



# **Elections and Referenda Code Proposal**

*Prepared by the Summer 2018 Elections Reform Committee*

## **Summer 2018 Elections Reform Committee**

Molly Simpson, Chief Returning Officer (Chair)

Jayde Jones, President

Devon Wilton, Vice-President External

Zoe Ritchie, Vice-President Student Organizations

Cameron Davies, Academic Commissioner

Emilia De Fabritiis, Commuter Commissioner

Vibhuti Kacholia, Equity Co-Chair

Alexa Ballis, Scarlet & Gold Commissioner

Tabina Ahmed, Commuter Co-Chair

Alexa Breining, Chair

## **Elections Reform Committee**

Elections reform was a popular topic in the 2018 Spring Elections and the election of certain candidates provided VUSAC with a democratic mandate to pursue that reform. On hiring the 2018-19 Chief Returning Officer (CRO), the Elections Reform Committee (the Committee) was formed and then chaired by that CRO.

The Committee met six times for periods of roughly two hours. While not all members were present for all meetings, over the course of its development this ERC had input provided by the CRO, the President, two Vice-Presidents, three Commissioners, two Co-Chairs, and one other member of Staff. These members brought a diversity of experience with different bodies of student governments and a range of student groups to the table, which we felt to be an asset.

## **Elections and Referenda Code (ERC) Development**

Further consultations were conducted via a survey of members of the Victoria College Union (VCU). There were twenty-four responses to the survey and the feedback gathered help shape the document.

The first draft of this document was built on precedents set by previous nominations packages as well as the direction of VUSAC's Constitution and Council Policies. Over the course of this proposal development, five separate full drafts were considered and amended.

The ERC proposed is intended to design elections which hold VUSAC, the CRO, the Elections Appeals Committee, and candidates accountable. It also aims to widen the accessibility of elections both in terms of candidacy and information available to the VCU. Another key goal is to develop an elections environment which is healthy for candidates, in the hopes of widening the pool of students who are able to run.

## **Proposal Formatting**

Each section of this proposal includes the final draft's wording followed by an outline of what is consistent with prior procedures and what has changed. **Changes and new additions are marked via red text.** Justifications for all changes are then provided.

## **Committee Composition**

The Committee consisted of Molly Simpson (Chief Returning Officer), Jayde Jones (President), Devon Wilton (VP External), Zoe Ritchie (VP Student Organizations), Emilia De Fabritiis (Commuter Commissioner), Cameron Davies (Academic Commissioner), Alexa Ballis (Scarlet & Gold Commissioner), Vibhuti Kacholia (Equity Co-Chair), Tabina Ahmed (Commuter Co-Chair), and Alexa Breininger (Chair).

## VUSAC ELECTIONS AND REFERENDA CODE

Prepared July 2018

Chapter I: Mandate	1
Chapter II: Amendments	2
Chapter III: Communications	3
Chapter IV: Current VUSAC Members	4
Chapter V: Penalties	5
Chapter VI: Pre-Elections	6
Chapter VII: Nomination Period	7
Chapter VIII: Campaign Period	8
Chapter IX: Voting Period	14
Chapter X: Appeals	15
Chapter XI: Results	16
Chapter XII: Elections and Appeals Committee	17
Chapter XIII: Charter for Referenda	18
Chapter XIV: Nominations Package	19
Chapter XV: Elections Report	20

## **CHAPTER I: MANDATE**

This document serves to guide the Victoria University Students' Administrative Council (VUSAC)'s Chief Returning Officer (CRO) and the Elections and Appeals Committee (EAC) in running elections, as well it will serve as a guide to candidates and the Victoria College Union (VCU) as to what is appropriate conduct in an election. This document will serve in accordance with the Constitution, in tandem with the Council Policies, and as a guide for the Nominations Package.

The CRO is to facilitate an accessible and supportive environment for both candidates and the electorate. These elections rules are designed to facilitate a fair election and should be executed as such. Any amendments to this Elections and Referenda Code (ERC) shall be made in accordance with the goals of transparent, accessible, and inclusive elections.

### **Precedent**

None. Entirely new section.

### **Changes**

Entirety of Chapter I; previously did not exist.

### **Reasoning**

First, to make it clear that where discrepancies between the ERC and the Constitution exist, the Constitution is to be followed. Second, it sets the goals for ERC such that future revisions will hopefully be made in accordance with the values of accountability, accessibility, transparency, and support. Third, it defines some key terms used throughout.

## CHAPTER II: AMENDMENTS

### Article 1:

S1) No amendments are to be made during the election cycle, which spans the nominations period to the announcement of the official results.

S2) All amendments will take effect two weeks after their passing.

S3) All amendments are to be ratified by council.

a) Any voting member of council has the right to propose an amendment as a regular motion.

b) The CRO also has the right to propose an amendment and should they do so it is to be brought to the table immediately.

c) Any amendment must be ratified at least two weeks prior to the beginning of an election cycle so as to fully take effect for said cycle.

S4) If the CRO is not present during the passing of an amendment, a reasonable effort must be made by the VUSAC Executive to notify them of the change.

### Precedent

None. Entirely new section.

### Changes

Entirety of Chapter II; previously did not exist.

### Reasoning

First, to define the conditions under which amendments to the ERC are permitted - i.e., following the same procedure for editing Council Policies; i.e., less stringent than the provisions for amending the Constitution; i.e., extending the right of proposal to include the CRO, but still requiring a voting member to second said amendment before its consideration by Council.

Chaper II, Article 1, Section 4: not all CROs are active members of VUSAC and this section exists to ensure they follow the most updated version of elections policy.

## CHAPTER III: COMMUNICATION

### Article 2:

S1) Candidates and the electorate are to communicate with the CRO first through email. **Attempting contact through a different channel does not guarantee an answer.** Candidates and the electorate are not to contact the CRO on their personal email, social media, or cellphone.

**S2) The CRO is expected to reply within two business days outside of the election cycle, and within 24 hours during the election cycle.**

S3) Candidates are not to use an email affiliated with VUSAC, a club or levy, or any student group otherwise affiliated with Victoria College or the University of Toronto.

### Precedent

Chapter III, Article 2, Section 1: previous nomination packages have had similar rules.

Chapter III, Article 2, Section 3: generally been informally practiced.

