

Student Elections Review Committee (SERC)

Code of Elections

(Updated: January, 2018)

1. PROCEDURES FOR CANDIDATES

All candidates must fill out an Intention Form with the Office of Campus Life to become a candidate.

a. The intention form shall ask for the candidate's:

- i. Name
- ii. Address
- iii. Phone Number(s)
- iv. CUNY First ID (EMPLID) Number
- v. Email address
- vi. Undergraduate or Graduate Student
- vii. GPA
- viii. Number of credits for the following semester
- ix. Desired Office/Position
- x. Platform statement
- xi. Statement that he or she will abide by all rules and regulations and understands the duties of the office he or she is running for.
- xii. Signature

b. The Office of Campus Life shall clock and sign each intention form and platform and be submitted thereafter to SERC.

c. No student may run for more than one Student Government Association position (executive officer or senator) during any election.

d. No intention form will be accepted after the filing date, unless an extension is approved by SERC for all candidates.

e. In case of a student is an unopposed candidate, the name of the student shall appear on the ballot with provision for a "yes"- "no" vote. A candidate must receive more "yes" votes than "no" votes to be elected.

2. CANDIDATE ELEGIBILITY

Policy 7.15 of the CUNY Manual of General Policy establishes the eligibility requirements for students to hold Student Government offices:

a. Students must be matriculated in a degree or credit-bearing certificate program at the college in which they serve or which they represent.

- i. Full-time undergraduate students must carry a minimum of 12 credit hours.
- ii. Part-time undergraduate students must carry a minimum of 6 credit hours.
- iii. Graduate students must carry a minimum of 3 credit hours.
- iv. In order to serve each semester, a student must have completed and earned passing grades in at least 50% of the credits for which they registered the prior semester, but in no event less than 3 credits.

v. Full-time doctoral students at Levels II or III shall be making satisfactory progress and shall not be subject to subdivisions c and d hereof.

b. Undergraduate students must have a minimum cumulative grade point average of 2.0 and be in good standing to participate in student government and the University Student Senate. Chief executive officers and the Chairperson of the University Student Senate must have a minimum GPA of 2.5.

c. Transfer students shall have the right to be a candidate in elections for student government and for delegate positions of the University Student Senate as long as they meet the minimum G.P.A requirement for the position.

d. Students may not serve in student government or the University Student Senate for more than a total of five years.

e. Graduate students shall be permitted to serve in the same executive office in a student government or the University Student Senate for a maximum of two years.

f. Students may not serve in leadership positions at two or more CUNY institutions simultaneously but may hold a campus and USS position at the same time.

g. Any student who applies/petitions to graduate prior to the start of the Fall semester is ineligible to run for a leadership position in the Spring elections unless that student has been accepted into a graduate program at the same college or it is determined that the student will not have fulfilled the graduation requirements.

h. In order to participate in student government, students must be certified as being in compliance with all CUNY rules and guidelines by the college president, or his/her designee, with the Vice Chancellor for Student Affairs.

3. PLATFORMS

a. A specific reason in writing shall be given at the candidate's meeting for a platform that is not approved by SERC.

b. Once a platform is approved, it may not be altered in any matter without the knowledge and/or written consent of SERC.

c. All platforms should include party and organization endorsements, if applicable.

4. REFERENDA

a. Referenda must be filed with SERC through the Office of Campus Life for review and clarification before petitions may be circulated for signatures.

b. Any referenda that are to be considered in the Election must be submitted by March 1.

c. All referenda must comply with the rules and regulations of the relevant bylaws

- d. Signatures will not be considered valid unless the respective student's printed name and student ID number appear next to the signature.
- e. The text for the referendum must appear on each sheet of signatures. Referenda proposing modification of student activity fee must indicate a present and proposed fee structures – highlighting the proposed changes.
- f. A referendum will be ratified when a majority of the students voting approves it. SERC certifies it, and it receives the recommendation of the College President and, if warranted, the approval of the Board of Trustees.

