

(Enclosure No. 3 to DepEd Order No. 47, s. 2014)

**SUPREME PUPIL GOVERNMENT AND SUPREME STUDENT GOVERNMENT
COMMISSION ON ELECTIONS STANDARD ELECTION CODE**

**Article I
General Provisions**

- Section 1 This code shall be known as [name of school] Supreme Pupil Government / Supreme Student Government Commission on Elections Standard Election Code which shall hereinafter be referred to as SPG / SSG COMELEC.
- Section 2 The SPG / SSG COMELEC shall govern all regular and special elections of SPG / SSG.
- Section 3 The SPG / SSG COMELEC shall make every effort to comply and to follow the standards set for in this code. This shall include, but not limited to:
- 3.1. The review of the rules governing standard;
 - 3.2. The adoption of rules to achieve and to maintain the maximum degree fairness, impartiality, and efficiency on the procedures of voting, including write-in voting, counting, tabulating, and recording of votes by voting system used in SPG / SSG elections.
- Section 4 For the purposes of this code, the following words and phrases used shall have the meaning as ascribed to them in this section:
- 4.1. "SPG / SSG COMELEC" refers to Supreme Pupil Government / Supreme Student Government Commission on Elections.
 - 4.2. "Candidate" refers to a student whose application for candidacy to an elective position was eligible and qualified to have his or her name placed on a ballot and duly approved by the SPG / SSG COMELEC.
 - 4.3. "Election calendar" refers to the period of time from the dissemination of information to the induction of newly elected officers.
 - 4.4. "Campaigning" means any intentional action in support of, or in opposition to, a candidate or political party for an elective position, including but not limited to the distribution of literature and posting of election specific materials.
 - 4.5. "Campaign Material" means any print or electronic material used for the purpose of supporting a candidate or political party. Campaign material shall include, but not limited to, fliers, posters, social media posts, and clothing;
 - 4.6. "Disqualify" means the SPG / SSG COMELEC removes a candidate or political party from the ballot.
 - 4.7. "Election" refers to the annual simultaneous election of SPG / SSG officers.
 - 4.8. "Ballot" means the printed sheet of paper or secure online database containing the names of candidates.
 - 4.9. "Polling precinct" refers to the station where students write and cast their votes.
 - 4.10. "Officer-elect" refers to a candidate who was proclaimed as a winner in an election but has not yet taken his/her oath of office.

Article II
Name and Domicile

- Section 1 The name of this Supreme Pupil Government / Supreme Student Government Commission on Elections shall be known as the [name of school] Supreme Pupil Government / Supreme Student Government Commission on Elections which shall hereinafter be referred to as SPG / SSG COMELEC.
- Section 2 The seat of the SPG / SSG COMELEC shall be located inside the premises of the school.

Article III
Declaration of Principles, Objectives and Policies

Principles

- Section 1 The SPG / SSG COMELEC shall uphold the values, principles, and ideals of the SPG / SSG By-Laws and Constitution, the School and the Department of Education.
- Section 2 SPG / SSG COMELEC shall be committed in putting these values, principles and ideals into action by ensuring a free, orderly, and honest election for the student body.

Objectives

- Section 3 The SPG / SSG COMELEC shall be an independent agency of overseeing the conduct, complaints, and recommending validation or invalidation of the SPG / SSG elections.
- Section 4 The SPG / SSG COMELEC shall exercise jurisdiction over all matters pertaining to elections, plebiscite, and referenda within the SPG / SSG COMELEC Standard Election Code.

Policies

- Section 5 The SPG / SSG COMELEC shall be the highest governing body of the student elections.
- Section 6 the SPG / SSG COMELEC shall pursue at all times, the values of impartiality, honesty, and integrity in service, renouncing all forms of corruption and acts which are contrary to the rules and regulations of the school and the Department of Education.
- Section 7 The SPG / SSG COMELEC shall strive to pursue an independent stand, impartial and not dictated by any other sector, other than the students, as long as these are not contrary to the SPG / SSG By-laws and Constitution, the Mission-Vision Statement, and Core Values of the Department of Education.

