

Graduate Students' Association of Concordia University of Edmonton

Document Title: By-election policy of the GSA Board of Directors

Policy Statement: The following document outlines the GSA's by-election guidelines and procedures. This document is designed to provide information to all GSA Active Members in relation to the GSA's electoral process.

Definitions:

"Active Members" means all persons registered as graduate students in the Faculty of Graduate Studies at CUE and who pay full- or part-time Association fees.

"Association" means the Graduate Students' Association of Concordia University of Edmonton.

"Banners" means multiple individual posters hung together or near each other, where each subsequent poster is a continuation of the previous, is considered a banner. Posters hung together or near each other, each individually containing a complete message, independent of other posters, are not considered a banner. Any poster over 11"x17" will also be considered a banner.

"Campaign Materials" means banners, posters, handbills, AV materials, related social media content (twitter, Facebook, YouTube, etc.,) and any other Electronic Campaign Materials.

"Candidate" means any person running for a GSA Executive Board of Directors' position.

"CUE" means Concordia University of Edmonton.

"Deputy Returning Officer" (DRO) is an Active Member elected by the GRC during the annual April GRC meeting to carry out the duties of the ERO should the ERO be unable to perform their duties as required identified herein. Should the ERO transfer their duties to the DRO, the DRO will be excluded from voting in GSA by-elections and referenda.

“Electoral Returning Officer” (ERO) is an Active Member elected by the GRC to organize and oversee the annual election of the Board and any necessary elections and referenda. The ERO is elected annually at the April GRC meeting.

“Electronic Campaign Materials” means online voting materials, websites, blogs, and other services such as Facebook, Twitter, YouTube, other forms of text-messaging, or more broadly, activities such as blind phone calling, and any material made accessible by the Candidate on the internet or other communication service or device (such as cell/smart phones, computers, tablets, etc.).

“Eligible Voters” means all Active Members, excluding the Electoral Returning Officer, of the Association.

“Graduate Representative Council” (GRC) is a group of Active Members from eligible departments as defined in the GSA bylaws.

“GSA” means the Graduate Students’ Association of Concordia University of Edmonton.

“Handbill” means any material meant to be distributed to electors and not posted.

“Judicial Board” is a group of GRC members, as defined in the Association’s Bylaws, who are responsible for mediating disputes between parties within the Association as they pertain to the Association’s Objects, Bylaws, Policies and Procedures.

“Posters” means an advertisement smaller than 11” x 17”.

“Slate” means a group of Candidates who run for elected office on a similar or singular platform for mutual advantage.

“Staff Member” means all persons employed by the GSA in a paid capacity, whether full-time, part-time, term certain, or contract.

Purpose for By-Election Policy

This document is meant to outline the by-election policy and procedures which shall be held under the supervision of DRO and ERO. The ERO shall be overseeing the nomination process and ensuring by-election procedures are followed in accordance of GSA bylaws.

Applicability

This document applies to all Active Members of the GSA and candidates nominated for available positions as a GSA board member after a scheduled election process or departure of an elected board member or a vacant spot after the electoral process.

Reason for Policy

This document is meant to outline by-election policy and procedures in order to improve transparency in decision-making. While it outlines how the Electoral Returning Officer (ERO) and Candidates should act during the by-election, the ERO reserves the right to act in accordance with his or her interpretation of all pertinent bylaws of the Graduate Students' Association (GSA) at CUE in addition to the policies and procedures outlined herein.

It is the responsibility of all Candidates or other interested parties to ensure they are aware of and adherent to this policy document. Parties are therefore invited and encouraged to ask the ERO if they have any questions or concerns over anything relating to this policy, the GSA bylaws or any other issue arising from the by-election process.

Non-Compliance

This document contains procedures that carry significant liability for the GSA as it relates to the electoral process. Failure to comply with this document may result in disciplinary action up to and including disqualification for Candidates.

