

Elections Policy



Saint Mary's University Students' Association

Enacted: November 20th, 2009
Prepared by the SMUSA Elections Committee

- 1) Mission:
 - a) The Saint Mary's University Student Association will coordinate a fair, equitable and transparent election process, in which each member will be given the opportunity to vote by secret ballot for elected positions.

- 2) Interference:
 - a) To eliminate any possible perception of Board interference with the election process the Board will clearly define its role.
 - i) The Board will appoint a member to be the chief returning officer for elections processes.
 - ii) The Board authorizes the chief returning officer to direct the operational organization on matters related to the elections process.
 - iii) The Appeals Committee will hear appeals submitted by candidates in a timely manner that allege the chief returning officer failed to conduct an organizational election process in compliance with this policy and if the Committee concludes that the appeal is valid, it will decide the fairest course of action for everyone involved.

- 3) Positions:
 - a) The following positions of the Association shall be filled in elections of the Saint Mary's University Students' Association:
 - i) President
 - ii) Vacant Board of Directors Seats

- 4) Election Timetable:
 - a) The Elections Committee shall determine an appropriate timetable for the elections of the Association, to be approved by the Board of Directors (BOD), subject to the following stipulations:
 - i) The regular election process will be conducted between the first day of the winter semester and the last Thursday prior to the start of the University's winter break.
 - ii) Every election shall be of no less than two days duration, both of which shall be regular class days.
 - iii) The nomination period shall last for a period of fourteen (14) days starting on the first day of classes in the winter semester.
 - iv) The campaign period shall be of a length that is not less than five (5) school days.

- 5) Nominations:
 - a) All nominations shall be completed using only the nomination form provided by the Chief Returning Officer or his or her agent.
 - b) All nomination forms are subject to verification by the Chief Returning Officer.
 - i) Candidates will be ruled ineligible if they fail to prove that the nominators are members.

- c) The potential candidates will demonstrate a reasonable level of support to be eligible for election.
 - i) All presidential candidates will obtain nominations from one hundred (100) verified members.
 - ii) All directorial candidates will obtain nominations from twenty-five (25) verified members.
 - iii) Each member may nominate one (1) candidate for President and up to nine (9) candidates for the Board.

- 6) Administration of Elections:
 - a) Elections Committee
 - i) Will comprise of three (3) members of the BOD.
 - ii) The BOD will elect directors to fill the vacant spots in the Committee during the first meeting fiscal year.
 - iii) Is responsible for:
 - (1) Conducting the interview process for the CRO and DRO positions.
 - (2) Recommending a CRO and DRO to the BOD, who will then approve/not approve the potential employee.
 - (3) Updating and revising the Elections Policy as necessary.
 - (4) Providing an Elections Timetable to the BOD for approval.
 - (5) Producing a panel of qualified individuals to draw from when comprising a sitting of the Appeals Committee.
 - (6) Selecting members for each sitting of the Appeals Committee that have no direct interest in the specific appeal or concern.
 - b) Chief Returning Officer (CRO)
 - i) The Chief Returning Officer:
 - (1) Must be a member of the Association
 - (2) Shall be recommended by the Elections Committee and ratified by the BOD with a 2/3 vote in favour of the candidate.
 - (3) Shall be appointed no later than one (1) month after the start of the fall semester.
 - (4) Shall not be a member of the BOD.
 - ii) The Chief Returning Officer shall be responsible for:
 - (1) Preparation and implementation of all elections, by-elections, and referenda.
 - (2) The call for nominations which shall occur at least one (1) week prior to the last day of classes in the fall semester.
 - (3) The distribution of any pertinent election information to all candidates in written form.
 - (4) Ensuring the enforcement of this policy.
 - (5) Levying fines to candidates for violations to the rules and regulations of the elections as laid out in the Assessment of Campaign Materials document.
 - (6) Conducting a candidates meeting to be held between the close of nominations and the commencement of campaigning.
 - (7) Presiding over all elections, and the counting of ballots after closing of polls.
 - (8) Booking all necessary equipment for polling stations.
 - (9) Recruiting and training polling station clerks for each day the polls are open.

