


Policy:	Elections Policy
Last Amended:	May 2023
Responsibility:	Board of Directors, Elections Committee
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Board Chair Signature:	 Alexander Wilson

1. GENERAL

- A. The Saint Mary's University Students' Association ("the Association") coordinates fair, equitable and transparent elections that follow the Association's Constitution and policies.
- B. All members of the Association have a chance at least once a year to nominate, second or stand as a candidate or to vote in the Association's election for the Board of Directors or President.
- C. The following positions are filled in elections:
 - i. President
 - ii. vacant Board of Directors seats
- D. The Chief Returning Officer (CRO) directs the operations of elections.

2. ELECTIONS COMMITTEE

- A. General
 - i. The Elections Committee is a committee of the Association Board of Directors, called in this section "the Committee".
 - ii. The Committee operates at arm's length from the Board to separate the Board from the election process.
- B. Membership and Composition
 - i. Three to five members of the Association's Board of Directors may be members of the Committee.

- ii. Directors sit on the committee from their appointment until
 - 1) they resign from the committee, or
 - 2) they leave the Board of Directors.
 - iii. The Committee appoints new members and fills vacancies at the first meeting of each fiscal year.
- C. Governance and Deliberation
- i. The committee appoints a Chair from among its members.
 - ii. Any decisions requiring a vote are passed by a majority (two members). The Chair votes only if there is a tie.
 - iii. The Chair holds their position until the end of the fiscal year in which they are elected.
 - iv. The Chair is responsible for making sure that the Committee follows these policies.
- D. Meetings
- i. The committee meets at least twice each semester in the Fall and Winter semesters, and at least once in the Spring/Summer semester.
 - ii. Committee meetings are closed to the public unless the Committee decides otherwise.
 - iii. Quorum of any meeting is two or more members.
- E. Responsibilities
- i. The Committee oversees the governance of the Association’s election process, the Chief Returning Officer (CRO) and the Deputy Returning Officer (DRO) and all associated policies.
 - ii. The Committee interviews candidates for the CRO and DRO positions and completes interviews by the last business day of September.
 - iii. The Committee recommends a CRO and DRO to the Board for approval no later than the second week of October each year.
 - iv. The Committee ensures that the CRO & DRO have a minimum of one (1) training session by the end of October with external counsel and at least one committee member present.
 - v. The Committee gives the Board a proposed election timetable from the CRO and DRO no later than the first business day of December.
 - vi. When necessary, the Committee selects people to sit on the Election Appeals Committee according to its terms of reference.
- F. Elections Budget
- i. The Committee is responsible for maintaining the current Elections budget (“budget”) and proposing the budget for the following Elections period.
 - ii. The Budget includes but is not limited to: CRO and DRO compensation and voting software.
- G. Authority and Deliverables
- i. The Committee Chair gives the Board an annual report on its progress, action, and recommendations at the end of each election.
 - ii. The Committee may make decisions about the governance of elections unless these policies say that the Board must approve a decision.
 - iii. The Committee may use any legal counsel already being used by the Association as long as doing so does not increase the fee of the service. If this service will add to the Association’s legal fee, the Board must approve the cost.
 - iv. The Committee works to govern elections independent of the Board or any other influence.
 - v. The Committee makes recommendations to make sure that future elections can be successful.
 - vi. The Committee may use the budget set by the Board to govern and operate elections. The Board of Directors must approve any additional amount.

3. TIMETABLE

- A. The CRO sets a timetable for elections of the Association; they send the timetable to the Elections Committee for review on or before the first business day after November 15th.

- B. The Board may approve the timetable if it meets these rules:
 - i. The election is conducted between the first day of classes in the winter semester and two weeks after the University's winter reading break.
 - ii. The nomination period lasts for 12 consecutive business days as set out by the CRO in the elections timetable.
 - iii. Candidate training takes place a minimum of two days before the start of campaigning.
 - iv. Potential candidates' names are published at least one business day before the beginning of the campaign.
 - v. Campaigning lasts for at least six consecutive business days.
 - vi. Voting lasts for two consecutive business days.
- C. The Official Elections Period ("elections period") commences on the first day of the nomination period.
- D. The Official Elections Period concludes after the announcement of Election results.

4. Eligibility

- A. Board members serving in the first year of their term are prohibited from seeking candidacy for SMUSA President in the same fiscal year.
 - i. Example, a board member elected during the 2020-2021 election cannot seek Presidency during the election of 2021-2022.
- B. Board Members serving in the second year of their term wishing to seek candidacy for President must formally resign from the Board prior to becoming a candidate.
- C. Board Members serving in the second year of their term wishing to seek candidacy to be re-elected to the Board of Directors must take a leave of absence prior to becoming an official candidate until the end of the election period.
- D. SMUSA staff members wishing to seek candidacy in the elections must take a leave of absence from the time they become an official candidate until the end of the election period.
- E. SMUSA Elections Staff members cannot seek candidacy in the same elections period for which they are hired.

