

Policy on Elections and Referenda

Oversight Body: CSU Chief Electoral Officer; CSU Elections Officers, CSU Council of Representatives, CSU Judicial Board, CSU Membership

Date Passed by Council: 23/09/2021

Date of Next Review: September 2023

Related policies, bylaws, legislation: CSU By-Laws, CSU Code of Conduct, CSU Positions Book, other Policy Books in Standing Regulations

Definitions

“By-Laws” means the By-Laws of the Concordia Student Union

“Chairperson” means the Chairperson of Council

“Council” means the Council of Representatives of the Student Union.

“day” means a business day which excludes Saturdays, Sundays, Good Friday, Easter Monday, third Monday of the month of May, Quebec’s National Holiday, Canada Day (or July 2nd if July 1st falls on a Sunday), Labour day, Thanksgivings day, Concordia University Holidays where the University is closed and any days starting December 20th until January 5th inclusively. These days shall not be calculated in calculating any delays under the Bylaws, regulations or policies of the Student Union;

“Employee” means a person employed by the Student Union or its subsidiary, other than an Officer of the Student Union or its subsidiary;

“Executives” means a member of the Executive of the Student Union;

“General Meeting” means an annual, special, or informational general meeting of the Student Union, as defined in the By-Laws;

“Mandate” means the period of time that a representative holds office, starting on June 1st of every year and ending on May 31st of the following year.

“member” means a person who fulfills the conditions of membership under section 3.1 of the By-Laws;

“office” means the office of a Coordinator or the office of a Representatives for a particular faculty, as the case may be, unless otherwise specified

“public notice” means publication on the Council electronic mailing list, the CSU website and placement of posters on the Student Union bulletin board;

“Representative” means a duly elected member of Council who has taken office;

“Student Union” means the Concordia Student Union;

“Regulations” means the regulations inside this Policy;

“religious holidays” mean any day considered a holiday with work restrictions within a religious

calendar. Days that are religious holidays without work restrictions within a religious calendar will also be taken into consideration and avoided as much as possible when planning meetings, organizing events, and holding elections.

“in writing” means either by a hard copy or via electronic mail;

“University” means Concordia University.

Purpose

This policy document serves to provide information on procedures for the Concordia Student Union general elections, by-elections, and referenda.

Scope

1. This policy applies to all CSU Elections and Referenda.
2. Any ordinary motion, resolution or regulation that deviates from these regulations can only be adopted with a clause stating that the motion operates regardless of the Code of Standing Regulations. The clause must state which article(s) are not to be applied towards the motion. Such a motion requires a 2/3 majority vote and will cease to have effect four months following its approval. Further, no section of these regulations may be notwithstanding consecutive times.
3. In the case of any discrepancy between these regulations and the By-Laws, the latter shall prevail. In the case of any discrepancy between the policy books of the Standing Regulations and any other regulations, this policy shall prevail.
4. The following is a list of general provisions to apply to this policy:
 - 4.1. English and French can be used interchangeably in any Student Union Meetings and elections materials.
 - 4.2. Any individual, club, or student association who wishes to use the Student Union logo must get permission from the CSU.
 - 4.3. In the case of any discrepancy between these regulations and the By-Laws, the latter shall prevail.

Policy Statement

Section 1. Elections

Subsection 1.: General Provisions

- 1.1.1. The Student Union shall hold a minimum of two Elections a year.
- 1.1.2. Elections may only be held during the Fall and Winter academic sessions on days when regular classes are held. The polling phase may not be held on religious holidays.

1.1.3. Elections shall be divided into three phases

1.1.3.1. The Nomination Phase shall consist of fifteen (15) University Days.

1.1.3.2. The Campaigning Phase shall consist of six (6) University Days and immediately follow the Nomination Phase.

1.1.3.3. The Polling Phase shall consist of three (3) University Days and shall immediately follow the Campaigning Phase.

Subsection 2.: Annual General Elections

1.2.1. The Annual General Elections shall be held in March such that the last day of the nomination phase falls on the day preceding the Winter Reading week.

1.2.2. Annual General Elections shall include the election of the office of Representatives, Executives, and Student Senate Seats.

1.2.3. Annual General Elections may also include referendum questions as outlined below.

Subsection 3.: Byelections

1.3.1. Byelections shall be held in the month of November such that the nomination period begins one (1) University Day before Canadian Thanksgiving.

1.3.2. Any vacant seats on the Council of Representatives shall be filled in Byelections.

1.3.3. Byelections may also include referendum questions as outlined below.

Subsection 4.: Special Elections

1.4.1. Special Elections may be called by a 2/3 majority vote of the Council of Representatives for the purpose of Bylaw Amendments and/or Questions of Importance.

1.4.2. Notwithstanding the section on duration of the different Election Phases above, due to the nature of Special Elections, a Nomination Phase shall be reduced to 2 days for the purpose of allowing for the forming of Referendum Committees. The length of the Campaigning Phase and the Polling Phase shall remain the same.

Section 2. Referenda

Subsection 1.: General Provisions

2.1.1. Referenda may only be held concurrently to an Election.

2.1.2. Referenda must be called a minimum of five (5) before the beginning of the Campaigning period.

2.1.3. Referendum concerning any Student Fees must clearly state the amount of the current fee, if applicable, the amount of the proposed fee, and whether students are able to opt out of said fee.

2.1.4. Any referendum question regarding a fee levy may request that the fee be indexed to inflation in accordance with the Consumer Price Index so that the fee would automatically adjust each year to reflect inflation. Such indexation and the effect thereof for students must be clearly stated in the referendum question.

2.1.5. The Chief Electoral Officer shall have the authority to modify the wording of a referendum question if they believe it will unfairly sway voters or influence the outcome of the referendum. The CEO's modification of such wording must be submitted in writing without prejudice to the interested parties, to the Council of Representatives, and to the Judicial Board, a minimum of 2 days before the beginning of the polling period. The CEO's decision on such modification may be appealed to the Judicial Board.

Subsection 2.: Question to Amend the Student Union Fee

2.2.1. In accordance with the Bylaws, the Council of Representatives shall have the sole authority to send to referendum a modification to the Student Union Fee.

