

# Election and Referendum Policy and Procedure Manual of the University of Manitoba Graduate Students' Association

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## Article I: Election & Referendum Definitions

1. Unless otherwise specified, the following definitions apply to this Elections guide.
  - a. “Annual General Election” is the election held during February and March to elect the Executive for the following academic year.
  - b. “Ballot” means a Article of a paper or electronic form where a singular position is voted for.
  - c. “Campaign” or “campaigning” is any act that has the intention of soliciting support or opposition for a particular Candidate, Slate, or Side.
  - d. “Campaign Expense” means any and all expenditures by or on a Candidate’s or Side’s behalf for the production or distribution of Campaign Materials, costs directly associated with campaigning, fees or charges incurred as part of campaigning, or other expenditures associated with the campaign as defined by the CRO.
  - e. “Campaign Materials” includes any created objects (physical or digital) that solicit support or opposition for a particular Candidate, Slate, or Side.
  - f. “Candidate” means any Member of the Association whose nomination is accepted under procedures established in the Election Rules.
  - g. “CRO” means the Chief Returning Officer of the Association.
  - h. “DRO” means the Deputy Returning Officer of the Association.
  - i. “Electronic campaigning” means any use of social media, messaging services, and/or website(s) for the purpose of campaigning.
  - j. “Nomination Day” means the final day of the period, as set out by these rules, that nominations for candidacy or registrations for Sides will be accepted.
  - k. “On the floor campaigning” means any in person campaigning on or off campus.
  - l. “Referendum” means a decision made by the Members of the Association in a balloted vote organized by the CRO of the Association.
  - m. “Side” means any CRO-recognized group of individuals representing a particular position on a referendum question.
  - n. “Slate” means candidates who are members of a single campaign, each running for a different position.
  - o. “Volunteer” means any individual who engages in campaigning or scrutineering on behalf of a candidate, slate, or side.
  - p. “Voting week” means the final week of campaigning where voting is held.

## Article II: Amendment of Rules

1. The Election and Referendum Policy and Procedure Manual may be amended by a motion of Council, providing it meets the following requirements:
  - a. The exact wording of the change must be provided to Councillors with at least 1 week of notice to review the changes.
  - b. No changes may be made starting from the opening of the nomination period and lasting until the final results are ratified by the UMGSA Council.
  - c. An amended version of this document must be made available to the membership of the UMGSA within one week of its approval by the UMGSA Council.

## **Article III: Relevant UMGSA Bylaws**

1. This Election and Referendum Policy and Procedure Manual relates to Article III,3 and Article IV,1 & 2 of the UMGSA Bylaws.

## **Article IV: CRO and DRO Selection**

1. The selection process for the CRO and the DRO will follow the procedure outlined in the Election Committee section of the Committee Policy and Procedures Manual.
2. The CRO and DRO will be confirmed by the UMGSA Council at the January Council meeting, or at least two weeks in advance of the start of Week 1 if a vote is to be held outside of the normally scheduled Election period.

## **Article V: Relationship to the HSGSA Election**

1. The VP Health Sciences and the HSGSA Senator (if any) are elected only by HSGSA students as part of the HSGSA election.
2. The UMGSA's CRO will coordinate and maintain communication with the HSGSA's CRO.

## **Article VI: Initiation and Phrasing of Referendum Questions**

1. Referendum questions may be initiated by:
  - a. A resolution of the Executive Committee.
  - b. A resolution passed by a minimum of two-thirds of the UMGSA Council.
  - c. A petition signed by at least fifty (50) members of the Association.
2. Referendum questions will be phrased by the Executive Committee, but if initiated by petition, the phrasing will not alter the original intent of the petition.
3. The final wording of any referendum question will be ratified at the January Council meeting, or at least two weeks in advance of the start of Week 1 if a vote is to be held outside of the normally scheduled Election period.

## Article VII: Scheduling

1. The following is the schedule used for all UMGSA Elections and/or Referenda:
  - a. Week 1 (Six weeks prior to Voting Week): Nominations & Registrations open on Monday at 9:00. This week is part of the pre-campaigning period.
  - b. Week 2 (Five weeks prior to Voting Week): Nominations & Registrations close on the Friday at 16:00. This week is part of the pre-campaigning period.
  - c. Week 3 (Four weeks prior to Voting Week): This week will coincide with the Winter Term Break. This week is part of the pre-campaigning period.
  - d. Week 4 (Three weeks prior to Voting Week): This week is set aside for campaign preparation. This week is part of the pre-campaigning period.
  - e. Week 5 (Two weeks prior to Voting Week): This week is set aside for campaign preparation. This week is part of the pre-campaigning period.
  - f. Week 6 (One week prior to Voting Week): Campaigning begins at 9:00 on Monday, and extends through the following weekend.
  - g. Week 7 (Voting Week): Polls are open on the Wednesday, Thursday, and Friday of this week on a schedule set by the CRO.
    - i. There shall be no on the floor campaigning on voting days.
    - ii. Electronic campaigning may continue until the close of the polls on the last day of voting.
2. In the event of run-off elections, by-elections or referenda being held outside of the Annual General Election, Week 3 will be skipped, with campaign preparation beginning the week following the close of nominations. If any Executive position is vacant prior to October, that position will be filled by a by-election, following all other normal election rules. If any Executive position is vacant from the beginning of October to the end of a given Executive term, the position will instead be filled by appointment. Such an appointment is optional, would be on the recommendation of the Executive Committee, and requires ratification by the UMGSA Council.