5. CAMPAIGNING

- a. All campaigning literature shall be stamped by The Office of Campus Life and forwarded to SERC.
- b. Publicity shall begin at a time designated by SERC.
- c. Candidates may begin to campaign from the time so designated by SERC until the end of the voting period.
- d. The platform of each candidate may be on display prior to and until the end of the voting period at the discretion of SERC and shall be published in Lehman Publications.
- e. In accordance with the college regulations, candidates are prohibited from rallying or demonstrating in the bookstore, library, lounges and classrooms.
- f. A candidate may address a class only with permission of the instructor if the class is in session. In this case, the candidate may only state his or her name, the position the candidate is running for and the platform.
- g. A candidate may campaign without the instructor's permission if the instructor is not present before a class begins or after the class ended.
- h. During the voting period, no campaigning shall take place in the restricted area near the polling place specified at the candidate's meeting.
- i. In the spring Elections, a debate or forum may be held among the candidates under the auspices of SERC. Each slate/individual will be asked to send at least one representative to participate in each scheduled debate. In the event of only one party/candidate, an open forum will be held at the same time at which time the candidate will be required to state their platform and entertain questions from the student body.
- j. No candidate shall deface college property at any time.
- k. The polls watcher's only concern should be whether eligible students vote and those ineligible students do not vote. Poll Watchers are to be selected with this in mind. Their responsibility is to insure a fair election.

6. VOTING BY MACHINES

Voting machines may be procured by contacting the appropriate providers of machines well in advance of the election. When making the request for the machines, the names of the candidates and positions they are running for should be available. Any referendum must also be available. Procedure.

- a. In an attempt to prevent plural voting SERC shall designate one central voting area which shall be accessible to all students and electrical power.
- b. Voting for major spring elections shall take place on the period designated by SERC for three consecutive days, from 9 A.M. to 9 P.M each day. This voting period must fall

between March 15 and April 30, as specified in the CUNY Manual of General Policy, Policy 7.15.2.

- c. Voting in any other election shall take place over a period designated by SERC.
- d. One (1) computer printout containing the names, Lehman College I.D. numbers, and CUNY First I.D. (EMPLID) number of all Lehman students shall be requisitioned through the Office of the Registrar or the Information Technology Division. This list must be printed with names in alphabetical order.
- e. For every voting machine that has been procured, two secretaries are needed. One will operate the machine and the other will be responsible for the computer printouts. It is suggested that a day shift and a night shift be hired. A direction list for these secretaries must be formulated.
- f. The voting procedure at the polls is as follows:
 - i. A student shall present his/her validated Lehman College I.D. card to the secretaries handing the computer printouts. No other form of identification is permissible. In the event that a student's name does not appear on the computer list, the student must go to the Office of the Registrar and obtain proof with seal that he/she is currently a registered student at Lehman College.
 - ii. The secretary at the desk shall ascertain whether or not the student is said person by checking the photo, the signature and number on the I.D. card against the computer list.
 - iii. The secretary, while retaining the I.D. card, shall cross the student's name and I.D. numbers off the list.
 - iv. After completing this procedure the secretary at the desk shall hand the I.D. card to the secretary operating the machine.
 - v. The voting machine operator will then be responsible for calling out the student's name, allowing the student to vote and after the student has voted, to return the ID card to the student. The order of the procedures shall be strictly adhered to.
 - vi. On the first day before the polls open, a SERC member shall test all machines by registering their own vote and making sure they are tabulated, and that the machines are working properly.
 - vii. At the end of each day, a SERC member or a representative from the Office of Campus Life will close the polls and keep a record of daily tallies. They shall keep a record of this tally and contact the secretaries who open the polls in the morning to disclose the tally.
 - viii. A detail from security shall be responsible for securing the voting machinery at the end of each day and opening the machinery at the beginning of each day.
 - ix. If the tally check in the morning is not the same at the tally made at the close of the polls the night before, voting shall be terminated immediately and the election invalidated.
 - x. The tabulation of the final results shall be made by the secretaries under the supervision of SERC. One (1) representative from each slate and the press may be present.

- xi. SERC shall oversee this entire voting machine procedure.