### Changes

Chapter III, Article 2, Section 1: addition of the condition that a response from the CRO is not guaranteed should someone contact them through any channel other than their VUSAC email.

Chapter III, Article 2, Section 2: codifies the response time required by a CRO.

Chapter III, Article 2, Section 3: in prior years nominations packages have otherwise stipulated that communication is to be exclusively through U of T emails but this broadens the list of acceptable emails to only exclude those affiliated with student groups.

### Reasoning

Chapter III, Article 2, Section 1: ensures that the CRO does not have to balance messages sent to various personal account but can instead focus their attention on one avenue of communication that is equally available to all candidates. Moreover, the use of email is helpful for internal memory.

Chapter III, Article 2, Section 2: added with the intention of facilitating communication which balances the CRO's personal life with the time-sensitive nature of elections communications.

Chapter III, Article 2, Section 3: in prior years nominations packages have otherwise stipulated that communication is to be exclusively through U of T emails but the Committee recognizes that those emails are not always reflective of the students current or preferred name. Thus, any email shall be allowed which is not affiliated with a student group.

## CHAPTER IV: CURRENT VUSAC MEMBERS

### Article 3: Candidates

S1) Candidates who currently hold positions on VUSAC which give them access to a VUSAC email address are not to communicate with the CRO using said address when discussing election matters.

### Article 4: Regular Meetings

S1) The CRO is to work with the Chair to ensure the following:

- a) that no VUSAC meetings occur during the campaign period; and
- b) that there is at least one VUSAC meeting during the nomination period.

### Article 5: Council Neutrality

S1) The VUSAC office is to be an election neutral space.

- a) Neutral spaces shall refer to physical locations where no discussion of any elections matters, postering, or any other elections business may occur.

S2) All VUSAC members who are not candidates in the election are not permitted to endorse any candidates in the election.

### Article 6: Non-Candidates

S1) VUSAC members who are not running in the election are expected to assist the CRO with the following:

- a) placing posters in residences; and
- b) promoting elections; and
- c) tracking candidate printing during office hours.

### Precedent

Chapter IV, Article 5: always been in Nominations Packages.

### Changes

Articles 3, 4, and 6 are new additions.

### Reasoning

Chapter IV, Article 3: in accordance with Chapter III, Article 2, Section 3 (above).

Chapter IV, Article 4: meetings during campaign periods are undesirable for a few reason - including that the actions of VUSAC members during a VUSAC meeting should



be reflective of their mandate as elected representatives and not their position as potential candidates. Conversely, hosting a meeting during the nominations period is desirable insofar as it provides an opportunity for potential candidates to learn more about council's operations.

Chapter IV, Article 6: ensures that the CRO will have the support needed to run effective elections.

## CHAPTER V: PENALTIES

### Article 7:

S1) Penalization is operated on a tiered three strikes policy. Two ‘warnings’ are equivalent to one ‘strike’ and three ‘strikes’ result in immediate disqualification.

S2) A warning is to be issued for a minor offence, this would include offences such as failing to obtain a signature before hanging a poster but taking it down within 24 hours.

S3) A strike is to be issued for more serious offences, such as failure to attend Town Hall.

S4) Immediate disqualification can be issued as a penalty for very serious offences, such as slandering an opponent or failure to submit a budget on time.

S5) The CRO is able to use their discretion as misdemeanors arise, however, this ERC and the current Nominations Package must serve as guidance. Additionally, it is recommended that the CRO look to past election decisions for precedence.

S6) All penalties are to be officially issued via email.

S7) Only candidates can receive penalties and therefore candidates may receive penalties if a non-candidate is breaking rules to their benefit.

S8) Penalties are only to be issued during the election cycle. However, the CRO must make every effort to ensure all members of the VCU are made aware of elections rules outside of the election cycle, too.

### Precedent

Chapter V, Article 7, Sections 1, 2, 3, 4, and 6: taken from previous Nominations Packages.

### Changes

Chapter V, Article 7, Sections 5, 7, 8 are new additions.

### Reasoning

Chapter V, Article 7, Section 5: It is impossible to define all potential election offenses but this makes it known that the CRO *must* provide clear reasoning for all decisions made, and that this reasoning be coherent with the ERC and Nominations Package.

Chapter V, Article 7, Section 7: the only way to punish a non-candidate would be to strip them of their voting rights and that is an unhealthy amount of power for VUSAC to have.

Chapter V, Article 7, Section 8: you cannot issue penalties to someone who is not a candidate and no one is a candidate outside of the elections cycle *however*, the CRO should endeavor to have the public informed of the rules even outside of elections.

## CHAPTER VI: PRE-ELECTIONS

### Article 8:

S1) Election dates for Fall and Spring Elections are to be set by the CRO no later than the last day of July with the approval of the VUSAC executive.

- a) Once set the election dates may only change in extraordinary circumstances which are to be determined by the CRO in conjunction with the executive.
- b) Should a By-Election be required, the dates must be set as early as possible by the CRO in conjunction with the Executive.

S2) Election dates are to be publicized to the VCU at least one week prior to the release of the Nominations Package.

### Precedent

None.

### Changes

Chapter VI previously did not exist.

### Reasoning

Chapter VI, Article 8, Section 1: setting the dates early on mitigates the chance that elections, and in particular spring elections, will conflict with large Vic events that provide undue exposure for some candidates or generally pose conflicts of interest - e.g., Highball, VCAA Banquet, Crescams, a VCDS show, etc. It will also ensure that all candidates can plan to dedicate their preferred amount of time to elections and not be balancing many high-stress activities at one time on short notice.

Chapter VI, Article 8, Section 2: the results of the Committee's elections survey showed one of the largest complaints to be insufficient advertising and this section mandates earlier advertising as an attempt to remedy that.

## **CHAPTER VII: NOMINATIONS PERIOD**

### **Article 9: Information Sessions**

S1) The CRO is to host a minimum of one elections information session during the nominations period, this is in addition to any office hours the CRO may have as a member of VUSAC.

### **Article 10: Candidates Out of Province or On Academic Leave**

S1) The purpose of this article is to allow returning VCU students to run in Spring Elections even if they are unable to physically be on Victoria College campus.

- a) As such, this article shall only be in effect for Spring Elections and any By-Elections which arise from Spring Elections. It shall not be in effect for Fall Elections and any By-Elections which arise from Fall Elections.