## Article VIII: Notice

1. The CRO shall advertise by email to all graduate students, and in any other manner they deem fit for:
  - a. the nominations of candidates and the registration of sides prior to the nomination/registration period.
  - b. the forthcoming election or referendum to encourage Members of the Association to actively participate in the democratic process.

## Article IX: Nominations

1. Prior to advertising for nominations the CRO shall prepare a package of written information which will be available to any Member of the Association on the UMGSA Website, as well as sent by email to all graduate students, at least one week prior to the opening of the Nomination Period, and will include:
  - a. current copies of the UMGSA Bylaws, the Election and Referendum Policy, the Executive Policy, and Supplementary Rules related to Elections, Referenda, the CRO, and the Elections Committee.
  - b. nomination forms for candidates.
  - c. registration forms for sides.
  - d. a list of all nomination requirements and deadlines.
  - e. any other forms required of nominees.
  - f. the current contact information of the CRO and DRO.
  - g. a detailed description of “pre-campaigning” and a list of permitted and restricted activities.
2. Complete nominations, containing all material required by this Policy and the CRO, must be received by the UMGSA’s Office Manager no later than the deadline set out in the official notice sent by the CRO. The Office Manager will date-stamp the nomination forms and verify their completeness.
3. It is the sole responsibility of nominees to ensure the completeness and accuracy of their nominations. The CRO can, at their discretion, allow an appropriate extension to correct any accidental or unavoidable errors or omissions in the nomination package.
4. Within 72 hours of the closing of nominations, the CRO shall post outside the UMGSA Office, and distribute by email to all graduate students, the names of all candidates which shall appear on the ballot.

## Article X: Nomination Requirements

1. In order to be nominated as a candidate, a person must:
  - a. be a Member of the Association.
  - b. be nominated under their legal name or a reasonable derivative thereof.
  - c. have provided a completed nomination package to the CRO prior to the end of the nomination period, which shall include:
    - i. basic information about the candidate, including their name and contact information.
    - ii. for persons nominated for the UMGSA Executive, the first and last names, signatures, and student identification numbers of at least 10 nominators who are Members of the Association.
2. Members of the Executive and Council may run as candidates in any General Election, provided they meet all other criteria required of any other nominated candidate.

## Article XI: Slates

1. Candidates for Executive positions may run in slates, each running for a different position.
2. Candidates who are running alone are considered to be running as a Slate of one for the purposes of the Election Rules.
3. No candidate may simultaneously run as part of more than 1 slate.
4. Slate names require approval by the CRO, and must be submitted in writing to the CRO.
5. No slate shall choose a slate name which is the same as that of a registered federal or provincial political party. Where two or more similar slate names are submitted, each slate will be given the opportunity to change their slate name.
6. Following the closing of nominations, the CRO shall immediately convene a meeting for all candidates (referred to as the “All Candidates’ Meeting”).
7. All candidates shall attend the All Candidates Meeting in its entirety. The CRO may exempt individuals from attendance under extenuating circumstances, but only if the person requesting an exemption does so in writing at least 48 hours prior to the All Candidates Meeting, or informs the CRO of an emergency for which no notice could reasonably be given.
8. At the All Candidates Meeting, the CRO shall:
  - a. review the relevant governing documents, and respond to questions about same.
  - b. take attendance.
  - c. deal with any other topics deemed necessary by the CRO.

## Article XII: Registration of Sides

1. No later than 16:00 on the Friday of Week 2, each side shall present its registration forms to the CRO.
2. In order to become registered, a side must have:
  - a. An organized committee of Members of the Association (the “Side Committee”) that supports the position of the Side.
  - b. The first and last names, signatures, faculties, years, and student identification numbers of the members of the Side Committee.
3. The Side Committee shall have as part of its structure an authorized representative, authorized to represent the Side to the CRO.
4. A Side Committee cannot restrict membership to the Committee from any Member of the Association provided they have joined the Side and support the position of the Side honestly and in good faith.
5. Members of the Executive and Council as well as candidates for Executive may participate as Members on a Side Committee, provided they meet all other criteria required of any other person sitting on the Committee.
6. Each side shall provide the CRO with a list of those who are currently members of the Side Committee.
7. Any Member of the Association wishing to join a Side may register with the CRO following the specified deadlines. The CRO shall forward the name and contact information of the member to the appropriate authorized representative.
8. The name of a Side may not include a federally or provincially registered political party name or symbol, or derivation thereof.



