



## Elections

### Rationale

Regulations that detail the existence and responsibilities of elections officers and the processes whereby elections are carried out ensure that the election of student leaders is transparent, accountable, and fair.

### Definitions

**Campaign events** include gatherings, by public invitation or announcement, in which promotion of a candidate's campaign or the distribution of campaign materials takes place.

A **Campaign expense** is anything used during a campaign, excluding volunteers, that has a monetary value whether purchased or donated. The CRO will determine monetary value, based on fair market value, where an itemized receipt is not submitted.

**Campaign materials** include posters, digital posters, banners, and other materials approved by the CRO, or their appointed designate.

A **candidate** is an individual campaigning for the purpose of being elected.

A **Catalog** is defined as a list of all submitted materials for a complaint including any pertinent information such as the type of material (ie: photo of poster, photo of banner, screenshot of ad) location of the material (ie: facebook, second floor building 7)

**Disciplinary action** can be a warning, fine, and/or disqualification.

### Regulations

#### Impartiality

- 1 All elections officials are required to sign a pledge of impartiality in the performance of their duties.
- 2 Elected representatives and full-time SAMU staff may not officially endorse a candidate or campaign.
- 3 All SAMU employees and elected officials may not volunteer for a candidate or campaign during work hours, or use SAMU resources to support a candidate campaign.

#### Chief Returning Officer

- 4 The term of the Chief Returning Officer (CRO) is from the date of appointment to the end of April.
- 5 The CRO receives an annual honorarium of \$1500.
- 6 No voting member or SAMU staff member may serve as the CRO.



**7** The CRO is responsible for ensuring the operation of open, fair, and impartial elections in accordance with bylaws, policy, and procedure.

**8** Subsequent to each election, the CRO confirms the results of the election based on the ballot tallies and is responsible for submitting a written report to Students' Council that reports the results of the election, the processes used, gives suggestions for future improvements, and provides any additional information the CRO deems relevant.

**9** The Governance Advisor serves as the Returning Officer (RO).

**9.1** In the event that the CRO cannot fulfill their duties the responsibilities will temporarily fall to the RO until the CRO returns or is replaced.

**10** The CRO may appoint a Deputy Returning Officer (DRO) in consultation with the General Manager.

**11** The RO/DRO is responsible for the hiring of polling clerks. If requested, the General Manager provides support to the CRO/RO in obtaining candidates for the position of polling clerk.

**12** The CRO receives complaints and interprets bylaws, policies, and procedures pertinent to the operations of elections.

**13** The CRO may impose disciplinary action against a candidate.

**14** The CRO responds to all interpretation and approval requests within 24 hours.

**14.1** Interpretations will be communicated to all candidates.

**15** The Governance Office liaises with the CRO during the budgeting process to ensure adequate funding is in place for the operation of elections.

## **Nominations**

**16** The nomination period for elections begins on a date determined by the CRO and ends no sooner than two weeks thereafter. Nominations must close at least nine days prior to the first polling day.

**17** Individuals wishing to nominate themselves for candidacy may do so during the nomination period. Candidates are nominated when the CRO verifies that their nomination forms have been completely and correctly filled out. Nomination forms are not accepted after the end of the nomination period.

**18** A valid nomination requires potential Councillor and Executive Committee election candidates to submit information, via approved submission method, demonstrating eligibility, the endorsement from 10 members nominating them for election, and a declaration of intent to stand for election, to hold office should they win the election, and to abide by the bylaws, policies, and procedures of SAMU.



## **Campaigns**

- 19** Candidates must act in a professional manner that reflects the values of SAMU during all stages of the election process.
- 20** Campaign materials may not be distributed until 6:00 a.m. on the Monday of the week prior to polling.
- 21** Candidates must adhere to the bylaws, policies, and procedures of SAMU.
- 22** Participation in prohibited activities during the campaign period may lead to the disqualification of a candidate.
- 22.1** Candidates may not use, nor may they knowingly allow others to use, SAMU or MacEwan University resources for campaigning, except those designated by election officials.
- 22.2** Candidates or supporters may not disburse campaign materials that have value beyond their campaigning function.
- 22.3** Candidates and their supporters may not knowingly campaign within 5 meters of a student who is voting in order to maintain the integrity and secrecy of individual ballots.
- 22.4** Candidates may not campaign during class time without prior approval from the instructor. It is the responsibility of the candidate to inform the instructor that equal opportunity to campaign must be given to all candidates.
- 22.5** Candidates may not incur campaign expenses of more than \$250 in their campaigns.
- 22.6** Candidates and their supporters may not misrepresent fact or deface another candidate's campaign materials.
- 22.7** Candidates may only campaign on social media platforms approved by the CRO
- 22.7.1** A list of approved social media platforms will be provided to all candidates prior to the start of campaigning.
- 23** Any campaign event that requires MacEwan University assistance is facilitated through SAMU. Where the CRO deems a campaign event to be inappropriate, that event may not take place.
- 24** Using campaign materials off-campus is not permitted.
- 25** Campaign events may not take place off campus.