S2) Students must submit a letter to the CRO within five (5) business days of nominations opening expressing their intent to run and including proof of returning status.

- a) Acceptable proof of returning status will be decided by the candidate in conjunction with the CRO; the candidate will not be required to disclose any personal information they are not comfortable sharing.

S3) These candidates, and these candidates alone, may submit their nomination package to the CRO via email.

S3) Any signature collection requirement that may be outlined in the Nominations Package shall be waived for these candidates.

S5) All mandatory meetings (outlined in Article 15) will have an online attendance option available for these candidates only.

- a) If preferred, these candidates may also send a physical proxy to the All Candidates Meeting as outlined in Article 15, Section 1c.

S6) These candidates may submit their posters electronically to the CRO who will then facilitate, in conjunction with the CLC and any non-candidate VUSAC members, their posting throughout Victoria College, including non-residence areas.

- a) Posters will only be hung on Victoria College campus.
- b) Candidates may only reach out to the CRO to arrange the hanging of their posters; they are not permitted to ask any other student or member of faculty to do so.

S7) Barring the exceptions mentioned in this Article 10, all other campaign rules shall be in full force and effect for candidates out of province or on academic leave.

### **Article 11: Pre-Campaigning**

S1) Candidates are not to engage in campaigning outside of the official period, this includes pre-campaigning.

a) Campaigning includes: hanging posters, handing out campaign literature, posting on social media, verbal promotion of yourself or another candidate, publicly announcing your candidacy, and soliciting endorsements.

S2) Pre-campaigning can result in disqualification, depending on the degree and persistence. In less severe instances of pre-campaigning other penalties may still apply.

S3) It is the job of the candidate to prevent other members of the VCU from pre-campaigning on their behalf. Pre-campaigning by non-candidates on behalf of a candidate can still result in penalty.

### **Article 12: Length**

S1) The nominations period for Fall Elections shall be a minimum of two (2) weeks.

S2) The nominations period for Fall Elections shall be a minimum of three (3) weeks

### **Precedent**

Chapter VII, Article 9: already practiced informally.

Chapter VII, Article 11 outlines a definition of pre-campaigning which has been consistent across many Nominations Packages.

### **Changes**

Additions of Chapter VII, Articles 10 & 12 as a whole and Article 11 Sections 2 & 3.

### **Reasoning**

Chapter VII, Article 10, Section 1: is designed to allow Victoria College students who were away for reasons including studying abroad or a period of academic leave to still run in Spring Elections, so as to assume the position upon their return.

Chapter VII, Article 10, Section 1b: exists to ensure that the candidate, if elected, would be able to fulfill the entire term of their position.

Chapter VII, Article 10, Section 2: ensure the CRO can verify they are in fact returning in order to fulfill their duties if elected.

Chapter VII, Article 10, Sections 3, 4, & 5: designed to negate the obligations to attend events in person outlined in other sections of this ERC as this would not be an option for these students.

Chapter VII, Article 10, Section 6: exists so that these students will have an equal chance to campaign via physical materials as other candidates.

Chapter VII, Article 10, Section 7: exists so that all election rules not deemed unjust by virtue of their position as candidates out of province or on leave still apply.

Chapter VII, Article 11, Section 2: it is important that candidates are aware that pre-campaigning can be a serious enough offense to result in disqualification.

Chapter VII, Article 11, Section 3: though it is difficult to enforce this rule and CROs will need to be flexible, it is important candidates make a *proactive* effort to discourage their friends from pre-campaigning on their behalf.

Chapter VII, Article 12 aims to open the elections process up to more people by increasing the time for candidates to choose to run, gather signatures, and prepare campaigns - i.e., it aims to be more cognisant of the different types and number of responsibilities students have.

## CHAPTER VIII: CAMPAIGN PERIOD

### Article 13: Campaign Materials

S1) All printed materials, including banners and posters, must be initialed by either the CRO or one of the following staff from the Dean's Office: the Campus Life Coordinator (CLC), Assistant Dean International and Upper Year Students (AD), or the Residence Life Coordinator (RLC).

S2) Any posters found unsigned will be taken down. One strike will be applied for every instance of this happening, but not for every individual poster involved in said instance.

S3) A poster is defined as any campaign material attached to walls, doors, or otherwise affixed to a surface. The following restrictions apply to postering:

- a) A maximum of one poster per residence floor (for RJ, MargAd, and Annesley) or house (for Upper and Lower Burwash) is allowed.
  - i) Bowles-Gandier counts as one residence house and the wall facing the east Burwash Dining Hall entrance is considered to be a part of North House
  - ii) There will be no postering in elevators.
- b) A maximum of five posters are to be placed in Old Vic and the Goldring Student Centre
  - i) There will be no postering on any glass surface (including windows) or doors in the Goldring Student Centre. Postering in any location in the Goldring Student Centre that is not an approved student postering space will result in penalties at the discretion of the CRO.
- c) Should a candidate choose to campaign outside of Victoria College campus they are restricted to placing one per residence floor and five per building.
- d) Posters may not be placed on lampposts, trees, subway stations, glass doors, and any property not belonging to Victoria University or the University of Toronto.
- e) Posters may not be placed in the following neutral zones:
  - i) Any libraries, including Pratt and Emmanuel College
  - ii) Any dining halls, including Burwash Dining Hall
  - iii) Any offices, including the VUSAC office, Dean's office, CRO office, and CLC/RLC offices
  - iv) Any Dons' Rooms (including doors, bulletin boards)
  - v) Levy and club offices in the Goldring Student Centre
  - vii) The Cat's Eye Student Pub and Lounge
  - viii) Classrooms
  - ix) Any locations with exclusive access (such as fraternities or sororities)
- f) Postering in a neutral zone will result in a strike.



- g) All postering inside campus buildings must be done with either masking tape or painters (green) tape. Any other forms of affixing posters may be subject to penalties at the discretion of the CRO.
- h) Tampering with another candidate's posters will result in disqualification.

S4) With regards to postering within residences, the CRO, in conjunction with the CLC, will arrange that VUSAC post all campaign posters in residences. VUSAC will offer two opportunities for candidates to submit their signed posters to the CRO mailbox, one of which must be directly after the All Candidates Meeting.

