Complainant: Michael Bloss

Please attach additional sheets as necessary.

REMEDI

Evidence

Complaint allegitations

The elections code before completeing of the elections code any other than Wednesday, April 27, 2015, by 4:00pm, and Wednesday, April 29, 2015, by 4:00pm and no later than 4:00pm.

If filling a complaint, submit both:

Election Complaint Form

Associated Students, Incorporated
Complaint Part I

Failure to Report Actual Costs of Campaign Website
Complaint Allegation

Ashley Mashburn candidate for Director of Health and Human Services, created a website for campaigning purposes (Figure 1). I am alleging that the commercial cost for the website is more than the candidate reported in her expenditure report. There is more to the candidate’s website than just a domain name. According to a website analysis by Statsbee, the website is hosted by Media Temple, Inc and created in Wordpress. The Website was registered with eNom (Figure 2). According to the Election Code, candidates running for a director position can spend no more than $500. If the candidate had reported the actual commercial cost (regardless of donations), the candidate would be over the $500 spending limit. Additionally, the Election Code specifies that the expenditure report must include a list of gifts/donations at their retail value (refer to next slide).

Candidate Reported:
• Averaged cost of website domain name: $8.00
• Total expenditure: $414.69

Un-Reported expenses (See figure 3)
• Media Temple, Inc (hosting service)- $60 monthly
• Wordpress (Creation tool)- $99 year (no Monthly Option Available)
• eNom (domain name)- $13.95 (was reported from expenditure report but from different source)
Article V. FAIR CAMPAIGNING AND PUBLICITY

Candidates and students seeking to place a referendum or initiative on the ballot for an election ("Interested Students") shall be responsible for complying with all provisions in this Elections Code, including those pertaining to the conduct of their campaigns and campaign workers. Violation of any provision of the Elections Code by the candidates or their campaigns or campaign workers or by Interested Students shall be grounds for the Elections Complaint Committee to order remedies as provided in this Elections Code.

A. Campaign Period

1. Neither candidates nor Interested Students may begin campaigning until after receipt of notification of eligibility. Notification of eligibility will be made by the ASI Executive Director.

2. The campaign period shall be determined by the ASI Board of Directors and may not begin sooner than thirty (30) calendar days before the first day of voting. The time and date will be designated in the Candidate Elections Packet.

Campaign Expenditures

1. The candidate or Interested Student shall be required to turn in personally to the ASI Government Office, a Campaign Expenditure Form listing all his/her campaign expenses. This form must be received by ASI Government Office by 4:00 pm Pacific Time on the Monday following the election. This statement must be time-stamped to be considered "turned in." Failure to submit a Campaign Expenditure Form and all required materials shall be a violation of this Elections Code and will result in disqualification.

The Campaign Expenditures Form shall include:

a. The receipts of all items purchased. These shall include the name and telephone number of the seller.

b. A listing of all gifts, donations, and/or rental materials and their retail value. Power and hand tools (such as hammer, staple gun, electric drill, cutting tools etc.) used to assemble promotional materials will be exempt.

c. All professional labor costs. Professional labor in this part shall mean any labor performed by a person who has specialized training to perform such labor and does carry on or has carried on such labor in their pursuit of a job or career.

d. Newspaper ads classifieds, which promote a candidate or position on a referendum/initiative, unless it can be shown that the candidate or Interested Student did not consent to the placement.

a. Written estimates showing retail value for any donated items and/or services without a receipt must also be attached. Receipts for all materials purchased should show actual amount paid for such items as well as any discount (except those available to the public at large). Such discounts (except those available to the public at large) shall be counted as a gift or donation. Failure to provide receipts as provided for in this part for all purchased items is a violation of this Elections Code.

2. An itemized campaign expense statement shall be required of all candidates and Interested Students regardless of the amount of money spent, even if no money is spent. Failure to submit a Campaign Expenditure Form and all required materials shall be a violation of this Elections Code and will result in disqualification.

3. If a candidate or Interested Student receives any gifts, discounts and/or donations, retail cost shall be counted in the candidate’s or Interested Student’s Campaign Expenditures Form.

4. A candidate running for an Executive position shall be allowed to spend a maximum total of $500.00. This total shall include all contributions, gifts, discounts and/or donations by individuals, businesses and/or organizations, excluding the candidate.

5. A candidate running for a Board position shall be allowed to spend a maximum total of $300.00. This total shall include all contributions, gifts, discounts and/or donations by individuals, businesses and/or organizations including the candidate.

6. Neither candidates nor Interested Students will be allowed to combine their individual spending limits with other candidates. This includes the purchase of materials for use by multiple candidates.

7. For elections involving a referendum or initiative, the ASI may set spending limits on Interested Students or the campaign. No money shall ASI funds be used to support or oppose a referendum or initiative unless an equal amount of funds are allocated to both sides of the issue.

