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# BCSGA Elections

## Commission on Elections

### Establishment

1. Hereby establishes the Elections Commissions as an entity of BCSGA. The BCSGA Commission on Elections (“Elections Commission”) works collaboratively with the BC Office of Student Life, as well as with other college departments, to ensure an equitable and fair BCSGA annual elections process.

### Mission

The mission of the Elections Commission is to provide for a fair and efficient election for BCSGA. The Elections Commission provides an avenue for motivated BC students to start their understanding of a career in public service. BCSGA Officers are engaged in local as well as national politics and are instilled with a deep sense of leadership and civic responsibility that contributes to the development of engaged citizens.

### Responsibilities

1. The primary responsibilities of the Elections Commission are to:
	1. Host workshops on civic engagement and leadership
	2. Create a fair and equitable BCSGA Elections
	3. Instill the civic duty and citizenship in all BC Students
	4. Remove illegally posted elections campaign material
	5. Publicize all information pertaining to elections
	6. Enforce the Elections Code regarding all election affairs
	7. Other matters related to the Elections Commission.

### Composition of the Commission

1. Members within the Elections Commission
	1. Director of Elections
	2. Two (2) SGA Senators
	3. One (1) Commission Member
	4. One (1) student-at-large (appointed by the Director of Student Life)
	5. Director of Student Life (non-voting, advisor)
2. The Director of Elections will establish a clear and transparent application process for the purpose of soliciting applications, interviewing, and selecting members of the Elections Commission.
	1. The Director will produce any and all documentation relating to this appointment process to the Senate upon request for confirmation.

### Prohibition of the Commission

1. No member of the Elections Commission can sit on the commission and run for a BCSGA Officer seat
2. No member of the Elections Commission may support or oppose any candidate, or proposition in a BCSGA Election while serving on the Commission.
	1. Failure to abide by this provision shall be held to be grounds for impeachment and removal from office.

### Officer Term

1. The BCSGA President must appoint the Director of Elections within twenty (20) instructional days of taking office.
2. Members of the Commission shall serve in their position until a successor has taken office.
3. Any vacancy occurring in the membership of the Commission shall be filled in the same manner as in the case of the original appointment.
4. Members shall be chosen based on their experience, integrity, impartiality, and good judgment.

### Director of Elections

1. Establishment:

Hereby establishes the BCSGA Director of Elections, appointed by the President and confirmed by the Senate.

1. Duties:

The duties of the Director of Elections include, but are not limited to the following:

* 1. Host four office hours per week.
	2. Chair all meetings of the Elections Commission
	3. May delegate any of the Director’s duties to any member of the Elections Commission
	4. Create and post agendas for meetings of the Elections Commission in accordance with Brown Act
	5. Appoint members on the Elections Commission
	6. Keep complete and accurate records of all Elections Commission activities
	7. Plan, implement, and evaluate all Elections Commission activities
	8. Responsible for securing volunteers to aid in Elections Commission activities
	9. Coordinate with peer BCSGA Directors to engage the BC Student body in Elections Commission events and related activities
	10. To take the complete administrative charge for all details and operations of BCSGA Elections and the Commission
	11. To conduct, or delegate the conduction of, the Candidates’ Meeting and other events that pertain to the elections
	12. To advise the Senate on the financial and practical impact of any legislation which may affect the Commission or the administration of an election
	13. To be in charge of issuing warnings for violations of the Elections Code
	14. To make a regular report to the Senate at a minimum of every two (2) weeks
	15. To coordinate the Mandatory Clean-Up Day(s)
	16. To recruit sufficient workers and material for each physical poll location
	17. To conduct or delegate the conduction of a Poll Workers’ Meeting for the purpose of training
	18. To arrange for transportation of ballots and ballot boxes to and from the physical polling locations
	19. To advertise, interview, and schedule poll workers and alternates and be responsible for last minute substitutions at the polling locations
	20. To ensure that proper conduct is maintained in the vicinity of polling locations
	21. To coordinate and execute events pertaining to the presidential and vice presidential candidates
	22. To act as the primary liaison between all candidates and the Commission
	23. To provide advice and recommendations to the BCSGA President
	24. Prepare a budget for the Elections Commission to be included in the President’s Annual Budget proposal.
	25. Shall perform all other duties as needed by BCSGA related to the Elections Commission and/or BCSGA

### Civic Engagement Coordinator

1. Establishment:

Hereby establishes the Civic Engagement Coordinator. Any member of the Elections Commission, save the Director, may be appointed to this position by the Director of Elections and approved by the BCSGA Advisor.

1. Duties:
The duties of the Civic Engagement Coordinator include, but are not limited to the following:
	1. To manage the budget and operations of the Elections Commission
	2. To design and provide all filing forms
	3. To maintain a file of all Commission records, papers, forms, reports, or statements filed by each candidate, group, and to serve as secretary to the Commission
	4. To act as the Chief Administrator of the Campaign Finance Limits in accordance with the Election Code.
	5. To verify the validity of all filing form information, including candidate names, as outlined in the Election Code and to inform affected candidates, so far as possible, of any problems or inconsistencies
	6. To arrange for the setting up and removal of polls and to arrange for a sufficient number of polling booths at physical polling locations
	7. To arrange for a system to ensure that students are able to vote no more than once in each election
	8. To clearly mark all physical polling locations so that they will be easily identifiable.
	9. To organize any orientation materials, writing and copy for poll worker advertisements, scheduling poll workers, making a phone list of all poll workers, and making a poll worker application packet
	10. To coordinate and execute events pertaining to all other candidates
	11. To coordinate and host a minimum of four (4) events or workshops to engage constituents with their civic responsibility
	12. Any other duties as assigned by the Director.

### Public Relations Coordinator

1. Establishment:

Hereby establishes the Public Relations Coordinator. Any member of the Elections Commission, save the Director, may be appointed to this position by the Director of Elections and approved by the BCSGA Advisor.