- a) Candidates are responsible for any postering done outside of residences.
- b) Candidates will be penalized with a strike if they poster their own materials in residences, applied per instance of in-residence postering.
- c) The timeline to submit posters for signing shall be determined by the CRO, but those dates must be included in the Nominations Package and verbally communicated at the All Candidates Meeting.

S5) Chalking or similar defacement on any building or sidewalk on the Victoria College campus will result in immediate disqualification.

S6) Campaigning through any listservs affiliated with the University of Toronto or Victoria University is also prohibited, this includes course mailing lists.

#### **Article 14: Social Media**

##### **S1) Facebook**

- a) Any Facebook campaigning is to be conducted via a public Facebook "page" (as opposed to a "profile"). The *only* exception to this rule is that candidates are permitted to change their personal "profile pictures" to reflect their candidacy and advertise voting.
  - i) All candidate's pages will be advertised on the VUSAC website and in the VUSAC elections forum.
  - ii) Candidates are permitted to share their page on their profile or "invite friends" to "like" the page but they are otherwise not to campaign on their personal Facebook account.
  - iii) The CRO, all non-candidate members of VUSAC, and any neutral parties are to either like all pages or no pages in order to maintain neutrality.
- b) Neutral parties are allowed to "like" posts, but "comments" and "shares" will be interpreted as an endorsement and result in a strike against the candidate in question.
  - i) While candidates are not wholly responsible for the actions of third parties, they are expected to routinely monitor their Facebook pages and appropriately

address neutral parties' endorsements (i.e., via deletion) within a reasonable timeline. This includes responding to CRO requests to delete rule breaking endorsements and/or to address other misdemeanours.

c) Only the CRO Facebook profile and the official VUSAC page are allowed to post in any Facebook "groups" to promote the elections; any candidate who does so will be issued a strike and be required to delete the post.

S2) Twitter: All campaign-related tweets must be tagged with #VUSACElections and must not include "mentions".

S3) Instagram: All campaign-related posts must be tagged with #VUSACElections and must not include any "tags" or mentions.

S4) Snapchat: candidates are permitted to purchase Snapchat filters but the design must be approved by the CRO prior to posting and the cost of purchase must be included in the budget. Candidates are permitted to post "stories" so long as they do not break any other campaigning rules in doing so.

S5) Facebook and Google Ads: Facebook Ads and Google AdSense are permitted, but the wording must be approved by the CRO in advance and the cost of the ad must be included alongside the list of other campaign expenses.

S6) Personal Websites: Personal websites are permitted, but they cannot be linked to any Victoria University affiliated club, levy, or organization. Hosting costs (if any) must be included in a candidate's campaign spending submitted to the CRO.

S7) Facebook Elections Forum

- a) It is recommended all candidates join the current Facebook elections forum "group" through which members of the VCU may ask questions of all candidates.
- b) Questions are to be released daily throughout the entirety of the campaign period.
- c) Only current members of the VCU may ask questions.
- d) The CRO has the right to reject questions, reasoning for rejection may include:
  - i) question is irrelevant; and/or
  - ii) question has been asked before; and/or
  - iii) question includes misinformation; and/or
  - iv) question is hostile in some way or may otherwise negatively impact a candidate's emotional or physical wellbeing; and/or
  - v) the asker has been monopolizing the forum.

- e) The asker of any question rejected shall be sent an explanation for its rejection by the CRO and, excluding instances where that reason is an issue of monopolization, they are to be given the opportunity to rephrase and re-submit their question.
- f) Any candidates or members of the electorate found to be hostile or slanderous may be removed from the forum at the discretion of the CRO. Candidates may be disqualified depending on the nature of the offence which resulted in removal.
- g) All members of the forum are limited to a maximum of three questions per election cycle.
- h) It is recommended that the CRO investigate platforms for the elections forum alternate to Facebook.

S8) Any form of slanderous social media posts by a candidate will result in their immediate disqualification.

S9) Any campaigning on a social media platform not listed above is forbidden and will result in a strike.

### **Article 15: Spending**

S1) Candidates are entitled to print thirty colour posters free of charge in the VUSAC office as a form of compensation for campaign expenses.

- a) Candidates will be issued this right after the All Candidates Meeting; any printing prior to this issuing will be considered a form of pre-campaigning.
- b) While using this printing credit, candidates are not to actively engage in campaigning or risk a penalty.
- c) All campaign materials printed in the VUSAC Office using any VUSAC-owned device must be immediately deleted from said device thereafter or risk a penalty.
- d) Only candidates may exercise their printing credits. No candidate shall be allowed to ask another person to print on their behalf or risk a penalty.

S2) Non-presidential candidates are entitled to spend an additional \$15 on non-printed campaign materials, and presidential candidates may spend up to \$35 on such materials.

- a) These costs will not be compensated.
- b) The CRO is to advise candidates that a majority of candidates never spend or need to spend on things outside of printing, so long as this fact remains to be true.

### **Article 16: Mandatory Meetings**

S1) All Candidates Meeting

- a) To be hosted by the CRO within 5 hours of the nomination period closing.

- b) The purpose of the meeting is to be a comprehensive overview of the elections rules and to provide an opportunity for candidates to ask questions in person.
- c) Should a candidate be unable to attend they must send a proxy.
  - i) They must also provide a brief written explanation of the absence, the name of their proxy name, and their email address to the CRO via email prior to the end of the nomination period.
  - ii) The proxy may not be another candidate in the election.
- d) Failure to attend the All Candidates Meeting or to send a proxy will result in disqualification.
- e) An online attendance option will be provided for students unable to physically attend the meeting in accordance with Chapter VII, Article 10.

## S2) Town Hall

- a) Town Hall is to happen on the last day of the campaigning period and be held on a weekday outside of class hours. It is recommended that this be a Friday evening.
- b) The campaign period ends immediately following the end of Town Hall.
- c) The purpose of Town Hall is to allow candidates to introduce themselves and their platform via a short speech. It is also to allow the VCU to ask questions of their candidates.
- d) Candidates must stay for the entirety of Town Hall, excluding circumstances the CRO deems to be extraordinary, and failure to do so will result in a strike.
  - i) It is to be stressed to all candidates that a failure to attend Town Hall is likely to negatively impact their campaign.
- e) The CRO is to make a reasonable effort to have Town Hall livestreamed on the VUSAC Facebook page and a for a transcription to be released to the VCU at least two days before voting closes and later archived for internal memory.
- f) The CRO is to set up an anonymous question submission form at least 72 hours prior to the event so that members of the VCU may ask questions anonymously.
  - i) The CRO reserves the right to edit any question for reasons such as:
    1. misinformation; and/or
    2. irrelevance; and/or or a
    3. question with tone which is harmful in nature.

