

NIPISSING UNIVERSITY STUDENT UNION



## **Elections Policy**

**Approved by the Board of Directors on:** August 21st, 2018

**Definitions:**

1. "Elections" means any election for a NUSU position including Executives, Directors, and Student Senators;
2. "By-elections" means any election of Directors, Executives, and Student Senator representatives that is not a general election and is completed in order to fill positions that are vacant;
3. "Elections Policy" means the policy that is outlined herein;
4. "Elections Committee" means the committee that is responsible for the administration and facilitation of all NUSU elections;
5. "Election Official" means one of the five members of the Elections Committee;
6. CRO "Chief Returning Officer" (See point 3.1.2);
7. DRO "Deputy Returning Officer" ( See point 3.1.3);
8. "Appeals Committee" means the committee that is responsible for any appeals that arise during NUSU elections;
9. "All Candidates Meeting" means the mandatory and initial meeting for candidates of the specified election after the nomination period is completed;
10. "Campaigning" shall be considered any act where a vote is solicited;
11. "Campaign materials" shall be defined as any and all materials used in the promotion of a candidate containing their name, likeness, image or brand;
12. "Board" means the NUSU Board of Directors;
13. By-laws" means the NUSU By-laws;
14. "Executive Committee" means the Executives of NUSU;
15. "Members" means any registered Nipissing University student, outlined by the NUSU By-laws;
16. "Official Mailing Lists" shall be defined as community.nipissingu.ca, Nipissingu.ca, NUSU volunteer lists, NUSU volunteer Facebook groups or any other university information databases;
17. "Academic Year" is defined as September 1st, of any given year to April 30th, of any given year;
18. "Conflict of interest" refers to a situation in which the concerns or aims of two different parties are incompatible or a situation in which a person is in a position to derive personal benefit from actions or decisions made in their official capacity.

## **1. Introduction**

### **1.1. Purpose**

1.1.1. The purpose of this policy is to outline the proper procedures that are applicable to all elections and by-elections in order to ensure fair and nonpartisan administration of these elections, which shall be facilitated by the Elections Committee. This policy acts as supplementary material to the NUSU By-laws, specifically Article 9.0. In the case of any disagreement between the By-laws and this policy, the by-laws shall prevail.

### **1.2. Policy Amendments**

- 1.2.1. The Elections Committee has the ability to make and propose amendments to the board on all relevant elections' policies, including this one stated herein, as long as they are in accordance with the NUSU By-laws.
- 1.2.2. The Elections Committee, in conjunction with the board, shall conduct an annual review of this particular policy.

## **2. Elections Schedule**

### **2.1. Schedule Approval**

- 2.1.1. The elections schedule must be presented to the board at least fourteen (14) days before the first day of nominations.
- 2.1.2. In the event that a By-election must occur in the fall, the Elections Committee must present an amended schedule as soon as practicable.

### **2.2. Call of an Election**

- 2.2.1. NUSU shall advertise the start of the nomination period for an election at least fourteen (14) days in advance.
- 2.2.2. The information provided by NUSU shall contain, but not necessarily limited to, the elections' schedule, the list of available positions, nomination packages, and this particular elections policy.
- 2.2.3. NUSU shall use their website, all relevant social media outlets, and any appropriate channels to advertise the elections.

### **2.3. Nomination Period**

- 2.3.1. Nomination periods for elections shall be in accordance with the NUSU By-laws, article 9.0.
- 2.3.2. Student Senator positions shall adhere to the same NUSU By-laws as both the executive and Director-at-Large positions, according to article 9.0.

### **2.4. Campaigning Period**

- 2.4.1. The campaign period must not start before the All-Candidates meeting, and shall commence no sooner than 9:00 am on the following business day after the All-Candidates meeting for the election is complete.
- 2.4.2. Campaign periods shall not last longer than twenty (20) days, and must last for a minimum of five (5) days.
- 2.4.3. Campaign periods must start within five (5) days after the All-Candidates meeting.
- 2.4.4. The campaign period shall still continue through the voting period.