1. Duties:
The duties of the Public Relations Coordinator include, but are not limited to the following:
	1. To assist the Director in program management and marketing efforts of the Elections Commission
	2. To serve as the Secretary of the Elections Commission through the preparation of agendas, documentation of minutes, and any other tasks related to meetings of the Elections Commission
	3. Collaboratively work with the Commission to develop and deliver programs during BC Orientations
	4. To provide extensive publicity of the candidate filing period and election, in such a manner to ensure that all elements of the campus community will receive equal notice.
	5. To place advertisement in The Renegade Rip or similar before and throughout the candidate-filing period and during the election and any additional times deemed necessary.
	6. To send flyers out to all Student Services departments, academic departments, student organizations, etc by the first day of the filing period and the first day of General Elections.
	7. To place posters on campus anywhere that is deemed necessary throughout the filing period and prior to the General Elections.
	8. To design the ballot and arrange for its printing and any other details which involve the ballot.
	9. To be the official contact for all matters relating to electronic means of voting
	10. To ensure a correct count and watch over the ballots whenever they are being officially handled.
	11. To arrange for the tallying of the ballots
	12. To develop monthly programming that engages constitutes in local and national elections
	13. To provide extensive publicity prior to the election of all physical polling locations, and times that each will be open.
	14. To publish a full statement of any proposed recalls or propositions at least once prior to the election period
	15. To create and provide for the publication of the Voters’ Guide (online and print)
	16. Any other duties as assigned by the Director.

### Commission Members

1. Establishment:

Hereby establishes the Department Members, appointed by the Director of Elections and approved by the BCSGA Advisor.

1. Duties:
The duties of the Department Members include, but are not limited to the following:
	1. To assist the Elections Commission in program management and marketing efforts of department activities
	2. Any other duties as assigned by the Director.

### Duties of the BCSGA Attorney General

1. The BCSGA Attorney General shall have the following duties with respect to BCSGA Elections:
	1. To investigate alleged violations of the Election Code and prosecute offenders before the Judicial Review Board.
	2. To prosecute any case filed by a third party, even in cases where the plaintiff seeks to dismiss the charge.
	3. To act as the representative of the Commission before the BCSGA Judicial Review Board.
	4. To ensure that all regulations concerning petitions are followed fully.
	5. To deliver all petitions for initiative and referendum to the Elections Commission before the Candidates’ Meeting.
	6. To carry out such other functions and duties as required under the constitution and laws.
2. The Attorney General shall not prosecute any case to which the Attorney General is a party or in which the Attorney General has an interest in the outcome. When such a conflict occurs, the Director of Elections shall act as a special prosecutor to act as and perform the elections duties of the Attorney General.
3. The Attorney General shall have the privilege of attending or sending a representative to all physical polling locations and places where ballots are kept and tabulated, provided such representative is not a candidate or agent in the election.

### Appointment of Elections Staff

1. The Director of Elections shall appoint such number of Elections Staff as is necessary to staff adequately the polling locations.
2. The Director of Elections may deputize BCSGA Officers and employees, except those who may have a conflict of interest
3. Elections staff shall not be compensated during their time served as an Elections Staff member.

### Voting, Delegation, and Authority

1. Voting:
	1. All decisions of the Elections Commission with respect to the exercise of its duties and powers under the provisions of the Election Code shall be made by a majority vote of the members of the Commission.
2. Delegation:
	1. Members of the Commission may not delegate to any person their vote or any decision-making authority or duty vested in the Commission by the provisions of the Election Code unless specifically provided for otherwise in the Election Code.
3. Authority:
	1. The Commission shall generally administer, seek to obtain compliance with, and formulate policy with respect to the provisions of the Election Code.
	2. Nothing in the Election Code shall be construed to limit, restrict, or diminish any investigatory, informational, oversight, supervisory, or disciplinary authority or function of the Senate or any committee of the Senate with respect to BSGA Elections.

### Commission Meetings

1. The Elections Commission shall meet on a weekly basis during instructional weeks or as often as is necessary for the proper exercise of its duties as decided by the Director of Elections or petitioned by two (2) of the Elections Commission members.
2. All Elections Commission meetings must be agenized and comply with the Brown Act.

### Authorization of Appropriations

1. There is hereby authorized to be appropriated such sums as may be necessary for the support of the Elections Commission.

## Elections Code

### Establishment

1. Hereby established the BCSGA Elections Code for all BCSGA elections related events and elections.

### Purpose

1. The purpose of the BCSGA Elections Code is to provide for the conduct of all BCSGA elections. The Elections Code is intended to ensure that each candidate is afforded an opportunity for election equal to that of any other candidate for that office, and proponents and opponents of initiatives, referenda, and other petitions are afforded an equal opportunity for their respective victory.

### Election Dates

1. BCSGA Elections shall be held in accordance with the BCSGA Constitution and laws.

### Polling of Elections

1. All polling locations are classified as either a “physical polling location” or an “electronic polling location”.
	1. Physical Polling Location:
	Any location through which physical paper BCSGA Elections Ballots are distributed.
	2. Electronic Polling Location:

Any active device (laptop computer, mobile phone, workstation, etc.) through which BCSGA Elections Ballots may be obtained.

1. Polling Locations
	1. Required: Any election of BCSGA shall have a physical polling location within the Campus Center, which shall be open for voting at a minimum between the hours of 8 a.m. and 6 p.m., each day voting is taking place
	2. The Commission may determine, if necessary, another on-campus location in the interests of the student body provided that such additional locations are open:
		1. On each day of polling;
		2. To all members of the campus community; and
		3. For no fewer than four hours each day.
	3. The Commission shall place the physical polling locations so as to avoid congestion and provide easy access to the voter.
	4. The locations of the polling locations shall be well-publicized before and during the election.
	5. The Commission shall provide sufficient ballot boxes at each location to avoid crushing of ballots.
2. Closing of Physical Polling Locations
	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.
3. Campaigning at Polling Locations
	1. The Commission shall determine areas where campaigning is not allowed prior to the Candidates’ Meeting.
	2. The polling area(s) shall not have campaign signs, posters, or other literature and candidates shall not be allowed to campaign in or near it.
	3. There shall be no loitering at the physical polling locations.
	4. No candidate or agent of a candidate shall actively or passively campaign to any voter from within a distance of 25 feet of the location.
	5. No candidate or agent of a candidate shall actively campaign to any individual accessing an electronic polling location.
4. Staffing of the Polls
	1. Each physical polling location shall have at least two poll workers or members of the Commission.

