

Bylaw 4

1. Elections and Referenda

1.1. Definitions for this Bylaw

- 1.1.1.* Election: a free, fair and open election of the Executive.
- 1.1.2.* By-Election: a by-election for one or more positions of the Executive
- 1.1.3.* Election Official: voting members of the Elections and Referenda Committee.
- 1.1.4.* Election Schedule or Referendum Schedule: the election/referendum schedule prepared by the Election and Referenda Committee.
- 1.1.5.* Nominee: a Regular Member who has submitted a nomination form.
- 1.1.6.* Candidate: a Nominee whose nomination has been ratified by the Elections and Referenda Committee.
- 1.1.7.* Third Party: a person or group besides those primarily involved.
- 1.1.8.* Referendum: a direct vote by which a specific proposal is accepted or rejected by Regular Members.
- 1.1.9.* Representative: a representative of a candidate in an Election/By-Election or representatives of a campaign committee in a Referendum.
- 1.1.10.* Campaign material: material, electronic or otherwise, whose purpose is to advertise a campaign.
- 1.1.11.* Gift: includes any product whose dominant purpose is to buy votes rather than provide information or stimulate legitimate political debate.
- 1.1.12.* Voter: a Regular Member, including those voting members of the Elections and Referenda Committee.

1.2. Scope

- 1.2.1.* This Bylaw applies to all Members, employees, and appointees of the Association.

1.3. Elections and Referenda Committee

- 1.3.1.* The Elections and Referenda Committee is composed of:
 - 1.3.1.1.* The Chief Electoral Officer, as chair.
 - 1.3.1.2.* At least two (2) Councillors or Alternate Councillors, who are not a member of the Executive, appointed by Council.
 - 1.3.1.3.* At least two (2) Regular Members, who are not members of Council or the Executive, appointed by Council.
- 1.3.2.* The Elections and Referenda Committee shall:
 - 1.3.2.1.* Conduct elections and referenda in accordance with the Constitution, Bylaws and Policies of the Association.
 - 1.3.2.2.* Conduct elections in accordance with the Election Schedule.
 - 1.3.2.3.* Conduct referenda in accordance with the Referendum Schedule.
 - 1.3.2.4.* Be knowledgeable about other procedures and policies necessary for a proper election.
 - 1.3.2.5.* Interpret and enforce this Bylaw.
 - 1.3.2.6.* Remain explicitly and implicitly impartial by not supporting any candidate or registered campaign committee during an election or referendum.
 - 1.3.2.7.* Develop policies as required.
 - 1.3.2.8.* Perform other tasks as delegated by Council.
- 1.3.3.* Before attending a meeting of the Elections and Referenda Committee or taking part in any business thereof, every member of the Elections and

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1.8. Elections and By-Elections

1.8.1. Election/By-Election Schedule

1.8.1.1. The Chief Electoral Officer shall prepare the Election/By-Election Schedule, with assistance and approval of the Elections and Referenda Committee, and shall include:

1.8.1.1.1. The dates and times for the Call for Nominations, the Nomination Period, the Orientation Meeting, the Procedures Meeting, the Campaign Period, the Voting Period, the Complaints Period, and the day and time the results will be released.

1.8.1.2. Elections/By-Elections shall generally not take place during any period of time when a substantial portion of the Regular Membership is likely to be absent from campus.

1.8.1.3. The Election/By-Election Schedule must be ratified by the Election and Referenda Committee at least thirty (30) days before the call for nominations.

1.8.1.4. The Voting Period must be at least twenty (20) days after the Call for Nominations for an Election, or at least fifteen (15) days for a By-Election.

1.8.2. Call for Nominations

1.8.2.1. The Call for Nominations shall last for at least seven (7) days.

1.8.2.2. The Chief Electoral Officer shall make the Call for Nominations and shall publicize it by mass email, with the assistance of the Office Manager, Associations' social media and the Association's website.

1.8.3. Nominations and Nomination Period

1.8.3.1. The Nomination Period shall last for at least three (3) business days.

1.8.3.2. Nomination forms will be made available on the Association's website and in the GSA Commons.

1.8.3.3. A nomination form for an executive position must include:

1.8.3.3.1. The full name, signature, and student number of the Nominee.

1.8.3.3.2. The full name, signature, and student number of ten (10) Nominators who are Regular members.

1.8.3.3.3. The Nominee's Confirmation of Enrollment from PAWS for the Spring & Summer terms.

1.8.3.4. A Nominee:

1.8.3.4.1. Must be a Regular member.

1.8.3.4.2. Must not be an Election Official.

1.8.3.4.3. Must not nominate another person for the same position that they are seeking.

1.8.3.4.4. Must be registered in a graduate program at the University for the following fiscal year (May 1 to April 30).

1.8.3.5. A Nominator:

1.8.3.5.1. Must be a Regular member.

1.8.3.5.2. Must not be an Election Official.

1.8.3.5.3. Must not be a nominee for the same position for which they

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have nominated another person.

