

# PROPOSED UNIVERSITY STUDENT ELECTION CODE 2006

Holy Angel University  
Angeles City

## ARTICLE I GENERAL PROVISIONS

**Section 1. TITLE.** This code shall be known as the *Holy Angel University (HAU) Election Code* herein referred to as the *Election Code*.

**Section 2. JURISDICTION.** This code shall govern all the HAU Student Council Elections, be it *University Student Council (USC)* Elections, *College Student Councils (CSC)* Elections, plebiscite, recall, and other special elections.

**Section 3. DECLARATION.** This code aims to provide laws and regulations relative to the conduct of elections, plebiscites and recalls that shall ensure integrity and order therein; preserve the sanctity of ballots and give credible and fair results embodying the free and honest expression of the common students.

**Section 4.** The power to implement this code shall be solely vested to a student body referred to as the *University Student Electoral Board*.

**Section 5.** For the purpose of this Code, unless the context indicates otherwise:

- a. "Candidate" refers to the student aspiring or seeking elective office who has publicly announced his/her candidacy by himself/herself or through accredited political party or coalition of parties.
- b. "Political party" or "party" refers to a voluntary and organized group of HAU students advocating the same ideology, political ideas and platforms.
- c. "Campaign" refers to an act designed to promote the election of a candidate.
- d. "Plebiscite" is an expression of the popular will by means of a "yes" or "no" vote, usually resorted to important changes, as those dealing with the Constitution.
- e. "Recall" is made in order to revoke a decision made by any student council. It is also made in order to remove an officer from his/her office.
- f. "Qualified Voter," "voter," "electorate" refer to a bona fide student duly enrolled in the undergraduate course of HAU.

## ARTICLE II UNIVERSITY STUDENT ELECTORAL BOARD

**Section 1.** The University Student Electoral Board, hereinafter referred to as the USEB, shall be composed of a Chairman and four members, who are duly appointed by

an election committee headed by the Dean of Student Affairs, which shall be referred to as the ***Ex-Officio Chairman***.

**Section 2. QUALIFICATIONS OF USEB MEMBERS.** The members composing USEB must:

- a. be a bona fide student duly enrolled in the undergraduate course;
- b. be a member of an accredited religious Organization in the University;
- c. not have been a candidate for any elective position;
- d. not be directly or indirectly associated to any student political party and;
- e. have served at least once in the previous Student Council Election and Canvassing.

**Section 3. FUNCTIONS OF USEB.** The USEB shall exercise the following powers and functions:

- a. enforce and administer all laws and regulations relative to the conduct of an election, plebiscite or recall;
- b. approve and disapprove application of a student for an elective position;
- c. supervise and regulate all activities related to election such as campaign, *miting de avance*, canvassing of ballots and the like;
- d. authorize the posting and distribution of election paraphernalia;
- e. decide all questions affecting elections, including determination of the campaign period, date of election and the number and location of polling places and appointment of election officials and inspectors consistent with the provisions of HAU Student Manual and Student Council Constitutions;
- f. settle disputes relating to campaign, returns and other election matters;
- g. provide for necessary measures not expressly covered in this code;
- h. approve or disapprove, after a due process, proposed amendments of this code and;
- i. to perform other functions as may be necessary.

**Section 4.** The appointment of the USEB members shall be administered by the election committee formed by the ***Ex-Officio Chairman***. It shall be done in the following manner:

- a. a list of qualified students will be endorsed by the Student Activities Coordinator
- b. the ***Ex-Officio Chairman***, together with the election committee shall choose five (5) among the list
- c. the appointment shall then be communicated to the concerned parties

**Section 5.** The USEB Chairman shall be elected by the members themselves. He/She shall have the following duties and responsibilities:

- a. informs the ***Ex-Officio Chairman*** of all the activities of the USEB;
- b. convenes and presides over all meetings of the USEB;
- c. signs all papers and resolutions created by the USEB;

- d. decides and imposes measures necessary to settle election contests and conflicts and;
- e. performs duties as may be necessary in carrying out his functions.