## Article XIII: Prohibitions & Violations

1. No Candidate, Slate, or Side may distribute or use, and the CRO cannot approve, Campaign Materials which:
  - a. have more than a nominal value when distributed.
  - b. contain libel or slander (based on consultation with legal counsel if necessary).
  - c. are factually incorrect.
  - d. violate any federal or provincial statute, or any University rule, regulation, policy, or procedure.
  - e. are discriminatory or derogatory towards any person(s) based on the characteristics listed in Article 9 (2) of the Manitoba Human Rights Code.
2. Where the CRO determines that Campaign Material which requires the approval of the CRO is being distributed, displayed, or used by a campaign without the CRO's approval, then the CRO may:
  - a. order the material immediately withdrawn or removed and may confiscate the material from the campaign for a period of not less than 24 hours.
  - b. assign an additional penalty, which may include (but is not limited to) any or all of the following:
    - i. destruction of the material.
    - ii. a campaign penalty based on the demerit and penalty guidelines outlined in Article XV, provided that the penalty is balanced against the volume of material distributed or its effect, and that no destruction takes place until the appeal period expires.
3. Each Candidate, Slate, or Side must comply with any building regulations of the University, in addition to the following:
  - a. no more than 1 poster per Candidate or Side may be affixed to any one bulletin board.
  - b. no more than 1 poster per Candidate or Side may be affixed to the same pillar.
  - c. no poster may be affixed so as to obscure or cover another Candidate, Slate, or Side's campaign materials.
  - d. no poster may be affixed to any window, in any stairwell, or in any other prohibited locations in accordance with building regulations.
4. Where posted Campaign Materials are in violation of any rules, they may be removed by the CRO. The CRO may authorize another individual or Candidate, Slate, or Side to make the removal.
5. No individual may remove, deface, damage, or destroy Campaign Material without the authorization of the CRO.
6. Each Candidate is limited to a maximum of 75 posters on display at any one time. The CRO may restrict distribution of Campaign Materials to ensure this limit is not breached.
7. No Candidate, Slate or Side may send, nor allow others to send, emails or private messages, with the exception of communications within slates or sides, with volunteers, with the CRO and DRO, and in direct response to specific inquiries from the public.

## Article XIV: Penalties

1. Where a breach has occurred, regardless of cause or the intent of the parties involved, and that breach has provided an unfair advantage to a campaign, the CRO shall assign a penalty that:
  - a. fully counterbalances any unfair advantage gained.
  - b. penalizes the campaign for committing a violation; and is of the same type or character as the advantage which was gained.
  - c. Penalties available to the CRO include, but are not limited to:
    - i. a reduction in reimbursements.
    - ii. the confiscation or destruction of campaign materials.
    - iii. limits, restrictions, and prohibitions on any type of campaigning, for any period of time.
    - iv. disqualification.
2. A penalty may be assessed for an individual breach, or for a series of repeated violations that in aggregate constitute a greater breach.
3. A candidate shall only be disqualified where they commit a serious breach that:
  - a. cannot be counterbalanced by a lesser penalty.
  - b. involves tampering with ballots, balloting, voting or counting procedures.
  - c. involves repeated violations for which lesser penalties have already been imposed.
4. Where candidates are part of a slate, any disciplinary action, including disqualification, taken by the CRO against any candidate shall not affect other members of the slate unless they are named in the complaint and the CRO determines they are also at fault. Each infraction by a member of a slate shall be considered a violation by that individual candidate.
5. Where a serious contravention of the election occurs, such that the results of the election or referendum could not reasonably be deemed to indicate the actual preference of the voters, that election, referendum, or part related to the contravention, may be declared void if:
  - a. the CRO submits a formal request to the Elections Committee.
  - b. the Elections Committee holds a hearing using the Appeal process as closely as possible, with all Candidates and Authorized Representatives of Sides who would be affected considered to be the Respondents.
  - c. the Elections Committee rules that such a request is justified.
6. If all or part of an election or referendum is voided, they shall be repeated at the earliest opportunity by which the Elections Committee feels the actual preference of the voters can be determined.