### **2.5. Voting Period**

- 2.5.1. The voting period shall run over a minimum of two (2) days.
- 2.5.2. The CRO is responsible for arranging the online ballot system via Blackboard to notify the members of the corporation that the voting period has commenced, and the link to vote for their respective candidates.

## **3. Election/Appeals Committee**

### **3.1. Elections Committee Membership**

- 3.1.1. The Elections Committee shall be comprised of:
  - 3.1.1.1. The Vice-President Governance & Legal Affairs, or a designate (Chief Returning Officer – CRO);
  - 3.1.1.2. The Vice-President Communications, or a designate (Deputy Returning Officer – DRO);
  - 3.1.1.3. Two (2) directors elected by the board.
- 3.1.2. Chief Returning Officer (CRO), appointed by the Board of Directors of NUSU in accordance with the Elections Committee, shall oversee the general conduct and execution of elections on behalf of the Board of Directors and shall fulfill these duties with all due diligence and impartiality.
- 3.1.3. Deputy Returning Officer (DRO) shall act in the capacity of the CRO when determined necessary by the Elections Committee or on behalf of the Board of Directors.
- 3.1.4. An election official shall:
  - 3.1.4.1. Act impartial in fulfilling their duties; and
  - 3.1.4.2. Not be a candidate or involved on a campaign team in any of the elections that they facilitate.
    - 3.1.4.2.1. If an election official intends to run in any of the elections or as part of a campaign team that said individual must supply written notice of conflict for that respective election to both the executive committee, and the Elections

Committee. A new member must be elected by the board to fill the temporary vacancy on the Elections Committee in order to meet quorum.

3.1.5. Quorum for all Elections Committee decisions is a simple majority.

### **3.2. Appeals Committee Membership**

3.2.1. The Appeals Committee shall consist of the following:

3.2.1.1. The Vice-President Governance and Legal Affairs or in their absence someone appointed by the CRO, who shall act as Chair;

3.2.1.2. Members of the Elections Committee elected by the board who currently sit on the Elections Committee;

3.2.1.2.1. Directors sitting on the Appeals Committee cannot be a member of any campaign teams;

3.2.1.2.2. Directors sitting on the Appeals Committee cannot openly support any candidate or party;

3.2.1.2.3. Directors sitting on the Appeals Committee cannot be running for election for any position in the

3.2.1.3. Two Directors-at-Large;

3.2.1.3.1. Directors-at-Large sitting on the Appeals Committee cannot be a member of any campaign teams;

3.2.1.3.2. Directors-at-Large sitting on the Appeals Committee cannot openly support any candidate or party;

3.2.1.3.3. Directors-at-Large sitting on the Appeals Committee cannot be running for election for any position in the election.

3.2.2. In the case of an appeal from a candidate for an elected position to a Nipissing University body, the senate Chair, secretary and general member, or their designate, shall be permitted to attend the appeals meeting, and cast a vote.

## **4. Supplementary Code of Conduct**

4.1. All candidates running for election and associated campaign teams

shall:

- 4.1.1. Be courteous, polite and respectful to the electorate, other candidates and their campaign teams, the Elections Committee, the appeals committee, executive members and director members currently serving in office, the staff of NUSU and the staff at Nipissing University;
- 4.1.2. Refrain from harassment or otherwise “aggressive campaigning” towards any member of the student body or electorate regardless of whether or not they have chosen to exercise their vote;
- 4.1.3. Refrain from slander, defamation of character, harassment, verbal or physical abuse, threats, sabotage of other campaigns;
- 4.1.4. Refrain at all times from excessive profanity, slander, derogatory statements, or disrespecting the election process;
- 4.1.5. Never issue, condone or otherwise endorse offensive statements regarding a culture, race or group of persons;
- 4.1.6. Not use NUSU resources for electoral purposes unless explicitly permitted to do so by policy or a mandate from the election committee;
- 4.1.7. Not purposefully engage in behaviour that would result in a demerit being issued as outlined in policy;
- 4.1.8. Not campaign in the NUSU office at anytime;
  - 4.1.8.1. This includes not entering the outlined area of the NUSU office during the campaigning period as determined by the Elections Committee;
- 4.1.9. Follow Nipissing University’s Code of Student Rights and Responsibilities at all times.

