

## **By-Law I: Elections and Referenda**

### **1. Timetables**

- 1.1. The MSVUSU shall hold two elections periods per academic year: General Election and the Fall By-Election. Other by-elections may be called as necessary as designated in Article 4.3.3 of the MSVUSU Constitution
- 1.2. Fall By-Election
  - 1.2.1. The Advertisement Period, which promotes positions available, shall begin a minimum of one week prior to the start of nomination period.
  - 1.2.2. The Nomination period shall begin no later than one (1) week into the fall academic term.
  - 1.2.3. Nominations shall be open for a minimum of seven (7) academic days.
  - 1.2.4. The Campaign period begins after the close of nominations and spans at least ten (10) academic days.

**Example:**

Advertising: Sept 6th to Sept 13th Nominations: Sept 13th to Sept 21th Campaigning: Sept 21st to 26th Voting: Sept 27th & 28th

- 1.2.5. Voting days shall be three (3) consecutive academic days immediately following the campaign period.

### **1.3. General Election**

- 1.3.1. The Advertisement Period, which promotes positions available, shall begin a minimum of one (1) month prior to the start of Nomination Period.
- 1.3.2. The Nomination period shall begin on the academic day immediately following the February Reading Week
- 1.3.3. Nominations shall be open for a minimum of seven (7) academic days.
- 1.3.4. The Campaign period shall begin after the close of nominations and shall span at least ten (10) academic - days.
- 1.3.5. Voting days shall be three (3) consecutive academic days immediately following the campaign period.

### **2. Administration of the Election**

- 2.1. The Elections Coordinator
  - 2.1.1. Shall be hired by the President and Administrative Assistant & Governance Secretary no later than August 15th for the Fall By-Election and prior to the end of the fall exam period for the General Election;
  - 2.1.2. The Elections Coordinator may not be a candidate in the Elections.

- 2.1.3. The Elections Coordinator’s term of work shall span from hire until the end of the Winter Semester;
- 2.1.4. The Elections Coordinator shall be paid by honorarium pending the presentation and approval of an election report to SRC following each election;
- 2.1.5. The duties of the Elections Coordinator are as follows:
  - 2.1.5.1. Shall liaise with Administrative Assistant & Governance Secretary, or any other Executive Team member (i.e. not running in the relevant election(s))
  - 2.1.5.2. Ensure the creation of elections advertising materials, including but not limited to social media campaign, print materials, word documents and website content
  - 2.1.5.3. Development and distribution of Nomination packages
  - 2.1.5.4. Recruits Elections Committee prior to the beginning of the advertising period;
  - 2.1.5.5. Ensures the general campus community is aware of Election procedures, regulations and deadlines;
  - 2.1.5.6. Acts as main contact for candidates and students for all queries to the elections
  - 2.1.5.7. Ensures all candidates are aware and following the regulations set-out in By-Law 1
  - 2.1.5.8. Leads Elections Committee with regards to debates, candidate relations and other elements of the Elections campaign
  - 2.1.5.9. Liaises with MSVUSU Administrative Assistant & Governance Secretary and ITSS to ensure voting system is working efficiently;
  - 2.1.5.10. Hosts speeches and elections results
  - 2.1.5.11. Creates elections report and suggests changes to By-Law I;
- 2.1.6. Should the Elections Coordinator require assistance interpreting the Constitution, By-Laws and Policy they shall gain counsel from the following:
  - 2.1.6.1. The MSVUSU Administrative Assistant & Governance Secretary
  - 2.1.6.2. The President, should they not be running in the relevant election
- 2.2. The Elections Committee
  - 2.2.1. The Elections Committee must be formed following the hiring of the Elections Coordinator;
  - 2.2.2. Committee mandate and descriptions can be found in By-Law III-Committee Descriptions.
- 2.3. Polling Clerks
  - 2.3.1. There shall be at least one (1) polling clerk at each station;
  - 2.3.2. Polling Clerks are responsible for:

- 2.3.2.1. Equipment, including technology which allows students to vote online.
- 2.3.2.2. Attendance to a pre-voting period training session given by the Elections Coordinator
- 2.3.3. Polling Clerks shall not be members of a candidate's official campaign team or be candidates themselves.
- 2.4. Polling Stations
  - 2.4.1. Polling station locations are to be determined by the Elections Committee;
  - 2.4.2. There will be a minimum of two (2) polling stations on campus;
  - 2.4.3. The hours of the polling stations shall be from 9:00am until 7:00pm.
- 3. Advertising Period
  - 3.1. Elections advertising shall be defined as the sharing of available positions, their job descriptions and the opening and closing of the nomination period;
  - 3.2. The Elections Coordinator shall be given access to all MSVUSU social media accounts prior to the beginning of the Nominations Period;
  - 3.3. The MSVUSU website shall be updated to reflect available positions, deadlines and other relevant information prior to the start of the Nomination Period;
  - 3.4. Other forms of advertising are to be considered as per the Elections Coordinator and Committee.
- 4. Nomination Process
  - 4.1. The nomination packages shall be created, updated and printed by the Elections Coordinator;
  - 4.2. Nomination packages shall include the following items:
    - 4.2.1. By-Law I – Election and Referendum, and By-Law II- Job Descriptions;
    - 4.2.2. Nomination Form;
    - 4.2.3. Release Form (to be given to MSVU administration for GPA checks);
    - 4.2.4. Campaign Event Calendar
    - 4.2.5. Contact information of the Elections Coordinator and secondary contact person;
    - 4.2.6. Detailed job description for the executive positions.
    - 4.2.7. Outline of campaigning rules and regulations, as deemed by the presiding Election Coordinator
  - 4.3. Nomination packages shall be available at The Hub, and online;
  - 4.4. Nomination packages may be returned to The Hub where they will be compiled for the Elections Coordinator to retrieve;
  - 4.5. Candidates may not under any circumstances sign the nomination package of another candidate in any category

- 4.6. Should a position remain without a candidate during the Spring General Election, the position shall automatically be available in the Fall By-Election.
- 4.7. Should a councilor position remain, or become vacant after the Fall By-Elections, the SRC may appoint a member of the Union to the position, as outlined in Article 4.3.3 of the Constitution;
- 4.8. Nomination packages must be completed before candidates attend the all candidates meeting
- 5. All Candidates Meeting
  - 5.1. A mandatory meeting for all candidates shall be held immediately after the close of nominations.
  - 5.2. The meeting is organized and lead by the Elections Coordinator with the assistance of the Elections Committee;
  - 5.3. Candidate attendance is mandatory; 5.4.
    - 5.4.1. Candidates unable to attend will be immediately removed from the candidates list, however;
    - 5.4.2. Candidates may choose to send a proxy to the meeting if they are unable to attend to preserve their candidacy.
      - 5.4.2.1. Proxy will be defined as the following: An MSVUSU member authorized by a candidate to attend any required elections meeting and/or events in their place
      - 5.4.2.2. The proxy will be approved by the Elections Coordinator with minimum 12 hours' notice
      - 5.4.2.3. Proxy may be a member of the candidate's current campaign team or other member of the MSVUSU, with the following exclusions:
        - 5.4.2.3.1. Any current member of the SRC
        - 5.4.2.3.2. Members of the Elections Committee
        - 5.4.2.3.3. current candidate
        - 5.4.2.3.4. member of a competitor's campaign team
      - 5.4.2.4. In the event that a proxy is required, the Elections Coordinator must tell the candidate what they are missing, should the candidate be missing a chance for interaction with voters the elections coordinator must supply the candidate with pre-determined questions so they can submit answers to be read to voters by their proxy
      - 5.4.2.5. Proxy has the right to:
        - 5.4.2.5.1. ask any questions concerning rules or regulations on behalf of a candidate
        - 5.4.2.5.2. read any materials including speeches that have been pre-approved by the elections coordinator
        - 5.4.2.5.3. read any answers to questions from elections coordinator
        - 5.4.2.5.4. Proxy may not answer questions on campaign

platform

- 5.5. The meeting must cover the following information:
  - 5.5.1. Introduction of the Elections Coordinator and additional contact personnel;
  - 5.5.2. Introduction of the candidates;
  - 5.5.3. Review of By-Law I; Election and Referendum, campaign events, campaigning practice and protocol, and voting process;
  - 5.5.4. Photographs will be taken of candidates at this time.

