

Number: Op11

Category: Operations

Responsibility: Election Committee

Purpose: To guide the process of Elections and By-Elections by the AUSU Board in a fair and equal manner.

Scope: This policy applies to all Officers of the AUSU Board, the Chief Returning Officer, Deputy Returning Officer, Polling Clerks and all candidates running in any AUSU Elections.

Policy:

1. Administration of Elections

- a. AUSU shall govern all the elections of the Board.
- b. Procedures for elections shall be found in this policy of AUSU.
- c. No candidate shall run for more than one position during the same election.

2. Elections Committee

The Elections Committee will be comprised as follows:

- i. General Manager (Chair, non-voting)
- ii. Two (2) non-returning Board Members
- iii. Chief Returning Officer (CRO) of the Election, once selected by the committee.

3. Roles & Responsibilities of the Elections Committee

The Elections Committee will be empowered to:

- a. Appoint and train the CRO.
- b. Ensure election dates are set within the parameters of this policy.
- c. Publicize important election dates and information before and during elections
- d. Oversee logistics of the elections.
- e. Solicit feedback from members regarding the Elections Process each year.
- f. To study the recommendations of the CRO and ensure they are fully considered; review good practices from previous elections and be responsible for implementing any recommendations approved by the Board.
- g. Members of the Elections Committee are not permitted to seek office with AUSU and must remain neutral during the election process.

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- h. Train and ensure CRO and polling clerks understand election policy

4. Methodology for Hiring the CRO

- a. The job posting for the CRO will be publicized on the AUSU website, along with other campus media, and will be posted for five (5) business days.
- b. The job posting will include the CRO job description and the necessary qualifications.
- c. The Elections Committee will review all eligible applications. The CRO may be a university employee but cannot be an elected official.
- d. The top three candidates will have the ability to answer questions from the Elections Committee to help members make an informed decision.
- e. The Elections Committee shall select the successful candidate by secret ballot.
- f. The Elections Committee shall inform the board after the selection process has been concluded.
- g. Prospective applicants must disclose conflict of interest if any.

5. Roles and Responsibilities of the CRO

The CRO is responsible for the overall logistical administration of AUSU elections. The CRO's responsibilities will include the following:

- a. The hiring and training of 2 polling clerks.
- b. Polling clerks may not be an elected official or university employee.
- c. The hiring and training of polling clerks.
- d. Obtaining a voters list from the Algoma University Registrar in order to verify a voter's identity.
- e. Securing voting spaces on campus to set up polling stations as well as obtain tables and chairs.
- f. Prepare and maintain the voter registration database.
- g. Obtain ballot boxes, seals, laptops and voter screens.
- h. Organize and run the All Candidates Meeting(s).
- i. Verify all nomination forms have valid signatures.
- j. Approval of all campaigning material.
- k. Adjudicate and provide rulings on complaints filed by candidates during the electoral process.
- l. Publicly display election results and certify results as legally binding after giving a minimum of twenty-four (24) hours from the posting of the results for appeals.

m. Prepare the CRO's report to be presented to the Board for ratification.

6. Election Periods

a. General Elections

- i. A general election shall be held in the Winter Term beginning no later than January 15th for the election of Representatives, Directors and Executives.
- ii. The date of the nominations and election shall be selected by the Elections provided that the elections must occur before March 15th.
- iii. Notice of the date of the election and the nomination procedures shall be made available to members five (5) business days before the start of the nomination period.
- iv. The nomination period shall last for a minimum of five (5) business days.
- v. The campaign period shall last for a minimum of five (5) business days.
- vi. The voting period shall last for a minimum of two (2) business days.

b. By-elections

- i. A by-election shall be held in the Fall Term for any vacancies on the Board that occurs before October 1.
- ii. The date of the nominations and election shall be selected by the Elections provided that the elections must occur before November 15th.
- iii. Notice of the date of the election and the nomination procedures shall be made available to members three (3) business days before the start of the nomination period.
- iv. The nomination period shall last for a minimum of three (3) business days.
- v. The campaign period shall last for a minimum of five (5) business days.
- vi. The voting period shall last for a minimum of two (2) business days.

7. Eligibility of Candidates

- a. All members who meet the qualifications of Article 3.1 of the Constitution shall be eligible to run.
- b. Any Board Member who was removed from office shall be ineligible to run for election for one (1) term of office.

8. Nomination of Representatives

- a. Candidates for the Director positions shall be nominated pursuant to a nomination form: *Appendix A* signed by at least twenty (20) members and submitted to the CRO.
- b. To the extent possible, candidates will be notified if their nomination form is deficient or incomplete to permit re-submission before the nomination deadline.
- c. It is the responsibility of the candidate to submit a bona fide nomination form.