### Voters’ Guide

1. Purpose:

The Voters’ Guide shall provide an opportunity to candidates, and proponents and opponents of petitions to express their opinions on the BCSGA Elections, and for information to be disbursed to the voters about the BCSGA, the voting procedures, the candidates, and the petitions.

1. Specifications:

The Voters’ Guide shall include

* 1. Candidate statements or platforms along with other relevant information,
	2. The full text of all petitions and constitutional amendments,
	3. An explanation of voting procedures, and
	4. A brief description of the duties of all elected BCSGA Officers.
1. Distribution:

The distribution of the Voters’ Guide shall include, but is not limited to:

* 1. Physical polling locations,
	2. Study areas (such as Library),
	3. The Renegade Rip,
	4. The Disability Resource Center, and
	5. Other areas deemed by the Commission.

### Candidate Debates

1. Responsibility
	1. The Director of Elections is responsible for the Primary and General debates for the presidential and vice-presidential candidates
	2. Assistant Chair for Public Relations is responsible for all other debates related to the BCSGA Elections
2. Types of Debates
	1. Presidential and Vice-Presidential Debates
		1. Debates shall be held at least two (2) business days prior to the commencement of the Primary and General Elections.
		2. All candidates must be made aware for the debates and can opt out of the debates
	2. Senator Debates
		1. The Elections Commission may elect to host a debate with the candidates running for a particular seat
		2. Debates shall be held at least five (5) business days prior to the commencement of the General Elections.
		3. All candidates must be made aware for the debates and can opt out of the debates
3. Format of Debates
	1. Questions for the debates
		1. All questions shall be derived by the Elections Commission
		2. Questions shall pertain to any and all current events being discussed in media and on campus
	2. Moderator of the debates shall be non-partisan and determined by the Elections Commission, approved by the BCSGA Advisor
	3. Time frame and layout of the debates shall be determined by the Elections Commission

### Candidates

1. Eligibility:
	1. Each candidate must meet the requirements of eligibility for the office for which they are running as stated in the BCSGA Constitution.
	2. Each candidate must have completed at least twelve (12) units of coursework through Bakersfield College, excluding first-semester freshmen.
		1. The Commission shall confer with the BC Office of Student Life, or designee, to verify the student status of each candidate.
		2. First-year freshmen shall have a cumulative 3.0 high school grade point average, determined by their official transcript.
	3. Incumbent candidates must have completed and passed twelve (12) units during the course of the past academic year that they held office. All candidates declared ineligible to run shall be notified by the BC Office of Student Life, or designee,
	4. Any candidate on disciplinary, academic, or social probation will not be eligible for candidacy, unless otherwise permitted by the BCSGA Advisor, the Vice President of Student Affairs, and the College President or his/her designee.
	5. Candidates for Senate who are members of multiple academic departments shall file under only one department of their preference.
	6. All candidates may hold office for a maximum of four consecutive semesters, excluding summer sessions.
		1. The term limit does not apply for the Student Trustee position, and this limit cannot be renewed.
	7. No candidate shall serve on the Elections Committee.
	8. Candidates may only file for one office
2. Candidate Name:
	1. In any election, the name of a candidate presented on a ballot must be the given name and surname of the candidate
	2. Nickname
		1. A contraction or familiar form of the candidate’s given name can be used followed by the candidate’s surname.
		2. 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.
		3. 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 deceive a voter regarding the person or principles for which he is voting.
	3. In any election if two (2) or more candidates have the same surnames 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 presented on the ballot.
	4. The Public Relations Coordinator shall verify the validity and legality of all candidate names, as submitted on the filling form by the candidates, and shall inform all affected candidates of any problems or inconsistencies.
		1. This shall be done, as far as possible, prior to the submission of information for the Voter’s Guide, in order to permit corrections.

### Candidates Filling Period

1. Time Frame
	1. The Filing Period for candidates shall open at 8 a.m. on the first instructional day of each Spring semester.
	2. The Filing Period for candidates shall close on the seventh Friday before General Elections commence.
	3. Once the General Election dates have been announced publicly, the dates cannot be changed unless passed by Senate or the BC Administration.
2. Candidate Filing Form:
	1. Each candidate shall file a Candidate Filing Form with the Commission during the Filing Period.
	2. Candidates for all positions must indicate their desire to run by completing an official Candidate Filing Form during the Filing Period.
	3. The Candidate Filing Form shall be provided by the Elections Commission and made available to the public.
	4. Candidate Filing Forms may be filed online via the BCSGA official website.
	5. The Candidate Filing Form shall include, at minimal:
		1. The candidate’s name as it is to appear on the election ballot;
		2. The office the Candidate is seeking;
		3. Contact information of the candidate;
		4. A list of campaign managers or individuals who are directly affiliated with the candidate’s campaign;
		5. Eligibility Requirement Verification: An electronic signature or acknowledgement that informs the candidate giving permission only for the BCSGA Advisor, or designee, to verify the candidate’s GPA, units, status, etc. to determine whether that candidate is eligible for elections.
		6. Candidate Platform or Statement shall consist of a maximum of two hundred (200) words.
		7. A statement relating that the candidate is responsible for all information contained in the Election Code and the information that will also be presented at the Candidates’ Meeting.