## **5. Nominations**

### **5.1. Eligibility of a Candidate**

- 5.1.1. To be eligible to run in a NUSU election, said person must be a paying member who has paid all the ancillary fees of the organization enrolled

in courses for the entirety of the academic year, and be passing at least one course per Fall and Winter semester.

- 5.1.1.1. In the case where a student is enrolled in co-op, the student will still be eligible to serve as a candidate.
- 5.1.1.2. In the case where extenuating circumstances apply to why the student was unable to be enrolled in courses both semesters, the student may appeal to the Elections Committee and the CRO, and they will make a decision based on evidence provided as to whether or not the student can serve as a candidate.
- 5.1.2. The CRO shall complete all verification of the nomination packages within forty-eight (48) hours of the close of the nomination period. Upon the completion of the verification process, the CRO shall determine the eligible candidates.
  - 5.1.2.1. A member who returns their nomination package after the completion of the nomination period will not be considered and will be ineligible for candidacy.
  - 5.1.2.2. In the event that a nomination form contains an error or an omission or is determined to be invalid, the CRO shall provide the member with a twenty-four (24) hour period to correct and submit their nomination package.
- 5.1.3. All directors of the board shall be entitled nomination as candidates in any election for a position on the Senate, Board of Directors, or as an executive provided:
  - 5.1.3.1. They are students at Nipissing University, and who have paid the appropriate fees for membership of NUSU;
  - 5.1.3.2. No candidate shall use their position for promotion of their candidacy;
  - 5.1.3.3. No candidate shall use NUSU assets other than what is provided to them by the Elections Committee to promote or develop any campaign associated materials.
  - 5.1.3.4. Declare a conflict of interest from the Board of Directors during the election period.
- 5.1.4. If a member of the Executive Committee is nominated for an elected position, they must take an unpaid leave of absence from their office or use their vacation time or time in lieu during the election period. The full-time staff member of the department in question will act as a

caretaker of the department during the election period unless otherwise determined by the remaining Executive Committee.

5.1.4.1. In situations where on a Vice President exists for the Department, the President will assume responsibility during the election period unless otherwise determined by the remaining Executive Committee.

5.1.5. No individual may be nominated for more than one (1) position in the Students' Union during any election.

5.1.5.1. Student's may still run for and sit on both the Board of Directors and Academic Senate as they are considered two separate organizations.

## **5.2. Nomination Package**

5.2.1. The CRO, along with the Elections Committee, will create nomination packages that pertain to the particular election that will be available at the NUSU office, and on the NUSU website at the start of the nomination period.

5.2.2. The nomination package for all elections shall include:

- 5.2.2.1. Acknowledgment and authorization Form;
- 5.2.2.2. Contact Information Form;
- 5.2.2.3. Campaign Team Members Form;
- 5.2.2.4. All-Candidates Meeting Attendance Exemption Form;
- 5.2.2.5. Student Signatures for Nomination Form;
- 5.2.2.6. Campaign rules;
- 5.2.2.7. Social Media Disclosure Form;
- 5.2.2.8. Link to both the elections policy, and NUSU By-laws;
- 5.2.2.9. Important dates pertaining to the election;
- 5.2.2.10. Elections Committee contact information.

## **5.3. Nomination Protocol**

5.3.1. Members involved in running for a position must:

- 5.3.1.1. Obtain the nomination package;
- 5.3.1.2. Fully review and understand all contents within the package;
- 5.3.1.3. Return their completed packages to the NUSU office prior to the All-Candidates meeting;
- 5.3.1.4. The NUSU employee who receives that package shall sign, and mark the time and date that the package was received, and pass the package along to the CRO;
- 5.3.1.5. The CRO shall store the signed forms of the nomination packages in a secured area, along with any other confidential information.