## **Campaign Expenses**

- 26** Candidates must maintain and submit records, via approved submission method, of all



campaign expenses, including itemized receipts, to the CRO.

**26.1** Candidates incurring no expenses are required to submit a zero balance expense report.

**27** Candidate expense records are due to the CRO by 4:00pm on the business day prior to voting beginning.

**27.1** On submission of expense reports, the candidate may incur no further campaign expenses. Candidates found incurring further campaign expenses face disciplinary action from the CRO.

**28** Failure to submit expense reports results in disqualification.

**29** The campaign expenses of eligible candidates are reimbursed. Reimbursement may be withheld if candidates do not remove their campaign materials on time, or, if elected, fail to attend at least 80% of the training for their positions.

**29.1** Any fines incurred during the election process will be deducted from the balance of the candidate's reimbursed campaign expenses.

**29.2** Any outstanding fines not covered through reimbursement will need to be paid in full to SAMU.

### **Campaign Materials**

**30** The CRO has the right to refuse authorization of campaign materials.

**31** Campaign posters and banners are placed in accordance with the requirements of MacEwan University, as outlined by the CRO.

**32** Candidates may put up no more than 30 campaign posters. Campaign posters may not exceed 11" by 17" in size and must include the name of the candidate, the position being sought, the voting dates, and information about where to vote.

**33** Candidates may display no more than three banners. Banners may not exceed 6' by 3' in size and must include the name of the candidate, the position being sought, the voting dates, and information about where to vote.

**34** Candidates may distribute approved campaign material prior to submitting their campaign expense report.

**35** Campaign materials that shall not be permitted include food, drinks, money in any form, gift cards, services to students, or anything deemed inappropriate by the CRO.

**36** Candidates found distributing unapproved campaign material face disciplinary action.

**36** Candidates are responsible for recycling all campaign materials where applicable.



### **Election Periods**

**37** Councillor elections take place in October and Executive elections take place in March.

**37.1** The CRO confirms the election dates.

### **Candidate Withdrawal**

**38** A candidate may withdraw their name from an election by submitting to the CRO a signed letter or email declaring that they are withdrawing.

### **Election Marketing Requirements**

**39** The nominations period, campaigning, formal interaction with candidates, voting days, and election results are marketed by SAMU including:

**39.1** posters on SAMU bulletin boards and in other areas within MacEwan University;

**39.2** banners within MacEwan University;

**39.3** information featured prominently on the SAMU website; and

**39.4** updates to SAMU social media.

**40** SAMU provides a forum for candidates to be heard and for the membership to speak with the candidates. The moderator of the forum is impartial.

### **Polling Stations**

**41** The RO/DRO, in consultation with the CRO, is responsible for determining the location of polling stations operated by an impartial polling clerk appointed by SAMU.

**41.1** Polling stations may either be fixed or mobile.

**42** The CRO ensures that polling stations provide voters with an opportunity for votes to be cast privately.

**43** On voting days, election officials remove all campaign material found within 10 meters of a fixed polling station.

**44** In the case of paper ballots, two election officials operate each polling station. One election official operates each polling station in the case of electronic ballots.

**45** In the case of paper ballots, the CRO provides absentee ballots for students who cannot vote on scheduled polling days. Absentee ballots are available one week prior to the first day of polling.



### **Tiebreak**

**46** In the event of a tie, the CRO facilitates a coin toss to decide the winner, as witnessed by the tied candidates.

**47** In the event of a yes/no vote a candidates must receive a simple majority to be considered successful.

### **Complaints**

**48** Complaints regarding candidates violating bylaw, policy, or procedure are submitted to the CRO in writing before or during the campaign.

**49** A complaint that is considered by the CRO must include the following information:

**49.1** The name of the person filing the complaint and their MacEwan email address;

**49.2** The name of the candidate who is allegedly in violation of election rules;

**49.3** The section section of SAMU policy, procedure, or any other applicable laws that have been allegedly violated;

**49.4** A description of the violation with supporting evidence; and

**49.5** A catalog of all submitted evidence.

**50** Incomplete complaints will not be considered and the complainant will be informed as such.

**50.1** The CRO may dismiss any complaints that are frivolous, vexatious, trivial, vindictive, or unsubstantiated.

**51** The CRO will investigate all complaints and inform all involved parties of the decision within 24 hours from the receipts of the complaint.

**51.1** Decisions will include facts of the complaint, including the relevant policy or procedure in violation, any directives from the CRO, any timelines associated with completing the directives, and the decision in the case of failure to meet those timelines.

**51.2** If a decision cannot be reached within the prescribed 24 hours the CRO will inform the parties involved in the complaint of the circumstances and may extend this deadline once by an additional 24 hours.