6. Candidate Eligibility

- 6.1. Any MSVUSU member who achieves the criteria as stated below is eligible to run in the MSVUSU elections as per the Constitution;
- 6.2. Position specific eligibility is as follows:
  - 6.2.1. President: any member of the MSVUSU recognized as entering their third year of study or higher; and must have extensive experience working with and for the Students' Union, or other such relevant experience, as determined by the Elections Coordinator and/or the MSVUSU Administrative Assistant & Governance Secretary;
  - 6.2.2. Vice President Communications: any member of the MSVUSU recognized in their third year of study or higher;
  - 6.2.3. Vice President Advocacy: any member of the MSVUSU recognized as entering their third year of study or higher;
  - 6.2.4. Vice President Student Life: any member of the MSVUSU recognized as entering their third year of study or higher;
  - 6.2.5. Vice President Research and Graduate Affairs: any member of the MSVUSU enrolled in a graduate studies program may run;
  - 6.2.6. 2SLGBTQIA+ Representative: any MSVUSU member who identifies as part of the 2SLGBTQIA+ community may run;
  - 6.2.7. Accessibility Representative: any MSVUSU member who identifies as living with accessibility needs;
  - 6.2.8. Arts Representative: any MSVUSU member enrolled in the Faculty of Arts as defined in the most recent MSVU Academic Calendar;
  - 6.2.9. BIPOC Representative: any MSVUSU member who identifies as Black, Indigenous or a Person of Colour (BIPOC) may run;
  - 6.2.10. Board of Governors Representative; any MSVUSU member may run;
  - 6.2.11. Education Representative: any MSVUSU member enrolled in the Faculty of Education as defined in the most recent MSVU Academic Calendar may run;
  - 6.2.12. First Year Representative: any MSVUSU member registered in their first year of Post-Secondary Education may run. This position is to be elected in the fall.
  - 6.2.13. Indigenous Representative: any MSVUSU member who

- 6.2.14. identifies as Indigenous may run;  
International Representative: any MSVUSU member from the International Student Community, who is not a Canadian citizen and does not have landed immigrant status, may run;
- 6.2.15. Mature Representative: any MSVUSU member who is 25 years or older may run;
- 6.2.16. Professional Studies Representative: any MSVUSU member enrolled in the Faculty of Professional Studies as defined in the most recent MSVU Academic Calendar may run;
- 6.2.17. Residence Representative: any MSVUS member who shall be living in residence during their term may run for Residence Representative;
- 6.2.18. Science Representative: any MSVUSU member enrolled in the Faculty of Science as defined in the most recent MSVU Academic Calendar;
- 6.2.19. Transfer Representative: any MSVUSU member who has previously been enrolled at another post- secondary institution may run;
- 6.2.20. Gender Advocacy Representative: any MSVUSU member who self-identifies as a person with an equity denied gender may run.

## 7. Election Process

- 7.1. Any candidate may provide a scrutinizer to attend any poll to observe the Elections Committee's review of the results. This scrutinizer must be approved by the Elections Coordinator 24 hours prior to the opening of the polls;
- 7.2. There shall be no voting via proxy;
- 7.3. Voting shall occur in accordance with 1.2;
- 7.4. If legal counsel is warranted, no one other than the Elections Coordinator shall engage in discussions with them.
- 7.5. Referendum questions: In the event of a tie for any referenda, the question will not pass;

## 8. Voting Eligibility

- 8.1. Any member of the MSVUSU shall be able to vote for a candidate as long as they fall within the demographic the candidate represents.
- 8.2. Executive positions shall be voted on by the entire MSVUSU membership.

## 9. Campaign Rules and Regulations

- 9.1. Campaigning shall be defined as all forms of candidate promotion by any physical, verbal, or online medium. Examples may include speeches, public forums, and verbal, written or electronic communication. Campaigning shall be defined further by the Elections Coordinator, and explained to candidates at the All Candidates' Meeting and in candidates' nomination packages.

