

Scarborough Campus Students' Union Policy Manual

PROCEDURAL POLICY – CHARTER FOR REFERENDA

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Principle

- a. In addition to Annual and General Meetings, the members of the Union may vote on resolutions concerning the business of the Union by means of a referendum.
- b. Referenda should only be held under the principle that any given referenda must benefit the entire membership and contribute to the development and growth of student experience on campus and/or student movements on campus.
- c. Referenda should reflect the general interest of the membership with the intention to improve the distribution of services by the Union, recognized campus group and/or external organizations.
- d. Failure to adhere to this Charter and its provisions shall invalidate the results of referenda.

Notice

- a. The Board of Directors of the Union shall give no less than ten (10) calendar days' notice of a referendum. Sufficient notice shall be deemed to have been given by the posting of no less than fifty (50) notices, each 27.9x43.2 centimetres (11x17 inches), across UTSC. In addition, a series of ads are to be published either in print or on social media – including but not limited to an advertisement of 10.2 by 15.2 centimetres (4x6 inches), appearing on the campus newspaper with distribution at the Scarborough Campus that is published for a period of ten (10) calendar days before the voting period. Advertisements shall include the following:
 - i. The time, date, and location of the referendum.
 - ii. The proposed resolution(s) for the referendum.
 - iii. Any special resolution(s) to be considered in the referendum.
- b. For referenda under Schedules B and C to be considered, question(s) must be submitted to the Elections and Referenda Committee in the Summer semester before August's board meeting.

Voting

- a. Any given referendum shall be conducted using a paper ballot.

3.1 Ballot Boxes/Polling Stations

- a. The double envelope system will be used whenever necessary.
- b. The Union is responsible for staffing the polling stations with volunteers or paid staff.
- c. The Elections and Referenda Committee shall declare the location and hours of each polling station, at least ten (10) business days in advance.

3.2 Scrutineering

- a. The ballot counting process will commence no later than 24 hours after the polls officially close.
- b. There may be a maximum of two scrutineers from the "yes" and "no" advocacy committee. The scrutineers from the advocating committees may be appointed by their own committee.
- c. The counting of paper ballots shall occur in the Student Centre, in an area where no disruptions may occur.
- d. The results of the ballot counting process will be announced within 24-48 hours of the ballot counting.
- e. Failure to send a scrutineer(s) will not invalidate the ballot counting process.

The Question

- a. Each question must be positively worded, so that the vote of “yes” signifies agreement with the initiative proposed, and a vote of “no” signifies disagreement with it.
- b. Upon receiving approval from the Elections and Referenda Committee on the question received by the Union pursuant to the Charter, the Board shall authorize the referendum to be conducted as provided herein.
- c. There must be a presentation conducted by those running a referendum before the Board votes on the question.

Quorum

- a. Quorum required for a referendum of the Union shall be no less than ten percent (10%) of the membership affected by the referendum question.
- b. Quorum shall be established no later than 10 days before the voting period.
- c. Master Voting List shall provide the list of members eligible to vote, and shall be used to calculate quorum.

Campaigning

- a. The Elections and Referenda Committee of the Union shall oversee the campaign and logistics of all referenda. The Chief Returning Officer of the Union shall oversee the referenda and campaigning.
- b. No active campaigning or distribution of campaigning material shall take place prior to the campaigning period.
- c. All involved in campaigning are responsible for their actions and violations stemming from such actions.
- d. All campaigning shall be in accordance with the rules of fair play. Breaking the rules of fair play include, but are not limited to, breaching generally accepted community standards, libel, slander, general sabotage of the campaigns of other sides, malicious and / or intentional breach of elections policies, any attempt to undermine the referenda process and / or misrepresent facts.
- e. It is the responsibility of the advocating committee(s) to ensure that all campaign tactics, materials, and / or advertisements conform to all policies and regulations of the Union, as well as municipal, provincial and federal laws. Campaign displays and the distribution of literature are also subject to the rules and regulations of the University of Toronto publication Procedure on Distribution of publications, posters and banners at the University of Toronto. Revised September 1998 as well as UTSC and residence policies.
- f. During voting period, campaigning shall not take place within ten (10) metres of a designated polling station.
- g. The Committee has the right to remove members from the advocating committees and disqualify an advocating committee should they reach the limit of total deducted demerit points.
- h. Appeals can be made to the Elections and Referenda Appeals Committee, whose membership is defined and set out in the Elections Procedure Code.
- i. Campaign expense limits are set by the Elections and Referenda Committee and limits must be the same for both advocating committees. No type of reimbursement shall be provided to any of the advocating committees external to the Union; this includes monetary and other resource allocations.
- j. All advocating committees must submit records of all campaign expenditures within twenty-four (24) hours of the closing of voting. Original receipts must be submitted. Sources and amounts of campaign donations must be disclosed and will not be reimbursed.
- k. The Union reserves the right to withhold the results of any given referendum if receipts and expense records are not submitted.
- l. Where receipts are unavailable, a fair market value will be provided for the product and shall be the lowest price, without discount or special concession.
- m. Campaigning is not allowed within ten (10) metres of Union sanctioned polling stations that the advocating committee knew, or out to have reasonably known of, except to vote on polling days.
- n. Campaign posters cannot be placed within ten (10) metres of a Union sanctioned polling station. Campaign banners may not be placed within ten (10) metres or within sight of the polling station.

