

Arts and Science Undergraduate Society of Queen's University

# Elections & Referenda Policy



Responsibility:	Governance Officer
Approved by:	Assembly
Date of last revision:	12-01-2021

# Table of Contents

## **PART 1: GENERAL**

SECTION 1 | PURPOSE

SECTION 2 | DEFINITIONS AND DISTINCTIONS

SECTION 3 | SCOPE

## **PART 2: ELECTIONS TEAM**

SECTION 1 | STRUCTURE

SECTION 2 | INFORMATION

## **PART 3: ELECTIONS TIMELINE**

SECTION 1 | TIMELINE

## **PART 4: REGULATIONS**

SECTION 1 | NOMINATION PERIOD

SECTION 2 | VERIFICATION PERIOD

SECTION 3 | CAMPAIGN PERIOD

SECTION 4 | VOTING DAY

SECTION 5 | PROCEDURES SURROUNDING RESULTS OF ELECTIONS

SECTION 6 | VIOLATIONS AND DISPUTE RESOLUTION PROCESS

SECTION 7 | APPEALS

## **PART 5: SPECIAL STIPULATIONS**

SECTION 1 | CONFLICTS OF INTEREST

SECTION 2 | PRE-ELECTION READINESS

SECTION 3 | VOLUNTEERS

## Part 1: GENERAL

### SECTION 1 | PURPOSE

#### 1.01.01

The purpose of this policy manual is to make a clear and concise set of rules and regulations available for the elections and referenda conducted under the Arts & Science Undergraduate Society. In interpreting and enforcing the Elections and Referenda Policy, the Elections Team shall uphold the aim to encourage student engagement in elections whenever possible.

### SECTION 2 | DEFINITIONS AND DISTINCTIONS

#### 1.02.01

For the purpose of this manual, the following definitions and distinctions are required:

- i) "Society" refers to the Arts and Science Undergraduate Society, whose acronym is "ASUS"; that is, the association whose membership consists of Society members.
- ii) "AMS" refers to the Alma Mater Society of Queen's University.

### SECTION 3 | SCOPE

#### 1.03.01

This policy manual covers all aspects of ASUS Elections and Referenda, including policies on nomination, validation, campaign, finances, balloting, violations, and penalties. This policy manual has influence over the ASUS Elections Team and candidates running in an ASUS Election.

## PART 2: ELECTIONS TEAM

### SECTION 1 | STRUCTURE

#### 2.01.01

The Elections Team shall be an objective and neutral body as pertains to any student government elections within the University.

#### 2.01.02

As such, all members of the Elections Team shall be of the understanding that they must remain neutral in all elections-related matters and conversations. Members of the Elections Team shall sign a non-disclosure agreement (NDA) upon being hired as facilitated through the Human Resources Office. Members of the Elections Team shall declare any conflicts of interest to the Team prior to each election period.

#### 2.01.03

The Elections Team shall be comprised of the following roles, with the following responsibilities, to be filled by Society Members:

#### 2.01.04

The Governance Officer shall be delegated limited responsibilities including budgetary oversight, signing authority, and other administrative or logistical tasks. The Governance Officer may provide policy advice but shall be barred from making any substantive rulings affecting the outcome of the Election, as this responsibility is given to the Chief Electoral Officer.

#### 2.01.05

The Chief Returning Officer shall be ultimately responsible for the logistics and execution of the election. This shall include but is not limited to advertising elections, communicating with candidates, and coordinating year to year specifics (e.g. timeline). Further policy regarding the Chief Returning Officer includes:

- i) Prior to the general Election Period, the Chief Returning Officer shall work with the Governance Officer and Assembly to determine an appropriate elections timeline. The election timeline shall usually be consistent with the AMS elections timelines.
- ii) The Chief Returning Officer shall prepare any necessary documents, including but not limited to nomination packages, and conduct elections training with the Elections Team.
- iii) During the Nomination Period, the Chief Returning Officer shall advertise the nominations process in order to increase the potential number of candidates.
- iv) The Chief Returning Officer shall coordinate an All Candidates Meeting to inform candidates of the rules of the election.
- v) The Chief Returning Officer shall manage all space bookings for candidates.
- vi) During the Campaign Period, the Chief Returning Officer shall coordinate all communications between candidates and the Elections Team.