7. VOTING PROCEDURES FOR USE WITH PAPER BALLOTS

- a. This procedure shall be used only in the event that voting machines cannot be obtained and in the event of a run-off election.
- b. The same procedure as Voting by Machines, in Article 6, Sections a, b, and c shall be followed.
- c. For major spring elections, two (2) secretaries (which can be hired through the Office of Campus Life and paid by Student Government) will be needed for the day shift and for the night shift, plus a SERC member will be present.
- d. For any other election, SERC can hire the number of secretaries they deem necessary to carry out an efficient election.
- e. A locked Ballot Box, chairs and tables shall be requisitioned through Buildings and Grounds.
- f. The Voting procedure is as follows:
 - i. A student present their validated official Lehman College I.D. cards to the secretary with the computer list containing the student's name. No other form of identification is permissible.
 - ii. If the student's name does not appear on the list, the student must obtain from the registrar verification with seal, that he/she is an officially registered student at Lehman College.
 - iii. The secretary shall ascertain whether or not the student is said person by checking the photo and the signature on I.D. card against information in the computer list.
 - iv. Next the secretary shall cross off the list the name of the student. The student may now fill out the ballot, fold it and hand it to the secretary who shall then return the student's I.D. card and deposit the ballot into the box. This box shall be located in a position such that it is out of the reach of students. The order of this procedure must be strictly adhered to. No student may deposit ballots.
 - v. At the beginning of each day the secretaries and security detail shall be responsible for delivering the ballots, ballot box and computer lists to the polls. At the end of each night the reverse procedure shall be followed.
 - vi. The tabulation of these ballots shall commence at the close of the polls on the final day of voting according to the following procedure and rules:
 - 1. A secluded room shall be requisitioned well in advance for the purpose of ballot counting.
 - 2. Only the members of SERC, Office of Campus Life Designee, and Secretaries shall be permitted into the counting room. This is necessary to keep confusion at the minimum and to allow those involved to work quickly and efficiently without undue pressure. No poll watchers or press will be permitted.
 - 3. Count number of students crossed off the computer list. This should match the number of ballots cast.
 - 4. Tally Ballots

- a. In cases where more than the allowable numbers of candidates have been voted for in the Student Legislative Assembly (Student Senate), the 34 candidates with higher number of votes will get elected.
- b. Any other technicalities and their procedures for being dealt with shall be decided and agreed upon by SERC.
- c. In a case a ballot has two candidates voted for the same office in a Student Government Election, the vote on that ballot for the office involved shall be disregarded.

- 5. A letter stating the winner and the totals of each candidate's votes shall be signed by the members of SERC and the Office of Campus Life Designee and be made public. A copy shall be kept on file with the Office of Campus Life and Office of Student Affairs.

8. ONLINE VOTING

- a. Online voting shall not be used in the student government general spring elections.
- b. Access to the online ballots must ensure that each vote is from a currently registered student. This can be done by:
 - i. Creating the ballots in a software which requires Lehman One Access log in.
 - ii. Or, if using a different software, restricting the access to the ballots using a list from the Office of the Registrar with CUNY First I.D. (EMPLID) numbers.
- c. SERC and a representative of the Office of Campus Life will have access to the administrative side of the software.
- d. Online voting must be advertised at least 1 week in advance. Advertising must include email blasts containing a link to the voting website.
- e. Voting shall remain open for at least 12 continuous hours, from 9:00am to 9:00pm.
- f. A voting area must be identified in the campus. This area will have at least 2 computers with internet access which will be used exclusively for voting.
- g. At least one secretary must be assigned to the voting area to help voters navigate the software.
- h. Results of the online elections will be published the following business day.

9. VIOLATIONS

- a. All Candidates will be expected to know all the rules and regulations herein and will not be given any warnings.
 - i. Campaigning before the period so designated by SERC.
 - ii. Harassment or intimidation of any member of SERC expressed or implied.
 - iii. Failure to abide by any rule set forth in this code.
 - iv. Electioneering within the restricted polling area specified by SERC.
 - v. Removal of a candidate's name from the ballot/machine other than an authorized person.
 - vi. Using another student's I.D. card.
 - vii. Using another student's log-in information
 - viii. Candidates being present during the counting of a paper ballot.