## **5.4. Nomination Signatures**



- 5.4.1. In order to be nominated for any of the positions as stipulated below, the potential candidates must acquire a certain number of signatures from the members, along with their printed name, student number, and their University student email.
  - 5.4.1.1. Executive position (President, Vice-President Governance & Legal Affairs, Vice-President Finance, Vice-President Services, and Vice-President Communications) - 25 Member signatures;
  - 5.4.1.2. A Director-At-Large position – 10 Member signatures;
  - 5.4.1.3. A Student Senator position (Arts & Science, Applied & Professional Studies, Education, and Graduate) – 10 Member signatures;
- 5.5. Withdrawal of a Nomination**
  - 5.5.1. All nominees and/or candidates may withdraw their nominations by giving signed written notice to the CRO or a current member of the Executive Committee who is not up for election.
  - 5.5.2. Candidates who choose to withdraw as a candidate must abide by the following rules:
    - 5.5.2.1. Cannot endorse another candidate, regardless of position;
    - 5.5.2.2. Cannot join another campaign team of another candidate, regardless of position.
  - 5.5.3. Publicly endorsing another candidate is strictly prohibited.
  - 5.5.4. Candidates who formally withdraw after submitting a nomination package but prior to the deadline for submitting nomination forms will not be bound by elections policies.
- 5.6. All-Candidates Meeting**
  - 5.6.1. The CRO will facilitate and organize the All-Candidates Meeting for all NUSU elections at the end of the nomination period and before the start of the campaign period.
  - 5.6.2. The approved candidates must attend the All-Candidates Meeting.
  - 5.6.3. In the event that the candidate cannot attend the All-Candidates Meeting, the All-Candidates Meeting Attendance Exemption Form from the nomination package must be filled in and approved by the CRO.
  - 5.6.4. If either the candidate or a representative for a candidate fails to attend the All-Candidates meeting, that candidate will automatically be disqualified from the election.
  - 5.6.5. If, for whatever reason, the date, time or location is not mentioned in the 'Nominations Package' or if, for whatever reason, the date, time or location of the All-Candidates Meeting must be changed, all candidates must be notified of the All-Candidates Meeting at least seventy-two (72)

hours in advance.

- 5.6.5.1. A candidate missing the All-Candidates Meeting that has been changed may appeal their disqualification.
- 5.6.6. The All Candidates Meeting shall contain the following agenda items:
  - 5.6.6.1. The introduction of Elections Committee members;
  - 5.6.6.2. The introduction of the candidates;
  - 5.6.6.3. A review all pertinent policies and rules;
  - 5.6.6.4. The provision of contact information for Elections Committee members;
  - 5.6.6.5. A review of the election appeals process; and
  - 5.6.6.6. An opportunity for candidates to ask questions or address concerns.

## **6. Campaign Period**

### **6.1. Campaign List**

- 6.1.1. The Elections Committee, in conjunction with the NUSU communications department, shall advertise a list of all the election candidates and the positions they are running for through the NUSU website, and on NUSU social media platforms.

### **6.2. Campaign Rules**

- 6.2.1. Word of mouth shall never be defined as campaigning unless the candidate or campaign team is implicitly or explicitly soliciting a vote.
- 6.2.2. The CRO must approve of any and all types of campaign action or medium in use.
  - 6.2.2.1. Campaigning shall commence at 9:00 am on the outlined date following the adjournment of the All-Candidates meeting and shall end at 11:59 p.m. the day voting closes.
  - 6.2.2.2. There shall be no campaigning after the campaign period ends.
- 6.2.3. The CRO shall be responsible for determining whether any specific action or medium shall be deemed to be campaigning.
  - 6.2.3.1. The CRO's decision regarding campaigning may be appealed to the Appeals Committee by contacting the Appeals Committee at [electionsappeals@nusu.com](mailto:electionsappeals@nusu.com).
- 6.2.4. No campaigning shall take place in any of the following areas:
  - 6.2.4.1. NUSU office;
  - 6.2.4.2. Canadore College;
  - 6.2.4.3. Any shared Nipissing/Canadore spaces unless

otherwise outlined in the elections package;

6.2.4.4. Residence complexes.

- 6.2.5. All candidates shall refrain from endorsing, supporting, or campaigning on behalf of another candidate running for a position.
- 6.2.6. Candidates who have withdrawn their candidacy may not campaign on behalf of another candidate.