## Article 17: Candidate Statements

- S1) Candidates are to submit their statements to the CRO by the deadline determined by the CRO. The deadline for submission must be during the campaigning period.
- S2) All statements are to be no longer than 100 words.

S3) The CRO has the right to edit the statement for length, **however they must alert the candidates of any edits made and ideally do so with enough time for the candidate to approve said edits before the statement is posted.**

S4) Statements are not to include links to websites or platforms. However, the CRO will ensure all candidate Facebook pages are included in the introductory text of the voting ballot to provide VCU members to become equally informed prior to voting.

S5) Statements submitted on time must be posted on the voting ballot, the VUSAC website, and in the elections Facebook forum.

S6) Should a candidate submit their statement late it at the discretion of the CRO whether they add the statements to the website and Facebook forum, the voting ballot cannot be edited.

S7) There shall be no penalty for failure to submit a statement.

#### **Article 18: Endorsements**

S1) Candidates are not permitted to seek out endorsements from or actively campaign with current VUSAC members, Dons, Ex-Officio Members to VUSAC (including Levy Heads and Orientation Co-Chairs), Building Presidents, UTSU Directors, or full-time staff members. None of the above people may appear in campaign literature, posters, or other promotional material. Any candidate found in violation of this rule will be severely penalized, including the possibility of disqualification.

a) 'Levy Heads' here refers to not only a current Levy Head, but also any person who has held the position of a Levy Head within the academic year of the elections.

b) All neutral parties listed above must be made aware of this rule by the CRO prior to the elections period opening.

#### **Article 19: Slates**

S1) Candidates are not allowed to campaign in a slate or as a team. This includes in-person campaigning with other candidates, as well as appearing in any promotional material, campaign literature, or videos for another candidate.

#### **Article 20: Slander**

S1) Slanderous campaigning by a candidate will result in immediate disqualification.

## **Precedent**

There is precedent (often the exact wording) for the following sections of this document in previous Nominations Packages:

Chapter VIII, Article 13, Sections 1, 3, 5, & 6

Chapter VII, Article 14, Sections 2, 3, 5 & 6

Chapter VII, Articles 19 & 20

## **Changes**

The following sections are new additions or have significant modifications:

Chapter VII, Article 13, Sections 2, 3 & 4

Chapter VII, Article 14, Sections 1, 4, 7, 8 & 9

Chapter VII, Article 15, Sections 1 & 2

Chapter VII, Article 16, Sections 1a, 1c.ii, 1e & 2.

Chapter VII, Article 17, Sections 1, 3, & 4

Chapter VII, Article 18, Sections 1a & 1b.

## **Reasoning**

Chapter VII, Article 13, Section 2: specifies that the penalty for postering unsigned materials is one strike, instead of it being up to the CRO's discretion.

Chapter VII, Article 13, Section 3e.vii.: adds classrooms to the list of places where postering is not allowed, something that has been done in a few previous elections.

Chapter VII, Article 13, Section 4: addresses the inequality of opportunity the current residence postering policy presents for commuter students, endeavours to level the playing field for candidates who do not have access to residence.

Chapter VII, Article 14, Section 1: simplifies the online Facebook presence of candidates and no longer requires that they make their privacy settings public and have a wealth of Vic students as friends to have an equal chance. Rather, VUSAC will link to all candidates' Facebook pages and the only personal campaigning done by candidates will be sharing posts from their public pages and changing their profile picture, should they wish to do so. Additionally, this Section clarifies the role that neutral parties can play on social media - i.e., liking but no comments or shares.

Chapter VII, Article 14, Section 4: clarifies the appropriate use of Snapchat in campaigning - i.e., filters and stories.

Chapter VII, Article 14, Section 7: a near-total rewrite of the rules governing the elections forum on Facebook. Major changes are: only current VCU members can ask questions, outline of reasons why a CRO may not publish a question but requires that the asker be sent an explanation and opportunity to rephrase, clearly denounces hostility, and sets a three question maximum per person per election cycle. This section hopes to address many of the complaints made by candidates and VCU members about the forum while preserving the ability for online engagement with candidates.

Chapter VII, Article 14, Section 8: makes it clear that slander on social media is a serious offense.

Chapter VII, Article 14, Section 9: improves the ability of the CRO to monitor online campaigning by limiting social media campaigning to only the channels mentioned.

Chapter VII, Article 15: addresses compensation of candidates in an effort to make running in elections more financially accessible - the most feasible way of compensating printing costs (by far the largest campaign cost) is by allowing printing credits in the VUSAC Office. The budget for non-printing expenses has been lowered accordingly.

Chapter VII, Article 16, Section 1a: mandates the timing of the All-Candidates Meeting.

Chapter VII, Article 16, Section 1.c.ii: codifies a thus-far unofficial rule.

Chapter VII, Article 16, Section 1e: in accordance with Chapter VII, Article 10 this allows for returning Vic students who are out of province or on academic leave to run.

Chapter VII, Article 16, Section 2a: makes the timing of Town Hall as accessible as possible for full-time students and commuter students

Chapter VII, Article 16, Section 2b: clarifies the purpose of Town Hall.

Chapter VII, Article 16, Section 2c: makes Town Hall attendance guidelines explicit.

Chapter VII, Article 16, Section 2d: places the onus on Council to make the content of Town Hall available to more than just those who can physically attend.

Chapter VII, Article 16, Section 2e: allows for anonymous questions to be presented at Town Hall but sets limits on the nature of those questions in the interest of candidate's wellbeing.

Chapter VII, Article 17, Section 1: sets the expectation that statements cannot be due during the nominations period.

Chapter VII, Article 17, Section 3: ensures the CRO will notify candidates whose statements are being edited for reasons other than length and provide them with an opportunity to rephrase accordingly.