- vii) During the Voting Period, the Chief Returning Officer shall advertise with the aim of encouraging all Arts and Science students to vote.
- viii) The Chief Returning Officer shall submit a ballot to the Governance Officer in a sealed envelope which will only be counted in the event of a tie.
- ix) The Chief Returning Officer shall publicly announce the election results only after each candidate or team of candidates has been informed.

#### 2.01.06

The Chief Electoral Officer is ultimately responsible for ensuring the elections process abides by all relevant policy. This includes, but is not limited to, making decisions and rulings on elections complaints at any point throughout the elections timeline. Further policy regarding the Chief Electoral Officer includes:

- i) Prior to the general Election Period, the Chief Electoral Officer shall consult the Governance Officer on elections violations and complaint related scenarios, if guidance is required.
- ii) The Chief Electoral Officer shall inform the Governance Officer of any and all decisions rendered prior to releasing such decisions.
- iii) The Chief Electoral Officer shall handle any complaints filed with the Chief Returning Officer, up until 72 hours preceding the last Voting Day.
- iv) The Chief Electoral Officer shall provide complaint training at the All Candidates Meeting.
- v) During the Verification Period, the Chief Electoral Officer shall, in coordination with the Governance Officer, verify the validity of all nomination packages submitted as per the guidelines in this policy.

#### 2.01.07

The Elections Coordinators shall cover any work delegated to them from the Chief Returning Officer including, but not limited to, the advertising and logistics of either the Fall, Winter, or Department Student Council Elections. The recommended role division for the two Elections Coordinators shall be: Marketing and Logistics. Ultimately, the division of the Elections Coordinators is at the discretion of the Chief Returning Officer.

## SECTION 2 | INFORMATION

#### 2.02.01

The release of any information pertaining to elections to the ASUS Executive or ASUS Council shall require a simple majority vote within the Elections Team.

## 2.02.02

Exemptions: the following information shall be made publicly available;

- i) Any results of an election, including specific vote breakdown as seen on the final ballot;
- ii) The voter turnout of any election;
- iii) Any information related to a candidate's campaign which has been released expressly in writing by the candidate themselves.

## PART 3: ELECTIONS TIMELINE

### SECTION 1 | TIMELINE

#### 3.01.01

The proposed elections timeline shall be approved by a majority vote of ASUS Assembly.

#### 3.01.02

Any changes to the timeline must be approved by the Chief Electoral Officer, as well as a majority vote of ASUS Assembly.

#### 3.01.03

The Nomination Period shall last a minimum of ten (10) days.

#### 3.01.04

The Verification Period shall last a minimum of twenty-four (24) hours.

#### 3.01.05

The Campaign Period shall last a minimum of five (5) business days.

#### 3.01.06

The Voting Period shall last a minimum of two (2) days. The Voting Days shall fall in line with those of the corresponding AMS Voting Days, as approved by AMS Assembly when possible.

## PART 4: REGULATIONS

### SECTION 1 | NOMINATION PERIOD

#### 4.01.01

Nomination Packages shall contain:

- i) The position being sought;
- ii) Personal information including name, student number, phone number, and email;
- iii) Declaration of any potential conflicts of interest;
- iv) Descriptions of all positions open for nomination, or a description of where to find this information;
- v) A copy or link to the ASUS Elections and Referenda Policy;
- vi) Permission to disclose candidate's campaign details released by the Elections Team upon request;
- vii) A declaration of intent to complete the entirety of their term should they be elected;
- viii) Candidate commitment to agree to operate under the ASUS Elections and Referenda Policy and that all information is accurate to the best of their knowledge.

#### 4.01.02

The Nomination Period shall be governed by the following additional regulations:

- i) The Nomination Period is purely for organizational purposes. No official campaigning shall occur during the Nomination Period.

### SECTION 2 | VERIFICATION PERIOD

#### 4.02.01

The Chief Electoral Officer shall announce the results of the verification process to candidates by the end of the verification period.

#### 4.02.02

The requirement for verification shall be that the student is eligible to run in ASUS Elections (ie: is an Undergraduate Arts and Science Student), has submitted a complete nomination package, and that the nomination package is accompanied with an outline of a Candidate's or candidate team's platform.

#### 4.02.03

The Verification Period shall be governed by the following additional regulations:

- i) No campaigning shall occur during the Verification Period.