9. Nomination of Executive

- a. Candidates for the Executive positions shall be nominated pursuant to a nomination form- *Appendix A*, signed by at least thirty (30) members and submitted to the CRO.
- b. To the extent possible, candidates will be notified if their nomination form is deficient or incomplete to permit re-submission before the nomination deadline.
- c. It is the responsibility of the candidate to submit a bona fide nomination form.

10. Withdrawal of Candidates

- a. A candidate may withdraw from the AUSU elections so long as his/her withdrawal is in writing and is submitted to and accepted by the CRO twenty-four (24) hours before the voting period commences.

11. All-Candidates Meeting

- a. All nominees, or an authorized representative of each nominee, must attend the All-Candidates Meeting in its entirety or arrange to meet with the CRO in person within twenty-four (24) hours of the meeting.
- b. Alternate arrangements to meet with the CRO must be made before the All-Candidates Meeting.
- c. No candidate may campaign until after the All-Candidates Meeting or alternate meeting with the CRO.
- d. For an authorized representative to be valid, they must possess a signed statement from the nominee that the representative has the authority to act on their behalf for the duration of the meeting.
- e. Any candidate who fails to attend or send an authorized representative to the All-Candidates Meeting, or fails to meet with the CRO, shall be disqualified from the election.
- f. The topics at the All-Candidates Meeting shall include, but not be limited to:
 - i. The elections process outlined in this policy (Op11: Elections Policy);
 - ii. The election schedule;
 - iii. The duties and functions of the Election officials.
- g. Each candidate, or authorized representative, will sign a statement before leaving the meeting that indicates he/she understand the rules and regulations governing the election i.e Elections Policy.
- h. It is the responsibility of each candidate to understand all information provided at the All-Candidates Meeting.

12 Campaigning

- a. All candidates must abide by the following rules relating to conduct and behavior of candidates during campaigning and assume responsibility for those campaigning on behalf of candidates.
- b. Campaigners are bound by the same rules as candidates.
- c. No campaigning shall take place before the start of the campaigning period.
- d. All candidates must adhere to the Code of Conduct, AUSU & AU Policy and not publicly denounce any returning or potential board members.

- e. Candidates shall campaign in accordance with the rules of fair play. Breaking the rules of fair play, include but are not limited to:
 - i. Breaching generally accepted community standards; and
 - ii. Slander; and
 - iii. General sabotage of the campaigns of other candidates; and
 - iv. Malicious and/or intentional breach of elections policy; and
 - v. Any attempt to undermine the electoral process; and
 - vi. Misrepresentation of fact.
- f. It is the responsibility of the Candidates that all campaign materials and/or advertisements conform to all policies and regulations of AUSU & Algoma University, and with all relevant municipal, provincial and federal laws.
- g. It is also the responsibility of the candidate to report any irregularities to the CRO immediately. If the irregularity is being carried out by the CRO or the polling clerks, the candidate must then forward a complaint immediately to the AUSU General Manager. Candidates should not wait until the situation gets out of hand before reporting election irregularities.
- h. All campaign material and/or advertisements need approval by the CRO in advance of posting or distribution. All submissions made to the CRO shall be returned with or without approval within two (2) business days. Though not an exhaustive list, campaign material can include:
 - i. Posters; and
 - ii. Leaflets; and
 - iii. Banners; and
 - iv. Websites; and
 - v. Social media (such as Facebook, Twitter and Instagram); and
 - vi. Clothing; and
 - vii. Buttons; and
 - viii. Stickers; and
 - ix. Logos; and
 - x. Audio & video recordings.
- i. A limit on the quantity of posters shall be as follows:
 - i. Executive Candidates 15
 - ii. Director Candidates 10
- j. The following shall also apply to candidate posters and relevant campaign materials:
 - i. Poster size shall not exceed 11" by 17" (29.7cm by 42.0cm); and
 - ii. No more than two (2) banners are allowed, and are not to exceed 9' by 3' (2.75m by 0.92m); and
 - iii. No laminated posters are allowed; and