Roles and Responsibilities

It is the responsibility of the Electoral Returning Officer (ERO) to ensure that principles, guidelines and procedures of this document are adhered to in their entirety. Should the ERO and/or the Deputy Returning Officer (DRO) be unable to fulfill their obligations under this policy, a new ERO will be elected by the Graduate Representative Council (GRC) at the next regularly scheduled GRC meeting and the requirements of the new ERO will be the same as identified under the definition of the ERO herein. Should both the ERO and the DRO be unable to fulfill their duties identified herein, and the GRC will not have time to convene prior to the by-election taking place, the Chair of the Judicial Board will appoint a new ERO and the new ERO will fulfill their obligations outlined herein.

Should the Chair of the Judicial Board be unable to appoint a suitable Candidate, acting reasonably, prior to the by-election taking place, the Chair of the Judicial Board will assume the responsibilities of the ERO.

Contacts

Subject	Contact	Telephone	Email
ERO			
DRO			
Judicial Board Chair			

PROCEDURES

Nomination Process Procedure

- 1.1. In implementing this procedure, the provisions of the Association bylaws will be implemented in every respect.
- 1.2. Upon receipt of all pertinent campaign documents by the ERO, the names of Candidates who have submitted documentation will be listed on the GSA website when the nomination period closes, the Candidates have been verified by the ERO and have been notified by email as provided on the nomination form.
- 1.3. Following the close of nominations, all nomination forms will be officially reviewed and then eligible Candidates whose paperwork is in order will be declared official Candidates and will be notified in writing by the ERO. Any Candidate whose paperwork was ruled out of order by the ERO will be considered ineligible and will be notified in writing by the ERO. If any Candidates are deemed otherwise ineligible at the sole discretion of the ERO, they will be notified in writing by the ERO.
 - 1.3.1. Any Candidates determined ineligible will be provided with a written explanation provided by the ERO within twenty-four (24) hours of the close of the nomination period.
- 1.4. Should the ERO, the DRO, or the Chair of the Judicial Board decide to run for an elected position, then he or she must resign from their current position at least fourteen (14) days prior to the beginning of the nomination period. Notice must be provided to the GRC.
 - 1.4.1. The ERO, the DRO, and the Chair of the Judicial Board are not eligible to be nominated for an elected position once the nomination period has started.

2. Campaigning

- 2.1. No Candidate shall run or be a member in a slate, real or apparent as determined by the ERO in their sole discretion, or share expenses for Campaign Materials, work together for mutual benefit, use similar or identical slogans or otherwise appear to be acting as a slate. Failure to abide by this rule constitutes a serious campaign violation and may result in disqualification of all Candidates that have been identified as running in a slate.
- 2.2. The GSA places a high priority on open lines of communication between Candidates and electors, Candidates are required to attend the all- Candidates forum as identified in **Schedule A** herein in a location determined by the ERO. The ERO will notify all Candidates in writing to the email address provided on the nomination form of when this forum will occur. If this requirement is not followed, the ERO reserves the right to disqualify the Candidate.
- 2.3. No Candidate shall make a speech to any class at CUE without the prior agreement of the ERO and the professor or instructor responsible for that class.
 - 2.3.1. Candidates are to submit the content of their presentations/ speeches to the ERO in advance for approval.
- 2.4. During officially organized events, which include all opportunities to officially address the student body either formally or informally, Candidates must behave in a professional manner as outlined in the GSA's Code of Conduct policy.
 - 2.4.1. Should the Candidate not act professionally, as determined by the ERO in their sole discretion acting reasonably, they may be disqualified from the electoral process.
 - 2.4.1.1. Should a disqualified Candidate wish to challenge the ERO's decision, they may do so by written appeal to the Judicial Board within twenty-four (24) hours of notification by the ERO.
- 2.5. Candidates, or any person(s) acting on the behalf of the candidate, may not assist voters in the electoral process.

