

Article I

Election and Referendum

1.01 Eligibility for Candidacy

- a. President: any student recognized in their third year of study or higher at MSVU may run for President;
- b. Executive Vice President: any student recognized in their third year of study or higher at MSVU may run for Executive Vice President;
- c. Vice President Advocacy: any student recognized in their third year of study or higher at MSVU may run for Vice President Academic Affairs;
- d. Vice President Student Life: any student recognized in their third year of study or higher at MSVU may run for Vice President Student Life;
- e. Arts Representative: any MSVU student enrolled in the Faculty of Arts as defined in the most recent MSVU Academic Calendar;
- f. Board of Governors Representative: any MSVU student may run for Board of Governors Representative;
- g. Graduate Studies Students' Representative: any MSVU student enrolled in a graduate studies program may run for Graduate Studies Students' Representative;
- h. International Students' Representative: any MSVU student from the International Student Community, who is not a Canadian citizen and does not have landed immigrant status, may run for International Students' Representative;
- i. Off Campus Students' Representative: any MSVU student who shall be living off campus during his/her term may run for Off Campus Students' Representative;
- j. Residence Students' Representative: any MSVU student who shall be living in residence during his/her term may run for Residence Students' Representative;
- k. Professional Studies Students' Representative: any MSVU student enrolled in the Faculty of Professional Studies as defined in the most recent MSVU Academic Calendar may run for Professional Studies Students' Representative;
- l. Science Students' Representative: any MSVU student enrolled in the Faculty of Science as defined in the most recent MSVU Academic Calendar may run for the Science Students' Representative;
- m. Education Students' Representative: any MSVU student enrolled in the Faculty of Education as defined in the most recent MSVU Academic Calendar may run for the Education Students' Representative;
- n. Mature Students' Representative: any MSVU student who is 25 years or older may run for Mature Students' Representative;
- o. Councilor at Large: any MSVU student may run for Councilor at Large.
- p. First Year Students' Representative: any MSVU student registered in their first year of Post Secondary Education may run for First Year Students' Representative.

1.02 Elections Timetable

- a. Advertisements promoting positions available shall be posted one week prior to the start of nomination week.
- b. Nomination period shall span 3 (three) class days and may include a weekend.
- c. Campaign period shall begin after the close of Nominations period and shall last three (3) days.
- d. Campaign week shall end on voting day at 8:00 a.m.
- e. Voting days shall be two consecutive days.
- f. Elections for the position of First Year Students' Representative shall take place in the Fall Bi-Elections.

1.03 Application for Nomination

- a. Nomination packages shall apply to all elected positions on the SRC and shall include the following items:
 - i. Students' Union Constitution, and all applicable By-Laws and Policies;
 - ii. Nomination Form;

- iii. Release Form (to be given to MSVU administration for GPA checks);
 - iv. List of all appropriate dates including the times and date of all organized campaign events;
 - v. Contact information of the Elections Committee members.
- b. The period of nominations for all elected positions shall be open for three (3) class days. Campaigning shall be permitted from the close of nominations until 8:00 a.m. on voting day.
 - c. Should no candidate (nominee) apply for nomination before the end of the nomination period, the position shall automatically be up for election in the fall semester.
 - d. In the event that a position remains vacant after the fall bi-elections, the Selections Committee shall appoint a person to the position within two weeks of the election, in accordance of the Human Resources policy.
 - d. A mandatory meeting for all candidates shall be held no later than five o'clock pm on the close of nominations week. The meeting must cover the following information:
 - i. Introduction of the Chief Returning Officer, Deputy Returning Officer and appropriate contact information;
 - ii. Introduction of the Elections Committee;
 - iii. Introduction of the candidates;
 - iv. Review of the rules for campaigning;
 - v. Distribution of necessary campaign material;
 - vi. Collection of profiles for submission to the student newspaper and the Elections and Referendum Newsletter (one hundred words maximum);
 - vii. If necessary, photographs will be taken of candidates at this time.
 - e. GPA Checks:
 - i. All candidates must have a 2.0 minimum accumulative or previous term GPA to be eligible to run in any election;
 - ii. It is the responsibility of the CRO or the DRO to deliver a list of candidates to the Registrar and inform candidates that are ineligible.