Chapter VII, Article 17, Section 4: mandates that no links are to be included in candidate statements. Offsets the (dis)-advantage this provides to candidates by making it the CRO's responsibility to link to every candidate's platform in the information provided at the top of the voting page.

Chapter VII, Article 17, Sections 6 & 7: sets expectations for late or unsubmitted statements in accordance with current practices.

Chapter VII, Article 18, Section 1a: defines Levy Heads as both current heads and those who've been a head throughout a given academic year (e.g. the Cat's Eye Co-Manager who finished their term the December in the same academic year as the Spring Elections in question). This is done because even if a Levy Head in this position has technically finished their term, their influence as a Head is very much still felt.

Chapter VII, Article 18, Section 1b: requires the CRO to proactively ensure that neutral parties are aware of election rules which apply to them.



## CHAPTER IX: VOTING PERIOD

### Article 21:

S1) Verbal campaigning during the voting period is strictly forbidden, **depending on the severity it can result in a strike or disqualification.**

S2) **Candidates are allowed to continue campaigning online during the voting period.**

S3) A candidate encouraging someone to vote on their personal laptop or other electronic device will be immediately disqualified. Rather they are to direct the voter to the correct voting website.

### Precedent

Chapter IX, Article 21, Section 1: precedent in Nomination Packages, though the penalty is clarified here.

Chapter IX, Article 21, Section 3: has always been included in Nominations Packages.

### Changes

Chapter IX, Article 21, Section 2 is new, though it has applied some years according to internal memory.

### Reasoning

Chapter IX, Article 21, Section 2: hopes to increase the range of voters who are aware of the voting period happening, specifically by extending the audience beyond the infamous 'Vic Bubble'. Though these people may be sufficiently reached during the campaign period, they are presumably less likely to still be reached by elections content during the voting period. This may help ameliorate that. Further, there is almost always a disparity in the number of residence versus commuter student voters - reaching those who may not be on campus to be reminded of voting is important.

## CHAPTER X: APPEALS

### Article 22:

S1) Appeals regarding election results (including requests for recounts) may be made up to 48 hours after voting closes. Results are final after 48 hours, **except when an appeal filed within this appeals period is under review.**

S2) Appeals regarding warnings, strikes, or disqualifications may be made up to 48 hours after the candidate in question is notified of the warning, strike, or disqualification.

a) **Should a candidate request an appeal, the CRO is to immediately supply them with the appeals form and direct them to the designated EAC email address, as described in Chapter XII, Article 24, Section 7, for its submission.**

S3) Any appeals received more than 48 hours after this notification will be disregarded.

**S4) If appealing a disqualification, candidates are allowed to keep campaigning until the appeal is complete.**

**S5) Only candidates in the election have the right to appeal decisions of the CRO.**

**S6) All appeals are to be made directly to the EAC by emailing their designated address, which shall be determined in accordance with Chapter XII, Article 24, Section 7.**

**S7) Both the appellant and the CRO are obligated to fill out and submit an appeals form describing the incident in question and the reasoning for their decisions.**

### Precedent

Chapter X, Article 22, Sections 1, 2, & 3: parts not in red were pulled directly from a previous Nominations Package.

### Changes

Chapter X, Article 22, Section 1, 4, 5, 6, & 7.

Chapter X, Article 22, Section 2a.

### Reasoning

Chapter X, Article 22, Section 1: clarified to reflect the fact that all appeals must be completed before the results are announced.

Chapter X, Article 22, Section 2a: designed to ensure the candidate is well-informed of how to use their right of appeal - i.e., having the form and knowing where to send it.

Chapter X, Article 22, Section 4: allows for a candidate to continue their campaign so that if their appeal is granted, they have not lost out on an equal campaign period.

Chapter X, Article 22, Section 5: limits the right of appeal to candidates in elections; the Committee feels no one else need be entitled to that right.

Chapter X, Article 22, Sections 6 & 7: changes the current policy - which is to email your appeal directly to the CRO, i.e., the person who made the decision you are appealing. Instead, the Committee believes it should be emailed to the non-voting Chair of the EAC, whose role is described below, and they shall forward it immediately to the EAC for review alongside the identical appeals form filed in defense by the CRO.

## CHAPTER XI: RESULTS

### Article 23:

S1) Candidates shall be contacted by the CRO with results as soon as they are available. A reasonable attempt will be made to notify each candidate via email as to the results of the election before the results are made public.

S2) In the event of a tie, the candidates shall be placed in a second subsequent election only for those positions which are tied. The format and execution of these elections must be decided by the CRO in consultation with the EAC as a whole, as well as any VUSAC Executives not running in the elections.

S3) Following the 48 hour appeals period the CRO is to arrange, with the assistance of the Communications Coordinator, that results are posted on the VUSAC website, outside the VUSAC office, and on both the VUSAC facebook page and the current elections forum Facebook group.

### Precedent

Section 1 is pulled from a previous Nominations Package.

Section 3 is always supposed to be done but this ensures it will happen in a timely manner.

### Changes

Additions of Section 2 & 3.

### Reasoning

Section 2 is supposed to provide a fair guideline on how to conduct re-votes in the case of a tie, while not going overboard in setting limits that a given CRO not be able to meet. This was modelled after other student groups' policies.

## CHAPTER XII: ELECTIONS AND APPEALS COMMITTEE

### Article 24:

S1) The purpose of the EAC is to provide a check on all of the CRO's decisions, this includes the approval of the Nominations Package and any appeals made by candidates.

S2) The decisions of the EAC are binding.

S3) The EAC is to be selected by the President and Vice President-Internal at the latest one month prior to the Fall Elections.

- a) If any position on the EAC is empty for the Spring Elections, then the President and Vice-President Internal shall select their replacements at the latest two months prior to the Spring Elections.

S4) The EAC composition is to be as follows:

- a) Two (2) students from a different college or faculty who have completed a minimum of two (2) years of study;
- b) Two (2) VCU members who will live in residence for the current academic year and who have completed a minimum of one (1) year of study;
- c) Two (2) VCU members who will be commuter students for the current academic year and who have completed a minimum of one (1) year of study;
- d) The Campus Life Coordinator.

S5) Members of the EAC cannot include neutral parties, as they are so defined by Chapter VII, Article 18, Section 1 of this ERC.

