

Executive By-Elections Policy

UNIVERSITY OF CALGARY FACULTY OF ARTS STUDENTS'
ASSOCIATION

PASSED: [R07.08] February 6, 2020

LAST AMENDED: June 13, 2022

Table of Contents

Authority, Purpose & Scope	2
Timeline	3
Chief Returning Officer	4
Appointment	4
Delegation of Authority	4
Duties & Reporting	5
Eligibility	6
Nomination for Election	6
Withdrawals of Candidacy	7
Campaigns	7
Campaign Periods	7
Campaign Managers, Volunteers & Teams	8
Social Media & Digital Campaigning	10
Campaign Materials	11
Campaigning Areas	13
Endorsement of Candidates	13
Funding of Campaigns	14
Rules of Fair Play	14
Statements of Independence	14
Community Standards	15
Re-Election of Incumbents	16
Voting Procedures	16
Complaints & Appeals	17
Complaints	17
Appeals	18
Sanctions	19
Amendments	20
Appendix A: 2021 Elections Timeline	21

Authority, Purpose & Scope

- 1 (1) This policy gets its authority from the Association Bylaw, s. 10: *The electoral process for the Executive Committee shall be further described and governed by an external Elections Policy document, maintained by the Association's Policy Review and Amendment standing committee.*

- 2 (1) This policy exists to expand upon the rules governing the election of the Executive Committee set out in the Association Bylaw; and,

(2) This policy exists to ensure free and fair elections processes for the election of the Executive Committee, allowing for equal opportunity of participation for members who seek to run, and a safe and welcoming environment for all election participants.

- 3 This policy applies to all Elections Participants, comprising at least:
 - a) All members of the Association seeking to run in an Association election ("candidates");
 - b) All incumbent members of the Executive Committee;
 - c) The member of the Association appointed as Chief Returning Officer (CRO);
 - d) All members of the Association who volunteer for a candidate's campaign, vote in the Association election, or otherwise participate in the Association's electoral process;
 - e) Any Registered Student Organizations ("clubs") or other persons or organizations who may seek to endorse a candidate, or otherwise participate in the Association's electoral process; and,
 - f) Members of faculty, staff, or administration in the Faculty of Arts or the University of Calgary who seek to engage with the Association's electoral process

Timeline

- 4
- (1) Pursuant to the Association Bylaw s. 27 (1) *A special meeting of the Association shall be called by the Executive Committee upon receipt of a written request signed by 5 members.*
 - (2) Pursuant to the Association Bylaw ss. 27 (2) *The written request provided to the Executive Committee shall also identify the topic(s) of discussion for the meeting or issue(s) to be addressed.*
 - (2) Pursuant to the Association Bylaw s. 28 *The Executive Committee shall notify general members of any special meeting at least 5 days in advance [...].*
 - (3) Pursuant to the Executive Committee Terms of Reference 10 (1) *In the event of a vacancy in the office of a Vice President, the duties of the vacant position shall be split evenly amongst the remaining Executives, until either:*
 - a) *If a current member of the Council or a Director of the Association expresses interest to the Executive Committee, the Council votes by special resolution (75%+) to appoint them the vacant office; or,*
 - b) *If no current member of the Council or Director of the Association expresses interest to the Executive Committee to fill the position, a Special Meeting of the Association can be called to hold a by-election to fill the position.*
- 5
- (1) Nominations shall open at 8 AM on Monday June 13, 2022, and shall remain open for two weeks, closing at 5pm.
 - (2) The Campaign Period shall begin after the Nomination deadline, June 23 2022.
 - (3) At the time of the conclusion of the Campaign Period shall begin (June 27, 2022), and shall run until the closing of Voting.

- (4) Voting shall open at 3:30 PM on June 29, 2022 and shall close at 6 PM on June 30, 2022.
- (5) The announcement of provisional results shall be announced within 24 hours after voting closes.
- (6) The deadline to submit complaints or appeals to the CRO shall be 5 PM on June 30, 2022. The CRO shall announce all available official results at this time.

Chief Returning Officer Appointment

- 6 (1) A General Member of the Association shall be appointed by the incumbent Executive Committee as the Chief Returning Officer (CRO) for the elections each year.
- (2) The Executive Committee shall:
 - a) Contact candidate(s) for the CRO position a minimum of one week prior to Nomination Days (see s. 5 of this policy).
 - b) Interview any contacted candidate(s) who express interest in the role;
 - c) Vote at a properly constituted meeting of the Executive Committee to appoint one candidate as the CRO with a supermajority vote.
- (3) The Chief Returning Officer shall:
 - a) Be an undergraduate student at the University of Calgary;
 - b) Be responsible for the management and facilitation of Association Elections as defined in this policy;
 - c) Not be an SU Arts Faculty Representative, Association Executive or member of the Council;
 - d) Not be a candidate or Campaign Manager for a candidate; and,
 - e) Remain neutral in all campaign proceedings.