2.2.2. A referendum to modify the Student Union Fee may only be held concurrently to Annual General Elections or Byelections.

Subsection 3.: Question concerning a non-Student Union Fee-Levy

2.3.1. Any referendum question concerned with a non-Student Union fee-levy must be submitted to the Fee-Levy Review Committee for review and approval according to the deadlines and procedures stipulated in the Policy on Fee-Levy Applications.

2.3.2. All non-Student Union fee-levy applications must follow the Policy on Fee-Levy Applications.

2.3.3. Any referendum question regarding a University Fee-Levy shall only be concerned with a single fee. In the event that several fees were to be created or modified, each fee shall be the object of its own question.

2.3.4. A referendum concerning a non-Student Union Fee may only be held concurrently to Annual General Elections or Byelections.

Subsection 4.: Question to Amend the Bylaws

2.4.1. In accordance with the Bylaws, Amendments to the Bylaws shall need to be approved through a referendum of the members.

2.4.2. A question to amend the Bylaws may be send to referendum by a resolution approved by a 2/3 majority vote of the Council of Representatives.

2.4.3. A referendum concerning Amendments to the Bylaws may be held concurrently to any Election of the Student Union.

Subsection 5.: Questions of Importance

2.5.1. In accordance with the Bylaws, Questions of Importance shall be defined as anything falling under the scope of the Student Union umbrella or any matters deemed important to the student body.

2.5.2. Referenda on Questions of Importance may be called by the Council of Representatives or by a petition of at least 750 members presented to the Council of Representatives.

2.5.2.1. The promoters of such petition shall have to come and present their petition to the Council of Representatives prior to circulating it on campus. The purpose of such a presentation is only to allow for discussion between Council and the promoters and to solicit feedback on the proposed question. The Council of Representatives shall have no decision-making power over the ability of the promoters to pursue their petition, nor over the putting of that question to referendum

2.5.2.1.1. Notwithstanding this, should the Council of Representatives think that the proposed question is in contradiction with the current Bylaws or CSU Regulations, it shall send a request for a reference decision to the Judicial Board. The Judicial Board shall issue a report containing an interpretation of whether the proposed question is in contradiction with the CSU Bylaws or Regulations to the Council of Representatives and to the promoters of the petition. If the Judicial Board's report concludes that the question is in contradiction with the Bylaws or Regulations, the Council of Representatives shall have the power to remove the question from ballot by a 2/3 majority. Until such a removal from ballot is voted upon by the Council, the promoters of the petition shall have the same rights to collect signatures and campaign as any other promoter of a petition.

2.5.2.2. The Signatures on a petition to bring a question of importance to referendum shall be verified by the Chairperson who may delegate this task to the Minute Keeper with their consent. The Chairperson or Minute Keeper verifying the signatures shall keep timesheets for this task and shall be remunerated at their regular hourly rate.

Section 3. Oversight of Elections

Subsection 1.: Chief Electoral Officer

3.1.1. The Chief Electoral Officer shall be charged with the supervision of the said elections, ensure Student Union regulations on Elections and Referenda are followed, and shall report the results of such elections in accordance with the by-laws and regulations.

Subsection 2.: Elections Commission

3.2.1. Elections shall be overseen by the Elections Commission. The Elections Commission shall consist of the following three (3) members:

3.2.1.1. The Chief Electoral Officer (CEO);

3.2.1.2. The Deputy Electoral Officer - Internal (Internal DEO);

3.2.1.3. The Deputy Electoral Officer - External (External DEO).

3.2.2. Election Officers shall include the Elections Commission, as well as polling clerks, and any other person whose services are temporarily required by the Elections Commission. The Following persons may not hold office as an election officer: members of the Judicial Board, members of the Council of Representatives, Members of the Executive, members of the University Senate, members of the Board of Governors, CSU Employees.

Subsection 3.: Appointment Mechanism

- 3.3.1. The Chief Electoral Officer shall be appointed by a 2/3 majority of the Council of Representatives. Prior to said appointment vote, the CSU Appointments Committee shall be charged with posting the position and holding interviews, as outlined in the Policy on Appointments and Equitable Hiring Practices. The Appointments Committee shall take diligent notes during the interviews and write a report, recommending a minimum of two candidates. The Council shall receive the Application documents, as well as the interview notes and the report by Appointments Committee and hold a vote in order to appoint one of the candidates. Further, members of the Council shall be notified of the time and place interviews done by the Appointments Committee take place, such that they may observe the interview.
- 3.3.2. The Chief Electoral Officer shall normally be appointed for as long as they are a member or a period of three years, whichever is shorter.
- 3.3.3. The Chief Electoral Officer may resign their position by notifying the Chair of the Council of Representatives in writing.
- 3.3.4. The Judicial Board may, with cause, recommend the removal of the Chief Electoral Officer, after giving them an opportunity to be heard. Such recommendation for removal must be ratified by a 2/3 majority vote of the Council of Representatives.
- 3.3.5. The Council of Representatives may equally hold a vote for the removal of the Chief Electoral Officer, such removal necessitates a 2/3 majority.
- 3.3.6. The Council of Representatives shall normally fill a vacancy in the office of the Chief Electoral Officer within thirty (30) days of such vacancy.
- 3.3.7. The Chief Electoral Officer shall hire or appoint the deputy electoral officers, as well as polling clerks and other election officers as the case may be.
- 3.3.8. The Chief Electoral Officer shall see to the training of the Election Commission and the Election Officers.
- 3.3.9. The Chief Electoral Officer shall establish a remuneration scale for Deputy Electoral Officers and other Election Officers in conjunction with the Student Union's Finance Coordinator. Such remuneration shall be in line with the Finance & Operations Policy.

Subsection 4.: Tasks of the Elections Commission

- 3.4.1. The Elections Commission, overseen by the Chief Electoral Officer, shall see to the carrying out of these regulations, as guided by the Standard Operating Procedures of their office, which shall be updated by each CEO in accordance with these regulations.