3. Campaign Materials

- 3.1. All Candidates must have their campaign and communication materials, which include but are not limited to posters, banners, handbills, online materials, and electronic communication etc., approved by the ERO or designate prior to

distribution to the electorate. All campaign and communication materials must be provided to the ERO at least twenty-four (24) hours in advance of distribution.

3.1.1. A copy of the material and/or communication message must be emailed to the ERO identifying when, where, and how the material/communication will be disseminated. Further, Candidates must receive permission from the ERO in relation to any materials and/or communication as to the content of the communique prior to dissemination.

3.1.2. The material may only be disseminated after reception of a confirmation communication from the ERO.

3.2. All Candidates are strongly encouraged to create a Candidate platform which will be posted on the GSA website after the nomination period.

3.3. All Candidates are strongly encouraged to submit a video which states their name and the position sought. The video or video URL link must be submitted to the ERO and must be approved by the ERO prior to dissemination of its content and URL link.

3.4. No Campaign Materials may contain misinformation, slander, inappropriate endorsements, and inappropriate or discriminatory content. Should the ERO determine in their sole discretion acting reasonably that a Candidate has contravened this clause, the Candidate may be disqualified.

3.5. During the designated campaign period, Candidates shall not distribute any item to electors, except for approved Campaign Materials.

3.6. All Campaign Materials shall include on the front, in legible form, the name of the Candidate and the position being sought.

3.7. All Campaign Materials shall where applicable, include on the front, in legible form, a statement declaring who paid for the production of the Campaign Material. If campaign materials are paid for by the GSA under Article 4.4 herein, the GSA must be recognized by having "paid for by the GSA" on said materials.

3.8. Campaign Material shall only be approved if it contains statements about a Candidate's own campaign and platform.

A Candidate shall not make reference to the identity of another Candidate on any Campaign Materials.

3.9 A Candidate shall not misrepresent themselves as to name or physical appearance on Campaign Materials.

3.10 Candidates shall not use the logos of the Graduate Students' Association or CUE on any Campaign Material.

3.11 A Candidate may have no more than two (2) banners.

3.12 All Candidates shall:

3.12.1. comply with all CUE building regulations.

3.12.2. follow CUE regulations on posters and use of CUE grounds; and

3.12.3. not use stickers, decals, or any adhesive material of a permanent or semi-permanent nature.

3.13 Only the Association and Candidates may post by-election-related or Campaign Material as approved in advance by the ERO.

3.14 Candidates may not campaign or post any Campaign Materials in any campus library.

3.15 No Candidate shall accept in-kind donation of advertising space in any publication, advertisement space or media venue.

3.16 All Candidates are solely responsible for the removal of all their Campaign Materials from campus by the end of the campaign period.

4. By-Election Spending

4.1 No Candidate may spend more than \$100.00 (CAD) during his or her by-election campaign. The spending shall be inclusive of a background check. This expense must be reported to the ERO in the form of receipts, and expenses must be incurred by the Candidate himself or herself.

4.1.1 Candidates must note that background check shall only be required for the elected candidates and money shall be refunded upon being elected.

4.1.2 Candidates

4.2 Candidates must submit a report to the ERO listing all expenses by the end of the campaigning period and before voting commences. If expenses are incurred

Candidates must submit original receipts. Failure to submit a report may result in immediate disqualification of the Candidate.

4.3 If the ERO deems any expense not to be commensurate with the campaign or with fair market value, the ERO reserves the right to investigate the expenses before certifying the result. Further, the ERO reserves the right to invoke disciplinary action up to and including disqualification according to the ERO's interpretation of this policy.

4.4 The GSA will reimburse by-election expenses for each Candidate in the amount of up to \$100 (CAD) after a submission of all receipts (as specified above) if requested to do so.