S6) Members of the EAC cannot be any persons who have held or run for a position on either VUSAC and/or the BOR within the last two (2) academic years.

S7) The VUSAC President shall act as the non-voting Chair of the EAC.

- a) Should the VUSAC President not be eligible, the position shall be held by any other eligible member of the Executive;
  - i) Should there be no such Executive member, it shall be held by any other eligible member of Council selected by the EAC, which will be interim chaired by the CRO.
- b) Eligibility is here defined as non-candidacy in the election in question.

S8) The Chair of the EAC shall manage an email which shall be the sole receiver of all official appeals submissions. This includes any appeals form submitted by an appellant and any which are submitted by the CRO.

S9) Members of the EAC shall serve both for the Fall Elections and the following Spring Elections, provided that:

- a) they are available to do so; and
- b) they undergo a review after the Fall Elections, conducted by the CRO in conjunction with the Executive; and
- c) their status as neutral parties has not changed.

S10) Members of the EAC are not term limited.

S11) Votes of the EAC are to be submitted within 48 hours of the Chair's email notifying members of said vote.

## **Precedent**

Chapter XII, Article 24, Section 2: always been the case. The EAC is the highest decision-making body in any VUSAC Election.

## **Changes**

Addition of Chapter XII, Article 24, Sections 1, 3, 4, 5, 6, 7, 8, 9, & 10.

## **Reasoning**

Chapter XII, Article 24, Section 1: defines the purpose of the EAC.

Chapter XII, Article 24, Section 3: mandates the EAC be selected by the President and Vice-President Internal, as opposed to the current case where the CRO picks the members of the EAC - the Committee felt this left too much room for bias. The President and Vice-President Internal usually have little to no stake in the Fall Elections and are thus best poised to select EAC members without bias, especially given that it will be selected so far in advance.

Chapter XII, Article 24, Section 4: outlines the structure of the EAC. Previously, the structure was deemed to be the CRO, one residence students, two commuter students, one alumnus, two members of teaching staff, and two members of the Dean's Office. The Committee found these positions to be irrelevant and inefficient - few, if any, members will be knowledgeable about elections procedures and there was too big a

discrepancy between student and faculty representation. Additionally, the CRO was a voting member of the EAC - the Committee feels this makes no sense.

Chapter XII, Article 24, Section 5: further defines membership of the EAC to exclude any neutral parties.

Chapter XII, Article 24, Section 6: further defines membership of the EAC to exclude any members who might, by virtue of their previous positions on or candidacy for VUSAC, be invested in the outcome of the election.

Chapter XII, Article 24, Section 7: sets the VUSAC President as the non-voting Chair of the EAC. The Chair being responsible for filing the appeals to the Committee, managing votes, and communicating decisions. Should the VUSAC President be a candidate, the duty will fall to the Executive, then to another member of Council should all Executives be candidates, too. Of the remaining members of Council, the Chair shall be selected by the EAC with the CRO acting as the interim non-voting Chair (i.e., arranging the meeting where the Chair is chosen).

Chapter XII, Article 24, Section 8: ensures that all communications regarding appeals will go through an official, designated email which is used for no purpose other than appeals. This email will be managed by the Chair of the EAC. Previously, the CRO received all appeal communications, even though appeals are filed against the decisions of that same CRO.

Chapter XII, Article 24, Section 9: defines an EAC member's term as being both the Fall and Spring Elections but specifies that those members must pass a review conducted by the Executive and the CRO after the Fall Elections to ensure they acted in an unbiased manner. If they are no longer a neutral party when the Spring Elections occur (e.g., they took on the role of a Levy Head), they shall no longer serve on the Committee.

Chapter XII, Article 24, Section 10: allows for EAC members to serve for as many election cycles as they are selected for as it can be difficult to fulfill the requirements of membership, so long as they are in accordance with Chapter XII, Article 24, Section 9.

Chapter XII, Article 24, Section 11: sets a response time on appeal votes to respect the timeline of elections and the candidates' campaigns.

## CHAPTER XIII: CHARTER FOR REFERENDA

### Article 25: Defining Referenda

S1) Any student group wishing to raise their student levy, or to create a new student levy, must hold a referendum open to all members of the VCU.

S2) The VUSAC may hold a referendum in order to seek the direct advice of the VCU regarding any important issues, according to the petition guidelines outlined in Article 11 of the Constitution.

S3) The VUSAC may hold a referendum in order to seek the direct advice of the VCU regarding any important issues.

S4) Referendum results shall be considered binding by the Council for results in favour of said referendum question by a two-thirds majority of at least 10% of the VCU. Results in favour of said referendum question by a simple majority (but less than 10% of the VCU) may not necessarily be considered binding by the VUSAC, upon the discretion of the Council.

### Article 26: Executing Referenda

S1) Referenda may be held in conjunction with VUSAC spring or fall (by) elections. In order for a referendum question to be included on a VUSAC ballot, said question must be ratified by the VUSAC.

a) The CRO shall make every effort to keep the VCU well informed of what date they need submit a question to council by in order to have a referendum question on an elections ballot.

S2) The VUSAC shall be considered responsible for all referenda, except in the case of student groups requesting an increase in their student levy (or the creation of a student levy), in which case the group in question shall be considered responsible.

S3) In the case of referenda held independently of VUSAC elections, the following guidelines shall apply:

a) The referendum question shall be presented to the Council for ratification at least **fourteen (14)** days prior to the referendum voting date(s).

b) The referendum voting date(s) shall be presented to the VUSAC for approval.

c) The CRO shall be the CRO hired for the VUSAC fall and/or spring elections. No additional compensation will be awarded, as the CRO duties include any ad-hoc referenda.



d) The provisions for voting shall be the same as those used in any VUSAC elections.

S4) All referendum questions shall be worded in the form of a question and shall not include any information which can be construed as either supporting or negating the said question. All questions may not exceed 150 words in length.

S5) All referendum questions regarding student levies shall clearly state:

- a) The current student levy in question (where applicable) and the proposed (or created) new amount of the levy in question.
- b) Whether or not the increased (or created) levy shall affect the amount of the VUSAC student levy.
- c) By how much the VUSAC student levy shall increase.
- d) What the existent VUSAC student levy is.
- e) A “no” and a “spoil” option.