The Elections Commission shall:

- 3.4.1.1. Organize the Annual General Elections, Byelections, and Special Elections.
 - 3.4.1.2. Verify that the parties are complying with these regulations.
 - 3.4.1.3. Ensure the integrity and independence of the electoral process.
 - 3.4.1.4. Issue directives on the carrying out of these regulations.
 - 3.4.1.5. Prepare, distribute, receive, and examine registration and expense forms.
 - 3.4.1.6. Inquire into the legitimacy of election expenses of the candidates and of referendum expenses.
 - 3.4.1.7. Be responsible for the archiving of election results.
 - 3.4.1.8. Propose electoral reforms to Council where needed.
 - 3.4.1.9. Provide any person asking therefore with advice and information regarding the electoral process and the carrying out of these regulations.
 - 3.4.1.10. Give public access to information, reports, returns, or documents relating to these regulations, given they do not contain personal information.
 - 3.4.1.11. Maintain office hours and be accessible to candidates and other members during the election period.
 - 3.4.1.12. Hold information sessions and public debates for candidates and referendum committees.
 - 3.4.1.13. Create and maintain an elections website.
 - 3.4.1.14. Advertise the elections and promote participation in the electoral process on campus.
 - 3.4.1.15. Distribute public announcements on the elections, the candidates and referenda, and the results of an election, as outlined below, through the CSU website, social media, Elections website, and the CSU newsletter.
 - 3.4.1.16. Request the student list from the Dean of Students Office.
 - 3.4.1.17. Ensure the workings of the online voting software.
 - 3.4.1.18. Ensure adequate security of all ballots and ballot boxes.
 - 3.4.1.19. Update the Standard Operating Procedures as required.
 - 3.4.1.20. Any and all tasks listed within these regulations that are needed to ensure the carrying out of these regulations.
 - 3.4.1.21. Submit semesterly reports to the Council for approval and subsequent distribution on the website.
- 3.4.2. To accomplish these tasks, the Elections Commission shall have privileged and direct access to the CSU's resources, as needed. This access shall be overseen by the General

Manager, for the sole purpose of ensuring that such resources be used reasonably. Should the Elections Commission feel their access to such resources is being blocked or constrained in a manner that hampers the effective accomplishment of the foregoing tasks, they may provide a report directly to the Council of Representatives to seek a resolution to such problems.

Subsection 5.: Chief Electoral Officer Report

- 3.5.1. The Chief Electoral Officer shall submit and present a yearly report of the Annual General Election to the Annual General Meeting of the members.
- 3.5.2. The Chief Electoral Officer shall submit and present a report of the By-Elections or any Special Elections to the next regular Meeting of the Council of Representatives.
- 3.5.3. Such reports shall contain, at minimum, : the final results of any elections or referenda, a list of any recommendations for the Council, the Executive, and/or the following year's Elections Commission pertaining to the electoral process (if applicable), a complete list of all complaints and contestations filed preceding, during, or after the Elections and a summary of the decision thereof; a financial report and an indication on the adequacy of the budget provided for the election.

Section 4. Offices

Subsection 1.: List of Elected Offices

4.1.1. Executive:

- 4.1.1.1. Academic & Advocacy Coordinator
- 4.1.1.2. External Affairs and Mobilization Coordinator
- 4.1.1.3. Finance Coordinator
- 4.1.1.4. General Coordinator
- 4.1.1.5. Internal Affairs Coordinator
- 4.1.1.6. Loyola Coordinator
- 4.1.1.7. Student Life Coordinator
- 4.1.1.8. Sustainability Coordinator

4.1.2. Council of Representatives:

- 4.1.2.1. Thirty (30) offices divided proportionally by faculty according to the Policy on the Council and Committees. For the purpose of this regulation only, the collectivity of Independent Students shall be considered a Faculty.
- 4.1.2.2. The Chairperson shall determine the number of seats on the Council of Representatives allocated to each Faculty based on the Student List for the Winter Semester for the Annual General Elections. They shall submit this number for ratification to the second January Regular Council Meeting for the Annual General

Election. Following said ratification, they shall immediately inform the Chief Electoral Officer of the seat allocation. For the Byelections, the Chairperson shall inform the Chief Electoral Officer of any open seats one week prior to the beginning of the Nomination Phase.

4.1.3. Senate:

- 4.1.3.1. Four (4) offices, one (1) per faculty.

Subsection 2.: Eligibility for Office

4.2.1. In accordance with the Bylaws, only members shall have the right to run for elected office within the Student Union.

4.2.2. The elected offices for Executive shall be open to all members. The elected offices for the Council of Representatives and Senate shall be restricted to faculties. For the purposes of these regulations, Independent Students shall be deemed a faculty.

4.2.3. Notwithstanding, current members of the Elections Commission, Election Officers, current members of the Judicial Board, members who held the office of Chief Electoral Officer or Judicial Board within six (6) months of the first day of the Nomination Phase, and a member who has been disqualified in a Student Union Election in the last twelve (12) months shall be ineligible to run for elected office within the Student Union.

4.2.4. Members can only hold one position of Representatives, Executive, or elected Senator at the same time.

4.2.5. Members running for a University Senate seat must be aware of the eligibility requirements imposed by the Concordia University's Bylaws. Members that do not meet these eligibility requirements will not be able to serve on the Senate.

Subsection 3.: Verification of Eligibility

4.3.1. The Elections Commission shall use the student list provided by the Dean of Students. They shall use the Fall list to verify membership in the By-Elections and the Winter list to verify membership in the General Elections.

Subsection 4.: Affiliations

4.4.1. Candidates for the Executive shall be authorized to run as an executive affiliation using a common name but shall contain no more than one candidate for each Executive office.

4.4.2. An executive affiliation may share the same campaign materials and platform.

4.4.3. No person outside of the affiliated candidates may represent the executive affiliation to the Chief Electoral Officer or any other person.

4.4.4. In accordance with the Bylaws, candidates for the Council of Representatives and the Senate must run individually and independently and thus may not run with a common name, a shared platform, or with any shared campaign material.