1.04 Administration of the Election

- a. The Speaker
 - i. The Speaker shall be hired by the President or Executive Vice President;
 - ii. The Speaker shall be responsible to:
 - a. oversee the campaign;
 - b. oversee the election;
 - c. ensure that all rules set down in the SRC Election and Referendum By-Law are followed;
 - d. complete all other responsibilities and duties as defined in the CRO Job Description.
 - iii. Should the Speaker require assistance in interpreting the constitution, by-laws and policy or require advice in the execution of the elections based on the requirements of the constitution, by-laws and policy, the Speaker shall gain counsel from, in the following order:
 - a. The President (if not running in the election);
 - b. The Executive Vice President
 - c. The Student Representative Council
 - d. Legal Counsel.
- b. The Recording Secretary
 - i. The Recording Secretary shall be selected by the President or Executive Vice President. .
 - ii. If the Recording Secretary position cannot be filled by the President or Executive Vice President, the Speaker may:

- a. Search for an MSVU student to fill the position and nominate said student to the President or Executive Vice President;
 - b. Fulfill the duties of the Recording Secretary and receive the honoraria.
 - iii. The Recording Secretary shall be responsible to:
 - a. Publicize the nomination period;
 - b. Publicize the election;
 - c. Organize the public forums;
 - d. Complete all duties as requested by the Speaker.
 - iv. In the absence of the Speaker, it shall be the responsibility of the Recording Secretary to facilitate the elections.
- c. The Elections Committee
 - i. Upon hiring of the Speaker, an Elections Committee, with no less than five members/volunteers, must be formed by the Speaker;
 - ii. Shall be responsible to the Speaker;
 - iii. Assist in the running of the election and perform duties as assigned by the Speaker and Recording Secretary;
 - iv. The Speaker and Recording Secretary are considered members of the Elections Committee.
 - v. The Elections Committee shall be responsible to the Selections Committee.
- d. Polling Clerks
 - i. There shall be at least one (1) polling clerk at each station;
 - ii. Polling Clerks are responsible for:
 - a. Ballots and ballot boxes at the station;
 - b. Validate which positions each MSVU student is to vote for and provide correct ballots to the voter;
 - c. Attendance to a pre-election training session given by the CRO and/or DRO.
- e. Polling Stations
 - i. Polling stations location are to be determined by the Elections Committee in conjunction with the Speaker and/or Recording Secretary;
 - ii. There will be a minimum of two (2) polling stations on campus;
 - iii. The hours of the polling stations shall be from 9:00am until 6:00pm.
- f. Election Process
 - i. In the event of a tie for any referenda or plebiscite question, the question will not pass;
 - ii. Any candidate may provide a scrutinizer to attend any poll to observe the voting and to be present during the counting of the ballots. This scrutinizer must be approved by the Speaker 24 hours prior to the opening of the polls;
 - iii. There shall be no voting via proxy;
 - iv. Voting shall occur on two consecutive school days;
 - v. If legal counsel is warranted, no one other than the Speaker shall engage in discussions with them.
- g. Voting Eligibility
 - i. President; shall be elected by the student body;
 - ii. Executive Vice President; shall be elected by the student body;
 - iii. Vice President Academic Affairs; shall be elected by the student body;
 - iv. Vice President Student Life; shall be elected by the student body;
 - v. Arts Students Representatives; shall be elected by students belonging to the Academic Faculty of Arts;
 - vi. Board of Governors Representative; shall be elected by the student body;
 - vii. Graduate Studies Students Representative; shall be elected by graduate students;