- iv. Each candidate's poster must not overlap another candidate's poster; and
- v. All posters may only contain information that is relevant to the election; and
- vi. All posters must be removed within twenty-four (24) hours after the close of the voting period.
- k. Campaign materials shall not:
 - i. Overlap or be attached to a campaign material already affixed to something; and
 - ii. Be posted in classrooms, computer rooms, the library or labs; and
 - iii. Be removed from any posted location, legal or illegal, without the authorization of the CRO, except a candidate's own materials removed by that candidate or person(s) authorized by that candidate to remove such materials.
- l. It is the responsibility of the candidates to familiarize themselves with the different rules that govern each of the aforementioned entities such as:
 - i. No campaigning of any form is permitted in the AUSU office, or any area that can be perceived to be under the jurisdiction of AUSU unless otherwise stated by the CRO; and
 - ii. Campaigning within a classroom is forbidden without the expressed permission of its presiding faculty member(s) – to campaign in a classroom, a candidate must obtain written consent from the professor/lecturer before the start of the class; and
 - iii. Campaigning is not allowed in Residence; and
 - iv. Campaigning is not allowed within the Library; and
 - v. Campaigning is not allowed within the Computer Labs.
- m. Cross campaigning is allowed between candidates in the election governed by these policy.
- n. Cross campaigning is allowed between candidates being elected through other organizations and candidates in the election governed by this policy.
- o. Campaigning during the voting period will be not be permitted.
- p. All campaign materials including posters must be removed 24 hours before the day of voting. Failure to do so may result in immediate disqualification of the election.

13. Campaign Expenses and Campaign Financing

- a. All candidates shall submit to the CRO original receipts of all campaign expenditures within twenty-four (24) hours of the close of voting. The CRO may at any time request from any of the candidates original receipts for expenditures prior to the close of voting.
- b. All campaign donations must be brought to the attention of the CRO and included in the campaign expense report to be submitted by each candidate. Donated materials shall be assigned a dollar value based on fair market value by the CRO and shall be calculated as campaign expenses.

- c. Fair Market Value of a product or service shall be the lowest price, without special concessions or discounts that is available in Sault Ste. Marie, Ontario, for that product or service, to all persons who approach a person or company that sells, or deals in, that product or service.
 - i. The CRO shall contact, where feasible, three (3) suppliers in the Sault Ste. Marie area and shall adopt the lowest price as the FMV. The candidate may rebut such FMV if the candidate is able to produce/submit receipts from the Sault Ste. Marie area merchants which evidence a lower FMV than that obtained by the CRO.
 - ii. Where a candidate purchases goods or services at a discounted price, or receives them as a donation, the FMV of the purchase will be used to determine a candidate's campaign expenditures.
 - iii. In determining a candidate's total campaign expenditure, the CRO reserves the right to include the Fair Market Value of any materials that endorse or support a candidate. This may at the discretion of the CRO, include situations whereby a party producing the material or advertising does so without the consent of the candidate, but where the candidate knows, or reasonably ought to know, about such material or endorsement.
- d. Candidates are not entitled to use in their campaign, any service or monies, conferred onto them by virtue of holding any position in any campus organization unless such services would still be available to them otherwise. This includes, but is not limited to, office supplies, equipment, advertising space, and staff.
- e. Student Clubs, Staff and Faculty may endorse but not financially support a candidate.
- f. Campaign expenses shall not exceed \$100 for each Executive candidate. The campaign expense limit will be adjusted annually by the rate of change in the Consumer Price Index (CPI).
- g. Campaign expenses shall not exceed \$50 for each Director candidate. The campaign expense limit will be adjusted annually by the rate of change in the Consumer Price Index (CPI).
- h. Alcoholic beverages will not be considered a legitimate campaign expense.
- i. Failure by a candidate to submit a campaign expense form and original receipts by the deadline may result in disqualification upon decision of the CRO. Any candidate who exceeds the campaign limit shall be disqualified by the CRO. Disqualification may be appealed only to the Election Appeals Committee whose decision shall be considered final and binding as per this policy.
- j. AUSU shall not be liable for any loss or damage to candidates' campaign materials. Campaign materials are the responsibility of the candidates and not the student union.

14. Violation of Campaign Rules

- a. The CRO shall have the sole authority to administer the provisions of this policy.
- b. The CRO reserves the right to make rulings on issues and events not otherwise covered in this policy, or to add in such rulings to supplement existing sections.
- c. Allegations of violations of this policy shall be submitted to the CRO in writing. Such allegations must be made within forty-eight (48) hours after the incident occurred.
- d. The CRO may lay charges of violations of campaign rules at her/his own initiative.
- e. The CRO shall render a decision within forty-eight (48) hours in writing to the candidate(s) in questions and the complainant(s), unless the complaint is time sensitive, in which case the CRO shall render a decision within one (1) business day. A complaint shall be deemed time-sensitive when the activity outlined in the complaint are ongoing. All rulings of the CRO shall be done in a fair and consistent manner.
- f. It is the responsibility of the candidate to ascertain his/her position with respect to decisions made by the CRO regarding alleged violations committed by the candidate. This shall be done on a regular basis by consulting with the CRO.
- g. Where the CRO finds there has been a violation of this policy, the CRO must publish the details of the violation in a designated elections space in the AUSU office. Published notification of violations will only take place once all appeals have been exhausted.
- h. Regarding penalties for violations the CRO may:
 - i. Assign a demerit point penalty.
 - ii. Assign multiple penalties where the violation encompasses more than one (1) offence.
 - iii. Declare that an election of a candidate be ruled void.
- i. Demerit points as outlined in the above section is assessed on, but not limited to, the following basis. The values listed below are a guide for issuing demerit points. Values may be increased or decreased at the discretion of the CRO.