**Section 6. TERM OF OFFICE.** A USEB member shall have a continuing term, which shall terminate upon his/her disqualification or voluntary resignation. Should a member decides to discontinue, he/she may recommend a replacement subject to the approval of the election committee.

**Section 7.** A USEB member shall be terminated, after a due process, in commission of the following violations:

- a. acting beyond the powers granted by this code;
- b. neglect or abandonment of duties;
- c. has shown any form of prejudice either to a political party or candidate for election;
- d. has disclosed matters confidential and exclusive only to USEB and;
- e. has caused a disruption or conflict in any reason whatsoever during the campaign or election.

### **ARTICLE III ELECTIVE POSITIONS AND QUALIFICATIONS**

**Section 1.** The elective positions are the President, Vice President for Internal Affairs, Vice President for External Affairs and three (3) Senators per college for the University Student Council (USC) and Chairperson, Vice Chairperson and eight (8) councilors for College Student Council (CSC) Elections. In the case of a college exceeding a population of 3,000 students, the CSC shall have an additional two (2) councilors.

**Section 2. QUALIFICATIONS OF CANDIDATES.** Any bona fide student duly enrolled in the undergraduate course of Holy Angel University may file a Certificate of Candidacy and run in any Student Council elective position provided the following qualifications are met:

The candidate,

- a. must carry at least 12-unit load in the current and succeeding semester
- b. must not be a graduating student of the current and immediately succeeding semester as certified by the Registrar's office
- c. must not have been found guilty of any major offense specified in the College Student Manual, as certified by the Chairman of the Board of Discipline
- d. must not hold any editorial staff position in this University
- e. must not have failed more than three units of his load in the immediately preceding semester and;
- f. must not be on academic probation or disciplinary action

**Section 3.** A candidate must submit to the USEB his/her duly accomplished Certificate of Candidacy (COC) attached thereto the requirements stated in this code on or before the date prescribed by the latter. A political party may, however, submit said requirements in behalf of its candidates.

**Section 4. CERTIFICATE OF CANDIDACY.** A Certificate of Candidacy (COC) must only be obtained from the office of the USEB located at the Office of Student Affairs. It shall contain the following at the minimum: the legal name, nickname, student number, year level, course, major, aspired position, political party if any, number of units enrolled, number of units failed in the preceding semester, violation of the student manual if there is any, and signature of the aspirant.

**Section 5.** An enlarged copy of the candidates' school ID, with a minimum size of four by seven inches, must be submitted together with the COC.

**Section 6.** Elected officials shall be allowed to run for re-election for the same position only once.

**Section 7.** A candidate, upon filing the COC agrees on the condition that in the case of winning, he/she must not hold any organizational or editorial staff position during his/her term of service in the council.

**Section 8.** In case of an unexpected withdrawal of a candidate within the first week of campaign, the party may be allowed to replace the withdrawing candidate provided the reason for such withdrawal is both valid and unforeseen as of the date of filing. The burden of proof will be on the party involved. A written request together with the supporting documents must be submitted to the USEB for investigation and final approval.

#### **ARTICLE IV CAMPAIGN**

**Section 1. PERIOD.** The campaign for Student Council elections shall be for a period of at least two weeks, starting from the day of the results of qualified candidates are made known by the USEB to the parties until the day before election.

**Section 2. PLACE.** The campaign may be done anywhere within the school premises provided no act of the party nor the candidate shall violate the provisions of College Student Manual.

**Section 3.** All campaign materials shall be submitted to the USEB for approval and shall only be posted on a general information board or other place authorized by the USEB.