### **6.3. Campaign Teams**

- 6.3.1. A campaign team member is any current Nipissing University student who assists the candidate in any aspect of their campaign.
- 6.3.2. The candidate is responsible for the actions of each of their campaign team members during the course of the election. Each candidate shall be entitled to have up to ten (10) campaign members.
- 6.3.3. Campaign team members must abide to the same rules as the candidate;
- 6.3.4. All campaign team members must fill out the necessary information on the campaign team members form that is provided in the candidate's nomination package before the start of the campaign period.
- 6.3.5. Candidates shall notify the CRO if they are adding or removing a campaign team member. The CRO must approve in writing the decision of the candidate's request.
- 6.3.6. No candidate shall affiliate with each other in the form of a party, coalition, team, or slate.
- 6.3.7. The following people shall not be permitted to campaign for any candidate.
- 6.3.7.1. A NUSU Director at Large of the NUSU Board of Directors not standing for election;
  - 6.3.7.2. A NUSU Executive Committee member;
  - 6.3.7.3. A NUSU Elections Committee member;
  - 6.3.7.4. A NUSU staff member not standing for election.

## **7. Campaign materials**

### **7.1. Guidelines**

- 7.1.1. All campaign materials will be due by the end of the nomination period.
- 7.1.1.1. Campaign material include:
    - 7.1.1.1.1. Posters;
    - 7.1.1.1.2. Handbills;
    - 7.1.1.1.3. Platforms;
    - 7.1.1.1.4. Headshots.
- 7.1.2. Campaign posters shall be submitted electronically to the CRO and DRO for approval in a PDF format or brought to the NUSU office.
- 7.1.3. Campaign handbills must be submitted electronically to the CRO and

- DRO for approval in a PDF format or brought to the NUSU office.
- 7.1.4. Candidates are permitted to send their platforms and headshots electronically in a PDF format to CRO for approval. Once approved, in conjunction with the Communications department, the CRO shall place the platforms and headshots on the NUSU website, and social media channels.
- 7.1.5. During the election periods, the following persons or organizations must remain neutral on all social media outlets:
- 7.1.5.1. The Chair of the NUSU Board of Directors;
  - 7.1.5.2. Members of the NUSU Board of Directors not standing for election;
  - 7.1.5.3. All Executive Committee members;
  - 7.1.5.4. All Elections Committee members;
  - 7.1.5.5. NUSU staff not seeking election.

**7.2. Quantity of Campaign Materials**

- 7.2.1. Candidates who are pursuing multiple positions for NUSU and Nipissing University elections (ie. Senator and Director) shall only be entitled to use the same campaign materials as though they were pursuing only one position.
- 7.2.2. For candidates whose campaign materials go missing or are vandalized, the CRO shall grant a supplementary number of posters, equal to the number missing, upon review.
- 7.2.3. Quantities, styles and types of all campaign materials shall be set at the discretion of the CRO and outlined in the nomination package.

**7.3. Campaign Budget**

- 7.3.1. Candidates shall not be permitted to spend any cost associated with their campaigns.

**7.4. Restrictions on Campaign Materials**

- 7.4.1. All election posters must be removed one hour before the voting period ends.
- 7.4.2. All candidates running for an elected position within NUSU shall be required to include the students name, which election they are running for, and the position they are running for on all campaign materials.
- 7.4.3. Campaigns materials will not include any mention of another candidate/position/campaign team, or include NUSU, Nipissing, or other affiliated logos and slogans.
- 7.4.4. Candidates may not use the NUSU logo, NUSU slogans or wear NUSU clothing and/or accessories in the course of their campaign.
- 7.4.5. Candidates are permitted to wear Nipissing University, Lakers, or Residence clothing, as long as they do not appear in campaign materials.