4.4.5. Candidates may endorse or share their opinions, positive or negative, on other

candidates and take positions on referendum questions, affirmative or negative, so long as they respect the rules of fair play as outlined in these regulations.

Subsection 5.: Referendum Committees

- 4.5.1. Referendum Committees may be formed by members in order to campaign in favour and against a given referendum question by submitting a referendum committee form to the Elections Commission.
- 4.5.2. Notwithstanding, current members of the Elections Commission, Election Officers, current members of the Judicial Board, members who held the office of Chief Electoral Officer or Judicial Board within six (6) months of the first day of the Nomination Phase, and a member who has been disqualified in a Student Union Election in the last twelve (12) months shall be ineligible to be part of a Referendum Committee.
- 4.5.3. There shall be only one Referendum Committee for each side of a given Referendum question.
- 4.5.4. No member may simultaneously be part of the “Yes” and “No” Referendum Committees for the same question.
- 4.5.5. The member who brought a question to referendum, either by passing a resolution or by presenting a petition, shall be considered the Promoter of the referendum question and will be given priority to create and be the main representatives on either the “Yes” or the “No” referendum committee for said question.

Section 5. Proceedings of Nominations and Electoral Events

Subsection 1.: Announcement of Elections

- 5.1.1. The Chief Electoral Officer shall issue a public notice the day following the second January Regular Council meeting for the Annual General Elections and the day following the September Regular Council meeting for the Byelections. This notice shall include the dates for the Nomination Phase, Campaigning Phase, and Polling Phase; the offices available; and a reference on where to find further information.
- 5.1.2. The Chief Electoral Officer shall issue a second public notice the day preceding the beginning of the Nomination period. This notice shall include:
 - 5.1.2.1. The particulars of the offices open for election, specifying the number of Council seats open in each faculty, and/or the question(s) on a referendum (if already submitted and sent to referendum), as the case may be;
 - 5.1.2.2. The place(s) where nomination forms may be obtained;
 - 5.1.2.3. The place(s) and dates fixed for the filing of nomination form in accordance with these regulations;
 - 5.1.2.4. The place(s) and dates fixed for the filing of referendum committee forms in

accordance with these regulations;

- 5.1.2.5. The dates fixed for the campaigning period in accordance with these regulations;
- 5.1.2.6. The dates of the poll in accordance with these regulations;
- 5.1.2.7. The dates, times, locations of all information sessions and public debates;
- 5.1.2.8. A reference to the campaigning rules outlined in these regulations;
- 5.1.2.9. Any additional directives or information the Chief Electoral Officer deems relevant.

Subsection 2.: **Nomination Phase**

5.2.1. Information Sessions

- 5.2.1.1. The Elections Commission shall hold two (2) information sessions during the Nomination Phases of the Annual General Elections and the Byelections for all candidates and referendum committees for the purpose of informing them of the rules of the elections.
- 5.2.1.2. The Elections Commission shall record and post online, in a conspicuous location, at least one (1) information session. A link to the recording shall be sent to all candidates via email within 24 hours of being posted. It is the responsibility of candidates to ensure they are properly informed of all rules and regulations. Ignorance is not an excuse for breaking the rules.

5.2.2. Nomination Forms

- 5.2.2.1. Every eligible person may be nominated as a candidate for one office per election period by filing the prescribed nomination form with the Elections Commission.
- 5.2.2.2. Nomination forms for candidates shall be made available on the first day of the Nomination Phase. Nomination forms shall be available at the front desks of the Student Union offices downtown and at Loyola. They shall also be available on the CSU website and the Elections Commission website.
- 5.2.2.3. Nomination forms must be submitted to the Elections Commission by the last day of the Nomination Phase at 6:00 PM in person or online via email to the Chief Electoral Officer and the Elections Commission. There shall be no exceptions.
- 5.2.2.4. The nomination form shall state the name of the candidate, their Concordia I.D. number, their address, telephone number, email address, the faculty in which they are registered, and the office for which they are seeking nomination.
- 5.2.2.5. The nomination form shall include a statement signed by the candidate stating that the candidate consents to the nomination and is eligible to run for the position.

- 5.2.2.6. All candidates and referendum committee chairpersons need to disclose all financial matters relating to the CSU in the past 12 months along with their nomination form.
- 5.2.2.7. The nomination form shall include the printed names, Concordia I.D. numbers, and signatures of CSU members as specified per office. These signatures may be obtained in-person on paper or through an electronic format.
 - 5.2.2.7.1. Candidates for an Executive office are required to obtain 120 signatures from any member.
 - 5.2.2.7.2. Candidates for a seat on the Council of Representatives, or on the Senate are required to obtain 40 signatures from members who are eligible to vote for the office for which the candidate is being nominated.
 - 5.2.2.7.3. Notwithstanding the above, independent student candidates for the Council of Representatives may obtain 40 signatures from any member.
- 5.2.2.8. Notwithstanding, if, for any reason, the student body is, in fact, unable to access campus during the nomination period, or equal access to campus is heavily impacted by a public health situation, the required number of signatures is reduced to 60 for candidates for the Executive and 20 for all others.

5.2.3. Executive Affiliation Form

- 5.2.3.1. Candidates for the Executive who choose to run in an Executive Affiliation must submit an Executive Affiliation Form, in addition to the Nomination Form.
- 5.2.3.2. The Executive Affiliation Form shall be made available on the first day of the Nomination Phase at the front desks of the Student Union offices downtown and at Loyola. It shall also be available on the CSU website and the Elections Commission website.
- 5.2.3.3. Executive Affiliation forms must be submitted to the Elections Commission by the last day of the Nomination Phase at 6:00 PM in person or online via email to the Chief Electoral Officer and the Elections Commission. There shall be no exceptions.
- 5.2.3.4. The executive affiliation form shall state the executive affiliation name, the number of executive candidates running affiliated, the names and signatures of the executive candidates, the positions for which they are running, and their main representative for communications with the Elections Commission.

5.2.4. Referendum Committee Form

- 5.2.4.1. Every eligible person may form a referendum committee by submitting a Referendum Committee Form to the Elections Commission.
- 5.2.4.2. Referendum Committee forms shall be made available on the first day of the Nomination Phase at the front desks of the Student Union offices downtown and

at Loyola. They shall also be available on the CSU website and the Elections Commission website.