Campaign Material	
<i>Violation</i>	<i>Demerit Point</i>
Unintentional Misrepresentation of Facts	3
Multiple Violations in the same Location/Building	4
Unapproved Material	5
Displayed in an Unauthorized Area	5
Pre-Campaign Materials	6
Intentional Misrepresentation of Facts	10

Campaigning	
<i>Violation</i>	<i>Demerit Point</i>
Unintentional Misrepresentation of Facts	3

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Improper Distribution of Campaign Materials	8
Distribution of Campaign Materials on voting days	20
Intentional Misrepresentation of Facts	10
Pre-Campaigning	10
Campaigning in an Unauthorized Area	15
Fair Play	
<i>Violation</i>	<i>Demerit Point</i>
Candidates Enforcing this policy	5
Abuse of Position or Status	15
Unsanctioned use of AUSU Resources	15
Gross Misrepresentation of Facts	20
Malicious or Intentional Violation of this policy	20
Denouncing fellow candidates	15
j. Violations of the following nature will result in an automatic disqualification of a candidate:	
i. Anyone improperly declared an eligible candidate.	
ii. Failure to attend the All-Candidates Meeting.	
iii. Any candidate spending over the maximum spending limit as set by this policy or failing to submit a campaigns expense report.	
iv. Intentional misrepresentation of campaign expenditures.	
v. A candidate accruing greater than one-hundred (100%) per cent of their allowable demerit point limit, as follows, is disqualified:	
1. Executive Candidates – 25	
2. Director Candidates – 25	
vi. Solicitation of Algoma University Administration to interfere in the election process. Solicitation of Interference includes, but is not limited to, actions that encourage the Algoma University Administration to apply pressure on the CRO or Elections Officials to make or change specific decisions, interference in the voting or ballot counting process, withholding vital election documents such as voters’ list and withholding AUSU funds.	
k. In the event a winning candidate in any election is disqualified, the runner-up will take the place of the disqualified winner.	

15. Polling Stations

- a. Polling clerks will be trained to assist students in the voting process.
- b. Polling clerks will be responsible for checking each polling station after a voter leaves the station to ensure that any campaign material left behind by a voter is removed.

- c. Each polling station will be equipped with written instructions on how to vote and how to bring forward concerns regarding inconsistencies in ballots given to the voter and other voting procedures.
- d. Where possible it will be regular practice to obtain voting materials such as ballot boxes, seals and voter shields from Elections Canada.
- e. In the case of Paper Ballots scrutineers will be given the opportunity to examine the construction of the ballot box at the opening of the polling station and the closure of the ballot box of the polling station. Failure to send a scrutineer will not invalidate the opening and closing of the polling stations.

Voting Process- Electronic Voting

- a. The method for voting in the Election Process shall be through online voting through each students account on MyAlgomaU.
- b. The names of candidates for each Executive and Director candidate will appear alphabetically on the ballot.
- c. Polling stations on each voting day shall be equipped with minimum one (1) laptop for voters.
- d. Valid Student Identification from members is required for voting. The CRO must request for student identification before allowing an individual to cast their vote at the polling station. If any student fails to present student identification, the CRO must ask the individual to verify themselves with Government Issued Identification.
- e. Those with special needs shall be instructed to contact the CRO who will ensure the appropriate voting accommodations are made.
- f. CRO or polling clerks must ensure that each voter has logged out before proceeding to the next voter.

Voting Process- Paper Ballot

- g. Should Electronic Voting be unavailable paper ballots may be used.
- h. Valid Student Identification from members is required for voting. The CRO must request for student identification before allowing an individual to cast their vote at the polling station. If any student fails to present student identification, the CRO must ask the individual to verify themselves with Government Issued Identification.
- i. Each ballot will be numbered.
- j. The names of candidates for each Executive and Director candidate will appear alphabetically on water marked paper.
- k. If the University Administration fails to provide the Elections Committee with an up-to-date voters list to verify the identity of a voter, a double envelop system will be used to protect the sanctity of the ballot and the integrity of the vote.
- l. Those with special needs shall be instructed to contact the CRO who will ensure the appropriate voting accommodations are made.
- m. Ballots for each election year shall have a different design.
- n. Polling Stations must be checked before and after each vote is cast.