1.8.3.6. The names of Nominees and Nominators are confidential.

1.8.3.7. No person may seek more than one position on the executive.

1.8.3.8. If after the regular nomination period has ended, there are no nominees for a position on the executive, the Elections and Referenda Committee may extend the nomination period for that position, for a period of time as determined by the Elections and Referenda Committee.

1.8.3.9. If no nomination is received after the extension of the nomination period, the Chief Electoral Officer shall refer the vacant position(s) to the next General Meeting or Council Meeting, whichever comes first, to appoint a graduate student to fill the position(s) until the By-Election Bylaw is followed for those vacant position(s).

1.8.3.10. A Nominee must provide a twenty-five (25) dollar cash deposit, upon submission of the nomination form, which is refundable unless the Nominee has violated procedures or caused damage to University property, as determined by the Elections and Referenda Committee.

1.8.4. Orientation Meeting

1.8.4.1. After the Call for Nominations, the Chief Electoral Officer shall chair a mandatory Orientation Meeting for potential Nominees to the executive and may at their discretion hold subsequent Orientation Meetings during the Nomination Period.

1.8.5. Procedures Meeting

1.8.5.1. The Chief Electoral Officer shall chair a mandatory Procedures Meeting for all Nominees and shall ensure that Nominees attending the meeting have received the necessary sections of this Bylaw, rules, and information;

1.8.5.2. A Nominee for an executive position must attend the Procedures Meeting to be eligible for ratification as a candidate. If a Nominee is unable to attend a scheduled Procedures Meeting and provides sufficient reason to the Elections and Referenda Committee in advance of the meeting, the Elections and Referenda Committee may hold an alternate Procedures Meeting to ensure the Nominee has received the necessary sections of the Bylaw, rules, and information.

1.8.6. Ratification

1.8.6.1. The Elections and Referenda Committee shall ratify a Nominee as a Candidate where:

1.8.6.1.1. The Nominee has submitted a valid nomination package.

1.8.6.1.2. The Nominee has submitted the deposit, and attended the mandatory Orientation and Procedures Meetings.

1.8.7. Campaign Period

1.8.7.1. Prior to the Campaign Period, no one shall:

1.8.7.1.1. Publicly advertise the intent of any person to seek election.

1.8.7.1.2. Campaign on behalf of any candidate.

1.8.7.2. The Campaign Period shall be no less than seven (7) days for an Election or three (3) business days for a By-Election.

- 1.8.7.3.** The Chief Electoral Officer, with advice from the Elections and Referenda Committee, shall organize an All-Candidates Forum for Candidates that will take place in the GSA Commons, unless substantive reason is provided to hold it elsewhere.
 - 1.8.7.3.1.** In the case of not being able to attend, the Candidate is able to send a Representative to represent their platform.
- 1.8.7.4.** Candidates/Representatives shall NOT:
 - 1.8.7.4.1.** Misrepresent the character or policies of other Candidates, nor shall they interfere in any manner with the campaign materials of other Candidates.
 - 1.8.7.4.2.** Deliver campaign speeches or information in regularly scheduled classes, labs, computer labs, the GSA Commons, or University Culinary Services locations, unless it is at the scheduled All-Candidates Forum.
 - 1.8.7.4.3.** Engage in door-to-door soliciting within University residence buildings and on University property.
 - 1.8.7.4.4.** Campaign or display their posters within University residence buildings.
 - 1.8.7.4.5.** Release posters, unless the posters have been approved by the Elections and Referenda Committee.
 - 1.8.7.4.6.** Offer gifts to Voters.
 - 1.8.7.4.7.** Distribute products to Voters unless the products have been approved by the Elections and Referenda Committee.
 - 1.8.7.4.8.** Use personal funds to acquire campaign materials. Any such material to promote a Candidate will be considered unauthorized and any such incident shall be remedied at the discretion of the Elections and Referenda Committee.
- 1.8.7.5.** Candidates/Representatives:
 - 1.8.7.5.1.** May print up to a maximum of fifty (50) posters with dimensions no larger than 11 inches by 17 inches. The Association will cover costs for printing up to a maximum of fifty (50) dollars.
 - 1.8.7.5.1.1.1.** Candidates must have their poster approved by the Election and Referenda Committee prior to printing or displaying.
 - 1.8.7.5.1.1.2.** Candidates will only be allowed to submit one (1) final poster for approval.
 - 1.8.7.5.1.1.3.** Any poster, related to their candidacy for GSA Elections/By-Elections, shall count towards the Candidate's poster limit.
 - 1.8.7.5.1.1.4.** Each Candidate is responsible for learning and following applicable University rules, regulations, and policies regarding poster display and poster restrictions in campus buildings.
 - 1.8.7.5.1.1.5.** Candidates must inform the Elections and Referenda Committee of where, and how many, of their posters

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have been displayed and where.