- 7.4.6. Either the CRO or a member of the Elections Committee must stamp/sign/agree/date all candidates campaign material confirming that it was reviewed and approved
- 7.4.7. The Chief Returning Officer or a member of the Elections Committee shall have the discretion to not approve promotional material if they feel that it is in violation of the By-Laws, NUSU policies, Nipissing University's policies or Code of Student Rights and Responsibilities or any applicable laws, and/or Nipissing's policies, Code of Student Rights and Responsibilities, or any applicable laws.
- 7.4.8. The use of trademarks, registered trademarks and/or copyrighted material should not imply endorsement for a candidate.
- 7.4.9. There shall be no endorsements for candidates
  - 7.4.9.1. Any conflicts of interest must be declared. Conflicts may include but is not limited to :
    - 7.4.9.1.1. previous/current romantic relationships
    - 7.4.9.1.2. roommates/housemates
    - 7.4.9.1.3. Potential hand in guidelines/legislation for the elections

## **7.5. Placement of Campaign Materials**

- 7.5.1. No promotional materials shall be distributed or posted off campus.
- 7.5.2. Promotional materials must be distributed and/or posted in the areas designated by the Elections Committee.
- 7.5.3. No promotional materials shall be distributed and/or posted at or within a residence complex.
- 7.5.4. Candidates are not permitted to campaign in any area involved in a NUSU business operation.
- 7.5.5. Campaign materials must receive the appropriate approval (e.g. Stamp) from the CRO, DRO, or a member of the Elections Committee for all placements.
- 7.5.6. Campaign materials must be compliant with all Nipissing University policies.
- 7.5.7. Only sticky tack/putty may be used to attach promotional materials to appropriate surfaces as outlined in the All-Candidates Meeting.
  - 7.5.7.1. Thumb tacks or staples may be used to attach promotional materials to bulletin boards only.
- 7.5.8. All Candidates must submit a list of poster locations to the CRO or a member of the Elections Committee within twenty- four (24) hours of the placement of any posters. This will be provided at the All-Candidates Meeting.

## **8. Social Media**

- 8.1.1. All elections-based social media accounts and materials must be officially declared and approved by the Chief Returning Officer (CRO)
  - 8.1.1.1. The CRO must have access to all social media being used for campaigning by each candidate.
- 8.1.2. If at any time, a student communicates interest in being removed from a candidate's social media mailing list, other mailing list, network or pictures, the candidate and members of the candidate's party must respect the student's wishes.
- 8.1.3. Potential candidates may not use social media channels to promote any candidacy or potential candidacy prior to the commencement of the campaign period.
- 8.1.4. Candidates are permitted to use, and are limited to the following social media channels and applications:
  - 8.1.4.1. Facebook
    - 8.1.4.1.1. Candidates will be permitted one Facebook event page if they so choose.
    - 8.1.4.1.2. Candidates are permitted to send unlimited numbers of messages and posts to event and group page members.
    - 8.1.4.1.3. Candidates are permitted to use their personal Facebook pages to campaign
    - 8.1.4.1.4. Candidates may not "like", "follow", or "join" any other candidate's pages, so to not endorse other candidates.
  - 8.1.4.2. Twitter
    - 8.1.4.2.1. Each candidate may either create a new Twitter account to use for the duration of their campaigns, or they may continue using a current Twitter account, if they so choose.
    - 8.1.4.2.2. Candidates will not be permitted to use both for campaigning purposes.
    - 8.1.4.2.3. There is no limit to the number of tweets candidates can make during the campaign period.
    - 8.1.4.2.4. Candidates may not interact with other candidates via Twitter, so not to endorse them.
  - 8.1.4.3. Instagram