## Article XV: Demerit System

1. The CRO shall assign demerits to candidates for violations of the Election Rules. If a candidate obtains 10 demerit points they shall be disqualified immediately, and if the voting period has not occurred their name shall be struck from the ballot. A candidate has the right to appeal this penalty to the Elections Committee. If a valid appeal is filed within 48 hours before the start of voting, the candidate's name shall remain on the ballot, pending a verdict from the Elections Committee.
2. Every candidate starts with a score of 0, and receives demerits as penalties for infractions. Demerits are associated with a commensurate penalty based on the severity, long term consequences, and overall impact of the infraction on the election process. If a candidate is penalized up to or beyond 10 demerits, then they will receive the most severe penalty, disqualification.
3. If a candidate commits the same infraction on multiple occasions, the demerit tier will be elevated by one tier for each repeated infraction. (e.g., if a candidate is found to be campaigning early, they first receive 1 demerit, but if the candidate commits the same infraction again, they would receive an additional 2 demerits, with an additional 5 demerits on a third occasion.)
4. Offences and infractions considered to be committed by an entire slate shall be evenly divided between the entire slate.
5. A table outlining potential infractions and their respective number of demerits is provided below. A second table outlines the recommended penalties associated with a given number of demerit points. These tables shall not be expected to be all inclusive, and in the case of uncategorized infractions or extenuating circumstances the CRO can assign demerits or penalties other than those recommended in the tables.

### Demerit Tiers and the Severity of Infractions Associated With Each Tier

Recommended # of Demerits	Severity of Infraction
10 Demerits	Severe infraction with long lasting impacts (e.g., property damage, defamation of opponent in physical or online context (libel), severe illegal content in campaigning materials)
8 Demerits	Severe infraction with temporally isolated impacts (e.g., offensive or inappropriate content in campaigning materials, defamation of opponent in verbal or isolated context (slander))
5 Demerits	Moderate infraction reaching a sizeable portion of the student body (e.g., failure to attend scheduled election forum, or misconduct related to the elections procedure)
2 Demerits	Moderate infraction reaching a small portion of the student body (e.g., campaigning with inaccurate information)
1 Demerits	Minor yet flagrant or intentional infraction (e.g., early campaigning, missed poster in tear down, campaigning with a poster that was not approved by the CRO)

### Recommended Penalties Associated With Each Number of Demerits

Total # of Demerits	Recommended Penalty
10 or Greater	Immediate disqualification
9	Evaluation of the aggregate impact of infractions by CRO with possible disqualification
8	Evaluation of the aggregate impact of infractions by CRO with possible disqualification
7	# of votes reduced by 50% of total # of ballots cast for that candidate
6	# of votes reduced by 35% of total # of ballots cast for that candidate
5	# of votes reduced by 25% of total # of ballots cast for that candidate
4	# of votes reduced by 20% of total # of ballots cast for that candidate
3	# of votes reduced by 15% of total # of ballots cast for that candidate
2	# of votes reduced by 10% of total # of ballots cast for that candidate
1	# of votes reduced by 5% of total # of ballots cast for that candidate

## **Article XVI: Damages and Disqualifications**

1. Any damage or similar expenses caused by a Candidate, Slate or Side, or a volunteer for a Candidate, Slate or Side, shall be paid for by the Candidate, Slate or Side deemed responsible by the CRO. Failure to do so shall result in immediate disqualification for the offending Candidate or Slate or Side.
2. Any disqualified Candidate, Slate or Side will lose their right to be reimbursed for election expenses.

## **Article XVII: Complaints and Appeals**

1. Complaints shall be allegations of a breach of the Election Rules against Members of the Association other than the CRO which are submitted to the CRO for a ruling.
2. Appeals shall be allegations of a breach of the Election Rules by the CRO which are submitted to the Elections Committee for a ruling, and such alleged breaches shall be:
  - a. a misapplication of the Election Rules to a Complaint.
  - b. a misapplication of the Election Rules to any other ruling of the CRO.
  - c. any other action by the CRO during the Election Period that contravenes the Election Rules.
3. No appeal exists from a ruling of the Elections Committee, and a ruling of the Elections Committee shall be final and binding on the parties to the Appeal.
4. Rulings of the CRO regarding breaches of the Election Rules that were not as a result of a Complaint shall be treated as Complaints for the purposes of posting the ruling.
5. All Members of the Association shall cooperate with the investigations of the CRO and the Elections Committee unless otherwise prohibited by the Governance Documents of the Association or by law.
6. The CRO shall prepare and provide a complaint form which requires complainants to indicate the:
  - a. name and student identification number of the complainant.
  - b. specific clause(s) of the Election Rules that is alleged to have been breached.
  - c. specific campaign or individual that is alleged to be in breach.
  - d. specific facts which constitute the alleged breach.
  - e. evidence of these facts.
7. The CRO shall prepare and provide an appeal form which requires appellants to indicate the:
  - a. name and student identification number of the appellant.
  - b. CRO's ruling being appealed.
  - c. reason for the appeal, including specifically any errors in interpretation or application found in the ruling.
  - d. ruling sought from the Elections Committee.