- (10) Recruiting and communicating with minimum of one ‘mystery voter’ per polling station, who will volunteer to report on the performance of poll clerks and will help monitor their adherence to regulations.
 - (11) Holding regular contact hours during the elections, no fewer than twenty-five (25) hours during each campaign week(s) and election days.
 - (12) The promotion of the elections for the Association.
 - (13) Submitting a written report to the BOD within fourteen (14) calendar days of the conclusion of each election of the Association.
 - (14) Providing a written response to any appeal of the elections process, to be submitted within eight (8) hours of the appeal to the Appeals Committee.
 - (15) Tabulating and submitting the results of the organization’s election process to the Board, to be verified at its first regular meeting after the election period.
 - (16) Will be generally available to candidates at regular business hours and days throughout the organization’s election process.
 - (17) Any other duties that are included in the CRO job description.
 - (18) Any other duties that the BOD deem necessary.
 - (19) As long as the chief returning officer uses any *reasonable interpretation* of this policy they are authorized to make all decisions, take all actions, establish all practices, and develop all activities. Such decisions will have full force and authority as if decided by the Board, although they will apply to all candidates equally and not be changed part way through the election process.
- iii) The following items will be publicized using all reasonable means by the Chief Returning Officer, on behalf of the Saint Mary’s University Students’ Association, during each election period:
- (1) Call for nominations for Association elections.
 - (2) Names of candidates for each election of the Association, no less than twenty four (24) hours before the campaign period begins.
 - (3) The time, date, and location of the polling stations, no less than forty-eight (48) hours before the start of voting.
 - (4) Official results for the Saint Mary's University Students’ Association elections, no more than seventy-two (72) hours after the BOD has ratified the results of the election.
- c) Deputy Returning Officer (DRO)
- i) The appointment of the DRO shall be recommended to the BOD by the Elections Committee and ratified by the BOD.
 - ii) The DRO shall be responsible for:
 - (1) Assisting the Chief Returning Officer in the preparation and implementation of all elections, by-elections, and referenda.
 - (2) Assisting the CRO in upholding and enforcing this policy.
 - (3) Any other tasks that the CRO delegates to them.
 - (4) Any other duties that the BOD deem necessary.
- d) Poll Clerks
- i) Poll Clerks shall be selected from among applicants from the general student body by the CRO and the DRO and may not be persons who are directly affiliated with any

- candidate including, a candidate's scrutineer, relative, partner, roommate, and/or persons participating in or publicly endorsing a candidate's campaign.
- ii) There shall always be a minimum of one (1) poll clerk present at a polling station during times when voting is in progress. Should a poll clerk need to leave the polling station for any reason, the polling station shall be closed for voting purposed until a poll clerk is in attendance.
 - iii) Poll Clerks shall be responsible for:
 - (1) Staffing the poll stations on election days.
 - (2) Providing assistance to voters as needed.
 - (3) Remaining unbiased towards all candidates when working at a polling station.
 - iv) The list of poll clerks shall be made available to all candidates at least five (5) business days in advance of the voting period.
 - (1) A candidate may object to any poll clerk and shall attempt to resolve this objection with the CRO.
 - (2) If the candidate and CRO are unable to resolve the objection, the complaint shall be forwarded to the Appeals Committee for a timely decision.
 - (a) The poll clerk shall be ineligible to work pending a decision of the Appeals Committee.

7) Election Process:

- a) Voting shall be by secret ballot.
- b) Any candidate receiving a plurality of votes for a position shall be declared elected to that position.
- c) Candidates running unopposed for a position shall be required to obtain 2/3 affirmative vote in a simple yes/no ballot.
- d) The names of all candidates running for a particular position shall be arranged alphabetically by order of their last names and shall contain their given name or a generally recognized abbreviated version thereof.
- e) The method of voting shall be that the voter indicates on his or her sanctioned ballot the name of the candidate for whom he or she wishes to vote for each position. The voter may abstain from voting for any candidate by indicating so next to the word "abstain" on the ballot.
- f) In the event of a tie for any positions, or in the case of a referendum question or plebiscite, the Chief Returning Officer shall cast the deciding vote.
- g) Any candidate may appoint a scrutineer to any official polling station.
- h) Any candidate may appoint a scrutineer(s) to be present during ballot tabulation. Candidates must make the Chief Returning Officer aware of the names of their scrutineer(s) at least twenty-four (24) hours prior to the start of ballot tabulation.
- i) There shall be no voting by proxy.
- j) A ballot is spoiled if the voter :
 - i) Votes for more than the maximum number of candidates.
 - ii) Marks in more than one block, which makes unclear the intention of the voter.
 - iii) Marks on the ballot in a way which may identify the voter.
 - iv) Marks extraneous marks on the ballot.

8) Rules for Elections, Referenda and Plebiscites:

a) Campaigning.

