-hour period after the SERC notifies candidates of the decision.

## **X      ROLE OF THE OFFICE OF CAMPUS LIFE**

- 11.1    The role of the Office of Campus Life is to act as a coordinating unit of the Student Government Elections. The Office of Student Life works in collaboration with the SERC to implement the necessary procedures to conduct the Student Elections in accordance with the description in this Code.