Article IV
Duties and Functions of the SPG / SSG COMELEC

- Section 1 In accordance with the SPG / SSG By-Laws and Constitution, the SPG / SSG COMELEC shall have the following duties and responsibilities:
1.1. Conduct fair, honest, and systematic elections;

- 1.2. Adhere to the Standard SPG / SSG Standard Election Code;
- 1.3. Validate the electoral proceedings and results;
- 1.4. Accept or revoke candidacy;
- 1.5. Proclaim the new set of officers;
- 1.6. Keep all pertinent election papers/ documents;
- 1.7. Decide on protests relative to the conduct and results of elections;
- 1.8. Prepare and distribute the necessary election paraphernalia, certificate of candidacy forms, and other election related materials before, during, and after the election; and,
- 1.9. Disqualify candidates who have violated any of the guidelines, which have been promulgated.

Section 2 The Commission on Elections may create additional rules and guidelines, by a majority vote at the SPG / SSG COMELEC meeting, to ensure a fair and efficient election, provided that any and all rules must complete the rule making process by no later than one week prior to the start of the election cycle. Any rule created by the SPG / SSG COMELEC must comply and be consistent with the SPG / SSG By-Laws and Constitution.

Section 3 At least ten (10) days prior to enacting any rule, the SPG / SSG COMELEC shall post a Notice of Proposed Rulemaking in the SPG / SSG Office. The SPG / SSG COMELEC shall ensure that any Notice of Proposed Rulemaking contains the following:

- 3.1. General subject matter of the proposed rulemaking;
- 3.2. The place of the meeting to collect information about the proposed area of rulemaking;
- 3.3. The time of the meeting and that any student is welcome to offer comment on the general subject matter.

Section 4 The SPG / SSG Chair shall ensure that any student who wishes to offer information to the SPG / SSG COMELEC shall be given the opportunity to do so.

Section 5 If the SPG / SSG COMELEC enact any rule, the enacted rule must conform exactly to the proposed rule.

Section 6 If a rule takes effect during an election, the SPG / SSG COMELEC Chair shall provide notice to all parties and to all independent candidates of the newly promulgated rule.

Section 7 The SPG / SSG COMELEC shall have the power to penalize violations or any other rules properly promulgated by the SPG / SSG COMELEC.

Article V

Composition, Qualification, Term of Office, and Vacancies of the SPG / SSG COMELEC

Section 1 The composition of the members in the SPG COMELEC shall be three (3) from Grade 4 and Grade 5, and four (4) from Grade 6.

Section 2 The officers of the SPG COMELEC are the duly elected SPG COMELEC Chair, Co-Chair and Board Members.

- Section 3 The composition of the members in the SSG COMELEC shall be three (3) from each Grade level.
- Section 4 The officers of the SPG COMELEC are the duly elected SPG COMELEC Chair, Co-Chair and Board Members.
- Section 5 Members for the SPG / SSG COMELEC shall:
- 5.1. Be bona fide students;
 - 5.2. Be of good academic standing with a general average of 85 and above without any failing grade during the 1st to 3rd grading period of the current school year;
 - 5.3. Be of good moral character;
 - 5.4. Have not been subjected to any disciplinary sanction;
 - 5.5. Not involved nor have been involved in any position or affiliation with a SPG / SSG political party or as an independent candidate during the previous election cycle;
 - 5.6. All other qualifications as specified in the SPG / SSG By-Laws and Constitution but are not specified herein are included in the qualification of the SPG / SSG COMELE Members.
- Section 6 All SPG / SSG COMELEC Officers shall be considered ineligible to run for the SPG / SSG elections.
- Section 7 No residency shall be required to all the members of the SPG / SSG COMELEC.
- Section 8 The officers of the SPG / SSG COMELEC shall hold office for one (1) school year.
- Section 9 Vacancies on the Commission on Elections, occurring prior to the end of qualifying, shall be immediately filled for the duration of that specific term by appointment by a majority vote. Vacancies occurring after qualifying and before the election shall remain unfilled until after the end of the election.

