

Consolidated Election Rules 2020
Carleton University Graduate Students' Association

In this document:

- A. GSA Constitution Article 8.0 - Elections
- B. GSA Constitution Article 14.0 – Referendum
- C. GSA By-Law #10 – Elections, By-Elections, and Referenda
- D. GSA Electoral Rule Policy

Note that candidates, referendum committees, and other interested parties are encouraged to review the entire GSA Constitution and By-Laws for additional information.

A. GSA Constitution Article 8.0 - Elections

8.1 Departmental Representatives on Council

- 8.1.1 It shall be the responsibility of the graduate students in each department to arrange for the election of their representative(s) to Council. Departments shall have full autonomy in choosing their representative(s).
- 8.1.2 Where no election occurs, an acclamation will be declared after a nomination form containing ten signatures or 50% of the members of the department, whichever is less has been remitted to the Executive.
- 8.1.3 The acclamation will take effect if the position is not contested within one week after submission to the Executive.

8.2 Chief Electoral Officer(s)

- 8.2.1 One or two Chief Electoral Officer(s) (CEOs) will be hired to run GSA general elections, by-elections and referenda. CEOs shall be hired by the GSA Electoral Board as defined in the GSA By-Laws.
- 8.2.2 The CEOs shall be responsible to Council and shall be members of the GSA.
- 8.2.3 The duties of the CEOs shall be defined by the GSA By-Laws and Electoral Policy.

8.3 Elections

- 8.3.1 The offices of the President, Vice-President Finance, Vice-President Operations, Vice-President External, and Vice-President Academic, the graduate nominees to Senate, and the graduate nominees to the Graduate Faculty Board shall be contested by a secret ballot general election, as defined in the GSA By-Laws and Electoral Policy.
- 8.3.2 Representatives to the Senate will normally consist of at least one doctoral student, at least one graduate student from either the Faculty of Arts and Social Sciences, the Faculty of Business, or from the Faculty of Public Affairs, and at least one graduate student from either the Faculty of Engineering and Design or from the Faculty of Science.
- 8.3.3 Representatives to the Graduate Faculty Board will normally consist of at least

two doctoral students and at least three master's students, and at least four of whom shall be registered full-time.

8.3.4 In the event that a candidate is running unopposed, members of the Graduate Students' Association will be able to vote in favour or against electing the candidate to the position.

B. GSA Constitution Article 14.0 – Referendum

14.1 Referenda may be called on important issues of GSA business.

14.2 The Executive, Council or any graduate student may initiate a referendum of GSA members. Council shall have the power to approve or amend questions, set a voting date, and give public notice of the question at least two weeks prior to the voting date.

14.3 The majority vote among graduate students voting in a referendum shall be binding on the Executive and Council of the GSA where the overall participation rate of the entire GSA membership (measured in full time equivalence), at the time of the referendum, be 6% or greater. In the event that the participation rate is less than 6% of the GSA membership (measured in full time equivalence), the referendum cannot be ratified by Council.

14.4 Conduct of the referendum shall adhere to election procedures under Article 8.0.

C. GSA By-Law #10 – Elections, By-Elections, and Referenda

Section 1: Positions

GSA By-Law 10 sets the rules and regulations for the election of the following positions:

- a) President
- b) Vice-President Operations
- c) Vice-President External
- d) Vice-President Finance
- e) Vice-President Academic
- f) Graduate representatives to the Senate will normally consist of at least one doctoral student, at least one graduate student from either the Faculty of Arts and Social Sciences, the Faculty of Business, or from the Faculty of Public Affairs, and at least one graduate student from either the Faculty of Engineering and Design or from the Faculty of Science.
- g) Graduate representatives to the Graduate Faculty Board will normally consist of at least two doctoral students and at least three master's students, and at least four of whom shall be registered full-time.

Section 2: GSA Electoral Board

- a) The GSA Electoral Board shall consist of two representatives from Council (who shall be elected by Council), the Executive Coordinator, one executive member and one external director from the Board of Directors.
- b) The GSA Electoral Board shall have the authority to hire CEOs, approve electoral rules

established by the CEOs which are not already defined in the GSA Constitution and By-Laws, and address candidate or campaign committee grievances, as per Section 6 of By-Law 10.

c) The GSA Electoral Board shall have the authority to establish the nomination period, the campaign period, and the deadline for any appeals.

d) In the case of an election or by-election, none of the members of the GSA Electoral Board shall be eligible to run for a position to be elected in the election for which they will be selecting CEOs. In the case of a referendum, none of the members of the GSA Electoral Board shall be eligible to serve on a campaign committee for the referendum for which they will be selecting CEOs.