5. NOMINATIONS

- A. Nominations must be made using the nomination form the CRO provides.
- B. The CRO checks all nominations, and candidates must be able to prove that their nominators are members of the Association.
- C. To be eligible for elections, potential candidates must show they have a reasonable level of support among Association members:
 - i. presidential candidates must have nominations from 150 verified members.
 - ii. directorial candidates must have nominations from 100 verified members.

6. THE CHIEF RETURNING OFFICER(S)

- A. The Chief Returning Officer
 - i. is a member of the Association,
 - ii. is recommended by the Elections Committee and approved by two-thirds of the Board, and
 - iii. is an employee of the Association.
- B. The CRO is responsible for the following:
 - i. preparing for and running all elections, by-elections, and referendums
 - ii. hiring and managing Short Term Elections staff members
 - iii. calling for nominations

- iv. distributing election information to all candidates in written form
 - v. enforcing these elections policies
 - vi. fining or disqualifying candidates who break the rules
 - vii. organizing a candidates' informational meeting between the close of nominations and the start of campaigning
 - viii. presiding over all elections, and counting ballots after polls close
 - ix. booking equipment needed for polling stations
 - x. recruiting polling station clerks for each day the polls are open and training them
 - xi. recruiting at least one volunteer 'mystery voter' for each polling station to report on poll clerks' performance of poll clerks and ability to follow rules
 - xii. holding a minimum of 20 contact hours per week during the campaigning period
 - xiii. telling all agents where polling stations are and when and where ballots will be counted
 - xiv. providing a written report on appeals about election process allegations to the Appeals Committee
 - xv. counting ballots and sending the results to the Board to be checked and approved
 - xvi. reporting in writing to the Board within 14 business days of the election
 - xvii. knowing the time and location of polling stations at least 48 hours before the start of voting
 - xviii. distributing the official results within 72 hours of the Board approving them
 - xix. organizing and advertising for a presidential debate as well as a Board candidate open forum
 - xx. other duties in the CRO job description
 - xxi. duties the Board sees as necessary
 - xxii. meeting with the Board Chair, General Manager, President and the DRO for informational purposes before the last Sunday of April if required
 - xxiii. explaining the point system budget, campaign materials and assessments and fines for the Assessment of Campaign Materials information document. This should be available before the end of the nomination period
- C. The CRO makes all candidates aware of the fines and penalties associated with each type of breach of election rules and applies fines and penalties equally to all candidates via email.
- D. As long as the CRO uses a reasonable interpretation of these elections policies, they may make decisions, take actions, establish practices, and develop activities for the elections. Those decisions have full authority as if decided by the Board and they apply to all candidates equally.

7. THE DEPUTY RETURNING OFFICER(S)

- A. The Deputy Returning Officer
 - i. is a member of the Association
 - ii. is recommended by the Elections Committee and approved by the Board with a two-thirds majority, and
 - iii. is an employee of the Association.
- B. The DRO is responsible for:
 - i. helping the CRO to prepare for and implement all elections, by-elections, and referendums
 - ii. helping the CRO hire and manage Short Term Elections staff members
 - iii. helping the CRO to enforce elections policies
 - iv. other tasks that the CRO delegates to them
 - v. other duties that the Elections Committee sees as necessary
 - vi. setting aside a minimum of 15 hours a week for contact during the campaigning period

8. SHORT TERM ELECTIONS STAFF

- A. Short Term Elections Staff (“staff”) will be hired by the CRO, DRO, and the SMUSA leadership representative(s) no later than the first business day of December.
- B. The staff must have a minimum of one (1) training session with the CRO, DRO, and the Chair of the Elections Committee between the first day of classes in the winter semester and before the start of the official elections period.
- C. The staff will help provide information to students, refer all elections specific questions to the CRO-DRO, and remain unbiased towards all candidates.
- D. The staff members cannot be directly associated or have a perceived conflict of interest with any candidate. A perceived conflict of interest will be determined by the CRO - DRO.
 - i. Example, they cannot be a candidate’s: agent, relative, partner, roommate, friend, etc.
 - ii. They also cannot take part in a candidate’s campaign or publicly support any candidates.
- E. Candidates may object to any staff and bring their concern to the CRO. The staff member may not work for the CRO-DRO until a decision has been made. The CRO is responsible for providing a written decision to the involved candidate and the staff member.

9. COMPLAINTS AND APPEALS

- A. The Election Appeals Committee hears appeals by candidates that the CRO has failed to follow the Elections policies. That committee decides the fairest course of action.
- B. The complaint process is:
 - i. A person who is dissatisfied with a decision or action writes to a member of the Association’s Board of Directors within five business days of the decision or action.
 - ii. The Board member who receives the appeal makes the Elections Committee aware of this appeal right away.
- C. The Election Appeals Committee is called and meets within five business days of the Association receiving the appeal.
- D. The Election Appeals Committee gives everyone involved a chance to be heard before it makes a decision.
- E. The Election Appeals Committee Chair gives a decision in writing to those directly involved.