- ix. Rallying or demonstrating in a classroom, library or lounge.
 - x. Taking down, defacing, or posting over another candidate's publicity.
 - xi. Use of unauthorized endorsements.
 - xii. No public address system will be allowed for campaigning purposes during the election and campus periods, including use of sound amplifiers.
 - xiii. No campaigning literature, may be mailed to individual students' home address.
 - xiv. No campaigning literature, may be sent to individual students' email address.
 - xv. No campaigning of any kind is allowed near Shuster Hall during the days of voting.
 - xvi. Accepting funds from student organizations which receive student activity fees.
 - xvii. Using student activity fee monies for campaigning.
- b. All alleged violations shall be submitted in writing to SERC before the close of the polls on the final voting day. They shall include the following information:
- i. Violator's name
 - ii. Time, date, place of occurrence
 - iii. Nature of violation with details pertinent to election code regulations.
- This shall be submitted in by the complainant with the understanding that he/she may have to appear before SERC in an open hearing as a witness. The complainant shall print and sign the violations notice. Violation notices shall be acted upon before the tallying of final results, and shall be subject to the procedures that follow in this Election code.
- The accused violation will be entitled to a rebuttal at a hearing before SERC.

10. PENALTIES

The following penalties may be implemented after the procedures that follow this code have been utilized.

- a. Any candidate who fails to comply with the Election Code shall be subject to disqualification after the mechanism for alleged campaigning violation has been followed, and a conclusion has been determined.
- b. Any student other than a candidate shall be brought before SERC and it shall rule on the validity of the violation.

11. VOTING IRREGULARITIES

- a. Plural voting
- b. Tampered voting machines.
- c. Tampered paper ballots.

12. PROCEDURES FOR DEALING WITH VOTING IRREGULARITIES, CAMPAIGN VIOLATIONS, DISQUALIFICATIONS OF CANDIDATES, INVALIDATION OF AN ELECTION, AND TIES

- a. In a case involving campaign violations.
 - i. Proper written allegations must be received by SERC before counting ballots or tabulating voting machine results.
 - ii. All candidates must be notified of an open hearing which shall include the members of SERC, the candidates, two counselors and the press.
 - iii. Witnesses shall be allowed to participate.

- iv. If a member of SERC is a witness, or has pressed charges, he/she shall be disqualified from serving on the hearing panel.
 - v. At the conclusion of the hearing, SERC shall vote in closed session on the retention or disqualification of the candidate or candidates involved.
 - vi. The ballots and voting machine tallies may then be taken and a winner declared.
- b. In a case involving voting irregularities:
- i. If there are voting irregularities as specified in Article 11, and
 - ii. If the result of the voting is close enough for the voting irregularities to possibly make a change in the outcome of the election, then
 - iii. SERC must investigate the Election process from its beginning to determine its validity. Should no voting irregularities be found in accordance with Article 11, the election will be valid.
 - iv. A decision of invalidation shall mean that a new election must be scheduled as soon as possible. No appointment by any governmental body may be made to fill the vacancies. This rule supersedes any by-laws of the Student Government.
 - v. No candidate's name will be stricken from the ballot, however, a candidate's may wish to make a statement to the press requesting the students to defer their votes to another candidate in the new election.
 - vi. No new candidate will be accepted.
 - vii. Campaigning may take place at a time designated by SERC.
- c. In the event of a tie:
- i. All candidates involved shall participate in a run-off election.
 - ii. After a tie has been determined, this election shall take place in one week immediately following the original election.
 - iii. No campaigning may take place.
 - iv. The only publicity shall be that of SERC to publicize the run-off procedure.

13. APPEALING DECISIONS OF SERC

CUNY Bylaws, Section 15.2.d, establishes that decisions of SERC may be appealed to the Lehman College President, whose decision shall be final. Appeals must be made in writing to the President within ten (10) calendar days of the decision. The President shall consult with the student elections review committee and render a decision as expeditiously as possible which may affirm, reverse, or modify the decision of SERC.

14. AMENDING THIS CODE OF ELECTIONS

Changes to this Code must be approved by a simple majority of the members of SERC. All changes must be approved by February 15 to take effect on the general student elections of March 15 – April 30.