### SECTION 3 | CAMPAIGN PERIOD

#### 4.03.01

The following formula shall determine the election expense limit per candidate team:

*$\$75 \times (\text{number of people on team}) \times (\text{number of teams running for the position}) / (\text{number of slots open for position})$*

#### 4.03.02

The Campaign Period shall be governed by the following additional regulations:

- i) All campaigning must follow the Student Code of Conduct and the spirit of ASUS policy. All campaign materials must be approved by the Chief Returning Officer prior to use. These materials may be approved in advance of the Campaign Period but may not be posted until the period has begun;
- ii) Candidates are responsible for ensuring that posters abide individual building policies;
- iii) All space used for campaign purposes must be booked through the ASUS Elections Team, and must comply with any potential sanctioning timelines and guidelines.
- iv) No campaign materials may be placed on utility poles, trees, or any off-campus spaces;
- v) The distribution of food of any kind, stickers, or the use of chalk is not permitted during the campaign;
- vi) Campaigns may not have more than one page or account per social media platform, and all accounts or pages must be approved by the Chief Returning Officer prior to being used;



- vii) All physical campaign materials must be removed by 8PM on the last day of the Campaign Period;
- viii) No campaigning shall occur in the ASUS controlled spaces, AMS services, or the AMS offices.

## SECTION 4 | VOTING DAY

### 4.04.01

Voting shall occur through the AMS online SimplyVoting system. A yearly contract shall be negotiated with the AMS Secretariat's Office at the beginning of each year.

### 4.04.02

No physical campaigning may occur during the voting days. Online campaigning is permitted.

### 4.04.03

In the event of the voting system failing, the Chief Electoral Officer shall extend the elections timeline. Such extension shall ensure that candidates have a brief refresher Campaign Period and that the AMS has sufficient time to repair the system.

## SECTION 5 | PROCEDURES SURROUNDING RESULTS OF ELECTIONS

### 4.05.01

The Chief Returning Officer shall deliver the results to the Elections Team followed by ASUS Executive and then the candidates themselves. Parties informed of the results shall not share them with anyone until the Chief Returning Officer has directly informed all candidates of the results.

### 4.05.02

Any requests to inspect the SimplyVoting system shall be immediately referred to the AMS.

### 4.05.03

Once confirmed and formally announced by the Chief Returning Officer, the newly elected Members of Assembly, President, and Vice Presidents will be formally ratified at the next upcoming ASUS Assembly meeting (minutes required for CRA and fiduciary reporting).

## SECTION 6 | VIOLATIONS AND DISPUTE RESOLUTION PROCESS

### 4.06.01

Complaints shall be sent to the Chief Returning Officer who will then forward them to the Chief Electoral Officer. All complaints must include the following:

- i) The name and contact information of the individual filing the complaint;
- ii) An indication of whether the complainant wishes to remain anonymous;
- iii) The specific section of ASUS policy the complainant believes to have been broken;
- iv) The candidate responsible for this deviation from policy;
- v) Evidence supporting this claim beyond a reasonable doubt.

### 4.06.02

All complaints received by the Elections Team shall be reviewed by the Chief Electoral Officer and discussed with the Governance Officer once the Chief Electoral Officer has come to a decision. The Chief Electoral Officer shall issue the final ruling on the complaint within twenty-four (24) hours. If the complaint is found to be valid the following penalty grid shall be enforced:

Violation	Pre-Election Period	Nomination Period	Verification Period	Campaign Period	Voting Days
Campaigning Outside the Campaign Period	Denial of Nomination	Campaign blackout equivalent to the amount of time prior to Campaign Period	Campaign blackout equivalent to the amount of time prior to Campaign Period	If physical after 8PM on the last day: blackout for voting days	If physical, disqualification
Exceeding the Expense Limit (Under 2 x the limit)	N/A	N/A	N/A	N/A	Voting day blackout
Exceeding the Expense Limit (Over 2 x the limit)	N/A	N/A	N/A	N/A	Disqualification
Violating any Campaign Period Parameters	N/A	N/A	N/A	1 <sup>st</sup> time, warning; 2 <sup>nd</sup> time, 24 hour blackout; 3 <sup>rd</sup> disqualification	N/A

Activity in Off-Limits Spaces	N/A	24 hour blackout per incident	24 hour blackout per incident	24 hour blackout per incident	Voting Day Blackout
Booking Space Outside of the Elections Team	N/A	1 <sup>st</sup> time, warning; 2 <sup>nd</sup> time, 24 hour blackout; 3 <sup>rd</sup> time, suspension of space booking rights	1 <sup>st</sup> time, warning; 2 <sup>nd</sup> time, 24 hour blackout; 3 <sup>rd</sup> time, suspension of space booking rights	1 <sup>st</sup> time, warning; 2 <sup>nd</sup> time, 24 hour blackout; 3 <sup>rd</sup> time, suspension of space booking rights	N/A
Violating a Leave of Absence	N/A	If not declared before the end of the Nomination Period, warning	Penalty up to discretion of Chief Electoral Officer	24 hour blackout per incident	Disqualification
Combined Violations	N/A	Individual penalties stipulated +12 hour blackout	Individual penalties stipulated +12 hour blackout	Individual penalties stipulated +12 hour blackout	N/A