Section 3: Responsibilities of the CEOs

a) The Chief Electoral Officers shall be given the authority to call for nominations, receive nomination forms, announce candidates and campaign committees, limit campaign expenditures, publicize the election, announce the results and to undertake any other duties required to carry out the election, by-election and/or referenda in accordance with the GSA Constitution and By-Laws.

b) CEOs shall have the authority to determine campaign and election rules which are not established in the GSA Constitution or By-Laws. These rules are subject to the approval of the GSA Electoral Board and shall be made available to all candidates.

c) CEOs are responsible for informing the Clerk of the Senate of Carleton University of the name of the President-Elect and the Vice-President Academic-Elect of the GSA and the names of the graduate students elected to sit on Senate.

Section 4: General Elections and By-Elections

a) GSA General Elections should normally occur, annually, on two consecutive days in March as determined by a motion passed at GSA Council.

b) GSA By-Elections should normally occur on two consecutive days. At least two weeks public notice shall be given for any by-election to be conducted.

c) Elections shall be by a simple majority of those members of the GSA voting.

d) In the case of ties in an election, by-election or referendum a by-election shall be held on one day no later than seven days following the initial election, by-election or referendum.

This by-election shall be repeated until the tie(s) is(are) broken.

e) In the event of an empty ballot for the Senate seat allocated for a doctoral representative, a representative from the Faculty of Social Sciences, the Faculty of Business or the Faculty of Public Affairs, or a representative from the Faculty of Science or the Faculty of Engineering and Design, a candidate(s) that does not meet the criteria but receives the next highest number of votes may assume the seat.

Section 5: Nominations

a) Nominations shall include the name and signature of the candidate, nominator, seconder and ten other members of the GSA.

b) Nominations, registered on approved nomination forms, shall be received, either by the CEO(s) or representative thereof, by 4 p.m. on the last business day prior to one week before the election date.

c) If nominations or a partial list of nominations are not complete by the nomination

deadline then the deadline may be extended until the Electoral Board decides to close nominations.

Section 6: Rules for Elections, By-Elections and Referenda

- a) Additional rules for elections, by-elections and referenda shall be established by the GSA Constitution.
- b) CEOs shall be responsible for interpreting the rules as established by the GSA Constitution and By-Laws.
- c) CEOs shall be responsible for deciding on any charge of campaign impropriety, and where a violation is deemed to exist, may take the following actions:
 - i. levy a fine or penalty against a candidate or campaign committee.
 - ii. disqualify a candidate or campaign committee from the election.
 - iii. declare the election or referendum results to be void.

d) Procedure if a Challenge

If there are any electoral grievances, the following procedure will be followed:

- i. a verbal or written complaint can be registered by a candidate to the Chief Electoral Officer
- ii. if no satisfactory resolution emerges, then a written complaint can be submitted to the CEO, which will be forwarded to the Electoral Board
- iii. the Electoral Board will reach a decision

e) Violation of three or more subsections of Bylaw #10 will result in automatic disqualification of the candidate.

f) Should a candidate or campaign committee have a grievance against a (the) CEO(s), such a grievance can be taken to the GSA Electoral Board, which shall have the power to determine if one or both of the CEOs was in violation of the GSA Constitution or By-Laws. If a (the)

CEO(s) is (are) found to be in violation then Council shall have the power to:

- i. instruct the CEOs on how to remedy the grievance.
- ii. remove one or both of the CEOs from their position.
- iii. withhold CEO payment.
- iv. declare the referendum or the election of the grieved position void.
- v. Should it be determined that one or more of the CEOs must be removed from the position, the GSA Electoral Board has the authority to hire replacement CEOs or to appoint a GSA Electoral Board member to the position.

g) Spending Limits

- i. No candidate can spend more than \$80.00 dollars on campaigning.
- ii. The GSA may reimburse the candidate up to 50% of the spending costs of their campaign.
- iii. All candidates must submit any campaign-related receipts to the Chief Electoral Officer(s) (CEO(s)) on or before the given deadline.

h) Campaigning

- i. No candidate may destroy another candidate's posters.
- ii. Candidates may only place posters in areas designated by the GSA.
- iii. No campaign material can be larger than 11 by 17 inches.
- iv. Posters which are within 50 feet of each designated polling station will be removed on the day(s) of the election.
- v. A candidate may submit four copies of one poster(s) to the CEO(s) on or before the

