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**Committee Responsibility:** Electoral Committee**Adopted:** November 2016**Procedure:** -**Last Amended:** April 2021

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## PREAMBLE

The primary function of the Electoral Policy is to provide for an orderly and democratic process for the selection of members to serve on the Board of Directors. In conduct of elections, the Students' Union's process shall prioritize respect for the rules and democratic decision-making; respect for those participating in, and those conducting, the election process; and, fairness and consistency in the application of electoral rules and the adjudication of complaints and appeals.

## STATEMENT:

### **1. DEFINITIONS**

**Acknowledgement Form:** a document signed by a nominee to verify that the nominee has received a copy of the Students' Union's Administrative Policies, Constitution and Bylaws, Society Act and College and Institute Act, and understands the roles and responsibilities of the position for which they are running (per Bylaw VI, Article 4. (c) ).

**Approved Posting Location:** a general bulleting board or other area approved, such as approved social media platforms, for posting notices as per College policy.

**By-election:** An election for a partial term of a position vacated prior to the term expiration, held in the Fall Semester.

**Candidate:** a nominee whose nomination form has been declared valid by the Chief Returning Officer.

**Chief Returning Officer (CRO):** Staff person of the Students' Union assigned by the Representative Committee to take primary responsibility for overseeing the electoral process and ensuring the bylaws and policies are followed (The CRO may be the staff member of the Electoral Committee hired for the election period or a different staff person).

**Deputy Returning Officer (DRO):** Member of the Electoral Committee assigned by the Board to take secondary responsibility for organizing and overseeing the electoral process.

**Committee:** The Electoral Committee as defined by Bylaw VI, Article 1.

**Communication "in writing":** for the purposes of the policy, electronic mail shall be considered written communication and time of receipt shall be the time a piece of electronic mail is received

by the Students' Union.

**Defamatory Statements** – statements, oral or written, that unjustly harm the reputation of another candidate.

**Election Organiser:** Staff person of the Students' Union assigned by the Board of Directors to take primary responsibility for planning and organizing the election process as per the Bylaws and Policies and under the direction of the Electoral Committee.

**General Election:** An election process for the full-term of a position as per Bylaw VI, held in the Winter Semester.

**Information Release Form:** A form signed by a member interested in seeking election that enables the Students' Union to access such personal information about a potential nominee from Douglas College as may be required to verify their eligibility.

**Member:** A member of the Students' Union as defined by Bylaw II

**Nominee:** A member who submits a nomination form seeking candidacy in a general or by-election.

**Nomination Form:** A standard form provided to members interested in seeking election that can be filled out to list the position being sought, nominator information and verification by the nominee.

**Officials of the Students' Union** – Board of Directors of the Students' Union

**Students' Union Employee:** any individual who has been employed by the Students' Union in the four months preceding a general election or by-election, or hired as a poll clerk or CRO for the election.

**Slate:** a group of candidates seeking election to different positions as a team using a common platform.

**Voting Area:** The area within sight or sound of a balloting station.

## **2. ELECTION SCHEDULE**

Through this policy the Board of Directors delegates its authority for the setting of election schedules to the Committee. Annually, the Committee shall set the schedule for the general election, and shall set the schedule for a by-election should a by-election be called by the Board of Directors.

## **3. NOMINATIONS AND ELIGIBILITY**

### **3.1 Eligibility**

Eligibility requirements are established in Bylaw VI, Article 4.

### **3.2 Verification of Nominees**

Nomination forms shall contain the name, signature, contact info and student numbers of not less than ten (10) members supporting the nomination of the listed nominee. For a nomination

to be valid, a nominee must also submit a signed acknowledgement form and information release form. A member interested in seeking nomination must submit the three forms listed herein prior to the close of the nomination period to participate in the election process.

The CRO will evaluate each nomination submitted to determine whether a potential nominee meets the requirements set out in the Bylaws and Policies of the Students' Union. Incomplete submissions will be returned to the nominee. Submission of incorrect or fraudulent forms will result in the disqualification of a nominee from the election process.

### **3.3 Nominee Orientation**

All nominees shall attend an orientation sessions held between the conclusion of the nomination period and commencement of the campaign period. The CRO or DRO may exempt individuals from attendance under extenuating circumstances, but only if the individual requesting an exemption does so prior to the close of nominations, or informs the appropriate electoral official of an emergency for which no notice could be given. Failure to attend a nominee orientation session or make alternate arrangements to receive an orientation shall result in disqualification.

