

## Elections Board Infractions and Penalties Procedural Overview

### 1. Purpose

- a. The Elections Board will reference these guidelines in order to properly assess sanctions **on any and/or all campaign members**. Additionally, the Elections Board still has full authority to determine sanctions for violations that are not mentioned in this guideline and that the Elections Board deems necessary.

### 2. Petition/Sanction Process

- a. Once a petitioner has determined that a violation has been made, the petitioner must file a petition with the Elections Board.
- b. Once a petition has been filed, the Elections Board Director of Investigations will carefully review the petition and determine if a violation may have occurred and may contact the petitioner for additional information to determine if an investigation is warranted. The result of a petition will be posted as a notice of finding regardless of whether an investigation is opened by the Director of Investigations or not.
- c. In the event that the Investigations Director finds reasonable suspicion that a violation may have occurred, the petitioner and the respondent will be notified that the Elections Board has opened an investigation into the alleged violation.
- d. The respondent shall be granted the initial right of reply through a verbal/written statement made to the Elections Board.
  - i. The respondent will have at least 6 hours, not including overnight hours of 11pm-7am, to respond to a petition, unless the petition is filed during voting week. Petitions filed during voting week will have a response window determined by the Elections Board Chair, though it shall not be less than 3 hours and shall not include overnight hours of 11pm-7am.
- e. **Afterwards, the respondent will potentially then get a chance to meet with the Elections Board, without the petitioner present, to present their own evidence and have a chance to defend themselves against the alleged violation.**
  - i. If it is a Tier 1 violation, the respondent will have the chance to meet with the Board.
  - ii. If it is a Tier 2 or 3 violation, the respondent must request a meeting with the Board via email, and it is up to the discretion of the Director of Investigations whether to grant the request.
- f. During this process, the Elections Board reserves the right to request any additional evidence by the respondent and the petitioner to build the complete picture of the case that may include:

- i. Requesting additional evidence from the petitioner.
  - ii. Requesting additional evidence from the respondent.
  - iii. Meeting with the petitioner to gather any additional evidence that the petitioner may have in regard to their petition.
  - iv. Meeting with the respondent to gather any additional evidence that the respondent may have in regard to the alleged violation.
- g. The Elections Board will then deliberate, carefully weighing all the evidence that each side has presented, and decide how to proceed.
- h. If, after deliberation, the Elections Board has deemed that a violation did occur, the respondent will be notified immediately of the sanction and the reasoning for such sanction. The same process will ensue if a violation was not determined to be made. All notices of findings shall be promptly posted on the Elections Board website.
- i. The respondent will be bound by the terms of the sanction, and if found to have violated the terms of the sanction, will be subject to further investigation and additional penalties determined by the Elections Board.
- j. Article 8 of the Election Code provides a list of prohibited behaviors for candidates; however, everyone publicly campaigning is responsible for all rules stated in the Election Code.

### 3. Notes

- a. All campaign members involves: candidates, designated campaign representatives, campaign staff, slate candidates, slate signatories, slate general members/supporters, student organizations, general students who are campaigning. This is an updated definition that builds on the Election Code.
- b. The Elections Board must go through the petition/sanction process laid out in this document within 48 hours.
- c. The respondent must be given the chance to tell their side of the story and present whatever evidence they deem necessary to help their case to the Elections Board. This does not apply in certain instances (i.e. posts missing tags/hashtags) as determined by the Elections Board Chair.
- d. The Elections Board has full authority to determine sanctions for violations not mentioned in this guideline and that the Elections Board deems necessary.
- e. The severity of a sanction is at the discretion of the Elections Board
- f. During voting week, the sanction process will be shortened from 48 hours to 24 hours.
- g. This document in no way restricts the Elections Board from doing what they see fit in a certain circumstance or situation.**

## Infractions and Penalties Guidelines

The Elections Board will reference these guidelines in order to properly assess sanctions on **any/and or all campaign members** (a definition that includes candidates, designated campaign representative, campaign staff, slate candidates, slate signatories, slate general members/supporters, student organizations, students who are publicly supporting a campaign, etc.) that violate the Election Code.