1.8.7.5.2. Shall create a three (3) minute video of their candidacy platform for posting to the GSA Website.

1.8.7.5.2.1.1. Candidates must have their video approved by the Election and Referenda Committee prior to its use.

1.8.7.5.2.1.2. Candidates will only be allowed to submit one (1) final video for approval.

1.8.7.5.3. May use websites, social media and may send mass emails for campaign purposes. Each Candidate is responsible for learning and following applicable University rules, regulations, and policies regarding electronic communication. These websites and email lists must be the Candidates own and not provided or belonging to others.

1.8.7.5.4. Shall ensure their campaign materials are taken down by 11:59 PM on the last day of voting.

1.8.7.6 The GSA Commons shall be a neutral forum. No promotional materials shall be displayed or distributed within the GSA Commons; save for only one poster from each Candidate shall be placed in the GSA Commons by the GSA Office Manager;

1.1.1. Ballots

1.1.1.1. Position titles shall be listed on the ballot in the order in which they appear in the Constitution.

1.1.1.2. Full names of the Candidates shall be listed on the ballot in alphabetical order (by first name), with the option to “abstain” listed last.

1.1.1.3. Upon the Candidate’s request, the Candidate’s name on the ballot may differ from the Candidate’s given name, provided that the Elections and Referenda Committee approves the alternate name and the random order of the Candidates’ names does not change.

1.1.1.4. Nicknames shall not appear on the ballot.

1.1.2. Acclamations

1.1.2.1. If there is only one (1) Candidate for one (1) position of the executive, the acclamation must be affirmed in a vote of confidence in which the Candidate receives a majority of ‘yes’ votes.

1.1.2.2. If the Candidate does not receive a majority of ‘yes’ votes, the process detailed in the By-Election Bylaw shall be followed.

1.1.3. Withdrawal

1.1.3.1. A Candidate seeking to withdraw must provide written notice of withdrawal to the Chief Electoral Officer at least 24 hours prior to the beginning of voting.

1.1.4. Voting Period

1.1.4.1. There shall be no campaigning during the Voting Period.

1.1.4.2. The Voting Period shall last for at least two (2) business days.

1.1.4.3. Voting shall be publicized by all reasonable means.

1.1.4.4. Voting shall be by secret and secure electronic ballot, using the Personalized Access to Web Services (PAWS), or its equivalent.

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- 1.1.4.5.** All positions are to be elected by single member plurality, in which each voter is allowed to vote for only one candidate, and the winner of the election is whoever receives the largest number of votes.
- 1.1.4.6.** A minor technological failure shall not invalidate an Election/By-Election and the Election and Referenda Committee shall work to minimize the impact of any disruption in voting.
- 1.1.4.7.** Eight percent (8%) of the total graduate student body must vote in an Election/By-Election. In cases where this does not occur, a new vote must be held or the voting period can be extended, at the discretion of the Elections and Referenda Committee;
- 1.1.4.8.** At the end of the Voting Period, the results shall be accessed by the Chief Electoral Officer.
- 1.1.5.** Results

 - 1.1.5.1.** After the Elections and Referenda Committee has reached quorum and has dealt with outstanding complaints, the Chief Electoral Officer shall communicate the results to the Elections and Referenda Committee for ratification;
 - 1.1.5.2.** The Elections and Referenda Committee shall ratify results when there is no significant violation of this Bylaw.
 - 1.1.5.3.** As soon as all violations or complaints have been dealt with by the Elections and Referenda Committee, as per Bylaw 4.10, the Chief Electoral Officer shall ask for the results to be posted on the Association's website and social media platforms, and shall notify all Candidates of the results.