Ballot Counting Process – Paper Ballot

- a. The ballot counting process will commence no later than twenty-four (24) hours after the polls officially close.
- a. Independent candidates may select one scrutineer.
- b. The results of the ballot counting process will be announced no later than twenty-four (24) hours after the start of the ballot counting process.
- c. Failure to send a scrutineer will not invalidate the ballot counting process.

Ballot Counting Process – Electronic Voting

- b. The online votes will be handled by a representative in the IT Department of Algoma University.
- d. Another member of the elections committee or polling clerk will observe the CRO as they receive the results.
- e. The results of the ballot counting process will be announced no later than twenty-four (24) hours after the start of the ballot counting process.
- f. Independent candidates may select one scrutineer.
- g. Failure to send a scrutineer will not invalidate the ballot counting process.

18. Election of Candidates

- a. In the event that the candidate nominated for a Representatives or Executive office is greater than the number of candidates available to be elected, the winner(s) shall be elected by a plurality of the votes cast.
- b. In the event that the number of candidates nominated for election for any Representative or Executive position is less than the number of candidates available to be elected, the candidate's name shall be entered on the ballot as a "yes" or "no" vote.

19. Equality of Votes

- a. In the event of a tie, the winner shall be decided in a run-off elections held five (5) business days after the closing of the voting period.

20. Elections Appeals Committee

- a. The Elections Appeals Committee will be as follows:
 - i. Ombudsperson or designate (chair non-voting)
 - ii. Three (3) general members not elected to AUSU or hired by AUSU.

21. Responsibilities of the Elections Appeals Committee

- a. Candidates have up to forty-eight (48) hours after the decision of the CRO to make an appeal to the Elections Appeals Committee in writing.
- b. Any candidate appealing a ruling of the CRO will present their case to the Elections Appeals Committee.
- c. The Elections Appeals Committee will convene a meeting within seventy-two (72) hours of a receipt of an appeal. At the said meeting the appellant will have the opportunity to address the committee. The committee may at its discretion invite other individuals to the meeting.
- d. Following the meeting of the Elections Appeals Committee shall render a decision within twenty-four (24) hours.
- e. There will be an automatic meeting of the Elections Appeals Committee if a candidate is disqualified.
- f. Once the Election Appeals Committee makes a decision, it will be final and not open to be appealed again. The Elections Appeals Committee will ensure detailed reasons are given when decisions are made.

22. Methodology for appointing the Elections Appeals Committee

- a. The request for applications for the Elections Appeals Committee will be publicized on the AUSU website, and the request will be advertised for two (2) weeks in various campus media.
- b. The request will include the Elections Appeals Committee duties and the necessary qualifications.
- c. The Elections Committee will review applications and recommend the top five (5) candidates.
- d. If there are vacancies after the receipt of applications, the Elections Committee shall be empowered to appoint candidates to the vacant positions.
- e. The Elections Committee will select the successful candidates by secret ballot.

23. Appeals of Election Results

- a. Any candidate may challenge the validity of his/her election result in a written submission containing his/her request to the Elections Appeals Committee no later than twenty-four (24) hours after the close of the voting period.
- b. The Elections Appeals Committee shall investigate any appeal and make a recommendation to the Board on the appropriate action.
- c. The Board, at its discretion, may refuse to ratify any singular Representative or Executive office election, upon the recommendation of the Elections Appeals Committee. The Board may not amend rulings of the CRO or Elections Appeals Committee.

24. Recounting Ballots

- a. If the number of votes separating the winning candidate and runner up is fewer than 15 votes an automatic recount shall take place.
- b. The CRO at her/his discretion reserves the right to call a recount.
- c. A candidate may request one recount of ballots within 24 hours of the results being posted.

25. Ratification

- a. Candidates shall not be deemed elected until they have been ratified by AUSU's Board at the subsequent meeting following the election results with the condition that there is no outstanding appeal involving the candidate.
- b. Upon ratification by the Board all ballots will be destroyed.

APPENDIX A



Name: _____ **Desired Position:** _____

Address: _____ **Major:** _____

Phone: _____ **Year of Study:** _____

E-mail: _____

30 for Executive Positions
Number of Signatures: 20 for Representatives

Printed Name	Signature	Student Number
1)		
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