- viii. International Students Representative; shall be elected by students who are not Canadian citizens and do not have landed immigrant status;
 - ix. Off Campus Students Representative; shall be elected by non-residence students;
 - x. Professional Studies Representatives; shall be elected by students belonging to the Academic Faculty of Professional Studies;
 - xi. Residence Students Representative; shall be elected by students currently living in residence;
 - xii. Science Students Representative; shall be elected by students belonging to the Academic Faculty of Science;
 - xiii. Education Students Representative; shall be elected by students belonging to the Academic Faculty of Education;
 - xiv. Mature Students' Representative; shall be elected by students who are 25 years of age or older on voting day;
 - xv. Councilor at Large; shall be elected by the student body;
 - xvi. First Year Students' Representative; shall be elected by students enrolled in their first year of Post Secondary Education.
- h. Counting of Ballots
- i. When poll stations are closed, the polling clerk working last is responsible to bring all materials assigned to the Speaker;
 - ii. The Speaker shall be responsible for booking a secure room closed from the public for the counting of the ballots;
 - iii. The Speaker with aid from the elections committee shall count the ballots;
 - iv. Each candidate shall be allowed to provide one person to act as a scrutinizer during the counting of the ballots. The scrutinizer shall be concerned only with the candidate's position that asked their services and shall not be allowed to assist in counting the ballots;
 - v. Ballots will be counted twice before any announcement of the results are made;
 - vi. Election results shall be revealed to the public by the Speaker and be announced at the Union's pub;
 - vii. The Speaker shall reject any ballot papers that:
 - a. Have not been supplied by the Speaker;
 - b. On which there is any writing or mark by which the voter can be identified.
 - viii. A ballot is spoiled if it contains:
 - a. Votes for more than the maximum number of candidates;
 - b. A mark in more than one box, which makes unclear the intention of the voter.

1.05 Campaign Rules and Regulations

- a. Campaigning shall be defined as all forms of advertising by any campus medium, the distribution and/or posting of any material designed and/or likely to influence voters, speeches, and public forums, and verbal, written or electronic communication.
- b. Campaigning shall be permitted after the official meeting with the Speaker until poll stations open.
- c. Campaigning shall not take place prior to the campaign period.
- d. The spending limit for all candidates is as follows, before taxes:
 - i. Executive: \$100
 - ii. Councilor: \$50
- e. Executive and Council candidates will be reimbursed 50% of total expenditures; not exceeding \$50 for Executive and \$25 for Council.
- f. All forms of media may be used during the campaign period.
- g. Campaign displays and distribution of literature on campus are subject to the approval of the Elections Committee. All candidates require the Speaker's approval prior to executing such campaigning.
- h. No distribution of materials in support of any candidate will be permitted in any class,

- laboratory, or residence of the university.
- i. Only candidates seeking the Residence Students Representative position may campaign or place posters in the residences.
 - j. All candidates shall comply with all building regulations in regards to campaigning on campus.
 - k. There shall be no independently organized speeches.
 - l. No candidate shall use the logo from any service of the Union or any other material recognizably belonging to the Union of the MSVU SU in his/her campaign material. This includes the titles of office held by members of the Student's Representative Council, in the case of endorsements.
 - m. Campaign material will not be permitted on the first floor of Rosaria Student Center.
 - n. All campaign material located on campus must be officially stamped by the Speaker or Recording Secretary.
 - o. No candidate or supporter of a candidate may cover, destroy, damage, deface or remove any campaign material of any other election candidate.
 - p. No known supporter of a candidate, not clearly identified as part of the candidate's campaign team, shall engage in any campaigning as defined above.
 - q. All campaign material must be removed prior to the closing of the campaign period.
 - r. Poster regulations:
 - i. all posters must be printed on coloured paper as provided by the Speaker;
 - ii. posters may be any size or shape;
 - iii. all posters must be stamped/signed by the Speaker or Recording Secretary;
 - iv. no campaign signs may overlap or be attached to a campaign sign already placed;
 - v. no signs are to be posted outside of buildings, on windows or doors, regardless of the placement and the way the sign is facing;
 - vi. where materials are to be posted on bulletin boards, each candidate is limited to one poster per bulletin board;
 - vii. all poster must be removed prior to the closing of the campaign period.
 - s. If the Speaker and/or Recording Secretary would like to provide a copy of the profiles as compiled at the Mandatory meeting at the polling stations to enable voters make an informed decision, this will not be classified as campaigning and candidates will not be violating campaigning rules under this instance.
 - t. Student Newspaper:
 - i. The Union will attempt to provide space for the submitted profile as well as a photo of each candidate, as well as any referendum questions in the student newspaper.
 - ii. Individual candidates may purchase advertisements at the standard advertising rates. This will be included in the campaign spending limit.
 - u. Committee Organized Events:
 - i. There shall be at least two (2) public speeches, one (1) in Rosaria Student Centre and one (1) in Seton Academic Centre.
 - ii. There shall be at least one (1) public debate.
 - v. The conduct at the speeches shall be as follows:
 - i. It is mandatory for all candidates to attend. Candidates may send a proxy or be absent with the permission from the Speaker.
 - ii. The Recording Secretary with the assistance from the Elections Committee shall organize the speeches and act as mediator should a need occur.
 - iii. Each candidate will have a maximum time to speak as defined by the Committee. Candidates will be given one (1) minute warning.
 - iv. There will be a formal question and answer period after each speech, with the opportunity given to each candidate in a contested position to answer the question.
 - v. Any speech not carried out in the manner above shall be considered illegal verbal campaigning.
 - w. The conduct at the debate(s) will be conducted in the following manner:
 - i. It is mandatory for all candidates to attend. Candidates may send a proxy or be absent with the permission from the Speaker.
 - ii. The Recording Secretary with the assistance of the Elections Committee shall