4.5 No campaign expenses may be incurred during the voting period.

5. By-Election Voting Period

5.1 Voting shall take place over two days (48 hours) and shall be done through electronic means (D2L or its electronic equivalent) unless a physical balloting system has been approved by 2/3 majority in a previous GRC meeting.

5.1.1 All Active Members of the Association may cast one vote for each position during the by-election.

5.2 Polling stations, if required, must be manned by non-partisan volunteers as coordinated by the ERO (minimum of two (2) per station).

6. Announcing the Results

6.1 After the end of the voting period, the ballots shall be counted by the ERO and witnessed by a neutral third party,

6.1.1 The ballot count may also be witnessed by one (1) scrutineer appointed by each Candidate (which may be the Candidate him/herself), if so desired by the Candidate.

6.2 A first-past-the-post vote shall constitute the by-election of an officer in the case of all Executive offices.

6.3 The ERO shall announce the initial results within 24 hours of the end of the voting period.

6.4 The results initially announced will be provisional until all outstanding issues are resolved, with regard to any outstanding violations of policy by Candidates,

or other issues that may arise. Once these issues have been addressed, the ERO shall then officially certify the results.

6.4.1 The ERO may take up to 2 weeks to certify the results of the by-election should an appeal take place.

7. Complaints, Infractions and Penalties

7.1 Because electronic Campaign Materials can be of a variety of forms, and therefore practically difficult to approve before their release, they will be policed using a complaint-activated process. Any Active Member who believes that any such materials violate GSA bylaws, this policy, university policy or any other election procedure should contact the ERO. After adjudication, the ERO reserves the right to either warn a Candidate, disqualify the Candidate, or ultimately refuse to certify the by-election if such action is deemed appropriate by the ERO.

7.2 The following violations regarding Campaign Materials will result in the Candidate being disciplined up to and including disqualification, and the Warning Procedures herein will come into effect:

7.2.1 Campaign Materials on a painted wall or surface;

7.2.2 Campaign Materials displayed in an unauthorized area;

7.2.3 Campaign Materials posted before the campaign period begins;

7.2.4 Disobeying university, municipal, provincial, and/or federal law/regulation while campaigning;

7.2.5 Campaign Materials containing misinformation, negative campaigning, slander, inappropriate endorsements, or discriminatory content;

7.2.6 Campaign Materials submitted by any outside organization or individual that is not an Association Active Member;

7.2.7 Candidates themselves enforcing bylaws or policy or otherwise being seen to “police” other Candidates;

7.3 Any by-election violation including but not limited to policies outlined in this document will result in the Candidate being disciplined up to and including disqualification, and the warning procedures herein will come into effect.

7.3.1 The ERO reserves the right to act in a manner reflective of the severity of the infraction according to the ERO's interpretation of said infraction up to and including disqualifying the Candidate(s). Should the infraction(s) be severe enough in the opinion of the ERO, the ERO may refuse to certify the by-election.

8. Warning Procedures

8.1 Any Candidate who violates any provision herein that results in an official warning or disqualification will be notified in writing by the e-mail provided on the nomination form by the ERO of their violation. All warnings, sanctions, and disqualifications will be posted on the GSA website and in the GSA office.

8.2 Any Candidate receiving an official sanction not including disqualification as a result of a policy violation will have twenty-four (24) hours to fix the violation; otherwise the Candidate will be disqualified from the by-election.

8.3 Any violation of Campaign Material expense limits may result in immediate disqualification from the by-election without a previous warning.

9. Appeals

9.1 As per GSA bylaws, Candidates may appeal decisions made by the ERO to the GSA's Judicial Board.

9.1.1 Appeals must be received by the Chair of the Judicial Board in writing within 2 business days of receiving notice by the ERO.

10. Interpretation and Approval

10.1 This policy must be approved by the Board of Directors of the Graduate Students Association of the Concordia University of Edmonton on a yearly basis prior to the Annual General Meeting. The interpretation of this policy is at the sole discretion of the Electoral Returning Officer as defined herein.