8. Only one candidate name per promotional item will be allowed.

9. The quantity discount and shared "set-up" fee associated with the purchase of t-shirts or other promotional materials for a collective of candidates (e.g. " slate") could be tantamount to pooling funds, which is prohibited.
Figure 1: Proof of Website

(A) Promotional material on Facebook promoting the candidate’s website
(B) Promotional business card promoting the candidate’s website
Figure 2: Evidence of Products used for Campaign Website

This screenshot displays a website analysis report for the candidate’s website. The analysis shows that Media Temple, Inc. was used for the hosting service, the website was created with Wordpress, the website was registered through eNom. The commercial costs for these products was listed in the complaint allegation.
Figure 3: Evidence of commercial costs for all of the products used in creation of campaign website.

2. CHOOSE YOUR PAYMENT PLAN

(A) Media Temple Inc.: cheapest option is $60/1 month ($20/month for 12 month subscription = $240 total).

(B) Wordpress: cheapest option is $99/year (no monthly option).

(c) enom: $13.95 quote
Proposed Remedy:

**disqualification** of the candidate as specified by the Election Code for failure to report retail costs on the expenditure report
Complaint Part II

Improper Use of Social Media
Complaint Allegation

Ashley Mashburn candidate for director of Health and Human Services, and a member on the “Vision” slate used multiple platforms of social media to campaign unfairly. Ashley and Desuel Song candidate for Director of Business combined promotional materials that linked several candidates together on one page/promotional item (Figure 1).

This post gave Ashley and Desoul a significant advantage in regards to social media. The ASI election code clearly states that candidates “may only make reference to one candidate and use images of one candidate (article V, Section C, Paragraph i).” Additionally, the ASI Election Code states “only one candidate name per promotional item will be allowed (article V, Section D).”

As a previous candidate myself, I worked hard to make sure that I was abiding by the Election Code in all aspects of my campaign, including social media. Ashley Mashburn had an unfair advantage because she did not abide by the Election Code.
Sunday after election, campaign materials still up after this time shall be removed and disposed of by SO & L. If campaign material is not removed from campus by this time, the $50 candidate deposit shall be forfeited.

i. World Wide Web (WWW), Internet, computer network or computer program may be used if they do not impede the educational process as outlined by CSUS and/or the California Educational Code or violate another subsection of this Election Code or local, state, or federal laws, ordinances, rules or regulations. Candidates, organizations, and Interested Students using World Wide Web (WWW) and Internet media, such as social media sites or pages, may only make reference to one candidate and use images of one candidate. Candidates, organizations, and Interested Students are responsible for monitoring posts online that may combine them with others.

j. Candidates and interested individuals must make themselves aware of and adhere to other campus entities’ policies regarding solicitation, including campaigning.

k. There shall be no campaigning or any kind during ASI Board Meetings or meetings of any board or committee under the jurisdiction of the ASI, nor shall any campaigning take place within fifty (50) feet of any ASI Office.

l. ASI resources, materials, websites, logos or other digital items, which ASI has sole rights to shall not be used in any campaign materials unless explicitly approved by the ASI Board. Any violation of this area will result in disqualification, unless it can be shown that the candidate was not aware of the violation and did not condone the violation, in which case the Elections Complaint Committee will fashion an adequate remedy.

6. Misrepresentation in advertising or campaigning is prohibited.

D. Identification of Campaign Materials

All campaign literature, leaflets and other materials must bear the name of the candidate, organization. Interested Student or other individual responsible for the content and distribution of that campaign material. The name of the candidate who is taking ownership of the promotional item on their Campaign Expenditure Form must be visible to the constituents. Names that are discreetly displayed in a manner, such as on the back of business cards or on the back of clothing, is to be deemed non-visible to constituents.

E. Campaign Interference Prohibited

Reference to the Election Code

Article V Section C Paragraph 1
Article V Section D
Figure 1: Evidence
This screenshot shows the combined promotional materials on Instagram. It demonstrates how multiple candidates were captured on one promotional item, a clear violation of the ASI Election Code.
Proposed Remedy:

**disqualification** of the candidate because the candidate has the responsibility of abiding by the Election Code and monitoring other social media posts. The breaking of this code allowed the candidate to reach far more voters thus ensuring her election.
Complaint III

Campaigning before the official campaign period
Complaint Allegation

The ASI website and the ASI Executive Director (during mandatory candidate workshop) made it explicitly clear to all candidates that the ASI Election is time sensitive and failure to comply would result in violating the ASI Election code. Ashley Mashburn was documented campaigning before the onset of campaigning at 7:00am on Monday March 30, 2015. (see figure 1)
Specific ASI Code Violated

The ASI website makes it very clear that the onset of Campaigning is very time specific. Election code Article 5, section A was violated.

Article V. FAIR CAMPAIGNING AND PUBLICITY

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Figure 1: Evidence

Ashley’s campaign boards are seen being unloaded before the onset of the campaign period on March 30th, 2015. This provided Ashley Mashburn a competitive advantage because she was able to claim the most favorable campus locations. Even though Ashley is not the one explicitly unloading the boards, she is responsible for when her campaign materials are presented publicly as well as any interested student who acts on her behalf.
Remedy

- Proposed Remedy: **disqualification** of the candidate because the candidate had a competitive advantage in campaign board placement before the official onset of campaigning, that other candidates were not allowed. This created an unequal playing field for all the candidates who held themselves to the official onset of the campaign period. This allowed Ashley to receive more votes unfairly (due to desirable board placement) winning the election.