The following information shall be presented at nominee orientation sessions:

- A review of the elections regulations and campaigning rules.
- Announcement of the times and locations of polling.
- An overview of the discipline, disqualification and appeals process.
- A "How to Effectively Campaign" Presentation

### **3.4 Slates**

Nominees may seek election as a slate. Slates must be registered with the CRO prior to the close of the nomination period, and approval of the CRO is required for each slate name to ensure they are distinct, and conform to the rules herein.

## **4. CAMPAIGNING**

### **4.1 Election Bulletin**

The Students' Union shall produce an election publication featuring platforms from each candidate and information about voting. The election bulletin will be published on the Students' Union's website no later than 48 hours prior to the opening of polling, and copies will be provided at each polling station. Electronic ballots will include Candidate platforms. The following regulations shall apply to the production of the Election Bulletin:

- The CRO shall establish a deadline for submission of platforms for inclusion of the Election Bulletin. Platforms shall be submitted to the CRO or her designate directly by the candidate. Platforms not submitted directly or submitted following the deadline shall not be published.
- Each platform is limited to 200 words. Platforms longer than 200 words shall be shortened to 200 by deleting words from the end of the platform.

- Following the platform submission deadline, a candidate may not alter a submitted platform.
- The CRO will ensure that all candidates are treated equally and fairly in the layout of the Election Bulletin.

#### **4.2 Election Forum**

The Committee shall host one election forum at each campus or in an online format and the following regulations shall apply:

- The forum will be organized by position and each candidate shall be granted two (2) minutes to outline their platform.
- The Committee will select a moderator for the forum.
- The Committee may choose to ask each candidate up to three (3) questions pre-determined by the Committee. Such questions may vary by position but must be asked to each candidate for a position. Each candidate will have one (1) minute to reply.
- The Committee may choose to allow questions from the floor. Questions from the floor shall be written down and passed to the Committee, and then chosen questions will be posed by the forum moderator to each candidate for a given position. Each candidate shall have the right to reply to each question posed of that position, and such replies shall be limited to one (1) minute. Adequate notice will be provided to members to submit questions ahead of the election forum.
- The Committee may choose to facilitate the election forum in an online format. The online format may consist of the posting of pre-recorded platform videos with the opportunity to answer pre-submitted questions, or in a live-streamed format on the Student Union's social media channels.
- Notice of the forum shall be as per Bylaw VI, Article 3 (b)(iii).

#### **4.3 Conduct of Election Participants and Students' Union Officials**

Each individual candidate is required to act reasonably, responsibly and in good faith; and shall be required to:

- Ensure that they, and any of their campaign volunteers, are aware of, and comply with, all rules, policies and bylaws of the Students' Union;
- Be responsible to the Electoral Committee for his/her actions as well as the actions of his/her campaign volunteers;
- Be respectful to the Electoral Committee and the decisions of the Electoral Committee;
- Report any breaches of the electoral rules, policies or bylaws; and,
- Comply with the rules, policies and procedures of the College.

Members of the Board of Directors shall not participate in campaigning as part of their official duties and, while engaged in work for the Students' Union, shall not provide resources or counsel to candidates. Clubs, campus groups and internal organizations are prohibited from

endorsing or providing resources to candidates.

#### **4.4 Approved Physical Campaign Materials – DSU supplied materials**

To each candidate, the Students' Union shall provide supplies to make posters, handbills, banners and buttons. The following regulations shall apply to campaigning material:

- Posters shall be limited to standard letter sized piece of paper (8.5" by 11") in dimension and shall be limited in number to not more than thirty (30) on each campus. A vandalism allowance of one (1) additional posters per day per campus will be allocated from the first day posters are approved.
- Handbills shall be no larger than one half of a standard letter sized piece of paper (8.5" by 11") and may be printed double-sided. Handbills must be distributed directly to members. Door-to-door distribution of handbills, as well as distribution of handbills on tables, desks, cars and other surfaces is prohibited. Handbill shall be limited to the equivalent of eight hundred (800) half-letter sized pieces of paper. At least one side of each handbill must be attributable to one candidate.
- Banners shall be no larger than three (3) feet wide and six (6) feet long and shall be hung vertically. Each candidate may produce one banner for each campus. Erection of banners shall be done in consultation with the CRO or DRO to ensure that the banners are hung in an approved posting location.
- Candidates may produce up to two hundred (200) buttons using the Students' Union button maker.
- All materials must be approved by the CRO, DRO or designate prior to use or posting. In the case of posters, each poster must be signed and numbered. The approval process shall occur within one (1) business day, twenty-four (24) hours, of material submission to the appropriate electoral official. Materials containing factual inaccuracies, defamatory statements or those considered to be in contravention of federal or provincial statute shall not be approved.
- Materials shall only contain information related to the candidates own platform and related information regarding the schedule of the election.