- given deadline to be placed at each voting station on the day of the election.
- vi. A candidate is responsible for removing all of their posters 48 hours after the election has been completed.
 - vii. Campaigning can only begin on the given deadline
 - viii. Posters can only go up once campaigning begins
 - ix. All campaigning must comply with equity rules set out in Article 2.2 of the GSA Constitution.
 - i) *Electronic Campaigning*
 - i. Only the CEOs may send electronic communications through official Carleton University maintained and official GSA maintained email lists.
 - ii. Private email contacts are not subject to regulation by the CEO(s).
 - iii. Candidates and their supporters are allowed to campaign online but are prohibited from using paid advertisements.
 - j) *Material Approval Process*
 - i. All physical materials that are used by candidates for their campaign must be approved by the Chief Electoral Officer(s) on or before the given deadline.
 - ii. No material can be used unless it has been approved.

If any candidate is found to be in violation of the election rules as set out in Bylaw #10 of the GSA Bylaws, the procedure below will be followed:

- i. Violation(s) will result in the removal and/or prohibition of materials as well as one of three possible outcomes determined by the CEO(s) in Bylaw 10 Section 6c.

D. GSA Electoral Rule Policy

Preamble

The following rules for GSA General Elections and Referendums supplement existing rules as established in the GSA Constitution and By-Laws. The Chief Electoral Officer(s) (CEO(s)) and the Electoral Board will annually endeavor to compile and make available in a single document all election rules established under the GSA Constitution, GSA By-Laws, GSA Policy, and any additional rules established by the CEO(s) and the Electoral Board.

1. Referendums

1.1. Referendum Committees

All committees must have a Chairperson who registers the Committee on the approved Referendum Committee Registration Form. There shall only be one committee campaigning in favour or against any specific referendum question. Committees shall register themselves with the CEO(s) by the candidate nomination deadline. All committee chairpersons are expected to attend All-Candidates Meetings.

1.2. General Referendum rules

All referendum committees are bound by all election rules and shall be treated as a candidate in the interpretation of these rules.

2. Affiliation

Affiliation is defined as one or more candidates that share a common brand (e.g. colour, slate name, team photograph), and share campaign resources.

2.1. Candidates running for executive positions (President, Vice-President Operations, Vice-President External, Vice-President Finance, and Vice-President Academic) are permitted to choose to affiliate with other candidates.

2.2. Pooling of Resources

a) Candidates are permitted to pool resources, however each candidate is responsible for submitting an individual budget that reflects the spending cap of \$80.00/candidate.

b) A candidate may only pool resources for materials that feature that candidate, not for materials that solely promote an affiliate. The costs of any material featuring more than one candidate must be equally shared by the candidates featured.

c) Affiliated candidates are permitted to share physical materials and online material.

2.3. Volunteers may campaign for affiliates.

2.4. Candidate affiliations shall appear on the ballot.

2.5. Candidates running for positions on the Graduate Faculty Board or the Senate, or the Board of Governors and their volunteers may endorse, volunteer, or campaign for any other candidate, including executive candidates, but may not affiliate with an executive candidate.

2.6. Executive candidates must declare any affiliations to the CEO(s) prior to the start date of the campaign period. Affiliated candidates must submit a list of names and signatures of affiliated candidates on the Candidate Affiliation Declaration Form by the nomination deadline.

3. Violations

3.1. Serious Offenses

The following violations are considered “serious offenses” and may result in the automatic disqualification of a candidate. If the serious offense is, at the discretion of the CEO(s), deemed to directly impact the outcome of the elections, the CEO(s) may declare the results of an election or referendum void. The candidate will not receive reimbursement for their campaign expenses.

- a) Spending above the \$80.00 campaign expense limit
 - b) Committing electoral fraud. The existence of fraud will be determined by effective Canadian laws and/or at the discretion of the Electoral Board.
- Committing three violations considered “non-serious offenses.”

3.2. Non-Serious Offenses

a) If the CEO(s) finds that a candidate has violated a policy outlined in the Electoral Rules, the GSA By-laws, or Constitution, the CEO(s) will issue a violation. In addition to issuing a violation, the CEO(s) may, at their discretion, issue a penalty involving the removal and/or prohibition up to 50% of the candidate’s physical campaign materials, in proportion to the gravity of the offense. In addition or as an alternative to requiring the removal and/or prohibition of up to 50% of the candidate’s physical campaign materials, the CEO(s) may demand the removal of online material for the same or a subsequent offense.