10. ELECTION APPEALS COMMITTEE

- A. General
 - i. The Election Appeals Committee is an independent committee of the Association, called in this section “the Committee”.
 - ii. This Committee is governed by these terms of reference and the Association’s Elections policies.
 - iii. The Committee operates independently of the Association to make sure that the appeal process has integrity and is not influenced by the Association.
- B. Membership and Composition
 - i. The Committee has eight members:
 - 1) three members of the Association who are not employees
 - 2) one member of the Board of Directors who is not a member of the Elections Committee
 - 3) one member of the Board of Directors who is a member of the Elections Committee, but not the Committee Chair, and
 - 4) three members of the University faculty.
 - ii. The Elections Committee appoints members to the Election Appeals Committee and will be responsible for preparing a potential list of Appeals committee members in conjunction with the

policy by the first week of January and submit this list to the Board chair if needed for the same Elections period.

- iii. Members remain on the Committee until an appeal is heard and a decision is made; after making a decision, the Committee is dissolved.
 - iv. If the Elections Committee finds that other appeals should be heard by the Election Appeals Committee, the same members may form committees to make those decisions.
 - v. If a committee member resigns or cannot take part in the Committee's work, the Elections Committee may name another person to sit in their place.
- C. Governance and Deliberation
- i. One of the Board members on the Committee is named as non-voting Committee Chair. The Elections Committee decides this during the appointment process.
 - ii. When decisions require a vote, the vote is passed by a majority (50 % of Committee members plus one member). The Chair does not vote.
 - iii. The Chair holds their position until the Committee is dissolved.
 - iv. The Chair is responsible for overseeing the appeal process and remains neutral throughout the process.
- D. Meetings
- i. The Elections committee will be responsible for ensuring that the potential committee members undergo a minimum of one training session with the Association's external advisor(s) to understand their roles and responsibilities in the time of need.
 - ii. The Committee meets within five business days after a member of the Board of Directors receives an appeal.
 - iii. Committee meetings are confidential and closed to the public. The CRO, the DRO, and the candidate involved are given an opportunity to speak. The Committee may allow other witnesses or guests.
 - iv. Quorum of any meeting is the full membership of the Committee.
 - v. Once it has made a decision, the Committee Chair tells the people involved in writing.
- E. Responsibility, Authority, and Deliverables
- i. The Committee is responsible for hearing and ruling on all official appeals arising from the Association's election process.
 - ii. The Committee has final authority over any and all decisions made on an appeal. There may be no further appeals of Committee decisions.
 - iii. The Committee may change any decision made by the CRO or DRO.
 - iv. The Committee may dismiss the CRO or DRO if it is established without a reasonable doubt that they are not performing their duties.
 - v. The Committee may dismiss Committee members if they are not performing their duties. This may be done by a majority vote of the Committee.
 - vi. The Committee may retain any legal counsel already being retained by the Association as long as doing so does not increase the fee of the service. The Board must approve any additional costs.
 - vii. The Committee's sole goal is to hear and rule on appeals as set out in these policies.
- F. Budget
- i. The Committee has no budget. It may request funding from the Elections Committee.

11. CAMPAIGN FINANCES

- A. No presidential candidate will spend more than 30,000 points and no directorial candidate more than 10,000 points from their campaign budget on materials to gain support from Association members.

- i. An explanation of the points system budget, campaigning materials and their assessments, and fines can be found in the "Assessment of Campaign Materials" information provided by the CRO.
 - ii. Candidates are reimbursed up to 20% of their allowed campaigning material budget. This means a candidate can receive one cent for each five points they use during the campaign up to. The candidate must give receipts for what they spend to the CRO or DRO no more than two days after their campaign has ended.
 - iii. The CRO administers fines if a candidate breaks the elections rules in this policy and the Assessment of Campaign Materials document.
 1. The CRO or DRO will telephone or email the candidate to tell them they have broken rules and to explain any fines.
 2. The candidate alone is responsible to fix the cause of the fine to avoid further fines.

12. CAMPAIGN MATERIALS

- A. Posters must follow the Association's policies for campaign posters, which the CRO will give candidates at the Candidate's Informational Meeting.
- B. The CRO must see and approve all campaign material before a candidate may use it in their campaign.
 - i. If a candidate uses any materials without the CRO's consent, the candidate will have to pay a fine; the amount of the fine will be deducted from the candidate's campaigning budget.
 - ii. Presidential candidates who use more than 30,000 points or directorial candidates who use more than 10,000 points in their campaigning budget may be disqualified from the election if the Appeals Committee believes this is reasonable.

13. AMENDMENTS

- A. Policy changes proposed after the first business day of December cannot come into effect until after the end of the Official Elections period.
- B. The CRO, the Elections Committee, and the Election Appeals Committee will suggest changes to the Elections Policy that they believe are needed.