**Section 4.** The following constitutes lawful election propaganda:  
a. candidate ID, maximum size of 4x6 inches

- b. poster, maximum size of 18x36 inches (cartolina size), no limit as to number
- c. streamer, which must not exceed 45x120 inches, maximum of two (2)
- d. tarpaulin, maximum of 3x7 feet in size, lengthwise or crosswise, no limit as to number
- e. leaflets which do not contain derogatory remarks, vulgar language, accusations that are too personal or put a person in a bad light and are irrelevant to election issues
- f. buntings or flag lets
- g. all other forms not prohibited by this code as the USEB may authorize after due notice to all interested parties

**Section 5. MITING DE AVANCE.** There shall be separate days for the *miting de avances* of USC and CSC candidates. It shall be held, at most in three sessions (morning, afternoon and evening) during the campaign period at a place agreed by the sponsor and the candidates, approved by the USEB. The following shall be observed:

- a. The University Publication shall sponsor the Miting de Avance for the USC Election and the College Publication for the CSC. Should such is not practicable; the USEB shall be held responsible for its holding.
- b. Classes may suspended by the College Dean(s) or the Academic Affairs office to allow students to evaluate the candidates. Classes will resume immediately after the said meeting.
- c. The sponsor shall be responsible for the program, format and set-up of the venue. The allotted time for each speech shall be agreed upon by the sponsor and the candidates, approved by the USEB.
- d. A faculty recommended by the sponsor and approved by the USEB shall act as an arbitrator during the entire meeting and shall have the power to warn and penalize an erring candidate.
- e. The candidates are prohibited from using derogatory remarks, vulgar language and accusations that are too personal and irrelevant to the issues of election.
- f. Alumni members of a party must merely act as an audience and stay in a distant place from the party they support.
- g. Should there only be one party contending in any council elections, the candidates shall have the prerogative to still hold a miting de avance or not.

**Section 6.** A party may organize their own miting de avance other than that organized by the USEB, if all the following requisites are met:

- a. no disruption, disturbance or suspension of classes shall be done
- b. the party shall provide its own equipment and election paraphernalia
- c. the venue shall be held on places authorized by the USEB

**Section 7.** Instructors must refrain from doing any act, whether express or implied that favors a candidate or a party.

## **ARTICLE V ELECTIONS**

**Section 1. PERIOD.** The regular election for the Student Councils shall be held every third week of February but not later that second week of March.

**Section 2.** The elections shall be held on polling precincts designated by the USEB from 7:30 am until 9:15 pm.

**Section 3.** The USEB shall appoint election assistants who are bona fide students and members of accredited religious organizations in the University. Their functions are as follows:

- a. set up the polling precinct before the start of elections
- b. check whether the electorate is in the master list and give the latter a ballot
- c. surrender the ballot box, contained therein the used ballots and all election paraphernalia immediately after the election period to the USEB
- d. canvass the votes the day after the election

**Section 4. VOTING PROCEDURE.** The electorate must go only to the precinct where he/she is designated. The election assistant therein shall give the electorate a ballot, which the latter shall fill up, then fold and drop in the official drop box located at the same precinct. Said electorate must affix his/her signature beside his/her name as an attestation that he/she has voted.

**Section 5.** The vote is **VALID** if the candidate's full name is written on the ballot at the position the said candidate is running for. In addition, the following shall also be considered valid:

- a. the FAMILY NAME is correct but the first name is wrong, provided that no two or more candidate have the same family name for the same position
- b. the FAMILY NAME is slightly misspelled and it is the judgment of the USEB or its authorized representatives that the same refers to a specific candidate and to no one else
- c. ONLY the FAMILY NAME is written provided no two or more candidate have the same family name for the same position
- d. Only the ALIAS is written provided no two or more candidates have the same alias for the same position

**Section 6.** The candidates shall vote in the same manner as the other electorates but must refrain from roaming around to monitor the flow of the election.

**Section 7.** An electorate not appearing on the master list of the precinct where he/she is supposed to be designated, shall cast his/her vote at the same precinct provided his/her school ID or registration form be presented to the election assistant. The election assistant must then get the name, year, course, student number and

signature of said electorate. Should such voter has no ID, a permit to vote must be secured from the Office of Student Affairs.

**Section 8.** A student who fails to vote on the prescribed period of election shall lose his/her right to vote.

## **ARTICLE VI CANVASSING OF VOTES**

**Section 1. SURRENDERING THE BALLOTS.** The election assistants shall surrender all the election paraphernalia including the unused and spoiled ballots, list of candidates and electorates along with the sealed ballot box containing the used ballots to the USEB immediately after the election. Such ballot box shall be kept in a highly secured area known to all the parties or candidates.