#### **4.5 Electronic Campaigning**

The following regulations shall apply to electronic campaigning:

- The Bylaws, Policies, and Electoral Committee shall set out the approved electronic campaign formats;
- All formats will be monitored by the Electoral Committee;
- Any campaign website, or changes thereto, must be approved by the CRO prior to its publication, and this includes Facebook pages and other social media groups or pages;
- Campaign websites and pages shall only contain information related to the candidates own platform and related information regarding the schedule of the election;
  - The "How to Effectively Campaign" guide will be provided to all candidates

- Candidates may not collect the personal information of members for the purpose of emailing them or contacting them during the election period regarding the election, which includes following members on social media with the intention of contacting them during the election period;
- Electronic campaign materials and their use must not contradict College policies regarding communication and technology use, and must respect the privacy rights of students;
- Posts on an individual's social media platforms during the election period are not considered campaign pages or websites, but are considered campaign material in terms of their content and may be monitored by the Electoral Committee;
- With regard to electronic lists, candidates may only post campaign material to "open" lists, meaning ones that are either unmoderated and to which anyone can post, or moderated lists that are open to submissions from everyone regardless of their affiliation; i.e. Facebook, Instagram, TikTok, LinkedIn, DS App, Twitter, or others approved by the Electoral Committee; and
- Candidates must keep a record of all electronic posting they make regarding the election, which may be inspected by the CRO, Committee or Board of Directors in assessing breaches of the election rules, or adjudicating disputes.
- The approval process shall occur within one (1) business day, twenty-four (24) hours, of submission to the appropriate electoral official.

#### **4.6 Campaigning Guidelines**

When engaging in campaigning, candidates may not:

- Post or use any material not yet approved by the CRO, DRO or their designate.
- Distribute or erect campaign materials in the Students' Union Building, in Coquitlam Campus Room A1190, or at Students' Union events.
- Deface, remove, vandalize or otherwise alter campaign materials of another candidate.
- Post or distribute materials in contravention of the College's policies and regulations on postering and materials distribution.
- Post materials that defame other candidates or are not about their own campaign or the election process;
- Engage in campaigning outside of College property or advertise in off-campus media.
- Use copyrighted materials, slogans, logos or characters in any campaign materials.
- Campaign in a classroom during a class period without the prior approval of the course instructor or providing materials to be distributed by the instructor.

All campaign materials must be removed prior to the conclusion of the election per Bylaw VI, Article 5 (b).

Any campaign materials containing languages other than English must also include an English translation that appears in equivalent size and prominence.

## **4.7 Financing**

The following materials shall be provided free of cost by the Students' Union to each candidate:

- black and white photocopying/printing up to 300 copies, double sided;
- coloured photocopying/printing up to 100 copies, single sided;
- Banner printing in full colour for two (2) banners of up to three (3) feet by six (6) feet; and
- Colour printing and button making supplies sufficient to make 50 campaign buttons.

Additional materials and printing costs shall be the responsibility of each individual candidate. No candidate may spend more than twenty dollars (\$20) on their campaign, and no candidate shall receive any campaign donations from other persons or organizations, including donations in-kind. Slates may not combine spending allowance.

Candidates wishing to produce additional materials in accordance with these rules shall be charged the following rates for Students' Union supplies:

- Black and white printing - \$0.05 per copy for 8.5"x 11" paper
- Colour printing/copying - \$0.10 per copy for 8.5"x 11" paper
- Buttons - \$0.25 per button including printing costs
- The following spending is permitted for digital campaign materials:
  - Boosting social media posts
  - Purchase of social media advertisements

## **4.8 Financial Reporting**

Candidates shall provide a reporting of all their expenses to the CRO using a form provided by the CRO, and these reports must be accompanied by receipts supporting each expense. Candidate expense reporting must be provided to the CRO prior to 1pm on the final day of voting in each election process. Candidates that do not have any expenses are not required to complete the expense form but may be required to confirm they have no expenses to the CRO.