The following lists of infractions are categorized into tiers, with Tier 1 being violations that adversely affect the integrity of the election, Tier 2 being violations that have the potential to do so, and Tier 3 being all other complaints. **The list of prohibited behaviors and penalties is not complete:** Members of a campaign should reference the Election Code for a full list of prohibited behaviors, and the Elections Board retains the right to levy other sanctions at their discretion. **Complaints that involve allegations of violations of the Student Conduct Code (e.g., assault, theft, harassment, etc.) will be referred to the Office of Student Conduct.**

Additionally, the Elections Board still has full authority to determine sanctions for all violations, whether they are or are not mentioned in these guidelines, and that the Board/Chair deems necessary.

### Tier 1

Infraction	Potential Penalties
Usage of false information that includes but is not limited to information about oneself, slate affiliation, past/current position.	Public apology, corrections of posts, online campaigning suspensions on some or all platforms, disqualification at the discretion of the Elections Board.
Campaigning to an Association member as they vote or engaging in voter coercion. For the purposes of these guidelines, voter coercion is defined as the act of threatening, intimidating, or otherwise interfering with a person's right to vote freely.	Public apology, online campaigning suspensions on some or all platforms, disqualification at the discretion of the Elections Board.

Falsifying or forging any documents or signatures submitted to, approved by, or verified by the Elections Board.	Removal of forged or falsified documentation along with any posts/documents/etc made as a result of said falsification, resubmission of forms if possible, suspension of online campaigning on some or all platforms, potential disqualification at the discretion of the Elections Board.
Presumptive naming of titles and circulating staff applications prior to election results being released, pressuring others Association members not to run for a position, etc.	Public apology, suspension of online campaigning on some or all platforms, potential disqualification at the discretion of the Elections Board.
Failing to attend orientation or to provide a valid excuse for it.	Disqualification.

Other infractions not present in this table include: finance violations that include but are not limited to failure to disclose expenditures, exceeding spending limit, falsification of records, not declaring donations, and using USA funds.

## Tier 2

<b>Infraction</b>	<b>Potential Penalties</b>
Campaigning in person.	Public apology, suspension of online campaigning on some or all platforms, potential disqualification at the discretion of the Elections Board for multiple offenses.
Campaigning outside of leafleting hours and during the voting period.	Deletion of offending posts or other media publicly released, suspension of online campaigning on some or all platforms that were used.
Failing to comply with a willful order from the Elections Board that includes obstruction of investigation.	Suspension of online campaigning on some or all platforms, increased severity of previous sanctions, if any.

Failing to adhere to debate or event protocols.	Removal from debate/event, suspension of online campaigning on some or all platforms.
Allowing access to campaign websites prior to campaign period.	Access to the website prohibited for as many days as made accessible prior to campaign period, suspension of online campaigning on some or all platforms.

Other infractions not present in this table include: usage of campus postal system or student government photocopy charge cards, failing to adhere to endorsement rules, livestreaming without the approval of the Elections Board or not sending the Board the recording afterward, and making unapproved announcements in UCLA classes on Zoom, written or verbal.

### Tier 3

Infraction	Potential Penalties
Incorrect or missing hashtags, disclaimers, or tags from social media posts.	Rectification of posts, which includes adding the missing hashtags, disclaimers, or tags, deletion of posts altogether, suspension of online campaigning on the platform(s) the posts were published on.
Use or publication of any campaign literature that is not stamped with the Elections Board logo.	Removal/confiscation of campaign literature that has been publicly posted, suspension of online campaigning on the platform(s) the literature was published on.

Other infractions not present in this table include: bad faith or excessive use of the complaint system. For the purposes of these guidelines, bad faith is defined as the intent to deceive.

Note: Online campaigning includes:

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1. Social media
  - a. Pages, posts, stories, ads, texts/messages/DMs/group messages
2. Websites
  - a. Blogs
3. Mass messaging
  - a. Emails

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