- 5.2.4.3. Referendum Committee forms must be submitted to the Elections Commission by the last day of the Nomination Phase at 6:00 PM in person or online via email to the Chief Electoral Officer and the Elections Commission. There shall be no exceptions
- 5.2.4.4. The form shall contain the referendum question, whether the committee is for or against the referendum question, the official name of the committee, and the main representative for communications with the Elections Commission. The form shall also include a list of the members of the committee.
- 5.2.4.5. Following the nomination period, should any side of a referendum question not be represented by an established committee (either “Yes” or “No”), such a committee may be established at any time before the end of the campaigning period in the presence of the Elections Commission.
- 5.2.5. Verification: The Elections Commission shall verify the validity of nomination forms, Executive Affiliation forms, and Referendum Committee forms.
- 5.2.6. For the sole purpose of verifying the requirements for nomination as stipulated above, nomination papers for all candidates shall be submitted by the Chief Electoral Officer to the Dean of Students office as such papers are received but no later than the day before the start of the campaigning period.
- 5.2.7. Receipt: Upon filing the nomination paper, the candidate or main representative shall be immediately provided with a paper receipt, signed by the candidate and the Chief Electoral Officer, or an electronic confirmation via email, as is suitable to the method of submission.
- 5.2.8. The candidate or main representative shall also be provided with electronic copies of the following, to be sent by electronic mail by the Chief Electoral Officer no later than 2 days following the receipt of nomination:
 - 5.2.8.1. A copy of the By-Laws;
 - 5.2.8.2. A copy of the policy books of the standing regulations;
 - 5.2.8.3. A copy of any additional directives set by the Chief Electoral Officer including the dates, times and locations of all information sessions and public debates;
 - 5.2.8.4. A form to be used for the return of election expenses provided for by these regulations;
 - 5.2.8.5. Any other information the Chief Electoral Officer deems appropriate.
- 5.2.9. Upon filing the executive affiliation form, the main representative for the executive affiliation shall be immediately provided with a paper receipt or an electronic confirmation via email authorizing the executive affiliation, signed by the main

representative and the Chief Electoral Officer.

- 5.2.10. **Withdrawal:** A candidate may withdraw their nomination by transmitting to the Chief Electoral Officer in writing, notice to that effect signed by themselves. The deadline to withdraw shall be one (1) day before the polling period. The death of a candidate will have the same effect as a withdrawal.

Subsection 3.: **Campaigning Phase**

- 5.3.1. The Campaigning Phase shall consist of six (6) University Days and immediately follow the Nomination Phase.
- 5.3.2. The Chief Electoral Officer shall issue a public notice the day before the first day of the Campaign Phase. This notice shall include:
- 5.3.2.1. The names of all candidates running for election and the office which they are a candidate for, and all referendum questions that will be on the ballot.
 - 5.3.2.2. The date, time, and location of the public debate(s).
 - 5.3.2.3. The dates and times to vote, information on the online voting system, as well as the location of voting booths.
- 5.3.3. All candidates and members of referendum committees must abide by the Campaigning rules outlined in the section below.
- 5.3.4. **Public Debates**
- 5.3.4.1. The Elections Commission shall hold one (1) public debate during the By-election and two (2) debates during the Annual General elections. If time permits, the Elections Commission shall aim to hold one (1) public debate during Special Elections.
 - 5.3.4.2. All Executive Affiliations, independent executive candidates, Candidates for the Council of Representatives, Candidates for the Senate, and referendum committees shall be invited to participate in the debate.
 - 5.3.4.3. The debate shall be livestreamed on one of the CSU's social media platforms for the members that are unable to attend the public debate.
 - 5.3.4.4. Public debates shall occur on campus at a location determined by the Elections commission. During the general elections, one debate shall be held on Loyola campus.
 - 5.3.4.4.1. Notwithstanding the above, if it is impossible to host a debate on campus, or if it is impossible for students to access campus, public debates shall occur via online video-conference using software determined by the Elections Commission.

Section 6. Campaigning Rules

Subsection 1.: General Provisions

- 6.1.1. Campaigning is defined as influencing a member to vote for a particular candidate, a particular Executive Slate, or in favour or against a particular referendum question. Campaigning includes the sharing of political platforms, campaign names, slogans, and/or promotional materials.
- 6.1.2. Publicly reminding members to vote during the voting phase is to be encouraged by the Elections Commission to ensure higher voter turnout and shall not be deemed campaigning, so long as Candidates or members of a referendum committee do not lead members to vote in any particular way for a particular candidate, a particular Executive Slate, or in favour or against a particular referendum question.
- 6.1.3. Campaigning is only allowed during the Campaigning Phase. Any campaigning by a candidate preceding or following the campaigning phase shall result in disqualification of that candidate

Subsection 2.: Rules of Fairplay

- 6.2.1. Candidates shall campaign in accordance with the rules of fair play. Breaking the rules of fair play includes breaching generally accepted community standards, libel, harassment, slander, and general sabotage of the campaigns of other candidates. The following acts are also considered as breaking the rules of Fairplay:
- 6.2.1.1. Abuse of Office: No Candidate may take advantage of any resource or other benefit to which they have access by virtue of holding elected or appointed office in or being an employee of the Student Union or its subsidiary or of a faculty/departmental association, club, service or media organization.
- 6.2.1.2. Use of Space: No space or facilities used or maintained by the University and/or the Student Union, its subsidiary or its affiliated groups and associations, may be used for campaign purposes by any candidate unless it is equally available to all other candidates for the same office.
- 6.2.1.3. Bribery: Promising monetary or non-monetary reward to members for voting in any particular way shall be strictly prohibited.
- 6.2.1.4. Defamation: Private or public communications targeting the reputation of candidates that are untruthful and non-factual. This does not include fair criticism.
- 6.2.1.5. Interference: Any attempt to undermine the electoral process including, but not limited to, interfering or compromising the CSU's online voting system.
- 6.2.1.6. Misrepresentation of Facts: Intentional private or public communications that make false statements concerning candidate campaigns and the CSU for the purpose of influencing a vote. This does not include fair criticism.