Article VI

Duties and Functions of SPG / SSG COMELEC Officers

SPG / SSG COMELEC Chair

- Section 1 The SPG / SSG COMELEC Chair shall be filled by the nomination of the SPG / SSG COMELEC Board Members, subject to the approval of two-thirds of vote of the aforementioned body.
- Section 2 The SPG / SSG COMELEC Chair shall conduct and supervise the elections of the SPG / SSG.
- Section 3 The SPG / SSG COMELEC Chair shall faithfully execute the duties and responsibilities as designated in the SPG / SSG COMELEC Standard Election Code and other duties that are deemed necessary to the proper conduct of an election.

- Section 4 In the event of a vacancy in the office of the SPG / SSG COMELEC Chair, a new Chair shall be chosen in pursuant to Section 1.
- Section 5 The SPG / SSG COMELEC Chair shall conduct a meeting immediately preceding the first day of elections. The purpose of this meeting shall be to inform all students wishing to participate in the upcoming elections of the rules, procedures, and proper conduct required during the election cycle as stated in the SPG / SSG COMELEC Standard Election Code.
- Section 6 The SPG / SSG COMELEC Chair shall be responsible for receiving the qualifying papers and documents of the candidates.
- Section 7 The SPG / SSG COMELEC Chair may grant a preliminary order that a political party or candidate cease and desist from the distribution of campaign material where the SPG / SSG COMELEC deems that a preponderance of available evidence leads to a conclusion that:
- 7.1. There is a strong likelihood of a violation on a complaint brought by the offended party; and
 - 7.2. Where the material is so offensive that it may irreparably harm the offended party or candidate.
- Section 8 The SPG / SSG COMELEC Chair shall distribute all information concerning the SPG / SSG COMELEC Standard Election Code which includes but not limited to the required documents, deadlines, campaign rules, and campaign laws.
- Section 9 The SPG / SSG COMELEC Chair shall be responsible for the preparation of the ballot.
- Section 10 The SPG / SSG COMELEC Chair shall ensure that all candidates for a given office are listed in alphabetical order within party groups on the ballot. For the purpose of listing candidates, all independent candidates shall be grouped together in alphabetical order as if they were a party.
- Section 11 In the event that a polling location becomes unavailable due to an event or circumstance outside the control of the elections staff, the SPG / SSG COMELEC Chair, at his or her discretion, may add or change a polling location to the nearest available building so long as it is properly noticed at the original polling location.
- Section 12 The SPG / SSG COMELEC Chair shall provide the poll workers with written instructions on how to assist students with disabilities. The instructions shall read as follows: "Students with sight, vision or physical impairments may request a companion or poll worker to read and mark their ballot. You are to help any student that requests this service."
- Section 13 The SPG / SSG COMELEC Chair shall announce the election results no earlier than one (1) hour after the closing of polls.
- Section 14 The SPG / SSG COMELEC Chair shall ensure all ballots are stored until all complaints are resolved.

SPG / SSG COMELEC Co-Chair and Board Members

- Section 15 The SPG / SSG COMELEC Chair shall appoint a Co-Chairperson and Board Members prior to the general election. The Co-Chairperson and the Board Members' term shall end in conjunction with the expiration of the natural term of the SPG / SSG COMELEC Chair.
- Section 16 The SPG / SSG COMELEC Co-Chairperson and Board Members shall assist the SPG / SSG Chair in the performance of his or her duties during the elections.

Article VII **SPG / SSG COMELEC Adviser**

- Section 1 The SPG / SSG COMELEC Chair shall endorse an adviser to the school head/principal prior to the general election. Adviser's term shall end in conjunction with the expiration of the natural term of the SPG / SSG COMELEC Officers.
- Section 2 The SPG / SSG COMELEC Adviser shall have the following qualifications
- 2.1. Have an experience in organizational management;
 - 2.2. With good character and reputation in the school and community;
 - 2.3. Must be non-partisan, and shall not hold nor have held any position as an adviser of SPG / SSG;
 - 2.4. All other qualifications as specified in the SPG / SSG By-Laws and Constitution but are not specified herein are included in the qualification of the SPG / SSG COMELEC Members.
- Section 3 The SPG / SSG COMELEC Adviser shall monitor all activities and meetings of the SPG / SSG COMELEC at all times.