**Section 2. COUNTING OF BALLOTS.** The counting of ballots shall start the day subsequent to election at exactly 7:30 a.m. at the precinct by the election assistants so designated.

**Section 3. POLL WATCHERS.** Each political party or an independent candidate shall be allowed to have at most three (3) poll watchers per college. The party representatives must submit a list to the USEB together with a sample watcher ID a day prior to election.

**Section 4.** There shall be a board of canvassers, duly appointed and formed by the USEB who shall receive and tally the summary of votes submitted by the election assistants of different precincts. The canvassing shall be done at the Student Center.

**Section 5.** An over-all report shall then be made by the USEB contained therein the names, positions, and number of votes received by each of the candidates.

**Section 6. BREAKING THE TIE.** When two or more candidates in the positions of President, Vice President, Chairperson or Vice Chairperson have an equal number of votes, a special election shall be conducted by the USEB in soonest possible time. In case of the senators or councilors tying up at the last slot, there shall be no special election and said senators or councilors shall be proclaimed winners in the election.

## **ARTICLE VII PROCLAMATION**

**Section 1.** The USEB shall proclaim the winning candidates of all the Student Council positions after completion of the tabulation of the election results. A list of the newly elected Student Council officers shall then be furnished to the offices of the University President and College Deans and be posted at conspicuous places within the University premises.

**ARTICLE VIII  
ELECTION OFFENSES AND PENALTIES**

**Section 1.** Following shall be considered minor offenses:

- a. **ILLEGAL POSTING.** Illegal posting means posting campaign materials on unauthorized places and unapproved by the USEB
- b. Distribution of sample ballots before the day of election
- c. Distribution of election paraphernalia at restricted places
- d. Use and/ or distribution of stickers
- e. Violation of Article IV Section 4 of this code

**Section 2.** The following shall constitute a major offense:

- a. Any form of campaign that disrupts classes
- b. Use of derogatory remarks, vulgar language and accusations that are too personal and irrelevant to the election issues either in posters, flyers or during the meeting de avance
- c. Any form of campaign and distribution of election paraphernalia except sample ballots on the election day itself
- d. Tampering/falsification of official documents which includes COC, election returns and ballots.
- e. Candidates roaming around at any polling precinct during the election day or found at the canvassing area during the canvassing period
- f. Direct assault to any member of USEB, election assistants or candidates
- g. Three (3) Minor offenses

**Section 3.** The following are the penalties to a party or candidate committing minor offense:

- 3.1. **FIRST OFFENSE.** A written warning from the USEB shall be given to the party or candidate found to commit an election offense.
- 3.2. **SECOND OFFENSE.** The candidate or party shall be subjected to any of the following:
  - a. Banning from posting any election paraphernalia
  - b. Banning from distributing sample ballots on the day of election
  - c. Confiscating of campaign IDs of the candidates
  - d. banning from hanging streamers, buntings and flag lets
- 3.3. **THIRD OFFENSE.** Lawful election propaganda will be banned.

**Section 4.** Any Candidate or party representative may submit a written report and complaint of the violation committed by a specific candidate or party to the USEB not lather than three fours after the commission of the alleged offense. If the offense is committed between 7:00 pm to 9:00 pm of any school day or anytime on a Sunday, the complaint must be filed the next morning between 8:00 to 10:00 am.

**Section 5.** The USEB upon receiving the complaint shall conduct investigation and hearing, if necessary. The findings and decision thereon shall be released in not later than three days after the receipt of said complaint, furnished to all party concerned.

**Section 6.** In cased wherein no provision for a certain matter is found in this code, the UDEB, whenever necessary, may create resolutions which shall have the same authority as this code. A copy thereof be furnished to the concerned parties and shall be effective immediately and until when an amendment supersede it.

**Section 7.** However, the USEB may allow the parties within themselves to decide on matters not specifically coveted in this code. The parties, after discussion and deliberation with the USEB, shall execute a memorandum of agreement (MOA) signed by them, noted by the latter. The MOA shall only be binding as among the parties the contract but shall not have the same authority as that of a resolution.