- 8.1.4.3.1. Each candidate may either create a new Instagram account to use for the duration of their campaigns, or they may continue using a current Instagram account, if they so choose. Candidates will not be permitted to use both for campaigning purposes.
- 8.1.4.3.2. There is no limit to the number of posts candidates can make during the campaign period.
- 8.1.4.3.3. Candidates may not interact with other candidates via Instagram, so not to endorse them.
- 8.1.4.4. Snapchat
  - 8.1.4.4.1. Each candidate may continue using a current Snapchat account, if they so choose.
  - 8.1.4.4.2. Candidates may not create a new Snapchat account for campaigning purposes.
  - 8.1.4.4.3. There is no limit to the number of snaps a candidate can make during the campaign period.
  - 8.1.4.4.4. Candidates may not interact with other candidates via Snapchat, so not to endorse them.
- 8.1.4.5. All other social media mediums are prohibited for the use of campaigning during the election period.
- 8.1.4.6. Not to use NUSU or Nipissing logos on their social media unless sharing posts directly from NUSU regarding elections.
- 8.1.4.7. Candidates can share NUSU elections items on their social media for example: date of debate, campaign period graphics.
- 8.1.4.8. All accounts or pages used for the sole purpose of campaigning must be deleted, made private, or cease to exist to the public within twenty-four (24) hours after the after the campaigning period.

## **8.2. Mailing Lists**

- 8.2.1. Contacting students through a mailing list must not infringe on the

students' privacy.

- 8.2.1.1. Any use of an official mailing lists to acquire student emails is strictly prohibited.
- 8.2.1.2. The use of user-generated mailing lists (contacts already in your address book or friends the candidate has on a social network) is allowed.

## **9. Voting**

### **9.1. Eligible Voters**

9.1.1. Eligible voters are members who are outlined in the By-laws.

### **9.2. Means of Voting**

- 9.2.1. Voting shall be conducted by online ballot through their single sign on account (SSO) through the Blackboard portal.
- 9.2.2. The CRO is responsible to send in all candidate information such as the name and position of the candidate to the respective individuals at the University who control Blackboard for voting.
- 9.2.3. Voting shall be conducted for a minimum of forty-eight (48) hours.
- 9.2.4. The Member shall receive an email through their student email addresses on voting instructions and the link to Blackboard to vote. Each Member is entitled to one (1) vote per position.
- 9.2.5. Members votes shall remain anonymous once verified by the registrar at Nipissing University.

### **9.3. Results**

- 9.3.1. The candidate with the most votes by the member shall be declared the winner of their respective position.
- 9.3.2. Only the CRO, DRO, Elections Committee and Director of Communications shall be the recipients of the election results from Blackboard voting sent by the office of the Registrar.
- 9.3.3. The results shall not be disclosed until they have been officially announced by NUSU as approved by the CRO.
- 9.3.4. Election results must be released within twenty-four (24) hours of the close of the voting period.
- 9.3.5. All appeals shall be heard and ruled upon prior to the opening of the results.
- 9.3.6. In the event that a candidate is disqualified the board shall make a ruling prior to viewing the results.
- 9.3.7. In the event of a tie between candidates for a position, a by-election shall occur within seven (7) days of the close of the voting period. This by-election shall consist of one (1) voting day. The voting system for the one (1) voting day shall be administered online via Blackboard.
- 9.3.8. In the event that the winning candidate is disqualified the following



rules will apply:

- 9.3.8.1. For the seven (7) day period following the close of the voting period, in the event that a successful candidate in an election is disqualified, the runner-up of that respective position shall be the new successful candidate. After the 7 day period, vacancies will be dealt with in accordance with the By-laws.
- 9.3.8.2. If the respective position is a single candidate position, a By-election shall be held at a later date in order to fill that position.

## **10. Demerits, Disqualifications & Appeals**

### **10.1. Demerits and Disqualifications**

- 10.1.1. The CRO, with the assistance of the DRO, shall be responsible for enforcing campaign regulations, and shall have the power to levy demerits against any candidate and their campaign team for any infraction of the By-Laws, policies or Code of Conduct related to elections.
  - 10.1.1.1. In the case that three (3) demerit points are charged to a particular candidate, for actions committed by the candidate, the CRO shall disqualify the Candidate.
  - 10.1.1.2. In the case of a severe infraction by a candidate the Election Committee in accordance with the Appeals Committee may disqualify the Candidate.
  - 10.1.1.3. In the case of a candidate being disqualified, the referendum question shall continue regardless.
- 10.1.2. Written notice of any violation will be provided to the Candidate.
  - 10.1.2.1. Notice of violations on last day of campaign period shall be given or emailed directly and immediately to the Candidate by a member of the Elections Committee.
  - 10.1.2.2. Only appeals that may cause a disqualification will be heard on the last day of campaigning and notice of appeals must be given.
  - 10.1.2.3. Candidates disqualified on the last day of campaigning will still be permitted to passively campaign until such a time that their appeal has been resolved.