### **Appeals**

**52** Any SAMU member may appeal a decision of the CRO or the election results, in writing or via email.



**52.1** Appeals of a decision of the CRO must be received by the Governance Office within 48 hours of the issuance of the decision.

**52.2** Appeals of the election results must be received by the Governance Office within 48 hours of voting closing.

**52.1** An appeal must include the following information or it will not be accepted:

**52.1.1** The name of the person filing the appeal and their MacEwan email address and student ID number, as well as their phone number.

**52.1.2** The decision that was made, or the bylaw, policy, or procedure that was broken;

**52.1.3** An explanation as to why the decision was incorrectly made, or how the bylaws, policy, or procedure was broken; and

**52.1.4** Any other documentation supporting the appeal.

**53** Once an appeal has been received the governance office will work to form the Governance Investigations and Reinstatement Committee who will adjudicate the appeal process.

**53.1** The governance office will supply all necessary documentation to the committee to come to a final decision.



**Appendix A: Infraction Guidelines**

\*This appendix provides guidelines for the CRO but is not to be considered exhaustive and other punitive measure may be made by the CRO.

<b>Example Infraction</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
Defacing other candidates campaigning material	Disqualification		
Exceeding \$250.00 on campaigning materials	Disqualification		
Distributing campaign material prior to campaign period	Disqualification		
Not reporting all campaign expenses	Disqualification		
Failure to pay fine	Disqualification		
Slander or harassment of opponents publicly or on social media	Up to \$150 or disqualification		
Utilizing unapproved campaign materials	Up to disqualification		
Campaigning off campus with campaigning events	\$100 up to disqualification		
Failure to adhere to postering guidelines	Warning	Up to \$25	Up to disqualification
Knowingly campaigning within five meters of a student who is currently voting	Warning	Disqualification	
Moving other's materials	Warning	Disqualification	
Not removing campaigning marketing materials after election	\$20 + \$5 per poster, etc.		

Please note: Committing multiple offences may result in disqualification.





## Fact Sheet

### Approvals:

First Approval – April 30, 2014

Last Approval – June 14, 2023

**Date of Last Review:** June 14, 2024

### Source and Updates:

April 30, 2014: *Elections* approved by Executive Committee motion E2014-04-30-2 on the recommendation of the Procedure Review Ad Hoc Committee. Source material drawn from *Procedure 4 – Elections*.

June 10, 2015: *Elections* approved by Executive Committee motion E2015-06-10-6 on the recommendation of the Procedure Sub Committee.

July 15, 2015: *Elections* approved by Executive Committee motion E2015-07-15-3 on the recommendations of the Procedure Sub Committee. Updates based on upcoming change to MacEwan poster policy.

April 27, 2016: *Elections* approved by Executive Committee motion E2016-04-27-2 on the recommendation of the Procedure Sub-Committee. “Appeals” section removed as it is now covered in the Governance Investigation Committee Terms of Reference in Appendix C of the *Committees* policy.

July 5, 2017: *Elections* approved by Executive Committee motion E2017-07-05-2 on the recommendation of the Procedure Sub-Committee. Changes made to acknowledge CFAC campus moving to City Centre Campus as well as identifying Appendix A as guidelines instead of ‘sample’ guidelines.

December 18, 2019: *Elections* approved by Executive Committee motion E2019-12-18-7 on the recommendation of the Procedure Sub-Committee. Major updates include prohibiting elected SAMU representatives from endorsing candidates or campaigns, prohibiting elected SAMU representatives or employees from volunteering for a candidate or campaign during work hours or to use SAMU resources to support a campaign, and clarifying submission and distribution deadlines.

July 29, 2020: *Elections* approved by Executive Committee motion E2020-07-29-6 on the recommendation of the Procedure Sub-Committee. Major updates include the addition of “Extraordinary Event” references as well as the addition of the Appeals section.

July 28, 2021: *Elections* approved by Executive Committee motion E2021-07-28-3 on the recommendation of the Procedure Sub-Committee. Updates include the reduction of endorsements from ‘25’ to ‘10’, having the CRO approve and identify which social media platforms can be used during campaigning, and extending the deadline for expense records to be submitted to ‘prior to voting beginning’.

August 24, 2022: *Elections* approved by Executive Committee motion E2022-08-24-1. Updates include removal of ‘Extraordinary Event’ references, providing for the CRO to determine appropriate



submission methods for required documents, and enhancing/defining more specific requirements around Complaints.

June 14, 2023: Elections approved by Executive Committee motion E2023-06-14-4 on the recommendation of the Procedure Sub-Committee. Major updates include addition of digital posters to the Campaign Materials definition, noting that full-time SAMU staff may not endorse a candidate or campaign, requiring that appeals of CRO decisions must be received within 48 hours of the issuance of a decision, and requiring that election results appeals must be received within 48 hours of voting closing.

**Related Documents and Forms:**

Election Nomination Package