### Candidate Application Packets

1. The Candidate Application Packet shall consist of:
	1. Information about BCSGA and the various elected positions
	2. An activity deadline sheet that outlines the dates for the elections process.
	3. An eligibility requirements
	4. A Candidate Filing Form
	5. SGA Constitution (most recently ratified version)
	6. The Election Code
	7. Any other material deemed needed by the Election Commission or the BCSGA Advisor

### Deadline for Withdrawal

1. Candidates may withdraw their name from the election by filing a written notice with the Director of Elections stating their withdrawal.
2. The deadline for withdrawing from the Primary Elections, without penalty, shall be by the end of the Candidates’ Meeting.
3. The deadline for withdrawing from the General Elections, without penalty, shall be ten (10) instructional days prior to the General Elections.

### Elections Security Deposit

1. The Candidates for all elected positions shall be required to submit a forty dollar ($40.00) deposit
2. If Candidates are not financially able to submit the Elections Security Deposit, the Candidate must petition the BCSGA Advisor, or designee, for a Elections Security Wavier.
3. The deposit shall be used to encourage compliance by the candidates of the provisions contained within the Election Code.
4. Some or all of the deposit may be withheld due to noncompliance of the Election Code.
5. The remainder of the deposit will be returned to the candidates following the certification of the election results if no cases are pending due to noncompliance of the Election Code.
6. Any candidate that fails to submit their campaign deposit to the designated location by the designated date and time as indicated by the Candidate Elections Packet may be removed from the election effective immediately per the authority of the Elections Commission.

### Qualifications of Voters

1. Students shall either show their BC Student ID card at the polling location prior to voting to verify voter eligibility.
2. Students shall vote in the academic area to which they belong.
3. The student must be a member of the academic area by the close of the late registration period for the semester (date established by the BC Administration) in which the election is held in order to qualify as a voter in that particular academic area.
4. Students who are members of multiple academic areas shall vote for the senate positions of only one college or school of their preference.
5. No student may vote in any BCSGA Elections more than once.

### Petitions for Initiative and Referendum

1. Definitions:
	1. A petition is any initiative or referendum which will be placed before the student body in an BCSGA Election, in pursuance of constitutional definitions of initiative and referendum.
	2. An initiative is defined as any item of enactment may be put to a vote of the students by petition. No measure repealing a prior action shall be done by initiative.
	3. A referendum shall be used to repeal any item of enactment of the Senate.
	4. A Primary Proponent of a Petition is 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.
	5. 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.
		1. This shall include any person who circulates or attempts to circulate a petition.
		2. 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).
	6. Opponent(s) 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.
	7. The Primary Opponent may then submit to the Commission a statement for the Voters’ Guide, and submit to the Attorney General a statement acknowledging that he or she is responsible for the conduct of the campaign in opposition to the petition.
2. Date of Voting:
	1. The vote on an initiative or referendum shall take place at the following spring semester election following receipt of the petition, provided that the date of receipt is before the end of the candidate filing period for the spring election; otherwise, the vote shall take place at the next spring election thereafter.
3. Petition Statement Requirements:
	1. The statement of each petition must be at most two (2) sentences in length.
		1. The first sentence may state the issue to be voted on in an unbiased manner.
		2. The last sentence shall be a neutrally worded question to which an answer of “yes” or “no” is appropriate.
	2. The Primary Proponent of a Petition is The Attorney General, Director of Elections, and BCSGA Advisor, or designee shall be the persons in charge of writing the statement.
4. Notification to the Commission:
	1. It shall be the responsibility of the Attorney General to provide all of the petitions for each election to the Commission before the Candidates’ Meeting.
5. Required Votes for Petitions:
	1. Unless otherwise stated in the Constitution or laws, (or in the case of student fee questions, applicable to BC policies or protocols), a favorable vote of a majority of the votes cast for and against the petition shall be necessary for adoption of the petition.
6. Positions Changed by Constitutional Amendment:
	1. In the case where a constitutional amendment will delete an elected position and create a different one with substantially the same duties, a person elected to the old position shall be considered elected to the new position if the constitutional amendment passes.
	2. The Elections Commission shall indicate that such a case exists by titling the position, on the ballot and in its other literature, with a juxtaposition of the old and new titles (e.g. “Officer Title X/Officer Title Y”).
7. Provisions for Constitutional Amendments:
	1. A petition for a constitutional amendment shall be filed with the Attorney General in the same manner as a petition for initiative or referendum, who shall submit it to the Senate once it has been qualified.
	2. No constitutional amendment shall be placed on the ballot without action of the Senate.
8. Submission of Petition to Attorney General:
	1. Prior to circulating any petition, the Proponent(s) shall submit to the Attorney General the proposed question.
	2. The Proponent(s) shall submit a statement to the Attorney General that declare the Primary Proponent of the petition, and who is responsible for the conduct of the campaign in support of the petition.
	3. The Attorney General shall certify that the question is an impartial and accurate description of the proposal, and shall assign the petition an Official Name and Number.
		1. If the petition creates a law, the Attorney General shall prepare an Official Summary of the petition.
		2. The Attorney General shall confer with the BCSGA Advisor, or designee, for approval of language on questions of student fees.
	4. The Attorney General shall create the petition and return to the Primary Proponent three (3) copies of the petition.
9. 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 in Roman type not smaller than 12-point.
	3. The petition must have room for the signature of each petition signer and the printed name. Signature spaces must be consecutively numbered commencing with the number 1 for each page.
	4. 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.
10. Circulation of Petition:
	1. Identical petitions must be circulated by various people.
	2. Petitions may only be circulated only by registered BC Students.
	3. Each petition circulator who obtains signatures must complete a declaration attached to the petition stating:
		1. The petition circulator is a registered BC Student;
		2. The petition circulator witnessed the appended signatures being written;
		3. To the best of the petition circulator’s information and belief, each signature is the genuine signature of the individual whose name it purports to be; and
		4. The printed name, address, and telephone number of the petition circulator soliciting the signatures.
	4. If any information given under this statement is false, the entire petition shall not be used.
11. Petition Signatures:
	1. Each signer must personally place on the petition a signature, printed name, and BC Student ID number.
	2. None of the above may be preprinted on the petition.
	3. Any signature line which is not legible or complete shall not be counted.
	4. Each signer may sign a petition only once.
12. Presentation of Completed Petition:
	1. A petition shall be considered presented when it has been physically presented to the Attorney General.
	2. To prevent unauthorized petitions from circulating and unauthorized persons from filing petitions, only the Primary Proponent(s) of a petition may submit the petitions to the Attorney General.
		1. Any other petitions submitted will be disregarded by the Attorney General.
	3. Once submitted, petitions may not be amended except by order of the Judicial Review Board.
13. Verification of the Petition:
	1. The Attorney General, the Director of Elections, and the BCSGA Advisor shall verify that there are a sufficient number of valid signatures on each petition, by checking the student status of each person who signed the petition.
	2. Any signatures or pages of signatures not in compliance with the petition shall not be counted towards the minimum number of signatures necessary for qualification.
	3. If the verifying official discovers that the petition submitted lacks sufficient valid signatures, the Attorney General shall immediately notify the Primary Proponent(s) and no further action is taken on the petition.
	4. If a petition has not been verified in time for the Candidates’ Meeting, the petition shall be treated as valid until the verification is complete.
14. Placement of Petition on Ballot:
	1. Once a petition has qualified for the ballot, the Attorney General shall transmit the petition to the Director of Elections and the BCSGA Advisor for inclusion on the Elections Ballot.