- 10.1.3. The categories and levels for demerit points shall consist of the following:
- 10.1.3.1. Minor offences worth one (1) demerit point. Minor offences include, but are not limited to:
    - 10.1.3.1.1. Promotional material violations
    - 10.1.3.1.2. Campaigning violations, including campaigning on Election Day
    - 10.1.3.1.3. Distribution of unapproved campaign materials;
    - 10.1.3.1.4. Campaigning around voting booths on Election Day that are set up by the Elections Committee;
    - 10.1.3.1.5. Endorsing or campaigning for a candidate running for another position.
    - 10.1.3.1.6. Endorsement of a candidate following withdrawal from the election period.
    - 10.1.3.1.7. Campaign team supports another candidate.
  - 10.1.3.2. Moderate offences worth two (2) demerit point. Moderate offences include, but are not limited to:
    - 10.1.3.2.1. Repetition of minor offences.
  - 10.1.3.3. Major offences worth up to three (3) demerit points. Major offences include, but are not limited to:
    - 10.1.3.3.1. A violation of the candidate code of conduct has occurred;
    - 10.1.3.3.2. Slander (verbal defamation of character not based on proven fact);
    - 10.1.3.3.3. Libel (written defamation of character not based on proven fact);
    - 10.1.3.3.4. A violation of debate etiquette has occurred;
    - 10.1.3.3.5. Misconduct/disrespect towards other people/groups per the discretion of the Elections Committee;
    - 10.1.3.3.6. Passing the front desk area in the NUSU office;
    - 10.1.3.3.7. Using material in excess of what was provided to each Candidate by the Elections Committee;
    - 10.1.3.3.8. Abuse of candidate's or campaign member's position;

- 10.1.3.3.9. Use of official mailing lists of the NUSU and Nipissing University.
  - 10.1.3.4. The CRO, where necessary, may declare an act not mentioned in the above examples to be within one of the three categories
  - 10.1.4. At any point, should the CRO, DRO, member of the Elections Committee, or the Executive Committee feel that a candidate has conducted themselves in ways unbecoming of an elected representative of students (including but not limited to perceived violation of the Student Union Code of Conduct, should it apply, public inappropriate behaviour (including but not limited to slander or libel as defined in section 1.3.3), or violation of any legislation), the Chair of the Board will call a special meeting of the Board of Directors to review the candidate's candidacy.
    - 10.1.4.1. In order for a candidate to be removed from the elections process via a special meeting of the Board of Directors, the Board of Directors must vote in favour of disqualification with a 2/3 majority of all voting members present.
    - 10.1.4.2. In the case where a candidate's candidacy is being reviewed by the Board of Directors, said candidate will be provided with 24 hours notice of the meeting to prepare their defense.
      - 10.1.4.2.1. In the case of a request for disqualification on the last day of the campaign period, the Candidate will be given a minimum of one hour to prepare for the meeting.
  - 10.1.5. At no point shall any Candidate or Party be penalized due to the Executive Committee, the Chief Returning Officer, the Deputy Returning Officer or any Elections Committee member erring on the interpretation of their respective responsibilities and/or duties under Student Union Policy or failing to provide clear, accurate, unbiased and timely instruction or direction.
- 10.2. Appeals Process**
- 10.2.1. A Candidate must give written notice in hard copy to the CRO of any appeal of any decision made or demerit awarded by the CRO or DRO by 4:00pm the following business day.
  - 10.2.2. Any disqualification will be treated as automatically appealed and the Appeals Committee must hear the case within a reasonable time
  - 10.2.3. Any decision reached by the Appeals Committee shall be final and shall



be communicated to the relevant candidate by such means as are deemed appropriate.