## **5. BALLOTING RESULTS**

### **5.1 Polling**

When possible, Election buddy (or equivalent online voting software) shall be used to facilitate the voting process.

Ballots shall be sent directly to members through their Douglas College email. Members will be able to vote digitally on campus at polling stations through the use of digital devices provided by the Students' Union.

Only members of the Committee, hired balloting clerks, or Students' Union staff members approved by the Electoral Committee shall staff balloting stations. Each balloting stations shall

have two polling clerks.

For accessibility requirements on campus, proper ballot boxes shall be used. Prior to the opening of the polling, ballot boxes shall be sealed by the CRO or DRO and witnessed by a Poll Clerk. Ballot boxes shall be sealed throughout the polling process and the Electoral Committee shall be responsible for ensuring the security of the ballot boxes. The CRO or DRO will ensure the safe and secure storage of ballot boxes overnight and between voting days.

All paper ballots will be facilitated through the use of the double envelope system to ensure that all members have one (1) vote.

The hours and locations of polling shall be determined by the Committee in accordance with Bylaw VI, Article 2 (b)(iv).

When members are casting a ballot at a voting station, candidates and their volunteers must remain out of the voting area.

## **5.2 Counting of Ballots**

Paper Ballots shall be counted and digital ballot results will be reviewed by members of the Committee, poll clerks and Students' Union staff under the direction of the CRO or DRO at a scheduled time following the closing of the voting period. For each position, the paper ballots shall be counted twice to ensure the accuracy of the result. Where the first and second counts do not match, the ballots will be counted a third time by the CRO or DRO. A third count will only occur if the difference in counts is greater than 5% of the overall ballots cast for the position, or the if the difference in counts is great enough to alter the results of the vote.

Each candidate may appoint a scrutineer to observe the ballot count. One scrutineer may act on behalf of multiple candidates in a slate. Candidates must appoint a scrutineer in writing and must do so no less than 48 hours prior to the closing of polling. Scrutineers may not be a candidate in the election and must be a member of the Students' Union.

During ballot counting, scrutineers are not permitted to speak to ballot counters or to interfere in any way with the process. Questions regarding the ballot counting can be addressed to the CRO or DRO. Any scrutineer found in violation of these rules shall be removed from the counting room.

Candidates may request a recount or a review of the ballots cast as per Bylaw VI, Article 7. (a). Such recounts shall be undertaken where the request is in writing from a candidate for the position in question within seventy-two (72) hours of the announcement of the results. Notwithstanding the above, the Committee shall have the right to recount ballots for any position as deemed necessary or advisable provided that the recount occurs within seventy-two (72) hours of the announcement of the results, or as directed by the Board of Directors.

## **5.3 Announcement and Ratification of the Results**

Following the receipt of digital and counting of paper ballots, the unofficial results shall be communicated to the candidates participating in the election. Once all outstanding appeals and complaints have been dealt with and results adjusted accordingly, the unofficial results will be communicated to the Board of Directors for ratification.



The Committee shall produce an Electoral Report as per Bylaw VI, 1. g. and the report shall contain:

- The list of positions being elected and the schedule of elections;
- The official results, including numerical totals;
- A list of candidate breaches of the bylaws or policy recorded during the election period; and,
- Any recommendations from the Committee regarding improvements or alterations to electoral policy.

The Electoral Report shall be signed by the CRO and DRO on behalf of the Committee.

The Electoral Report shall be submitted to the Board of Directors not less than one month following the conclusion of the balloting period, or not less than one week prior to the beginning of the term for which candidates sought election, whichever comes first.

Official results shall be published on the Students' Union's website and through the distribution of not less than 8 posters on each campus.

Published results shall indicate those elected and those not elected as appropriate and shall not contain the numerical result. The numerical result shall not be published unless directed by a resolution of not less than two-thirds of voting members of the Board of Directors, or a simple resolution at a quorate general meeting.

#### **5.4 Destruction of the Ballots**

Ballots and associated voters lists shall be destroyed fifteen days after the announcement of the results and following a resolution to do so by the Board of Directors.

### **6. Discipline and disqualification**

#### **6.1 Administration**

Contravening any section of this policy or associated bylaws may result in disciplinary action, as may failing to adhere to direction provided by the CRO, DRO or Committee. The CRO and DRO shall administer the discipline and disqualification process on behalf of the Committee except as may be otherwise noted in this policy or in Bylaw VI.