### Recall Elections

1. Before a petition to recall a public officer is circulated, the individuals proposing to circulate the petition must file a notice of intent with the Attorney General.
2. After the notice of intent has been filed, the petitioner may begin collecting the constitutionally required number of signatures to initiate a recall election.
3. If the number of signatures is achieved the special election shall be held in accordance with the BCSGA Constitution by the Elections Commission.
4. The Recall Election shall be held in compliance with the Election Code as deemed appropriate by the Elections Commission.

### The Informational Session

1. The Commission must hold at least three (3) non-committal, Informational Session within the last four weeks of the fall semester previous to the semester the General Elections is held. The date, time, location, and agenda of this meeting shall be posted on the official BCSGA website.
2. Function of the Informational Session:
	1. Acquaint students with the basic structure, functions, and authority of the BCSGA;
	2. Acquaint students with the culture of the BCSGA and the election process; and
	3. Answer any and all of the questions students may have about the BCSGA and how to become involved within it.

### The Candidates’ Meeting

1. The Director of Elections shall hold at minimum of one (1) mandatory Candidates’ Meeting on the Friday of classes following the end of the Filing Period.
2. All candidates are responsible for all information that is disseminated at the meeting.
3. The date, time, location, and agenda of this meeting shall be placed on the official BCSGA website.
4. All candidates are warned of the consequences if any Election Code is violated.
5. Function of the Candidates’ Meeting:
	1. To acquaint all candidates with the basic structure, functions, and authority of the BCSGA and of the Election Code,
	2. To discuss problems which have arisen in past elections,
	3. To discuss BCSGA Judicial Review Board decisions and policies regarding elections, specifically the list of punishable infractions and their respective punishments
	4. To discuss the administrative details of the election,
	5. To explain requirements for each candidate for the Voters’ Guide, and
	6. Answer any and all of the questions candidates may have about BCSGA and the election process.

### Campaign Rules

1. No Malicious Assault:

The purpose of this subsection is to hold candidates and petitioners responsible for malicious assault on the most fundamental foundation of democracy, and to define and provide equitable remedy for the same. Any person, candidate, proponent, or opponent of a petition found before the BCSGA Judicial Review Board to have committed a malicious assault on the most fundamental foundation of democracy through any feasible related acts shall be subject to punishment by the guidelines as set forth by the Election Code.

1. No Ethical Breaches:

The purpose of this subsection is to hold candidates and petitioners responsible for serious ethical breaches, which threaten the validity of the BCSGA’s commitment to fairness, democracy, and the legal institutions empowered to protect that democracy, as well as to define and provide equitable remedy for the same. For this reason, any person, candidate, proponent, or opponent of a petition found before the BCSGA Judicial Review Board to have committed the serious ethical breaches stated in this section through any feasible related acts shall be subject to punishment by the guidelines as set forth by this Election Code. This may include, but not limited to:

* 1. Willfully violating a lawful order from the BCSGA Judicial Review Board or the Elections Commission.
	2. Intentionally falsifying information on any BCSGA forms or in the Voters’ Guide.
	3. Refusing to appear before the BCSGA Judicial Review Board, if subpoenaed by the Board; the candidate shall be exempt from appearing before the Council if he or she can show a valid excuse. It shall be the Judicial Review Board’s obligation to ascertain the validity of any claim as to the above.
	4. Soliciting unpaid political advertising in a media or publication
	5. Using BCSGA authority, facilities, funds, or resources for campaign purposes, including for long term or bulk storage of campaign materials.
	6. Knowingly and actively campaigning within 25 feet of a polling location on the day of a BCSGA Elections.
	7. Badgering or threatening witnesses subpoenaed for a Judicial Review Board hearing or Judicial Review Board members themselves.
	8. Obstructing an investigation by the Elections Commission or the Attorney General.
	9. Exceeding the campaign finance spending limits as defined in the Election Code.
	10. Violation of an election rule promulgated by the BCSGA Elections Commission or the Office of Student Life.
1. Interfering and Safety:
The purpose of this subsection is to hold candidates and petitioners responsible for interfering with the mission of the BCSGA, and for threatening the safety of the campus, and to define and provide equitable remedy for the same. For this reason, any person, candidate, proponent, or opponent of a petition found before the BCSGA Judicial Review Board to have interfered with the mission of the BCSGA or threatened the safety of the campus through any feasible related acts shall subject to punishment by the guidelines as set forth by the Election Code. This may include, but not limited to:
	1. Willfully destroying, defacing, covering, moving or removing from their places, posters, signs, banners, leaflets or flyers of BCSGA groups or business operations which bring revenue to the BCSGA.
	2. Willfully destroying, defacing, covering, moving or removing from their places, posters, signs, banners, leaflets or flyers which advertise functions, meetings, events, or existence of BCSGA sponsored student groups and publications.
	3. Willfully destroying, defacing, covering, moving or removing from their places, posters, signs, banners, leaflets or flyers of other candidates for office in the BCSGA Election.
	4. Persistently blocking any entrance or tight space, or otherwise significantly restricting the flow of vehicular or pedestrian traffic on campus.
2. Violations of Internal Processes:
The purpose of this subsection is to hold candidates and petitioners responsible for violations of important legal protocols which transcend the internal processes of the BCSGA, and to define and provide equitable remedy for the same. For this reason, any person, candidate, proponent or opponent of a petition found before the BCSGA Judicial Review Board to have committed violations of important legal protocols through any feasible related acts shall be subject to punishment by the guidelines as set forth by the Election Code. This may include, but not limited to:
	1. Filing malicious, frivolous, or bad faith charges against any candidate.
	2. If another candidate engages a third party to file such charges, both parties shall be held responsible.
	3. Using e-mail lists or posting boards to campaign, with spam, which is defined as e-mail that does not meet any of the following conditions:
		1. The author has a pre-existing relationship with the recipient(s).
		2. The author has permission from the leadership of the organization.
		3. The author is a member of the organization.
	4. Claiming an endorsement of an individual, group, or party without consent. Candidates should, but are not required, to obtain endorsements in writing.
3. Violations of Elections Code or College Guidelines:
The purpose of this subsection is to hold candidates, and petitioners responsible for violations of BCSGA and BC Guidelines provide equitable remedy for all. For this reason, any person, candidate, proponent or opponent of a petition found before the BCSGA Judicial Review Board to have committed violations of BCSGA and BC Guidelines through any feasible related acts shall be subject to punishment by the guidelines as set forth by the Election Code: This may include, but not limited to:
	1. Posting campaign literature of any candidate on restricted bulletin boards or any structured or natural feature of the campus such as, but not limited to, doors, windows, buildings, surfaces of walkways or roads, fountains, posts, waste receptacles, fences, or trees. This rule does not limit posting on campus public access bulletin boards and kiosks, or in areas in which the proper permission has been obtained.
	2. Failing to file two copies of all campaign material with the Commission, or in the event that an actual copy cannot be submitted, one picture of each campaign material, within 48 hours of dissemination. The intent of the requirement to turn in copies of campaign material is to make sure that in the event of a Judicial Review Board case, there will be a record of all relevant literature.
	3. Not appropriately arching sandwich boards, picket signs, or other displays to the ground using University Grounds guidelines.
	4. Attaching or leaning sandwich boards, picket signs, or other displays against campus vertical features including but not limited to buildings, doors, fountains, posts and fences, waste receptacles, and trees.
	5. Willfully placing campaign material in any College building, including classrooms, libraries, bathrooms, and on chalkboards, but excluding the posting of campaign material on public access bulletin boards and kiosks within College buildings.
	6. Failing to attend and participate in the Mandatory Clean-up day that shall be established by the Elections Commission on the designated day following the election, unless campaign materials are cleaned up prior to the Clean-up day.
	7. Claiming endorsements without bearing the disclaimer, “Titles for Identification Purposes Only” in the same size font as the majority of the text of the endorsements is written.
	8. Failing to turn in Campaign Finance receipts, as required by the Elections Code.
	9. Interfering with, or campaigning within 10 feet of any official Commission sandwich boards or banners.
	10. Unintentionally falsifying information on any Commission forms or in the Voters’ Guide.
	11. Failure to meet the deadline for withdrawal.
4. Temporary Rules:
	1. Temporary rules may be implemented by the Director of Elections where an urgent situation necessitates temporary additions, amendments, or a suspension of a portion of the Election Code, provided all candidates are affected equally.
	2. A Temporary Rule shall not take effect until approved by a majority vote of the BCSGA Elections Commission and approval of the BCSGA Advisor with at least three (3) members present.
	3. These new rules must be sent electronically to each candidate and posted in a designated area of the Campus Center so that all candidates have access to them.
5. Suspension of Rules:
	1. Election Rules may be suspended by the Director of Elections where an urgent situation necessitates temporary additions, amendments, or a suspension of a portion of the Election Code, provided all candidates are affected equally.
	2. A suspension of a rule shall not take effect until approved by a majority vote of the BCSGA Elections Commission and approval of the BCSGA Advisor with at least three (3) members present.
	3. These new rules must be sent electronically to each candidate and posted in a designated area of the Campus Center so that all candidates have access to them.

### Conduct of Campaign:

1. A candidate shall be considered guilty of a violation of the Campaign Rules by an agent of that candidate acting within the scope of the candidate’s delegated authority.
2. A candidate may deny the action of any individual who violated the Campaign Rules in favor of some candidate or group by denying said violator is the candidate’s agent within 24 hours after the violation has been discovered and reported by the Elections Commission to the candidate. This shall be done in written form to the Director of Elections.
3. It is the intent of this subsection to hold a candidate responsible for violations committed by the candidate’s agents if those agents are involved in that general area of the campaign.
4. If any Proponent of a Petition is found to have violated the Election Code, the petition shall be assessed the corresponding sanction, up to and including the disqualification of the petition.

### Public Posting of Charges and Responsibility for Correcting Violations:

1. Charge sheets, Judicial Review Board decisions, and out-of-council settlements related to violations of the Election Code shall be posted in a designated public location in the Campus Center.
2. Candidates, and all others cited shall be notified by the Attorney General, and are responsible for correcting all violations, if possible to correct, immediately upon notification.