S6) All ballot counting procedures shall be followed. The referendum 'yes' side (and any existent 'no' side) may each appoint a scrutineer to survey the counting of the ballots.

S7) All accepted referendum questions regarding student levies shall come into effect as of the beginning of the first fall term following the referendum.

S8) The Dean of Students must be notified, in writing, of all increased student levies within seven (7) days of the referendum.

S9) A referendum shall be recalled if 20% or more of the cast ballots are spoiled.

### **Article 27: Advertising and Campaigning**

S1) All referenda shall be publicized at least **ten (10)** days prior to the referendum voting date(s) by the group responsible for the referendum.

- a) All advertising shall include the referendum question, the voting date(s) and the locations of all polling stations.
- b) A notice shall be published in The Strand as well as all applicable listservs.
- c) Posters shall be placed on Victoria College buildings and Sidney Smith Hall.
- d) Notice of referendum shall be advertised by the VUSAC.

S2) All expenses incurred in running a referendum shall be paid by the group responsible for the referendum. Any 'no' group participating in a referendum shall be responsible for its own costs (advertising, campaigning, etc).

- a) Student groups which are already entitled to free VUSAC printing will continue to have access to this service throughout the campaign period, meaning they need not incur any referenda-related printing costs.

S3) With respect to online campaigning, the same rules shall apply as those outlined in Article 14 with the exception that a student group may use an existing Facebook page in place of creating a new one.

S4) Regardless of the campaigning medium, Chapter VII, Article 18 (regarding endorsements) shall not apply in the case of referenda.

S5) No active campaigning, **with the exception of online campaigning**, shall be allowed by any group (neither 'yes' sides, nor 'no' sides) after 12:01 am on the first day that polls open.

### **Precedent**

Chapter XIII, Article 25 is pulled from Article 11 of the Constitution.

Chapter XIII, Article 26 & 27 are pulled from Chapter 5 of the Council Policies, small changes are discussed below.

### **Changes**

Chapter XIII, Article 26, Section 1a was added. added so that the CRO is responsible to proactively communicate what the last day would be for a student/student group to submit a referenda question if they want to run it in tandem with VUSAC elections.

Chapter XIII, Article 26, Section 3a

Chapter XIII, Article 27, Sections 1, 2b & 5

### **Reasoning**

The Committee found the existing policy was already strong, by entrenching it in the ERC with a few changes it will hopefully be more diligently followed in future referenda.

Chapter XIII, Article 26, Section 1a: added so that the CRO is responsible to proactively communicate what the last day would be for a student/student group to submit a referenda question if they want to run it in tandem with VUSAC elections.

Chapter XIII, Article 26, Section 3a: changed from seven to fourteen days to ensure Council will actually have a meeting at which to ratify it.

Chapter XIII, Article 27, Section 1: changed from five to ten days to allow the VCU to have more time to become aware of the referenda at hand.

Chapter XIII, Article 27, Section 2b: making it more financially accessible for student groups to run a referenda question by eliminating the need to pay for printing costs.

Chapter XIII, Article 27, Section 5: bringing this clause in line with new social media campaigning clause for regular VUSAC Elections.

## CHAPTER XIV: NOMINATIONS PACKAGE

### Article 28: General

S1) The nominations package is to be finalized, through approval by the executive, at least two weeks prior to its release.

S2) The nominations package must be available in the VUSAC Office and on the VUSAC website. It is also to be advertised on all VUSAC social media. When possible, the package shall also be made available at the Dean's Office.

S3) The nomination package must include:

- a) a description of VUSAC
- b) a description of the positions available and their responsibilities
- c) all key dates
- d) an exhaustive overview of the rules
  - i) this can be a copy of the EPC or subsections of it
- e) the CRO's contact information
- f) a sample budget
- g) the nominator form
- h) an explanation of the EAC and appeals process
- i) a copy of the appeals form

### Article 29: Amendments

S1) The nominations package can be amended by the CRO without ratification so long as it still follows the EPC and constitution, but still in accordance with the above Article 27 Section 1.

S2) No amendments are to be made after the nominations package is published, both formally and informally through decisions made and verbal communications.

### Precedent

Chapter XIV, Article 28, Sections 1 & 2: preserved from the Constitution.

### Changes

Chapter XIV, Article 28, Section 3

Chapter XIV, Article 29

## **Reasoning**

Chapter XIV, Article 28, Section 3: informally practiced, here codified.

Chapter XIV, Article 29, Section 1: recognizes that the nominations package is the product of the CRO and therefore need not be ratified by council, instead the checks and balances exist through the EAC and Executive.

Chapter XIV, Article 29, Section 2: takes away the CRO's ability to change the rules in the Nominations Package after it has been published so as to prevent confusion or miscommunication amongst candidates and the CRO.

## CHAPTER XV: ELECTIONS REPORT

### Article 30:

S1) The CRO must publish a report summarizing the proceedings of an election no later than two (2) weeks after its completion.

- a) This report is to be sent to every member of VUSAC, every candidate in the election, and the entire EAC.
- b) Additionally, it to be published on the VUSAC and advertised as such.
- c) Finally, the report must be officially accepted by the VUSAC at a regular meeting where the CRO is present to answer any questions asked.

S2) These elections reports can serve in place of a traditional transition report for the incoming CRO. This does not mean the current CRO is unable to, or discouraged from, supplementing the transition with additional materials.

S3) The election report must include:

- a) the dates of the election
- b) a list of EAC members
- c) the official results
- d) an overview of: the pre-nomination period, nomination period, campaign period, and voting period
  - i) recommendations on how to best facilitate all four periods
- e) any referenda questions
- f) a description of all penalties issued with the candidates' names redacted
- g) the following appendices
  - i) the Elections Policy
  - ii) the nominations package
  - iii) a sample budget
  - iv) the appeal form

### Precedent

Chapter XV, Article 30, Section 3: lists what is currently expective of election reports.

### Changes

Chapter XV, Article 30, Sections 1 & 2:

## **Reasoning**

Chapter XV, Article 30, Section 1: sets a timeline for the elections report, always required but not often published, and sets the expectation that the report be formally accepted via a vote at a regular VUSAC meeting.

Chapter XV, Article 30, Section 2: allows the CRO's two election reports to serve as their constitutionally mandated transition report as the information included is essentially the same.