- organize the debate.
- iii. The Speaker shall act as mediator.
- iv. Each contested position will be asked a minimum of two (2) questions as prepared by the Speaker and/or Recording Secretary. Each candidate running for a position shall be granted the opportunity to debate the question.

1.06 Violation of Campaign Rules

- a. The Elections Committee only shall have the authority to enforce the provisions of the Elections Act.
- b. Any member of the Union may wage complaint against any candidate running in the election that violates the rules and regulations of the Elections and Referendum By-Law. Complaints must:
 - i. Be written, including complainant's name, student number, phone number and/or electronic address;
 - ii. Include the statements of at least once named witness (said witness may be the submitting the complaint);
 - iii. Must name the candidate who has contravened the Elections Act and how they have done so;
 - iv. Be submitted to the Speaker any time after the close of nominations but no later than three days after the close of polling stations.
- c. Upon receiving the complaint, the Speaker shall:
 - i. Send a copy of the complaint to the accused candidate;
 - ii. Send a copy of the complaint to all member of the Selections Committee before a meeting is convened to discuss the complaint;
 - iii. Send written responses to the complainant, the witness, and the accused candidate.
- d. The Elections Committee may also lay charges of violations on its own accord. The Speaker and/or Recording Secretary shall compose the complaint and follow the provisions supplied in 1.06.c.
- e. When the Elections Committee has determined that a violation has occurred, one of the following may occur:
 - i. Levy a fine against the candidate;
 - ii. Disqualify the candidate from the election;
 - iii. Declare a referendum or plebiscite to be void;
 - iv. Declare that the election of a specific candidate be ruled void.
- f. Fines outlined in Article I Section 6.E.i shall be assessed as:
 - i. Sign violations – 20 points per incident;
 - ii. Illegal displays – 25 points per incident;
 - iii. Illegal verbal campaigning – 75 points per incident (i.e. In classrooms or residences);
 - iv. For each dollar that exceeds the allotted spending limit – 20 points per dollar;
- g. The following violation will result in an AUTOMATIC DISQUALIFICATION of the candidate:
 - i. Non-attendance by the candidate or a pre-designated representative (approved by the Speaker) at the Mandatory Candidate Meeting;
 - ii. Pre/post campaigning;
 - iii. Tampering with other candidate's campaign material;
 - iv. A candidate accumulating over 100 in fine points;
 - v. Unexcused absence from a public speech and/or debate;
 - vi. Candidates badgering potential voters at polling stations.
 - vii. Candidates shall not run in slates, real or apparent, or share expenses for campaign material. A slate shall mean a group of candidates who run for elected office on a similar platform for mutual advantage. Failure to abide by this rule constitutes a serious campaign violation.

1.07 Expulsion from the Election

- a. If disqualified from the election, the candidate may appeal the decision by submitting a written request of appeal to the Appeals Committee within 3 days.
- b. The Appeals Committee, after hearing all the evidence may reinstate the disqualified candidate.
- c. If only one person is running in the election, and is disqualified, the position will automatically be filled during the fall by-election.
- d. If more than one candidate is running for a position, and one candidate is disqualified during or after voting, there will be an automatic revote.

1.08 Appeal of Election or Referendum Results

- a. Any student may challenge the validity of an election, referendum or plebiscite result in a written submission to the Appeals Committee within two (2) school days after the close of voting, or in the case of a challenge to a recount result, within two (2) school days after the recount.
- b. The Appeals Committee shall investigate the complaint and shall rule accordingly.
- c. If only one (1) person is running in the election, and is disqualified, the position will automatically be filled during the fall by-election.