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1.2. Referenda

- 1.2.1. A Referendum shall be held if it is sought to:
 - 1.2.1.1. Establish or eliminate a dedicated student fee.
 - 1.2.1.2. Increase a dedicated student fee, other than the Health and Dental fees, by more than five percent (5%).
- 1.2.2. A Referendum shall proceed when:
 - 1.2.2.1. Referendum is proposed by Council: at least two-thirds (2/3, 67%) of the Councillors present at the Council meeting, where the Referendum is proposed, approve of the Referendum; or,
 - 1.2.2.2. Referendum is proposed by a Regular Member: a petition containing the full names, nsid's, student numbers, and signatures of at least one-hundred (100) Regular Members is presented to Council Chair, who shall present the information to Council.
 - 1.2.2.3. Executives will remain a neutral body with respect to all Referendum issues.
 - 1.2.2.4. Referendums shall generally not take place during any period of time when a substantial portion of the Regular Membership is likely to be absent from campus
- 1.2.3. Call for Referendum Questions:
 - 1.2.3.1. Once per year, the Chief Electoral Officer shall make the Call for Referendum questions.
 - 1.2.3.2. The Chief Electoral Officer shall publicize the Call for Referendum questions by mass email, with the assistance of the Office Manager, Associations' social media and the Association's website;
 - 1.2.3.3. The Call for Referendum questions shall last for at least seven (7) days.
 - 1.2.3.4. The Call for Referendum questions shall occur between September and April.
 - 1.2.3.5. A secondary Call for Referendum questions may occur if:
 - 1.2.3.5.1. Extenuating circumstances justify it as determined by the Elections and Referenda Committee.
 - 1.2.3.5.2. A secondary call has been approved by a two-thirds (2/3, 67%) vote of Council.
- 1.2.4. Referendum Schedule
 - 1.2.4.1. The Chief Electoral Officer shall prepare the Referendum Schedule, with assistance and approval of the Elections and Referenda Committee, and shall include:
 - 1.2.4.1.1. The dates and times for the Call for Campaigns, the Procedures Meeting, the Campaign Period, the Voting Period, the Complaints Period, and the day and time the results of the Referendum will be released.
 - 1.2.4.1.2. The Referendum Schedule must be ratified by the Elections and Referenda Committee at least thirty (30) days before Campaign Registrations begins.
 - 1.2.4.1.3. The Voting Period for a Referendum question must be at least thirty (30) days after the question is initiated.

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1.2.5. Referendum Questions

1.2.5.1. Signature requirements for Referenda questions shall be ratified by the Elections and Referenda Committee prior to the commencement of the Call for Campaigns.

1.2.5.2. A Referendum question pertaining to changes to the fees charged to Members shall state the previous fee amount (if it exists) and the amount of the proposed increase.

1.2.6. Call for Campaigns

1.2.6.1. The Call for Campaigns shall last for at least five (5) business days.

1.2.6.2. Application forms shall be released at the end of the Call for Campaigns and shall be made available on the Association website and in the GSA Commons.

1.2.6.3. Any Regular Member wishing to run a Campaign on either side of the issue may apply to register a Campaign Committee.

1.2.6.4. An application form must include an outline of the campaign platform and contact information for each of the Campaign leaders.

1.2.6.5. Campaign Committees must provide a fifty (50) dollar cash deposit, upon submission of the application form, which is refundable unless the Campaign Committee has violated procedures or caused damage to University property, as determined by the Elections and Referenda Committee

1.2.7. Procedures Meeting

1.2.7.1. After the Call for Campaigns ends, the Chief Electoral Officer shall chair a mandatory Procedures Meeting for all Campaign Committees and shall ensure Campaign Committee members have the necessary sections of this Bylaw, rules, and information;

1.2.7.2. All members of a Campaign Committee must attend the Procedures Meeting in order for the Campaign to be eligible for registration.

1.2.8. Registration

1.2.8.1. The Elections and Referenda Committee shall register a Campaign where

1.2.8.1.1. All Campaign Committee members have attended the Procedures Meeting

1.2.8.1.2. The Campaign Committee has submitted a complete application form and deposit.

1.2.9. Campaign Period

1.2.9.1. No one shall campaign prior to the campaign period.

1.2.9.2. No one shall campaign during the campaign period unless they are a member of a registered Campaign Committee.

1.2.9.3. Subject to this Bylaw, a third party may be a member of a registered Campaign Committee;

1.2.9.4. The Campaign Period shall begin after the Procedures Meeting, and shall end on the final day of voting. The Campaign Period shall last for at least seven (7) days

1.2.9.5. The Chief Electoral Officer, with advice from the Elections and Referenda Committee, shall organize voluntary Referendum forums in

accessible locations during the Campaign Period;