## Article XVIII: Complaint Procedure

1. Any Member of the Association, other than the CRO, may file a Complaint regarding an alleged breach of the Election Rules.
2. The following shall be the process by which Complaints are filed, received, and ruled upon:
  - a. The Complainant must submit a Complaint to the CRO using the prescribed form within 48 hours of the alleged breach of the Election Rules.
  - b. If the Complaint is found to be validly submitted, the CRO shall send a copy to any other parties named in this Complaint and continue this complaint procedure.
  - c. The CRO shall investigate the Complaint using whatever means are at their disposal. This investigation shall include requesting a written response to the Complaint from any party alleged to have committed a breach of the Election Rules.
  - d. The CRO shall issue a written ruling on a Complaint. This written ruling shall:
    - i. be sent to all parties to the Complaint via e-mail; and
    - ii. be posted as soon as possible at the UMGSA Office.
  - e. Written rulings on a Complaint shall be required to be issued by the CRO within twenty-four (24) hours if the Complaint was received between 06:00 Monday and 16:30 Friday, or within forty-eight (48) hours if the Complaint was received between 16:30 Friday and 06:00 Monday.
  - f. Any penalties assigned by the CRO as a result of their ruling shall take effect immediately unless stated in the CRO's ruling.
3. Complaints that are not validly submitted shall be thrown out by the CRO, but the Complainant may resubmit as soon as they can make a valid submission.
4. All Complaints must be submitted electronically.
5. Any posted ruling of the CRO on a Complaint shall contain:
  - a. a summary of the allegation.
  - b. a summary of the parties to the complaint.
  - c. a listing of all applicable Election Rules that apply.
  - d. a finding regarding the facts.
  - e. a ruling regarding the alleged breach.
  - f. the penalty assigned.
  - g. the time the ruling was posted.
  - h. the time limit on any appeal.

## Article XIX: Appeal Procedure

1. Any Member of the Association may file an Appeal alleging a breach of the Election Rules by the CRO.
2. Only Members of the Association who were party to an original Complaint are entitled to Appeal the ruling of the CRO to the Elections Committee.
3. The following shall be the process by which Appeals are filed, received, and ruled upon:
  - a. The Appellant must submit an Appeal to the Chair of the Elections Committee using the prescribed form within 48 hours of either the alleged breach of the Election Rules or the CRO's ruling on a Complaint.
  - b. If the Appeal is found to be validly submitted, the Chair of the Elections Committee shall send a copy to any other party named in the Appeal, including the CRO, and continue this procedure.
  - c. The Chair of the Elections Committee shall schedule a hearing of the Elections Committee to take place within 24 hours of receiving the Appeal form for all alleged violations of the Election Rules.
  - d. The Chair of the Elections Committee shall communicate the time and place of this hearing to all parties named in the Appeal, including the CRO.
4. Prior to the appeal hearing, the Elections Committee shall first convene in camera and determine if a prima facie case has been made in the appeal. If a prima facie case has not been made, the Elections Committee shall dismiss the Appeal or the affected parts thereof.
5. If the Appeal hearing shall occur, it shall use the following process:
  - a. The Chair shall ask:
    - i. the members of the Elections Committee if any perceived conflict of interest exists between them and any party to the Appeal.
    - ii. the parties to the Appeal if they wish to challenge any Board member based on a conflict of interest.
  - b. The Board may call a recess to consider any Conflicts of Interest raised at the beginning of the hearing.
  - c. The Chair shall then explain any procedures to be followed to the parties present, including any time limits on presentations or examinations.
  - d. The Chair shall invite the Appellant to present their case.
  - e. The Chair shall invite the Respondent to present their case.
  - f. The Elections Committee shall investigate the case as they deem appropriate, and may call a recess of no more than twelve hours in duration.
  - g. The Chair shall offer first the Respondent then the Appellant the opportunity to make a closing statement.
  - h. The Elections Committee shall retire for deliberations in camera.
  - i. The Elections Committee shall tell the parties to the Appeal who are present at the hearing their ruling immediately after coming out of deliberations.
  - j. The Chair shall issue the written ruling of the Elections Committee within 12 hours of the end of the meeting, and shall:
    - i. send the ruling to all parties to the Appeal via e-mail.
    - ii. post the ruling as soon as possible at the UMGSA Office.
6. Any penalties assigned or modified by the Elections Committee as a result of their ruling shall take effect immediately unless stated otherwise in the Elections Committee's ruling.
7. The CRO may choose to resolve an Appeal informally prior to the Appeal hearing. If the Appeal is resolved to the satisfaction of all parties to the Appeal, the Appellant shall notify the Chair of the Elections Committee who shall cancel the hearing.
8. The Elections Committee may request any person to appear at an Elections Committee Meeting whose evidence would assist the Elections Committee in making a decision.
9. The Elections Committee may uphold, modify, or overturn any ruling made or penalty assigned by the CRO, and additionally may overturn all or part of the election results and apply penalties outlined in these documents within the spirit of good governance for elections.