- 6.2.1.7. Physical Harm: Creating an actual risk of physical injury or property damage to participants in the election.
- 6.2.1.8. Threats: Credibly threatening people or public safety.
- 6.2.1.9. Unauthorized Campaigners: No Candidate may receive professional campaigning services in support of their campaign from a non-member.

Subsection 3.: Campaign Materials

- 6.3.1. Campaign material may be distributed, posted, published, broadcast, or otherwise disseminated only during the campaigning period. For greater clarity, websites and videos can remain online but no new material can be added nor can previous material be reposted after the end of the campaigning period. The Chief Electoral Officer has the discretion to adjust campaign regulations year to year, such as whether or not certain tactics will be permitted.
- 6.3.2. Student media shall follow the same rules as general campaign materials. This means that content regarding elections and election issues can be disseminated during the polling phase, but no new correspondence between candidates or referendum committee members and student media can be published during the polling phase.
- 6.3.3. Physical Campaigning
 - 6.3.3.1. All campaign posters used by candidates and referendum committees must be printed on 100% recycled paper.
 - 6.3.3.2. Posters can be put up on any poster board in the university that is equally accessible to all candidates.
 - 6.3.3.3. The Elections Commission shall designate space on the aforementioned boards as equally as possible between candidates for Senate, Council, Executive, and chairs of referendum committees. The method by which the space is distributed shall be decided by the Elections Commission and included in the Additional Directives sent to all candidates. Any designated space left empty by a candidate or a referendum committee 6 days before the start of the polling period can be used by any candidate or referendum committee on a first come first serve basis
 - 6.3.3.4. Candidates and referendum committees may start poster in designated spaces on the evening before the start of the campaigning period at 9pm to avoid safety issues and congestion.
 - 6.3.3.5. Within 6 days of the close of polls all candidates, referendum committees, and executive affiliations must make every reasonable effort to remove and, wherever possible, recycle all their campaign materials posted in the University.
 - 6.3.3.6. Chalking: Candidates are permitted to promote their campaign by writing on classroom chalkboards, provided they respectfully do not take up too much space

on the chalkboard.

6.3.3.7. Classroom Announcements: Candidates are permitted to promote their campaign in classrooms, provided that they make the announcement before the class or, if the professor has arrived, ask permission from the professor.

6.3.3.8. Tabling: The Elections Commission shall reserve the Hall Mezzanine tables before the election. They shall ensure equal and fair access to the tables to all candidates. Candidates are permitted to book other tables on campus provided that they are equally accessible to all candidates.

6.3.3.9. Flyers, pamphlets and Business Cards: The use of flyers, pamphlets and business cards are permitted. They must be handled in a manner that complies with the Concordia University "Policy on the Distribution of Flyers," which is summarized as the following:

6.3.3.9.1. Student associations may distribute flyers at tables booked on the Mezzanine, the 7th floor cafeteria of the Hall building, and in the Loyola cafeteria.

6.3.3.9.2. All materials must be printed on 100% recycled paper.

6.3.4. Digital Campaigning

6.3.4.1. All candidates are permitted to use websites, as well as social media platforms including, but not limited to, Facebook and Instagram to campaign.

6.3.4.2. Digital campaigning is permitted in spaces that are easily accessible by all students. Facebook Group Pages that are known to accept all student requests to join, such as CASA-JMSB, shall be permitted for campaigning.

6.3.4.3. Campaigning on social media is permitted starting from 12:00 AM on the first day of the Campaign Phase until 9:00 PM on the last day of the Campaign Phase. All new posts and the sharing of old posts are prohibited from thereon.

6.3.5. Restrictions During Voting Phase

6.3.5.1. Electronic balloting provides opportunities for abuse, intended or not, by voters and candidates. Abuse of electronic balloting includes, but is not limited to, the following types of action:

6.3.5.1.1. Efforts by voters to vote more than once;

6.3.5.1.2. Efforts by candidates to influence votes by holding parties or social events at which individuals are encouraged to vote on the premises;

6.3.5.1.3. Offering favors or gifts in exchange for votes;

6.3.5.1.4. Pressuring individuals to vote in the presence of a candidate, or any other individual;

6.3.5.1.5. Providing a device to a student for the purpose of online voting;

- 6.3.5.1.6. Collecting any credential from students that is used to verify a student's identity when they vote online.

Section 7. Voting

Subsection 1.: Electors

- 7.1.1. Every person who is a member of the Student Union as defined in the Bylaws on the day before the start of the campaigning period shall be considered an elector and eligible to cast a ballot in an election for each Executive office and in referenda, as well as being eligible to cast a ballot for Council of Representative and University Senate seats allocated to the faculty in which the elector is registered.
- 7.1.2. Notwithstanding the above, the Chief Electoral Officer may not vote in any election or referenda. The Chief Electoral Officer may cast a vote in case of a tie only after a recount has confirmed the tie.

Subsection 2.: Voting System

- 7.2.1. Voting shall be done using a secret, online ballot. The voting system shall be administered by a third-party organization not related to the Student Union nor the university.
- 7.2.2. The online ballot shall contain candidates surname and one or all of their given or chosen names, the name of the Executive Affiliation a candidate for Executive is running with (if applicable), a photo representing the candidate's (optional), the candidate's biography of a maximum of 250 words (optional). For referendum questions, the online ballot shall contain the whole question, and, in case of a question concerning a Student fee, the current and the proposed amount of the fee and whether students are able to opt-out of the fee or not.
- 7.2.3. The names of all candidates shall be placed on each ballot in random order at each page view.
- 7.2.4. In the event that a candidate is uncontested for an elected office, there shall be a yes, no, and abstain option after the candidate's name on the ballot.
- 7.2.5. All ballots on candidates and referendum questions shall include an option to Abstain.