- 9.2. Campaigning shall not take place prior to the campaign period.
- 9.3. Campaigning shall begin at the conclusion of the All Candidates' meeting.
- 9.4. Campaign shall end at 12 AM on the final day of campaign period. Posters may remain up on campus, but candidates must not actively solicit constituents for votes.
- 9.5. The spending limit for all candidates is as follows, before taxes:
  - 9.5.1. Executive: \$100
  - 9.5.2. Councilor: \$50
- 9.6. Executive and Council candidates will be reimbursed 50% of total expenditures. Any forms of advertising must be approved by the Elections Coordinator prior to their posting around campus.
- 9.7. The MSVUSU shall contribute towards candidates' campaigns by earmarking \$500 from the Elections Budget Line for standardized promotions. This money shall be distributed equally to each candidate running in the election, as determined at the conclusion of the All Candidate's Meeting, which will be made available to Candidates at the Hub in the form of printcredits.
  - 9.7.1.1. Each candidate shall be provided with two (2) professional headshots;
  - 9.7.1.2. Each candidate shall be provided a short video, introducing themselves and explaining why they are running; and
  - 9.7.1.3. Each candidate shall contribute towards one (1) longer video, featuring all candidates introducing themselves, and this video shall promote the elections as a whole.
- 9.8. Besides the above-mentioned poster guidelines, external poster regulations are as follows:
  - 9.8.1. Physical campaigning materials shall be deemed suitable at the discretion of the Elections Coordinator;
  - 9.8.2. No campaign signs may overlap or be attached to a campaign sign or any other sign already placed;
  - 9.8.3. No signs are to be posted outside of buildings, on windows or doors, regardless of the placement and the way the sign is facing;
  - 9.8.4. Where materials are to be posted on bulletin boards, each candidate is limited to one poster per bulletin board;
  - 9.8.5. For the distribution of physical campaigning materials, all candidates shall comply with all building regulations set-out by Facilities Management and described at the All Candidates Meeting.
  - 9.8.6. Posters may only be placed on community boards
- 9.9. Candidates May Not:

- 9.9.1. Violate any building regulations regarding to campaigning on campus.
- 9.9.2. Utilize any elements of the MSVUSU, Captain Crow’s Cafe, Food Bank, HUB, Pride Center, The Rook or MSVU brands.
- 9.9.3. Utilize endorsements of current MSVUSU staff, Executive Committee, SRC, or members of the Elections Committee in their campaign;
- 9.9.4. Cover, destroy, damage, deface or remove any campaign material of any other election candidate.
- 9.10. If the Elections committee would like to provide a copy of the profiles as compiled at the Mandatory meeting at the polling stations to enable voters to make an informed decision, this will not be classified as campaigning and candidates will not be violating campaigning rules under this instance.
- 9.11. Committee Organized Events:
  - 9.11.1. There shall be at least one (1) public speech;
  - 9.11.2. There shall be a question and answer period following each public speech;
- 9.12. The conduct at the speeches and question and answer period shall be as follows:
  - 9.12.1. The Elections Coordinator with the assistance from the Elections Committee shall organize the speeches.
  - 9.12.2. Each candidate will have a maximum time to speak as defined by the Elections Committee. Candidates will be given a one (1) minute warning.
  - 9.12.3. The Elections Coordinator shall act as mediator.
  - 9.12.4. Time permitting, 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.
  - 9.12.5. Following these preliminary questions, the floor shall be open to the public to pose questions to candidates.
  - 9.12.6. All speeches shall be recorded and posted online for the remainder of the campaigning period.
- 9.13. Public debates shall be held for all contested executive positions within the first week of the campaigning period, with the format being determined by the Elections Coordinator. All debates will be recorded and posted online for the remainder of the campaigning period.
- 10. Violation of Campaign Rules
  - 10.1. The Elections Committee, or if necessary the MSVUSU Administrative Assistant & Governance Secretary, shall have the authority to enforce the provisions of this By-Law.
  - 10.2. Any member of the MSVU student body 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:

- 10.2.1. Be written and can be submitted anonymously.
- 10.2.2. Must name the candidate who has contravened this By-Law Act and how they have done so;
- 10.2.3. Be submitted to the Elections Coordinator any time after the close of nominations but no later than three (3) academic days after the close of polling stations.
- 10.3. Upon receiving the complaint, the Elections Coordinator (or any party deemed relevant by the Elections Coordinator shall:
  - 10.3.1. Send a copy of the complaint to the accused candidate;
  - 10.3.2. Send a copy of the complaint to all members of the Elections Committee before a meeting is convened to discuss the complaint; (if deemed necessary by the Elections Coordinator);
  - 10.3.3. Send written responses to the complainant, the witness, and the accused candidate.
- 10.4. The Elections Committee and/or Coordinator may also lay charges of violations on their own accord. The relevant party shall compose the complaint and follow the provisions supplied in 10.3.
- 10.5. When the Elections Coordinator and/or Committee has determined that a violation has occurred, one of the following may occur:
  - 10.5.1. Restrict future campaigning, and future campaign expenditures
  - 10.5.2. Disqualify the candidate from the election;
  - 10.5.3. Declare a referendum to be void;
  - 10.5.4. Declare that the election of a specific candidate be ruled void.
- 10.6. Penalties outlined in 10.5 may be assessed as, at the discretion of the Elections Coordinator (and, in consultation with the Elections Committee) the following, but is not limited to:

PENALTIES	DEMERIT
Unintentional misrepresentation of facts	10 points
Intentional misrepresentation of facts	20 points
Gross misrepresentation of facts	40 points
Abuse of position and/ or status during campaigning	20 points

- 10.7. The following violation will result in a disqualification of the candidate(s):
  - 10.7.1. Non-attendance by the candidate or a proxy (approved by the Elections Coordinator) at the Mandatory Candidate Meeting;
  - 10.7.2. Tampering with other candidate's campaign material; as

- 10.7.3. deemed by the Elections Coordinator;  
Soliciting votes during the voting period.
  - 10.7.4. A candidate accumulating equaling to or exceeding over 40 in penalty points;
  - 10.7.5. Candidates running in slates, under the discretion of the Elections Committee, 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.
  - 10.7.6. The Elections Coordinator may, at their discretion, decide what other conduct requires disqualification
    - 10.7.6.1. If disqualification is deemed necessary by the Elections Coordinator, the Administrative Assistant & Governance Secretary and/or the Elections Committee must be consulted and will be able to question their decision.
11. Expulsion from the Election
- 11.1. If disqualified from the election, the candidate may appeal the decision by submitting a written request of appeal to the Elections Committee within three (3) academic days.
  - 11.2. The Elections Committee, after hearing all the evidence may reinstate the disqualified candidate.
  - 11.3. If only one person is running in the election, and is disqualified, the position will be filled during the following election cycle.
12. Appeal of Election or Referendum Results
- 12.1. Any student may challenge the validity of an election, referendum result in a written submission to the Elections Committee within three (3) academic days after the close of voting, or in the case of a challenge to a recount result, within three (3) academic days after the recount.
  - 12.2. The Elections Committee shall investigate the complaint and shall rule accordingly.
  - 12.3. If only one (1) person is running for a position in the Spring Election, and is disqualified, the position shall automatically be up for election in the fall semester.
  - 12.4. Following an election, the MSVUSU shall request the IT&S department shall provide the Elections Coordinator with a statement of audit approval
  - 12.5. In the event that a claim has been brought forward to any member of the SRC, Elections Committee or Elections Coordinator that an MSVUSU member has personally or via external party tampered with election results, thereby making election results illegitimate, the following steps shall be taken;
    - 12.5.1. The claim shall immediately be reported to IT&S for auditing
    - 12.5.2. should the accused be found guilty, the issue shall be

- moved to;
- 12.5.2.1. Elections Committee for matters that don't involve illegal action. The committee would make recommendations to SRC for handling the situation which may include;
    - 12.5.2.1.1. Disqualify the candidate from the current elections cycle
    - 12.5.2.1.2. Disqualifying the candidate from election cycles occurring within one calendar year
    - 12.5.2.1.3. Revoke the accused of MSVUSU member status without reimbursement
  - 12.5.3. The MSVUSU will appropriately report illegal action
  - 12.6. Should tampering happen in an electronic election where a candidate is not at fault and it is through an external party, a re-election for that position would have to occur.