1.2.9.6. Members of Campaign Committees shall NOT:

- 1.2.9.6.1.** Misrepresent the character or policies of other campaigns, nor shall they interfere in any manner with the campaign materials of other campaigns.
- 1.2.9.6.2.** Affix anything to material that has been disseminated by the Association or the Elections and Referenda Committee.
- 1.2.9.6.3.** Deliver campaign speeches or information in regularly scheduled classes, labs, computer labs, the GSA Commons, or University Culinary Services locations, unless it is during the scheduled forums.
- 1.2.9.6.4.** Engage in door-to-door soliciting within University residence buildings or on University property.
- 1.2.9.6.5.** Campaign of display posters within University residence buildings.
- 1.2.9.6.6.** Release campaign materials unless the materials have been approved by the Elections and Referenda Committee.
- 1.2.9.6.7.** Offer gifts to voters.
- 1.2.9.6.8.** Distribute products to Voters unless the products have been approved by the Elections and Referenda Committee.
- 1.2.9.6.9.** Use personal funds to acquire campaign material. Any such material to promote a Campaign will be considered unauthorized and any such incident shall be remedied at the discretion of the Elections and Referenda Committee;

1.2.9.7. Members of Campaign Committees:

- 1.2.9.7.1.** May print up to a maximum of seventy-five (75) posters with dimensions no larger than eleven (11) inches by seventeen (17) inches. The Association will cover costs for printing up to a maximum of seventy-five (75) dollars.
 - 1.2.9.7.1.1.** Campaign Committees must have their poster approved by the Election and Referenda Committee prior to printing or displaying.
 - 1.2.9.7.1.2.** Campaign Committees will only be allowed to submit one (1) final poster for approval.
 - 1.2.9.7.1.3.** Any poster, related to the Campaign, shall count towards the Campaign Committee's poster limit.
 - 1.2.9.7.1.4.** Each Campaign Committee is responsible for learning and following applicable University rules, regulations, and policies regarding poster display and poster restrictions in campus buildings.
 - 1.2.9.7.1.5.** Candidates must inform the Elections and Referenda Committee of where, and how many, of their posters have been displayed and where.
- 1.2.9.7.2.** May use websites, social media and may send mass emails for campaign purposes. Each Candidate is responsible for learning and following applicable University rules,

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1.2. Violations and Complaints

- 1.2.1.** Candidates are liable for violations by Representatives.
- 1.2.2.** Registered campaign committees are liable for violations during Referenda; including the actions of any individual or group working on behalf of the campaign.
- 1.2.3.** Complaints arising out of Elections/By-Elections or Referenda must be submitted in writing to the Association Office by four (4) PM of the last day of Voting. Complaints must not be hearsay and must be substantiated by proof and evidence, with as much detail as possible to help inform the Elections and Referenda Committee.
- 1.2.4.** The Chief Electoral Officer, in consultation with the Elections and Referenda Committee, shall investigate and deal with those complaints received by the Association Office within twenty-four (24) hours after the voting period has ended..
- 1.2.5.** Complaints concerning the Chief Electoral Officer shall be reviewed during a meeting of the Elections and Referenda Committee, excluding the Chief Electoral Officer.
- 1.2.6.** The Elections and Referenda Committee may take such steps as it deems necessary to fulfill its mandate.

1.3. Review

- 1.3.1.** Any person affected by a decision of the Elections and Referenda Committee may request a review by submitting a complaint to the Office Manager.
- 1.3.2.** The Office Manager shall forward the complaint to the Code of Ethics and Discipline Committee. If the Chair of the Code of Ethics and Discipline Committee is also the Chief Electoral Officer, an interim chair shall be appointed by and from the members of the Code of Ethics and Discipline Committee to chair the meeting at which the complaint is considered.
- 1.3.3.** Where the Code of Ethics and Discipline Committee is of the opinion that the application is not frivolous or vexatious, a hearing shall be convened.
- 1.3.4.** Where a hearing is required, the Code of Ethics and Discipline Committee shall convene to hear the complaint. The Chief Electoral Officer shall not participate in the hearing;
- 1.3.5.** The Code of Ethics and Discipline Committee may overturn a decision of the Elections and Referenda Committee if the Elections and Referenda Committee;
 - 1.3.5.1.** Acted without jurisdiction, acted beyond its jurisdiction, or refused to exercise its jurisdiction.
 - 1.3.5.2.** Failed to observe a principle of natural justice or procedural fairness.
 - 1.3.5.3.** Based its decision on an erroneous finding of fact that it made in a perverse or capricious manner or without regard for the material before it; or.
 - 1.3.5.4.** Acted in any other way that was contrary to law.
- 1.3.6.** A decision of the Code of Ethics and Discipline Committee shall be made within fourteen (14) days of the hearing and is considered final.