### Penalty for Violations of Campaign Rules

1. The Judicial Review Board shall be vested with the authority to hear and decide allegations of violations of the Election Code, pursuant to its rules and regulations as set forth in BCSGA Constitution and laws.
2. All candidates are warned of the consequences of these censures at the Candidates’ Meeting.
3. A finding of violation of the conduct prohibited by this Election Code shall be punishable by withholding a portion of the Candidate’s deposit no less than five dollars ($5).
4. In addition to the authority granted the Judicial Review Board herein, it shall have equitable power to assure that the punishment levied fits the violation found to occur so as to assure a fair and just result.
5. Sanctions for any acts or violations by a candidate, whether before, during, or after the Judicial Review Board hearing, which are not specifically addressed in the BCSGA Constitution and laws shall not be imposed by the BCSGA Judicial Review Board at any time.
6. A candidate will be disqualified if the entirety of the Candidate’s deposit is withheld.
7. A finding of violation of the conduct prohibited the Election Code shall be punished by withholding a portion of the Candidates’ deposit no less than one dollar ($1).

### BCSGA Judicial Review Board

1. Jurisdiction:
	1. The BCSGA Judicial Review Board shall have sole jurisdiction in all cases arising under the Election Code.
2. Definitions:
	1. Badgering is defined as “interfering with a witness testimony, attempting to prevent a witness from providing honest testimony, or interfering with the processes that the Judicial Review Board abides by to arbitrate a case in a fair manner”.
	2. Threatening is defined as “Expressing an intention to inflict pain, injury, or punishment to another party if the party testifies a certain way”.
	3. Intentional is defined as “Committed deliberately”.
	4. Willfully is defined as “Having prior knowledge of the consequences of the violation and intentionally committing it in such a way as to undermine the fairness of an election”.
	5. Malicious is defined as “Deliberately harmful or spiteful”.
	6. Frivolous is defined as “Inappropriately silly or trivial”.
	7. Bad faith is defined as “Intentional dishonesty or deception”.
3. Sanctions:
	1. The BCSGA Judicial Review Board shall be empowered to impose the sanctions specified for violation of the Campaign Rules in the Election Code and approved by the BCSGA Advisor.
4. Contempt of Judicial Review Board:
	1. The imposition of sanctions for contempt of council for violations of this Elections Code shall be imposed by the Judicial Review Board after a hearing at which the offending party appears and is heard.
5. Settling Out of Judicial Review Board:
	1. For a violation of this Election Code a sanction can be imposed by mutual written agreement of the Attorney General, the Director of Elections, and the individual being charged rather than having a Judicial Review Board hearing.
	2. The agreement must contain a waiver preventing any of the signatories or parties they represent from bringing the case before Judicial Review Board in the future.
	3. Any such agreement must be accompanied by a written explanation of the circumstances surrounding the violation and must be approved by the BCSGA Advisor.
6. Statute of Limitations:
	1. Sanctions may be assessed against an individual for violating the Election Code at any time, whether the individual has filed for candidacy yet or not. Any sanctions imposed shall be accumulated only until the regularly scheduled BCSGA Election of that year.
	2. The Senate may amend these rules at any time during the year.
	3. No amendment to this Election Code approved after the Candidates’ Meeting shall take effect until after the BCSGA General Elections for that semester.
	4. It is the responsibility of the campaigner to obtain the current rules and procedures for campaigning.
	5. All BCSGA Officers shall be obliged ex-officio to answer subpoenas issued by Judicial Review Board or shall be barred from running in future elections. This stipulation shall apply to any case arising under their term in office. The officer subpoenaed shall be exempt from appearing before the Council if he or she can show a valid medical excuse, out-of-town commitment, death in family, employment obligations or exam or paper due 24 hours following the case. It shall be the Judicial Review Board’s obligation to ascertain the validity of any claim as to the above.

### The Ballot

1. All voting for the elections shall be conducted via electronic ballot.
2. There shall be no write-in candidates
3. The order of the names on the ballot shall be arranged in alphabetical order by last name, first name, middle initial (if available).
4. The elections shall be held in a form that does not conflict with the Election Code.
5. Petitions:

Ballots for petitions shall be presented separately, as not to include multiple petitions on one page or screen.

* 1. Ballots shall begin with the petition title and petition question, as approved by the Attorney General
	2. Ballots for petitions shall include options, vertically, for yes, no, and abstain.
	3. Voters shall not be able to proceed without marking one of the options on the ballot.
	4. No option will be selected by default when the ballot is presented to the voter

### Tallying of Votes

1. Ballot Tabulation:
	1. Preliminary ballot tabulation shall commence within one (1) hour following the closing of the final day of voting.
	2. The Attorney General may file new charges for campaign violations occurring after the commencement of ballot tabulation.
	3. If any candidates should be disqualified following the preliminary tabulation, second and final ballot tabulation will commence following all decisions and settlements of lawsuits regarding elections by the Judicial Review Board.
	4. Ballot tabulation shall be supervised by the Director of Elections, the Attorney General, and the BCSGA Advisor.
	5. After the preliminary tabulation, the results of the elections shall be released by the BCSGA Director of Elections and the Attorney General as soon as possible, this is known as the “Certification of the Election Results”.
		1. The results shall be posted on the official BCSGA website, in the Campus Center, as well as in any other relevant places so that all persons shall have access to these results.
		2. They shall be clearly marked as preliminary and uncertified results.
2. Certification of the Election Results
	1. The election results for all elected officials positions, as certified by the Commission, shall only be effective when the Director of Elections reads the names into the Minutes of a Senate meeting. Such item shall be agenized in the BCSGA Senate agenda.
	2. The election results for all elected official positions may be certified separately from all petitions.
3. Handling of Invalid Votes:
	1. A vote shall be declared invalid, and excluded from the counting in a particular race, only if there is not one distinguishable preference.
	2. The invalidity of a vote in one race shall not affect its validity in another race.
	3. Individuals who have casted two votes in a particular race, both votes shall be declared invalid and not tabulated for the final count.
4. Tabulation of Votes:
	1. The winner of the Executive vote shall be the candidate who received the majority vote.
	2. In the Senate the number of seats available for each academic unit shall be given to the same number in rank of most votes received by candidates.
	3. In the event of a tie in a contested race, the current session of the BCSGA Senate shall have a majority vote to determine the winner.
5. Tallying of Ballot Petition:
	1. The “Yes” and “No” votes for each petition shall be counted.