Article VIII **Penalties and Complaints**

- Section 1 The SPG / SSG COMELEC shall issue penalties in accordance with the SPG / SSG COMELEC Standard Election Code.
- Section 2 Any candidate or political party who does not comply with the SPG / SSG COMELEC Standard Election Code or the proposed Rules and Regulations of SPG / SSG COMELEC shall be subject to any or all of the following penalties:
- 2.1. Warning;
 - 2.2. Reprimand;
 - 2.3. Suspension of a political party from fielding a candidate or candidates for offices in an election; or
 - 2.4. Any penalty deemed appropriate by the SPG / SSG COMELEC.
- Section 3 Any student or student organization who intends to bring a complaint before the SPG / SSG COMELEC alleging a violation of the SPG / SSG Standard Election Code must identify all of the following:

- 3.2. The defendant individual, organization or political party;
- 3.3. The specific section of the By-Laws and Constitution of SPG / SSG or SPG / SSG COMELEC Standard Election Code that the plaintiff alleges the defendant violated;
- 3.4. A detailed statement of the facts surrounding the alleged violation; and,
- 3.5. The date and time that the complaint was filed.

Section 4 Any elections complaints must be filed to the SPG / SSG COMELEC before the election results are read. Filing a complaint to the SPG / SSG COMELEC means that the aggrieved party delivers their complaint to the SPG / SSG COMELEC Chair.

Section 5 The SPG / SSG COMELEC shall dismiss without prejudice any complaint failing to comply with Section 3.

Section 6 Upon receipt of the complaint that meets all of the requirements of Section 3, the SPG / SSG COMELEC shall determine whether probable cause exists to believe that a violation has occurred.

Section 7 If warranted, the SPG / SSG COMELEC may assess a reasonable penalty under Section 2.

Section 8 The SPG / SSG COMELEC shall keep a written record of all of its meetings, including the evidence and testimony heard, the findings of the SPG / SSG COMELEC, and the rulings made. Within forty-eight (48) hours of a meeting.

Article IX **Election Qualification**

Section 1 Any group or individual who wish to qualify as candidate(s) for SPG / SSG must comply with the provisions of the SPG / SSG COMELEC Standard Election Code and must adhere to the policies set forth by the Chair of the SPG / SSG COMELEC and its board members.

Section 2 The qualifications for the position in the SPG / SSG shall be in accordance with the Standard Constitution and By-Laws of the Supreme Student Governments and Supreme Pupil Governments in Elementary and Secondary Schools.

Section 3 Election Application Packets shall be distributed to the interested Candidates by the SPG / SSG COMELEC. The Candidates must provide the following to qualify for the elections:

- 3.1. Certificate of Candidacy;
- 3.2. Copies (2x2) Photograph;
- 3.3. Report Card;
- 3.4. General Plan of Action;
- 3.5. Essay (based on the given set of questions in the Elections Application Packet);
- 3.6. Reference form (in a signed and sealed envelope) from a current teacher and an adult outside of the school community that is not a relative;
- 3.7. Parental Consent.