## **ARTICLE IX PLEBISCITE**

**Section 1.** A plebiscite shall be held when there are important and significant changes or decisions to be affected. The need for such shall be decided by the UDEB together with the *Ex-Officio Chairman*.

**Section 2.** The procedures on voting, counting and canvassing of ballots shall be determined by the party requesting for plebiscite, approved by the USEB and the *Ex-Officio Chairman*. The said party shall likewise be responsible for forming its own committee that will carry out the plebiscite.

## **ARTICLE X AMENDMENTS**

**Section 1.** Any amendments to, or revision of this code may be proposed by:

- a. A student council (USC or CSC)
- b. Legislative board
- c. Political party

**Section 2.** The following shall approve or disapproved the proposed amendments and shall form the **Election Code Amending Body (ECAB)**

- a. The USEB Chairman
- b. The USC President
- c. Ex - Officio chairman

**Section 3.** The ECAB shall convene together with the body proposing the amendment to discuss and evaluate the proposal. After which, a consultation shall be made with the different student bodies concerned, be it a council, USEB or a political party depending on the circumstances.

**Section 4.** The basis of approving the proposed amendment will be in accordance to the objective as declared by Article 1, Section 3 of this code.

**Section 5.** If in this case the USC President is one of those proposing the amendments, he/she shall not be allowed to be part of the ECAB. As a consequence, the Legislative Board shall take the place of the former and be subrogated of the rights and powers attributed to such position.

**Section 6.** No amendment or revision shall be allowed during the entire campaign and election period.

## **ARTICLE XI EFFECTIVITY**

**Section 1.** The approved amendment shall take effect on the immediately succeeding election after due notice has been given to all the student councils and political parties of the university. The original revised draft must be signed by all the ECAB members as the approving body, noted by the USEB members, CSC Chairpersons and political party presidents or authorized representatives.

**Section 2.** A copy of the revised code shall be sent to all parties concerned and shall be posted at conspicuous places within the University premises for periods of at least one week.



# **UNIVERSITY STUDENT COUNCIL**

HOLY ANGEL UNIVERSITY  
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We the undersigned University Student Council Officers of 2004-2005, College Student Council Chairpersons of 2004-2005 and University Student Electoral Board do hereby agree with the amendment in the Holy Angel University Student Election Code.

Done this \_\_\_\_ day of June, 2005.

**Julius Quizon**  
Acting Chairperson, USC

**Racquel Tan**  
Vice-Chairperson, USC

**Reachet Tolentino**  
Chairperson, CSC-CBA

**Reynaldo De Leon**  
Acting Chairperson, CSC-CEA

**Joan Mendoza**  
Councilor, USC

**Louie Salunga**  
Councilor, USC

**Mark Ayson**  
Councilor, USC

**Karen Grace Amaba**  
Representative, USC

**Annette Gabriel**  
Representative, USC

**Mark Ray Batac**  
Representative, USC

**Jonathan Llemos**  
Member, USEB

**Randy Allen Francisco**  
Member, USEB

**Rich Abigail Mendoza**  
Chairperson, CSC-CAS

**Sir Kristian Damasig**  
Acting Chairperson, CSC-CED

**Brian Simbahan**  
Councilor, USC

**Aaron Pineda**  
Councilor, USC

**Ma. Aiza Gadia**  
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**Charisse Bognot**  
Representative, USC

**Kathleen Camille Abenoja**  
Representative, USC

**Alvin Alcaide**  
Representative, USC

**Renan Garcia**  
Member, USEB

**Joanne Pineda**  
Member, USEB

**Alfie Maniti**  
Chairperson, CSC-CON

**Rhea Patio**  
Acting Vice-Chairperson, USC

**Laverne Manguerra**  
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**Cristan Pabustan**  
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**Sherna Liezel Castro**  
Representative, USC

**Rachel Ann Tanglao**  
Representative, USC

**Jaimielyn Yanga**  
Representative, USC

**Joylee Castro**  
Representative, USC