4.06.03

Any violation which falls outside the scenarios listed in the chart faces a penalty determined at the Chief Electoral Officer’s discretion. Failure to comply with a sanction determined by the Chief Electoral Officer will lead to immediate disqualification.

SECTION 7 | APPEALS

4.07.01

If a candidate team wishes to appeal the Chief Electoral Officer’s decision to disqualify, deny nomination, or designate a campaign blackout of twenty-four (24) hours or greater, the appeal shall be referred to the AMS Judicial Committee. If a candidate team wishes to appeal any other ruling made by the Chief Electoral Officer, the appeal shall be referred to the ASUS Advisory Board and, if necessary, subsequently the AMS Judicial Committee.

4.07.02

Individuals shall file a Form of Appeal directly to the Advisory Board Chair. Such form shall be publicly available on the ASUS website at all times. An appeal shall include all of the same required information as a complaint. It shall in addition include one (1) paragraph stipulating why the appellant feels the Chief Electoral Officer’s ruling was incorrect as well as any other evidence demonstrating that an incorrect verdict was reached. Any statements an appellant or their affiliates wish to make must be included in the appeal filing. This information should be sent directly to the Advisory Board Chair.

#### 4.07.03

The Advisory Board Appeals Process will work as follows:

- i) The Chair shall receive the appeal;
- ii) The Chair shall review all materials previously used by the Chief Electoral Officer to reach their current verdict;
- iii) The Advisory Board shall review the appeal and rule on it, informing the Election's Team and involved candidates of their decision.

## PART 5: SPECIAL STIPULATIONS

### SECTION 1 | CONFLICT OF INTEREST

#### 5.01.01

A conflict of interest, or multiple conflicts of interest, shall be declared to the Elections Team, and determined by the Human Resources Officer and the ASUS Executive. If found to be valid, they shall have the stipulated ramifications on the following individuals:

- i) In an instance where both the Chief Returning Officer (CRO) and the Chief Electoral Officer (CEO) are deemed to have a conflict of interest with a candidate running in an election, the CRO and CEO will reallocate and divide tasks in order to ensure impartiality in all deliberation and decision processes. The Human Resources Officer will approve the proposed reallocation of tasks. The ASUS General Manager may also serve as a third party support resource.
- ii) In the case where there is a conflict of interest with the CRO, the CRO will recuse themselves of the role of communicating election results, and transfer this role to the CEO. The ASUS General Manager may also serve as a third party support resource for the CEO.
- iii) In the case where there is a conflict of interest with the CEO, the CEO shall recuse themselves of the role, splitting their duties between other members of the Elections Team, and having their reallocation of duties approved by the Human Resources Manager. The ASUS General Manager may also serve as a third party support resource for the CRO.
- iv) In the case that there is a conflict of interest with the Governance Officer, the CEO and CRO shall become co-chairs of the Elections Team and the Governance Officer shall recuse themselves from being involved in creation of any debate/open forum questions to maintain neutrality. The Governance Officer shall also be the last to

Speak when deliberating on elections matters, and shall serve predominantly as a support to the CRO and the CEO.

- v) In the case that there is a conflict of interest with either of the Elections Coordinators, any assigned duties that directly involve the candidates with which they have a conflict shall be re-allocated to the CRO, and the ASUS General Manager may also serve as a third-party resource to the CRO.

## SECTION 2 | PRE-ELECTION READINESS

### 5.02.01

Campaign materials may be prepared and approved in advance as long as it is made clear to candidates there is not a guarantee of verification or refund until the Campaign Period has begun, and that these materials may not be used until the campaign period has begun.

## SECTION 3 | VOLUNTEERS

### 5.03.01

All candidates have the right to have volunteers work on their campaign, provided they are declared and the candidate(s) assume full responsibility for their behaviors as an extension of their own. Complaints filed against a volunteer for a specific campaign organization shall be treated as a complaint filed against said campaign.