- Section 4 No candidate's name shall appear on the ballot when that candidate fails to qualify as a candidate with SPG / SSG COMELEC prior to the time of the closing of the qualifying period.
- Section 5 No candidate shall qualify for more than one office. If a person qualifies for an additional office or change of party, the previous qualifying shall be deemed void.
- Section 6 Falsification of information may result in disqualification. Each candidate shall determine that all information regarding his or her qualifications are correct prior to his or her qualifying for election.
- Section 7 Political parties are not liable or punishable for an individual candidate's intentional or grossly negligent falsification of information during the qualifying stages of the election if they did not encourage the individual's behavior. The SPG / SSG COMELEC shall allot the political party twenty four (24) hours to replace a candidate who intentionally or with gross negligence falsified information during qualifying. The political party must choose a replacement for the disqualified candidate from those candidates who have already qualified.
- Section 9 If a candidate who has qualified for office and has been placed on the ballot by the SPG / SSG COMELEC wishes to withdraw from the election, the candidate may withdraw if the candidate informs the SPG / SSG COMELEC in writing that the candidate no longer wishes to remain on the ballot no later than the day immediately preceding the first day of the election. If a political party slated a candidate, that political party may replace that withdrawn candidate with a candidate who has already been qualified as an independent, prior to the finalization of the ballot.
- Section 9 If campaign material in violation of SPG / SSG COMELEC is observed for fifteen (15) minutes or greater, the SPG / SSG COMELEC Chair or Co-Chair shall attempt to contact the offending candidate, the president of the offending political party or his or her running mates. If the SPG / SSG COMELEC is unable to make contact to the offending political party, the SPG / SSG COMELEC Chair or his or her board members, shall remove the offending material.
- Section 10 No candidate, group of candidates, political party personnel, staff member, faculty member, administrator, or any other student or visitor may use the school's copy machines, computer or other materials in the SPG / SSG Office at any time for any type of partisan political purpose or use in any type of election campaign.

Article X
Election Campaign

- Section 1 Campaign period shall cover five (5) school days beginning on the Announcement of the official list of candidates and ends immediately before Election Day. If this proved impossible, the campaign period may be extended to not more than eight (8) school days.

- Section 2 Campaigns shall only be allowed during the prescribed period set by the SPG / SSG COMELEC and done in such a manner that on-going classes, conferences and other school functions will not be drastically affected, disturbed, hampered, or disrupted.
- Section 3 The maintenance of a campaign website or social media page shall be permitted five (5) days prior to the election.
- Section 4 No candidate shall give, offer, or promise to any student or student organization any benefit not authorized by the Standard By-Laws and Constitution of the SPG / SSG in order to influence the votes of that student or members of that organization.
- Section 5 Candidates shall ensure that all campaign material shall be labeled with the phrase "Registered Political Advertisement" or a phrase of similar import approved by the SPG / SSG COMELEC. The phrase shall be followed by the name of the individual who authorized the creation of, disbursement of, or payment for, a piece of campaign material.
- Section 6 All campaign materials must be registered to the Chair of the SPG / SSG COMELEC.
- Section 7 Procedures for distribution and posting of campaign material not provided for by the SPG / SSG COMELEC Standard Election Code may be established by the SPG / SSG COMELEC for purposes not contrary with the SPG / SSG COMELEC Standard Election Code.
- Section 8 Any impersonation of another political party/independent candidate by a candidate, representative, or campaign material of another political party/independent candidate shall be considered an election violation.
- Section 9 Campaign materials may only be posted in campus property in compliance with the laws and regulations of the school.
- Section 10 No unauthorized person may post or remove any campaign material of any candidate or political party.
- Section 11 No candidate or political party shall destroy, remove, or steal any campaign material of another candidate or political party.
- Section 12 Candidates or representatives of a political party shall attach campaign materials only to areas designated by the SPG / SSG COMELEC.
- Section 13 Candidates or representatives of a political party may engage in classroom door-to-door campaigning only upon the approval of the classroom adviser or concerned teacher and limited to a maximum of ten (10) minutes.
- Section 14 Candidates may not campaign or distribute campaign materials in any library or designated study area.

- Section 15 No campaigning shall take place within 50 feet of the door of any polling location or within 50 feet of any queue of voters during the Election Day itself. Thus, candidates and political members should remove or dispose of their campaign materials on the day before the election period. Otherwise, campaign materials posted, displayed, and distributed during the election itself shall be held against the candidate or political party responsible. Social media campaign and advertisements through text or e-mail messages to voters should likewise cease on the day before the elections.
- Section 16 Campaign materials may include a banner not to exceed 4' X 4' meters, and a poster not exceeding 8.5' X 11' inches.
- Section 17 Threats to bodily harm, intimidation, coercion, and acts of the like are strictly prohibited.