## Article XX: Campaign Materials

1. All Campaign Materials must be approved by the CRO before they may be used in a campaign.
2. The CRO may choose to exempt, at any time, any type of Campaign Materials from the approval process. Any such exception must be:
  - a. Clearly defined.
  - b. Consistently applied to all Candidates, Slates, Side, and UMGSA Members.
  - c. Communicated fairly to all Candidates, Slates, and Sides.
3. Communication that is private and solicited, whether it is by a digital system or not, shall not be considered Campaign Materials.
4. Candidates, Slates, and Sides may request a written ruling from the CRO about whether any proposed materials fall within the definition of Campaign Materials. The CRO must reply in writing within 24 hours.
5. Candidates or sides shall be held solely responsible for adhering to all rules and regulations set out in the UMGSA's governing documents regarding the application of posters. Upon notification by the CRO or DRO of violation of these rules or regulations, the candidate or side must correct the violation within twelve (12) hours or be subject to the application of demerit points.
6. Upon the introduction of unapproved promotional materials in the course of a general election or referendum campaign, the CRO shall communicate to the electorate that these materials are not legitimate campaign materials, that they are the product of influences attempting to interfere with and bias the campaign and subsequent vote, and that these materials should be disregarded. This statement from the CRO shall be distributed to members via e-mail before the voting period begins, but no more than twenty-four (24) hours before the beginning of the voting period.
7. All physical Campaign Materials must be removed no later than midnight of the second full business day following the close of polls on the final day of voting.

## **Article XXI: Fair Market Value**

1. A Candidate, Slate, or Side that receives a product or service for free or at a reduced price shall use the fair market value of the product when calculating their total campaign expenses if the product or service cannot be reasonably obtained by all competing campaigns at the same price.
2. Fair market value shall be determined by the CRO using the following factors and the CRO shall notify the campaign which method of valuation has been used:
  - a. the price another campaign would have to pay for the same product or service provided by that supplier, or another similar supplier, in which case that amount shall be assessed.
  - b. whether the product or service is reasonably available to all campaigns at no charge, in which case no charge shall be assessed.
3. For certainty of budgeting purposes, a campaign may request in writing a declaration from the CRO of a product or service's fair market value, but must include in that request:
  - a. a full and accurate description of the product or service.
  - b. the supplier of the product or service, their address, and their contact information.
  - c. the campaign's estimate of fair market value and their method of deriving that value.
  - d. where a product or service is to be claimed as free, reasonable evidence of that fact.
  - e. where a product or service is to be claimed as free, reasonable evidence that the product or service is reasonably available free of charge to other campaigns.
4. The CRO shall provide a written response to any such complete request within 48 hours of the request being received.

## **Article XXII: Approval Process**

1. Campaigns must provide the CRO with a digital copy, if possible, of any proposed Campaign Material to be approved, or else a written description of the material.
2. The CRO will provide in confidence a written approval or refusal of Campaign Materials, and will respond within 24 hours of receiving a complete request, subject to any provisions in the Election Rules.
3. If the Campaign Material is approved by the CRO, the Candidate, Slate, or Side can print, post, or otherwise distribute it, subject to any provisions in the Election Rules.



## Article XXIII: Campaigning

1. On the floor campaigning will last for 9 consecutive days, starting at 09:00 on the Monday of Week 6, continuing through the weekend, and ending at the start of voting.
2. Electronic campaigning may begin at 09:00 on the Monday of Week 6 and will cease at the close of voting.
3. Candidates or volunteers may not actively on the floor campaign or promote any Slate, Side, or Candidate during voting days.
4. No Member of the Association shall campaign either for or against a Candidate, Slate, or Side after the opening of the nomination period and prior to the campaign period, with the exception of:
  - a. private campaign organizing meetings involving campaign volunteers.
  - b. the collection of signatures for nomination forms and referenda petitions.
  - c. the normal duties required of the current members of the UMGSA Executive and Council.
  - d. private conversations to recruit Volunteers.
5. When applying these rules, the CRO may consider any additional factors in addition to the definition of campaigning.
6. Any campaigning performed by a Candidate, Slate or Side that does not fall within the boundaries of the aforementioned rules is subject to punishment by the CRO.