### 5.03.02

A full list of volunteers must be provided to the Chief Returning Officer by the start of the Campaign Period. Candidates are responsible for providing any updates to this list to the Chief Returning Officer, upon request.

### 5.03.03

Volunteer coordination groups on social media may exist prior to the campaign period provided they meet the following stipulations:

- i) The intent of such group should not be to solicit votes for a candidate or team. It may be used to coordinate campaign volunteers in preparation for an election.
- ii) Volunteer coordination groups are titled "Team (Person 1), (Person 2, if applicable) and (Person 3, if applicable) Volunteer Group."
- iii) The Chief Electoral Officer and Chief Returning Officer may request to be added to this group should an elections complaint, involving the group, require further investigation.

5.03.02

Election participation by any ASUS Volunteer or Employee shall be governed by the following chart:

	Internal Elections (i.e. ASUS Elections) – Helping a Candidate	Internal Elections (i.e. ASUS Elections) – Running as a Candidate	External Elections (i.e. AMS Elections) – Helping a Candidate	External Elections (i.e. AMS Elections – Running as a Candidate)
Restrictions which Apply to Anyone	Behaviour shall be in line with ASUS Elections Policy and the Student Code of Conduct.	Behaviour shall be in line with ASUS Elections Policy, the Student Code of Conduct, and which is above reproach.	Behaviour shall be in line with ASUS Elections Policy and the Student Code of Conduct.	Behaviour shall be in line with ASUS Elections Policy, the Student Code of Conduct, and which is above reproach.
Restrictions which Apply to ASUS Volunteers	Any campaign work, including, but not limited to, bothing, endorsements, etc., shall be done outside the capacity of any position at ASUS however, no leave of absence is required.	The volunteer must take a leave of absence upon submitting their nomination package, until the Election Period is over. The Chief Returning Officer and the volunteer’s supervisor must be notified when this occurs. A proxy will be appointed.	Any campaign work, including, but not limited to, bothing, endorsements, etc., shall be done outside the capacity of any position at ASUS however, no leave of absence is required.	The volunteer must take a leave of absence upon submitting their nomination package, until the Election Period is over. The Chief Returning Officer and the volunteer’s supervisor must be notified when this occurs. A proxy will be appointed.
Restrictions which Apply to ASUS Deputies	Deputies are not afforded the right to volunteer or support the campaigns of others, even in a personal capacity.	They are afforded the right to run under the exact same restrictions listed above.	They are afforded the right to operate under the exact same restrictions as listed above.	They are afforded the right to run under the exact same restrictions listed above.  The volunteer must take a leave of absence upon submitting their nomination package, until the Election Period is over. The Chief Returning Officer and the volunteer’s supervisor must be

				notified when this occurs. A proxy will be appointed.
Restrictions which Apply to Council and the Executive	The Executive and Council are not afforded the right to volunteer or support the campaigns of others even in a personal capacity.	They are afforded the right to run under the exact same restrictions listed above	The Executive and Council are not afforded the right to volunteer or support the campaigns of others, even in a personal capacity.	The member of Council and the Executive must take a leave of absence upon submitting their nomination package, until the Election Period is over. The Chief Returning Officer and the volunteer's supervisor must be notified when this occurs. A proxy will be appointed and their compensation will be administered in accordance to Human Resources Policy Section 6.02.02.
Restrictions which Apply to Students who Currently Hold Elected Office	Students holding incumbent elected positions are not afforded the right to volunteer or support the campaigns of others in elections for the position the incumbent student currently holds, even in a personal capacity.	They are afforded the right to run under the exact same restrictions listed above.	Any campaign work, including, but not limited to, booting, endorsements, etc., shall be done outside the capacity of any position at ASUS however, no leave of absence is required.	They are afforded the right to run under the exact same restrictions listed above.
Restrictions which Apply to Individuals who are not Current Students of Queen's University	Individuals who are not presently enrolled students of Queen's University are not afforded the right to volunteer with any candidate's campaign.	Individuals who are not presently enrolled Arts and Science Undergraduate students of Queen's University are not afforded the right to run as a candidate in an ASUS election.	N/A - Rules would be enforced in accordance with the Elections Policy of the external election.	N/A - Rules would be enforced in accordance with the Elections Policy of the external election.

## SECTION 4.04 | PAPER BALLOTING

### 4.04.01

In cases of the unavailability of the AMS online voting system for any reason, the ASUS elections shall be carried out by use of paper balloting, in accordance with Section 4 of the Elections and Referenda Policy Manual.