- i) All candidates' materials will be verified by the chief returning officer who may refuse to verify materials that could be perceived as obscene, degrading or discriminatory.
- ii) No candidate will display any individuals other than themselves in their materials.
- iii) No candidate will use the organization's or university's logo or slogan or anything conspicuously similar to solicit support.
- iv) No candidate will post materials in areas restricted by the chief returning officer (i.e. The Gorsebrook Lounge, the Library, etc.) or move or deface the posted materials of another candidate.
- v) No person or persons who are not members shall solicit support on behalf of any candidate.
- vi) No candidate will solicit support off-campus, in residence, or any other area restricted by the chief returning officer.
- vii) No candidate will solicit support in computer labs on voting days.
- viii) No candidate will distribute items of a material value that could be interpreted as a bribe.
- ix) No candidate will take advantage of access to resources or information as a result of a position they already hold in the operational organization.
- x) All forms of advertising by any campus medium, or the distribution and/or posting of any material designed and/or likely to influence voters, or speeches, and public forums, shall not take place prior to the campaign period or after the campaign period has expired.
- xi) All candidates must attend the all-candidates meeting at the time and location scheduled by the Chief Returning Officer, which is to occur prior to the start of campaigning. If for some valid reason the candidate cannot attend the meeting, he/she must provide an agent to attend the meeting on his/her behalf.
- xii) Candidates may not use SMUSA resources unless the services are paid for.
- xiii) Candidates wishing to use the Marketing Department must produce a receipt for the CRO.
- xiv) Candidates and their agents shall not work or loiter at or near the election booths.

9) Poster Regulation

- a) Posters must follow the SMUSA Poster Policy, distributed by the Chief Returning Officer at the Mandatory Candidate's Meeting. The one exception is the size regulation for posters on unpainted brick, which may be disregarded.

10) Campaign Finances

- a) No presidential candidate will spend more than \$500.00 dollars and no directorial candidate more than \$100.00, on materials designed to solicit support from the membership. Proof of payment will be provided for election expenses and any discount must be available to all candidates.

- b) Candidates will be reimbursed up to and including twenty percent (20%) of their allowed budget. This means that Presidential Candidates can receive up to one hundred dollars (\$100) and Directorial Candidates can receive up to twenty dollars (\$20). Receipts must be submitted to the CRO/DRO no more than twenty-four hours after the campaign period has ended in order to receive compensation.
- c) Fines may be levied by the Chief Returning Officer for any infraction of elections regulations, in accordance with the Assessment of Campaign Materials document. Any fine which would result in the expulsion of a candidate from the election will be decided solely by the Appeals Committee.

11) Complaints and Appeals

- a) Appeals Committee
 - i) Will comprise of the following eight (8) members:
 - (1) Three members (students) of the Association.
 - (2) Two members of the BOD; one of which will be appointed the non-voting chair of the Appeals Committee.
 - (3) Three Faculty members of Saint Mary's University.
 - ii) In order for the committee to have quorum, all members must be present.
 - iii) In order for a motion to pass, it must have a majority vote in favour of it.
 - iv) Is empowered with the abilities to:
 - (1) Dismiss the CRO if they are not performing their duties.
 - (2) Dismiss members of the committee if they are not performing their duties.
 - (3) Override decisions made by the CRO if an appeal is made by a candidate on that decision.
- b) The procedure for a candidate for making an official complaint, appeal to a decision of the Chief Returning Officer and/or procedural appeal is as follows:
 - i) Provide the complaint, in writing, to the Chief Returning Officer or, in his or her absence, the Association's Administrative Assistant within five (5) business days of the decision/penalty.
 - ii) The Appeals Committee will then be called to debate the complaint or appeal that has been voiced.
 - iii) The Appeals Committee will provide an opportunity for all parties involved in the complaint or appeal to speak to the issue.
 - iv) Upon reaching a decision, the Appeals Committee, via the Chair, will communicate this decision to the candidate(s).

12) Referenda

- a) A referendum may include more than one question to be put to the electors.
- b) A referendum question shall be worded so that each elector may express an opinion on the question by marking a cross or other mark after the word "yes" or "no" on the ballot paper.
- c) The text of the referendum question must be provided to members of the BOD at least seven (7) days before there is a vote on the motion.
- d) The text of the referendum question must be moved and passed by the BOD before being put to the electors.

- e) In order for a referendum question to pass, a simple majority vote in favour is required.
- f) Should the referendum question include a monetary addition to student fees (levy), a two thirds vote in favour is required.