## Article XXIV: Campaigning Standards and Prohibitions

1. Each campaign shall act reasonably, responsibly, and in good faith. Further, each campaign shall:
  - a. ensure that all Candidates and Volunteers are aware, understand and comply with the Election Rules and all other relevant rulings, orders, and rules.
  - b. be responsible to the CRO for the conduct of its Volunteers.
  - c. report any breach of a ruling, order, or governing document.
  - d. comply with any University rules, regulations, policies, and procedures.
  - e. comply with all local, municipal, provincial and federal laws.
2. No Candidate, Slate, or Side may collude with another campaign, either prior to, during, or following the campaign period. Specifically, no campaign, volunteer, or candidate shall:
  - a. appear jointly in any campaign material, except in reference to slate members as approved by the CRO.
  - b. publicly endorse another slate or campaign.
  - c. produce campaign materials whose appearances could cause a reasonable person to associate that campaign with another slate or candidate who is not on a slate.
  - d. distribute the campaign materials of another slate.
3. Campaigning is restricted to Members of the Association, and no one who is not a Member of the Association may campaign.
4. No paid advertising is permitted.
5. No candidate or volunteer may campaign:
  - a. in the UMGSA Office.
  - b. in a University library.
  - c. in a classroom during a class period without first obtaining permission from the instructor responsible for the class.
  - d. anywhere else the CRO feels would be detrimental to the election and referenda process.
6. For the duration of both Weeks 6 and 7, all current UMGSA Executives running for election must take a paid leave of absence, and must surrender their UMGSA Office keys to the UMGSA Office Manager.
7. In the event of referenda being held during an Annual General Election, candidates and volunteers may speak to, volunteer for, and/or endorse a side.

## **Article XXV: Election Forum**

1. The CRO shall adequately advertise the time and date of the forum.
2. There shall be at least one Election Forum on the Fort Garry campus during the campaign.
3. There shall be an Election Forum on the Bannatyne campus if deemed practicable by the CRO.
4. All Candidates and Sides shall be provided with the opportunity to participate in at least one Election Forum during the campaign period.
5. Members of the Association shall be provided with the opportunity to ask all Candidates and Sides questions from the floor at an Election Forum.
6. The Election Forum shall be chaired by the CRO.
7. Each Candidate, Slate, or Side has the opportunity to speak for a time period as fixed by the CRO.
8. Each speaker shall have the same fixed period of time in which to speak as their opponents have.
9. If there is a question from the audience at the Election Forum, each Candidate, Slate or Side shall have a reasonable and fair opportunity to respond thereto.
10. Any person who attempts to disrupt the orderly conduct of the Election Forum shall be removed from the facility.

## **Article XXVI: Campaign Expenses**

1. Candidates, Slates, and Sides must include the cost of all Campaign Materials created in their campaign expense accounts whether or not those materials are used or distributed.
2. Each Candidate, Slate, and Side must keep an up-to-date and accurate account of all campaign expenses, and they are responsible for answering any inquiry from the CRO regarding expenses.
3. All expenses incurred by a Candidate, Slate, or Side in the course of campaigning must be included in the campaign expenses unless specifically exempted by Council or listed below:
  - a. Services and products provided by the UMGSA to all Candidates, Slates, and Sides at the request of the CRO.
4. Educational materials may be distributed by the UMGSA to Members of the Association during a referendum and may not be considered part of the campaign expenses of any Candidate, Slate, or Side, provided that the materials:
  - a. Are approved by the CRO.
  - b. Are non-partisan in nature.
  - c. Provide education and context to all Members of the Association.
5. Each Candidate or Side is permitted expenses up to a maximum of \$50. Slates of candidates may combine their allowed maximum expenses, and may submit a combined account of campaign expenses to the CRO.
6. In addition to the \$50 limit, each Side or Candidate not running with a slate of candidates may claim a maximum of \$20 for travel expenses. Each Slate of Candidates may claim a maximum of \$40 for the Slate as a whole for travel expenses.

## **Article XXVII: Expense Summaries and Overspending**

1. The CRO shall review all campaign expense accounts (containing those products and services that are subject to spending limits) by 18:00 on the day before voting begins.
2. Where the CRO determines that a Candidate, Slate, or Side has exceeded the spending limit (for those products and services that are subject to spending limits) or has falsified documents, the campaign shall be penalized in accordance with the demerit and penalty guidelines outlined in Article XV, and this will be communicated directly to the campaign in question.
3. Final expense accounts must be provided to the CRO no later than noon on the first Tuesday after voting ends.