Subsection 3.: General Provisions and Procedures

- 7.3.1. The Online Voting system shall begin to be operational at the latest at 9:00 AM on the first day of the Polling Phase and cease to be operational at 9:00 PM on the last day of Voting Phase.
- 7.3.2. The Elections Commission shall ensure that at least 4 polling stations are placed in high traffic locations on the Sir George Williams campus and at least 2 polling stations are placed in high traffic locations on the Loyola campus. Each polling station shall provide electors with a Student Union computer.

- 7.3.3. No person may be present at a polling station who is not an election officer engaged in the fulfillment of his or her duties, an elector who is waiting to vote, an elector who is in the process of voting.
- 7.3.4. For the days of the polling phase, all Concordia University computer rooms and terminals for the purposes of the election shall be considered to be polling stations for the purpose of restricting candidates' activity around these sites.
- 7.3.5. No campaign materials shall be within view of a polling station from the beginning until the end of the polling period. Any campaign material within view will be removed by the election officers.
- 7.3.6. Following the announcement of the polling date, the Elections Commission shall inform the Concordia Access Centre about the CSU's online voting system and how it works. In the event that a member with a disability requires assistance to use the online voting software, they should seek it from Concordia's Access Centre for Students with Disabilities rather than the CSU in order to ensure impartial assistance.
- 7.3.7. The Chief Electoral Officer shall establish such procedures as deemed necessary to ensure that:
- 7.3.7.1. Every elector exercises their right to vote privately and individually;
 - 7.3.7.2. No elector is able to vote more than once for any office or referendum question;
 - 7.3.7.3. No person who is not an elector is able to vote;
 - 7.3.7.4. The secrecy of the vote is maintained.

Subsection 4.: Results

- 7.4.1. The Elections Commission is the final authority on the rejection of ballots.
- 7.4.2. The process for the counting of ballots for the office of Executive is as follows:
- 7.4.2.1. The Chief Electoral Officer shall declare the candidate for each executive office who has received the greatest number of votes to be elected;
 - 7.4.2.2. The Elections Commission shall declare the candidates who have received the greatest number of votes for the amount of contested seats available elected;
 - 7.4.2.3. Following the counting of ballots for any office(s) subject to a ratification poll, the Elections Commission shall declare each candidate who has received more "Yes" votes than "No" votes to be elected;
 - 7.4.2.4. Following the counting of the ballots for any referendum, the Elections Commission shall declare the option that has received the greatest number of votes to be adopted by the members
- 7.4.3. An announcement of the results shall be posted at the latest at 12:00 PM on the day following the end of the Polling Phase. The announcement shall include:

- 7.4.3.1. A list of the candidates for each office with the number of votes each candidate has received;
- 7.4.3.2. A list of candidates who have been declared elected;
- 7.4.3.3. A list of the referendum questions with the number of votes cast in favour of each option.
- 7.4.4. Each candidate is entitled to see a print-out of the official results from the voting software.
- 7.4.5. Should the online voting software have the option to publish the election results on the online voting website, the Chief Electoral Officer shall publish the results along with the announcement.

Section 8. Election Expenses

Subsection 1.: Election Expenses General Provisions

- 8.1.1. Election expenses are eligible for reimbursement. Election expenses are defined as: the cost of any goods or services used during the election period (whether for an individual or a referendum question). It does not matter if expenses were used to promote a campaign or oppose a campaign when reimbursing.
- 8.1.2. The maximum amount of election expenses that may be incurred by a candidate for a particular office or a referendum committee is as follows:
 - 8.1.2.1. Office of Executive: \$100
 - 8.1.2.2. Office of Council - \$50
 - 8.1.2.3. Referendum Committee - \$150
 - 8.1.2.4. Executive Affiliations may collectively spend their individually allocated amounts.
- 8.1.3. Only a candidate or the main representative of a referendum committee may incur election expenses.
- 8.1.4. All sources of revenues for the campaign need to be disclosed with the return of election expenses.
- 8.1.5. Every payment of election expenses must be justified by an invoice, as per the Finance and Credit Card Policy. This invoice must clearly state the name and address of the supplier, the date the goods or services were supplied, and the cost of the goods or services.
- 8.1.6. Executive Affiliations, candidates, and referendum committees may start incurring election expenses at the start of Nomination Phase.
- 8.1.7. The Chief Electoral Officer must send an email to all candidates and chairpersons the

first day after polling has closed to remind them of these Regulations.

Subsection 2.: Election Expense Form

- 8.2.1. Elections Expense Forms shall be made available at the latest twenty-four (24) hours after the closing of the polls at the front desks of the Student Union offices downtown and at Loyola. They shall also be available on the CSU and Elections Commission website.
- 8.2.2. The Elections Expense Form shall contain a reminder of the spending limits for executive candidates, council candidates, and referendum committees. It shall also contain the recognized costs of different poster sizes that all candidates will be reimbursed regardless of the cost paid. The value of creative content produced by volunteers or the candidate themselves shall not be counted towards the maximum amount of expenses.
- 8.2.3. The form shall further contain the following fields: name of claimant, Concordia I.D., candidate for office or referendum committee, phone, email, mailing address. It shall also contain a table of expenses with the following columns: name of supplier, nature of expense, date of expenditure, and cost.
- 8.2.4. All Candidates and main representatives of referendum must submit an Elections Expense Form to the Elections Commission with all invoices and receipts attached within six (6) days after the closing of polls, whether a reimbursement for expenses is claimed or not. Executive Affiliations shall submit a single Elections Expense Form for all combined expenses.
- 8.2.5. The Elections Commission shall reimburse all candidates/main representatives of referendum committees within 30 days of the polls closure.
 - 8.2.5.1. For reimbursement, the expenses must have been incurred and paid in accordance with the standards set out in these regulations.
 - 8.2.5.2. Should an executive affiliation submit a single expense return, the main representative of the executive affiliation shall be reimbursed.
- 8.2.6. Candidates and chairpersons must respect the deadlines set out in these regulations. No reimbursements shall be made to a candidate or a chairperson unless they have filed their election expenses in a timely manner according to these regulations.