### Safeguards

1. Storage of Ballots:
	1. All ballots, computer printouts, tally sheets, programs, and databases will be held by the Commission for three (3) months after the certification of the Election. After such time, all materials, except the computer printouts and tally sheets may be destroyed unless appeal, recount, or reelection is pending, in which cases they shall be held until the dispute is resolved.
	2. The computer printouts must be digitized and permanently.
2. Safeguards:
	1. Observers representing various candidates shall be allowed to be present at all handling, counting, and tabulating operations.
	2. This privilege includes the right to inspect all equipment and machinery used for collection, transportation, and tabulation or ballots, but not to do so in a way that interferes unduly with the orderly and efficient operation of the Elections Commission.
	3. When not being officially handled or tabulated, the ballots must be kept in a neutral, safe and secure location at all times.

### Void an Election:

1. Any student may petition the BCSGA Judicial Review Board to void an election, on grounds of the integrity of the Commission, its mismanagement of the election, or the mechanism of the count, prior to the expiration of the Statute of Limitations stated in this Election Code
2. The Judicial Review Board shall review the case and submit its finding to the Senate.
3. If the BCSGA Judicial Review Board rules that there was mismanagement, or that there was an unpunished violation, the BCSGA Judicial Review Board may void the election on the grounds that the mismanagement or the unpunished violation substantially affected the outcome of the election.
4. The BCSGA Judicial Review Board may not void an election on any other grounds or by any other procedure, as stated in the Election Code.
5. Only the BCSGA Judicial Review Board, and approval from the BCSGA Advisor, may void an election.
6. If the Judicial Review Board voids a General Election, the Judicial Review Board shall provide for a new special election to be held on the next full week of instruction no later than one week from the Council’s decision to settle the outcome of the affected portion of the elections.
7. If the Judicial Review Board voids a primary election, the Judicial Review Board shall order a new special primary election to be held on the next full week of instruction no later than one week from the Judicial Review Board’s decision and possibly in conjunction with the general election to settle the outcome of the affected portion of the primaries.

### Campaign Materials

1. Campaign material is defined as material initiated by a candidate, with the intent to contact voters publicly, that explicitly speaks, pleads, or argues in favor of the election or defeat of a candidate.
	1. Campaign materials that are controlled by a candidate’s campaign that mention a candidate’s name, or the office a candidate is seeking, shall be defined as explicitly speaking, pleading, or arguing in favor of the election of a candidate. Therefore, it will be included in the definition of campaign material.
2. Electronic mail and telephone calls will be assessed a zero cost.
3. News or editorial articles in a publication not run by a candidate, not controlled by candidate, not receiving a significant portion of their funding from a candidate, or not operating under a specific agreement between the publication and a candidate, shall not be included in the definition of campaign material.
4. Any material produced by a group or organization not run by a candidate, not controlled by a candidate, not receiving a significant portion its funding from a candidate, or not operating under a specific agreement between the group or organization and a candidate, shall not be included in the definition of campaign material.
5. Material in which voters initiate’s contact, such as a Website, instant message, away message, or telephone request for information, shall not be included in the definition of campaign material.
6. Any funds used for the purposes of designing content on a Website that falls under this Election Code shall be included in the definition of campaign material.
7. Any negative campaigning shall count toward the budget of the candidate that produced the material.

### Campaign Finance Rules and Regulations

1. Enforcement of the campaign finance regulations shall be the responsibility of the Elections Commission.
2. The public has the right to obtain any candidate’s spending information, but the information is not required to be widely disseminated by the Commission.
3. It shall be the responsibility of the candidate to provide two copies of all campaign material to the Commission before any campaign materials have been disbursed.
4. It shall be the responsibility of the candidate to provide the purchase of campaign materials within 48 hours. If unable to provide a receipt, they may indicate so and instead provide an estimate of fair market value. Receipts must be provided beginning with the Candidates’ Meeting and thereafter.
5. The Commission shall have the responsibility of determining fair market value for any campaign material not accompanied by a receipt. The interpretation of fair market value may be appealed to the Judicial Review Board.
6. Campaign materials that count as part of a candidate’s spending, must have been produced, or authorized, by the candidate.
7. Any campaign material advocating, by name, office seeking, or ballot number, more than one candidate, shall have its cost divided equally among all candidates listed on the material.
8. The candidates or parties involved in the election shall have the responsibility of providing the Commission with all documentation and receipts. Receipts must include information on what was purchased and the amount spent.
9. As with any other violation of the BCSGA campaign rules, the BCSGA Attorney General shall be responsible for investigating alleged violations of these rules and prosecuting them before the BCSGA Judicial Review Board.
10. All disputes or arbitration that arise over these rules shall be handled by the Judicial Review Board.
11. No one (1) individual, organization, or business may contribute more than fifteen dollars ($15.00) to any one (1) candidate
	1. The individual making the contribution must be listed with the amount contributed.
12. Student Organizations shall not contribute Club Funds to any candidate.
13. Campaign Finance Limits:
	1. Candidates running for election are limited to spending as follows:
		1. Executive Candidates, $200.00
		2. Judicial Candidates, $175.00
		3. Legislative Candidates, $150.00

### Primary Election

1. The Elections Commission may elect to have a Primary Election in the event there are more than two candidates running for an Executive Office there will be a primary election held one week prior to the General Election.
2. Top two candidates who receive the most votes, shall move onwards to the General Elections
	1. In the event of a tie, the two candidates may be forwarded to the General Elections for three candidates to be placed on the General Elections ballot.

### Posting Policy

1. Campaign Material as defined in the Elections Code is prohibited from being posted before the mandatory Candidates’ Meeting.
2. All candidates must abide by all BCSGA and BC Positing Regulations.

### Administration of Electronic Filing of Documents

1. The Commission may allow for the electronic filing of documents and shall provide such regulations as may be necessary.

### Severability

1. If any provision of this Elections Code, or the application of such a provision to any person or circumstance, is held to be unconstitutional, the remainder of the Elections Code, and the application of the provisions of this Elections Code to any other person or circumstance, shall not be affected by such holding.