## **Article XXVIII: Candidate & Side Reimbursement**

1. The Association shall reimburse a candidate or side the remaining full value of its campaign expenses for products or services that are subject to a spending limit as evidenced by its campaign expense account.
2. Candidates, slates, and sides must submit receipts in order to qualify for reimbursement of any expenses incurred.
3. In cases where the campaign paid less than fair market value for a product or service that is subject to a spending limit, the campaign's reimbursement shall be limited to the amount actually paid for the product or service and not the fair market value thereof.
4. Upon receipt of the final budget, expenses shall be reimbursed within seven (7) days unless there are outstanding issues that could potentially disqualify the candidate or side from receiving all or part of their campaign expenses.
5. Candidates who do not hand in their expense accounts by the deadline shall not receive any reimbursement.
6. Any disqualified Candidate, Slate or Side will lose their right to be reimbursed for election expenses.
7. Reimbursement of campaign expenses for Candidates who withdraw from the election shall be at the discretion of the CRO.
8. The Authorized Representative of a Side shall be responsible for distributing reimbursed costs to individual members of the Side.

## **Article XXIX: Scheduling of Polls**

1. The CRO must schedule polls to take place on the final three days of Week 7.
2. Voting shall be conducted online.
3. The CRO shall arrange a minimum of one electronic polling station at the UMGSA Office.
4. The CRO shall ensure that assistance is provided to any voter who requests assistance with online voting.

## **Article XXX: Ballot Design**

1. Notwithstanding these rules, the CRO shall decide the design of the ballot.
2. Ballots shall be electronic ballots.
3. Each ballot shall be identical to the next with the exception of the ordering of ballot options.
4. If a ballot question is a 'Yes/No' choice, the options shall be 'Yes' followed by 'No'.
5. If a ballot question is a choice between anything other than 'Yes' and 'No', the CRO may decide whether the ballot options are placed in the same order on every ballot or on a rotating order.
6. The ballots must allow for voters to clearly indicate their choice.
7. Slate names will appear on the ballots, following candidate's names.

## **Article XXXI: Voting**

1. Each member of the Association shall be allowed to cast 1 secret, non-transferable ballot, and the ballot shall entitle each voter to make 1 choice for each position or referendum question for which they are eligible to vote.
2. In the case where there is only a single candidate for a particular Executive position, the vote options for that position will be a 'Yes/No' choice. If the 'No' votes exceed the 'Yes' votes in the ballot result, the position will remain vacant, and a by-election may be held to fill the vacant position.

## **Article XXXII: Ballot Counting & Ratification of Final Results**

1. Under no circumstances should the election be ended earlier than what is advertised.
2. The results of the election should only be accessed after the conclusion of the election on the final day of voting.
3. The Certified results from the online voting system provider should be accessed and published on the UMGSA website, as well as posted outside the UMGSA Office, no later than the Monday following the close of voting. These results will specify the total votes cast, as well as any votes deducted, for each candidate or side.
4. The Certified results from the online voting system provider shall serve as the preliminary results for the UMGSA Election.
5. Election results (including the final vote count for each candidate or side) as well as voter turnout shall be made publicly available to Members of the Association, and results of elections and referenda shall be archived by the Association and accessible to Members.
6. The results of a referendum or election shall not be finalized until at least twenty-four (24) hours following the posting of the preliminary results of the ballot count.
  - a. If a complaint or appeal is not resolved within the twenty-four (24) hours following the posting of the preliminary ballot count, the results may not be finalized.
  - b. The CRO shall post revised election and referendum results within twenty-four (24) hours of all complaints and appeals having been addressed and resolved.
  - c. The final tally of demerits along with their consequences shall be applicable until results of the election or referendum are finalized.
  - d. In the forty-eight (48) hours following the close of voting, candidates and sides shall be required to remove all campaign materials including tapes and adhesives. Failure to remove materials within the allotted time may result in demerits being applied.
7. The voting results will be ratified by the UMGSA Council after all complaints and appeals have been resolved, no later than the next scheduled Council meeting.
8. The CRO will provide a report to Council including the number of votes cast and any votes deducted for each candidate or side. This report will also include a summary of violations, complaints, appeals, and how each of these were resolved.

## **Article XXXIII: Ties**

1. In the event that two or more competing candidates for a single Executive position receive an equality of votes and have the highest amount of votes for the respective position, the tie-breaking method shall be as follows:
  - a. There shall be a run-off election between the tied Candidates conducted as far as practicable in accordance with the Election Rules. Any such run-off election shall begin within 14 days of the final recount of the ballots of the General Election.

## **Article XXXIV: Referendum Results**

1. The choice in each referendum question that achieves a plurality of votes cast will be adopted by the Association.
2. Council does not have the power to void a valid referendum.
3. In the event that a referendum involves less than 5% of eligible voters, the results of the referendum shall be announced as non-binding results to be considered as advice to Council.