Section 9. Sanctions and Disqualifications

Subsection 1.: Sanctions

- 9.1.1. A candidate who is found by the Chief Electoral Officer to have violated these regulations may be subject to sanctions including, but not limited to:
 - 9.1.1.1. Written warning or reprimand;
 - 9.1.1.2. Disqualification from the election, which shall be the most severe sanction, for

gross violation of the regulations in this book.

- 9.1.2. Any sanction imposed by the Chief Electoral Officer must be issued in writing no later than 24 hours following the decision to sanction a candidate, and must include a reasonable judgement for the sanction as well as any evidence used in the decision.

Subsection 2.: Disqualification

- 9.2.1. The Chief Electoral Officer shall declare a candidate disqualified should the candidate:

- 9.2.1.1. Be found ineligible for the position they are a candidate for;
- 9.2.1.2. Sign a false declaration of eligibility;
- 9.2.1.3. File a false return of election expenses.

- 9.2.2. A disqualification as result of sanction by the Chief Electoral Officer must clearly demonstrate evidence that both a serious breach of electoral regulations has taken place and that the disqualified party was responsible for the breach. Neither circumstantial evidence nor imputed interest shall be sufficient to justify disqualification.

- 9.2.3. Any disqualification declared by the Chief Electoral Officer must be issued in writing no later than 24 hours following the declaration, and must include all evidence used in the decision.

- 9.2.4. No disqualification may be issued by the Chief Electoral Officer later than seven (7) days after the announcement of the results.

- 9.2.5. In the event that a candidate who has been declared elected is disqualified from holding or taking office, the office is deemed to be vacant and shall be filled in accordance with the By-Laws and these regulations.

Section 10. Contestation and Complaints

Subsection 1.: Contestation

- 10.1.1. Every member may contest a referendum or an election, or a part thereof relating to specific office(s), to the Elections Commission on the grounds that:

- 10.1.1.1. A person declared elected was ineligible;
- 10.1.1.2. A person declared elected did not obtain the greatest number of valid votes;
- 10.1.1.3. That a corrupt electoral practice was used;
- 10.1.1.4. There were violations of these regulations or the CSU Bylaws.

- 10.1.2. A contestation of an election or a referendum must be filed in writing with the Chief Electoral Officer not later than three (3) days following the announcement of the results by the Chief Electoral Officer. The Chief Electoral Officer shall issue a written decision within three (3) days of receiving such contestation. Such decision would be made in accordance with the Section on sanctions and disqualification within this policy.

10.1.3. The Elections Commission shall issue a response to the Contestation within three (3) days of receiving it. They have three (3) options:

10.1.3.1. The Elections Commission may uphold the contested decision.

10.1.3.2. The Elections Commission may overturn the contested decision.

10.1.3.3. The Elections Commission may dismiss a contestation where they consider the request frivolous, vexatious, made in bad faith, or unnecessary in the circumstances.

Subsection 2.: Complaints

10.2.1. Every member may file a complaint with the Chief Electoral Officer during the campaign period. Such a complaint shall indicate how a candidate or referendum committee has breached electoral regulations, and shall include evidence of the infraction.

10.2.2. The Chief Electoral Officer may, as a result of a filed complaint, exercise any action afforded to them by these regulations.

10.2.3. The Chief Electoral Officer may dismiss a complaint where they consider the request frivolous, vexatious, made in bad faith, or unnecessary in the circumstances.

10.2.4. For all complaints received by the Chief Electoral Officer, the response thereof, and any actions resulting therefrom, must be issued in writing no later than 48 hours following the filing of such a complaint. Any dismissed complaint must indicate the reason for dismissal.

Section 11. Appeals

Subsection 1.: Appeals to sanctions and disqualifications

11.1.1. Any sanction imposed by the imposed by the Chief Electoral Officer may be appealed. The appeal procedure shall be carried out as follows: candidates who have received sanctions or disqualifications may submit an appeal in writing to the Judicial Board, no later than 3 days following the issuance of the decision. Such an appeal may be made on the grounds that the evidence used was false or the judgement of the Chief Electoral Officer was manifestly unreasonable.

11.1.2. Any automatic disqualification may be appealed, in writing, to the Judicial Board, no later than 3 days following the issuance of such decision. Such an appeal may be made on the grounds that the evidence used was false or insufficient.

11.1.3. Should an appeal be filed per the articles above, the judicial board shall issue a written decision within 5 days of receiving such an appeal. This appeal procedure is a special procedure and the delays for election appeals take precedence over the Judicial Board Code of Procedure which shall be adapted to respect the delays of this article.

11.1.4. Should a disqualification occur during the campaigning period the Judicial Board shall deal with the case as fast as possible, not to the detriment of natural justice principles.

Subsection 2.: Appeals to Contestation and Complaint Decisions

11.2.1. Any decision by the Chief Electoral Officer or the Elections Commissions on a contestation or complaint may be appealed by the member who had submitted the contestation or complaint. The appeal procedure shall be carried out as follows: the complainant may submit an appeal in writing to the Judicial Board, no later than 3 days following the issuance of the decision. Such an appeal may be made on the grounds that the evidence used was false or the judgement of the Chief Electoral Officer was manifestly unreasonable.

Section 12. Rights and Obligations

Subsection 1.: General Provisions for Student Union Employees seeking office

12.1.1. At the request of an employee who is a candidate in an election, the Student Union or its subsidiary shall grant leave without pay to the employee.

12.1.2. The leave begins, at the earliest, on the day the employee becomes a candidate (the day that a candidate announces their campaign), and terminates the day after the closing of the poll.

12.1.3. At the expiry of the leave, the Student Union or its subsidiary shall reinstate the employee, on the conditions of employment prevailing before the beginning of the leave.

12.1.4. The Student Union or its subsidiary shall not, by reason of the leave, dismiss, lay off, suspend, demote or transfer the employee or give the employee less favourable conditions of employment than they are entitled to or diminish any benefit attached to their employment or to which they are entitled. The Student Union or its subsidiary shall not subtract the leave granted to an employee who is a candidate from the period of vacation of the employee, if an employee is eligible for vacation.

12.1.5. The Student Union or its subsidiary must terminate employment of any candidate who has been declared elected before taking office or, should it apply, before starting training.