3.3 Offenses Impacting Affiliates

The CEO(s) may, at their discretion, issue a violation and/or a penalty that applies to a candidate’s affiliates in addition to the offending candidate if it is of the opinion of the CEO(s) that the affiliates have been advantaged by an offense.

4. Campaigning

Campaigning is defined as the process of distributing, advertising, exhibiting, presenting, broadcasting, or soliciting that directly promotes or opposes a candidate or referendum question.

4.1. Pre-campaigning

Candidates may not campaign prior to the campaign period. Candidates are permitted to solicit and train volunteers prior to the nomination period, provided that it is done discretely and privately. Mass communication tools, including but not limited to the email lists of clubs, societies, or associations, may not be used to recruit volunteers prior to the campaign period.

4.2. Nomination Period

Candidates and their volunteers are permitted to promote the candidates and their affiliates during the nomination period, however they are not permitted to distribute campaign materials or engage in online campaigning prior to the beginning of the campaign period. Volunteers are permitted to collect nomination signatures on behalf of a candidate.

4.3. Voting Days

Candidates and their volunteers are permitted to campaign during voting days.

4.4. Volunteers

Campaign volunteers must be members of the Graduate Students' Association. Membership is defined in Article 3.0 of the GSA Constitution as "all master's, doctoral, qualifying year, graduate certificate and diploma, and all other students registered as full-time or part-time students within the Faculty of Graduate and Post Doctoral Affairs at Carleton University." No non-members may campaign on behalf of a candidate. No non-members of the GSA may offer volunteer labour in support of a campaign. Candidates and Referendum Committee Chairs are responsible for the actions of their volunteers. Any spending in the election by a volunteer is considered a campaign expense by the supported candidate or Referendum Committee.

4.5. Group Endorsements

Candidates may solicit group endorsements from student groups, clubs, societies, and associations whose Carleton graduate student membership consists of 50% +1 of the group. A candidate may, at the request of the CEO(s), be required to submit a group's membership list. If the CEO(s) has sufficient evidence that the membership list provided does not accurately represent the group's graduate student composition, a violation may be issued to a candidate and, if appropriate, the candidate's affiliates.

Official Carleton University student lists, such as departmental lists, may not be used by candidates.

4.6. Online Campaigning

All candidates and referendum committees are required to notify the CEO(s) of the primary Internet URL of any and all online campaigning activity prior to commencing online campaigning.

All candidates and referendum committees are required to provide the CEO(s) with administrator status on any and all campaign groups, pages, and events on Facebook and other social networking sites. It is the responsibility of the candidates and referendum committee chairpersons to ensure that content does not violate the electoral rules and is in the spirit of a fair and respectful electoral process.

5. Materials

5.1. All physical materials must be approved and stamped by the CEO(s).

5.2. Candidates are encouraged to submit proofs of all physical materials electronically or in person to the CEO(s) prior to printing to ensure compliance.

5.3. When submitting physical materials for stamping please provide an electronic or paper copy of receipts for CEO(s) financial recording.

6. Scrutineering

6.1. The role of the scrutineer is to watch members of the Electoral Board count the vote after voting has ended. Each candidate may have one scrutineer present to oversee the counting of the ballots.

6.2. Scrutineers can challenge a ballot if they do not agree with the CEO(s)/Electoral Board's judgment on whether a voter's intention is clear.

6.3. The CEO(s) makes the final decision of the voting intention of contested ballots.

6.4. Scrutineers cannot touch the ballots and have no official role monitoring the polling stations.

7. Conduct

7.1. At any time within or outside the elections period, candidates may not, by themselves or by another person, offer or procure money, valuable consideration, office, employment, food, drink or goods to induce any person to support a campaign, vote, or refrain from voting.

7.2. Candidates must adhere to the equity statement outlined in 2.2 of the GSA Constitution, which states:

The GSA shall promote and assist in maintaining an academic and social environment free from prejudice, rape culture, discrimination, exploitation, or abuse on the basis of, but not limited to, sex, gender identity, race, ethnicity, language, religion, sexual orientation, age, nationality, socio-economic status, political affiliation or belief, disability, or marital status.

8. Appeals

8.1. Candidates and referendum committees may submit written and signed appeals to the Electoral Board by delivering the appeal to the GSA Office, 6th floor Unicentre. Appeals must contain a detailed description of the grounds for the appeal.

9. Nothing in this policy prevents the CEO(s) and the Electoral Board from establishing additional election rules as per By-Law #10, Section 3b.