#### **6.2 Complaints**

Complaints may be made by nominees, candidates, members or members of the campus community, and may relate to the conduct of election participants or the implementation of the electoral process. Complaints that relate to decisions of the CRO shall be considered appeals and dealt with under section 7.5 of this Policy.

The following regulations shall apply to the consideration of complaints:

- All complaints must be in writing and contain the name and, where applicable, the student number of the complainant; a full description of the cause for complaint with appropriate references to the associated policy or bylaw; the specific individual responsible for the

breach, where appropriate; and supporting facts and evidence.

- Incomplete complaints will be returned to the complainant.
- Complaints will be ruled on within two (2) business days, forty-eight (48) hours, of receipt.
- When a complaint relates to the actions of a third party, that party shall have the right to address the matter before a ruling is made on the validity of the complaint, and shall have the right to see the evidence/complaint brought against them.
- Complaints must be filed by the end of the first business day following the closing of the balloting period. Complaints filed following this period shall not be considered.

### **6.3 Minor Offenses**

Minor offenses shall be those breaches of electoral policy, bylaws or regulations not listed under section 6.4 of this policy.

Minor Offenses of Similar Nature

- In the case that a candidate commits a minor offense, said candidate shall be issued a written warning outlining the offense and the steps necessary, if any, to correct the situation.
- Should a candidate commit a second offense of similar nature to his/her first offense, said candidate shall be issued a final warning and shall have their materials allocation reduced by 50%, including the removal of 50% of previously approved and erected/or posted materials.
- Should a candidate commit a third offense of similar nature to his/her first and second offense, said candidate shall be disqualified by the CRO.

Diverse Minor Offenses

- In the case that a candidate commits a second offense, but the second offense is of a different nature than the first, said candidate shall be issued a second letter of warning outlining the offense and steps necessary, if any, to correct the situation.
- In the case that a candidate commits a third minor offense of any kind, the candidate shall be issued a third and final warning outlining the offense and the steps necessary, if any, to correct the situation; and shall have their materials allocation reduced by 50%, including the removal of 50% of previously approved and erected materials.
- Upon a fourth offense of any kind, the candidate shall be disqualified.

### **6.4 Major Offenses**

Major offenses will result in disqualification of a candidate. Major offenses include:

- Engaging in harassment of any kind against members, other candidates, members of the Board of Directors, staff or College officials;
- Exceeding the poster, handbill or banner limit by 33% or more;
- Campaigning prior to, or after the campaign period;
- Loitering in the voting area;

- Interfering in the voting process;
- Removal or vandalism of other candidate's campaign materials;
- Campaigning via campus publications or other media, other than personal interviews;
- Making, joining, or participating in campaigning, intentional or not intentional, that is considered defamation towards other candidates, members of the Committee, or officials of the Students' Union and/or college; and,
- Any violation of the election policy, bylaws or regulations that is malicious and seeks to undermine the electoral process.

## **6.5 Disciplinary Action**

The following shall apply to the application of disciplinary action:

- If disciplinary action involves campaign material, a member of the Committee shall remove the offending physical material.
- If disciplinary action involves digital campaign material, the candidate shall remove the offending digital material
- All decisions regarding disciplinary action shall be communicated to the effected candidate in writing. Decisions shall also be communicated to the complainant, where deemed appropriate by the CRO.
- Candidates may view a copy of a complaint filed against them.
- Candidates or members of the Committee may request a meeting to discuss the application of discipline prior to, or following communication of a formal decision in writing.

## **6.6 Appeal**

Appeals of disciplinary action or decisions of the CRO may be made to the Committee provided that they are delivered in writing within two (2) business days, forty-eight (48) hours, of the issuance of the decision or disciplinary action. The decision of the Committee shall be communicated to the appellant within two (2) business days, forty-eight (48) hours, of the receipt of the appeal.

The following regulations shall apply to the consideration of appeals:

- All appeals must be in writing and contain a full description of the cause for appeal with appropriate references to the associated policy or bylaw with new evidence or justification.
- Incomplete appeals will be returned to the complainant.

Appeals filed following this period or not following the outlined regulations, shall not be considered.

As per Bylaw VI, decisions of the Committee may be appealed in writing to the Board of Directors or a quorate general meeting within 2 business days.

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