Article XI
General Elections

- Section 1 All polling places shall be opened from 8:00 AM to 5:00 PM with no lunch break. All those within the premises of the polling places will be allowed to vote.
- Section 2 Political parties and independent candidates are entitled to one (1) poll watcher in the polling place. The poll watcher shall present to the SPG / SSG COMELEC a written appointment as watcher from the candidates or party whose interests he/she represents.
- Section 3 No qualified elector may vote or be admitted to a voting booth unless the elector presents to a poll worker from the SPG / SSG COMELEC, his/her identification card.
- Section 4 Each qualified elector shall be responsible for ensuring that his or her registration and address are current and correct on school's records.
- Section 5 The Chair of the SPG / SSG COMELEC shall ensure that all polling locations have the following:
- 5.1. A building, room, or area that can accommodate voters especially those with disabilities;
 - 5.2. Have a readily accessible tables, chairs certified list of voters, the ballot boxes and official ballots and other necessary materials;
 - 5.3. The list of candidates shall be written in bold letters on a manila paper and be displayed in the voting area highly visible to the students writing their votes.
- Section 6 Any elector who casts or attempts to cast more than one ballot, or tampers with an election system, in any election shall be guilty of a violation and shall be investigated by the of the SPG / SSG COMELEC.
- Section 7 Ballots shall be uniform in size and color. The Ballot shall contain:
- 7.1. A space for the voter's thumb mark and signature;
 - 7.2. Voting instructions;
 - 7.3. Names of the candidates.

Section 8 The SPG / SSG COMELEC shall prepare the official ballots for all students. No ballot other than the official ballots shall be used or counted except in the event of failure to receive the official ballots on time, or when they were destroyed accidentally, and it is impossible to provide new official ballots.

Section 9 The SPG / SSG COMELEC alone shall keep the key/s to the padlocks/s of the ballot boxes in the polling precinct, it shall remain padlocked until the casting of votes is finished and the counting of votes begins.

Section 10 No member from the SPG / SSG COMELEC shall make any statement regarding the state of the polls or the candidate/s voted for by a particular student.

Article XII Election Tabulation and Validation

Section 1 As soon as the casting of votes is finished, the poll clerks shall count the votes in the place designated by SPG / SSG COMELEC. The counting of votes shall not be delayed or be postponed unless directed by the SPG / SSG COMELEC on account of a pending case, complaint of protest to the election campaign or the casting of votes.

Section 2 Candidates are prohibited from entering the place where the counting of votes is held and its surrounding area for the whole duration of the aforementioned activity.

Section 3 If two or more competing candidates tied, the position/s being contested shall undergo a special elections organized by SPG / SSG COMELEC. In case only one candidate runs for a particular office, he/she only needs one vote to assume his/her post.

Section 4 The SPG / SSG COMELEC shall have sole responsibility for validation of elections by a majority vote provided any decision to invalidate is based upon fraud or gross unfairness as supported by the findings of fact from the SPG / SSG COMELEC.

Section 5 Every ballot is presumed to be valid unless there is a clear and convincing reason to justify its rejection.

Section 6 The SPG / SSG COMELEC shall proclaim the winner/s accumulating the highest number of votes.

Section 7 The SPG / SSG COMELEC shall present the voting results in a report certified by all the members of the SPG / SSG COMELEC containing the following:

- 7.1. Names of the candidates;
- 7.2. Number of votes received by each candidate.

Section 8 An officer-elect may still be disqualified on account of their recently discovered election campaign malpractices. However, a decision to disqualify an officer-elect must be rendered before his/her oath-taking.

Article XIII
Ratification of the Election Code

- Section 1 This Code may be amended or modified in full or in part once every three (3) years from its official issuance through a DepEd Order or Memorandum.
- Section 2 If any provision of part hereof is held invalid and unconstitutional, the remainder of this Code not affected by such move shall remain valid.
- Section 3 This Code shall take effect immediately upon the approval of the Secretary of the Department of Education.