6.1 Advocating Committees

- a. The Elections and Referenda Committee may register no more than one committee authorized to promote the “yes” side to a referenda question, and one committee authorized to promote the “no” side, provided that at least three-quarters of the members of each committee are members of the Union.
- b. An advocating committee must register with the Chair of the Elections and Referenda Committee and the Chief Returning Officer and submit:
 - i. The full name of the advocating committee.
 - ii. The name, address and telephone number of the chief agent of the committee.
 - iii. The names, addresses, telephone number and title of each officer of the committee.
- c. No advocating committee following Schedule B shall invest resources in any aspect of a particular referendum more than \$250.
- d. Membership of an advocating committee will be public information and posted on the Union’s website.
- e. No party, individual or group, other than the registered advocating committee, shall advertise in any medium or post or distribute any material, for the purpose of supporting or opposing a referendum question.
- f. No registered advocating committee shall advertise in any medium, or post or distribute any material, unless it has been approved by (after having consulted with) the Chief Returning Officer.
- g. During the referendum period, the Elections and Referenda Committee shall, at its discretion, arrange public forums for the advocating committees to make oral presentation to the membership, whether in a form of debate or “Question and Answer” session.

Demerit Points

The values listed below are a guide for issuing demerit points. Values may be increased or decreased at the discretion of the CRO and Committee and Appeals Committee. The CRO or Committee reserves the right to assign a demerit point penalty of an amount determined at their discretion, including a sufficient amount to disqualify a member of any advocating committee, to any member of any advocating committee who has committed an offence. If members of an advocating committee collectively reach or exceed the maximum number of demerit points for an advocating committee, the CRO or Committee reserves the right to disqualify the advocating committee.

a. Campaign Materials

Violation	Demerit Point
Unintentional misrepresentation of facts	3
Multiple violations in the same location/building	4
Unapproved material	5
Displayed in an unauthorized area	5
Pre/Post campaign materials	6
Multiple violations within ten (10) metres	8
Intentional misrepresentation of facts	10

b. Campaigning

Violation	Demerit Point
Unintentional misrepresentation of facts	3
Failure to submit campaign receipts and/or signed statement of having no expenses	*
Distribution of campaign material within ten (10) metres of a polling station	10
Unsolicited campaigning (including e-mail and phone calls)	8
Improper distribution of campaign material	8
Intentional misrepresentation of facts	10

Campaigning in an unauthorized area	12
Pre/Post campaigning	10
Breaking University, municipal, provincial, and/or federal law/regulation while campaigning	*

c. Fair Play

Violation	Demerit Point
Candidates enforcing the Charter for Referenda	5
Unsanctioned use of Union resources	15**
Gross misrepresentation of facts	20
Malicious or intentional violation of the Charter for Referenda	25
Abuse of position or status	20
Failure to comply with the spirit and purpose of the referendum	*

* The CRO and the Committee reserve the right to assign a demerit point penalty of an amount determined at their discretion, including a sufficient amount to disqualify a member of any advocating committee.

** The exception being a referendum following the requirements of Schedule A.

Accruing greater than 100% (one hundred per cent) of the following allowable demerit point limit, as follows, will result in disqualification:

	Demerit Point Limit
Member of an advocating committee	35
Advocating committee	70

Disqualified members of an advocating committee are prohibited from campaigning for an advocating committee for the remainder of the campaign period after a ruling of disqualification has been issued. Disqualified advocating committees are prohibited from campaigning for the remainder of the campaign period after a ruling of disqualification has been issued. Disqualified

advocating committee material will be removed and/or destroyed by the CRO and/or Elections and Referenda Staff and/or the Elections and Referenda Committee. If an advocating committee is disqualified, a new advocating committee can be registered.

ii. Penalties for Violations

Where the CRO or Committee finds there has been a violation of the Charter for Referenda, the CRO or Committee may:

1. Assign a demerit point penalty resulting in a fine against a member of an advocating committee.
2. Declare that a referendum be ruled void.

Requirements of Referenda

Schedule A

Union Referenda

Schedule A outlines the referenda guidelines for whenever the Board of Directors of the Union wishes to determine the opinion of the membership with respect to one or more issues relating to the Union, which may or may not include relating to fees.

To call a referendum under schedule A, a question must be submitted to the Board of Directors from the Executive Committee. The question(s) must have received a majority vote of fifty percent plus one (50% +1).

- a. The question is submitted to the Board of Directors, where a majority vote (50% +1) must be obtained to approve the question.
- b. A Board of Directors' approval of the question automatically places the Union in support of the question.
- c. The Elections and Referenda Committee oversees the referendum once the question is determined and approved by the Board of Directors.
- d. Referenda can be held during the Fall By-elections.

Schedule B University of Toronto Recognized Groups

Schedule B outlines the referenda policy for whenever a recognized group wishes to determine the opinion of the membership with respect to one or more issues relating to the Union. The question may or may not relate to fees.

- a. To call a referendum under Schedule B, a question must be submitted to the Elections and Referenda Committee with the following supporting documentation:
 - i. Completed 'Referenda Application' set out by the Elections and Referenda Committee.
 - ii. The question is submitted to the Board of Directors, where a majority vote (50% +1) must be obtained to approve the question.
 - iii. Materials for the campaign, ready for approval.
 - iv. List of participants involved in the campaign.
- b. The Elections and Referenda Committee shall decide whether to recommend the support or opposition of the question to the Board of Directors, who must either adopt a "yes" or "no" stance.
- c. Referenda for Schedule B can only occur in conjunction with Fall by- elections.