Delegation of Authority

- 7 (1) The CRO shall be delegated full authority for the conduct and administration of Association elections.
 - (2) The CRO may establish additional rules and regulations for the conduct and administration of Association elections regarding Nominations, Campaigning, Expenses, and Candidate and Campaign Team conduct, pursuant to this and all other Association policy, University of Calgary policy, and municipal, provincial or federal legislation.
- 8 (1) The CRO may make decisions regarding the conduct and administration of Association elections, taking into consideration:
 - a) Relevant Association policies;
 - b) The Association's object and strategic plan;
 - c) Input from General members;
 - d) University policies and procedures; and,
 - e) Best practices for the administration of student elections.
- 9 (1) The CRO may appoint up to two Deputy Returning Officers (DROs) from eligible candidates as selected by the Executive Committee who may assist with monitoring campaign rules and regulation adherence, but may not be involved in other CRO duties.

Duties & Reporting

- 10 (1) The CRO shall be responsible for, at minimum:
 - a) Managing the nominations of candidates;
 - b) Campaign rules, regulations, and monitoring thereof;
 - c) The administration of voting by General members, including creating, monitoring and maintaining the online voting platform;
 - d) Managing any complaints and/or appeals processes;
 - e) Announcing provisional election results at the Annual General Meeting of the Association; and,
 - f) Reporting to the Council after the conclusion of the election.

- (2) The report of the CRO to the Council after the conclusion of the election must:
- a) Indicate the total cost of the election to the Association;
 - b) Indicate the total number of votes cast in the election;
 - c) Summarize the election's events and timeline; and,
 - d) Include any recommendations to improve the elections process for subsequent years.

Eligibility

- 11 (1) Pursuant to the Association Bylaw s. 2(1), *General Membership is granted to all Undergraduate students at the University of Calgary's Faculty of Arts.*
- (2) Pursuant to the Association Bylaw s. 2(2)(c), *General Members may, but are not required to: Be nominated for election to a position on the Executive Committee.*
- 12 (1) Accordingly, any Undergraduate student enrolled in the Faculty of Arts is eligible to run for any one position on the Executive Committee.
- (2) Notwithstanding ss. 11(1), 11(2), and 12(1), persons shall be ineligible to run for any position on the Executive Committee who:
- a) Have been impeached from a position on the Executive Committee within 2 years of the given election;
 - b) Have been disqualified from a previous election within 2 years of the given election;
 - c) Have outstanding fines or dues to the Association; and/or,
 - d) Have breached the Code of Conduct of the Association and been formally notified of the breach by the Executive Committee within 2 years of the given election.

Nomination for Election

- 13 (1) Any eligible General Member seeking to nominate themselves for election to a position on the Executive Committee shall:
- a) Complete the Nominations Package, as issued by the CRO;
- (2) The CRO shall make available the Nominations Package a minimum of one week before Nominations open.

Withdrawals of Candidacy

- 14 (1) A candidate who has completed a nomination package may revoke their candidacy and withdraw from the election any time up to 48 hours prior to the beginning of the voting period.
- (2) To withdraw from the election, the candidate must notify the CRO in writing with a signed letter.
- 15 (1) Upon the receipt of a withdrawal letter from a candidate, the CRO must:
- a) Ensure the candidate's name will not appear as an option on the online voting platform or ballot;
 - b) Return the candidate's full deposit, except when in accordance with sanctions applied under this policy; and,
 - c) Denote on the ballot that the candidate withdrew from the election.

Campaigns

Disclaimer: The Faculty of Arts Student Association (FASA) strongly encourages Candidates to consider moving all campaign activities online for the 2022 By-Election. Campaigning in-person is permitted, but putting up posters and banners is not permitted. We implore all Candidates to consider their own and other's safety before putting together their campaign plan for this election. Candidates must also be vigilant in checking their messages from the Election staff in relation to any rapid adjustments that may need to be made in response to further pandemic related restrictions.

Campaign Periods

- 17 (1) Candidates and their Team may only campaign during the designated Campaign Periods.
- 18 (1) During the Campaign Period, candidates and their Team may:
- a) Campaign via social media or other digital methods pursuant to the Social Media & Digital Campaigning section of this policy; and,
 - b) Seek verbal or written endorsements, pursuant to the Endorsement of Candidates section of this policy; and,
 - c) Campaign face-to-face with students on campus.
- (2) During the Campaign Period, candidates and their Team may not:
- a) Hang posters, banners or other printed materials;
 - b) Do class-talks; or,
 - c) Distribute any physical campaign materials

Campaign Managers, Volunteers & Teams

- 20 (1) A candidate may appoint one undergraduate student at the University of Calgary as a Campaign Manager.
- (2) A Campaign Manager may:
- a) Represent and speak on behalf of the candidate in an official capacity;
 - b) Attend mandatory meetings on behalf of or with the candidate;
 - c) Assist with campaigning on behalf of or with the candidate.
- (3) A Campaign Manager may not:
- a) Be a candidate;
 - b) Be involved in any other candidates' Campaign Team; or,
 - c) Be a current Association Executive
- 21 (1) A candidate may seek out volunteers to assist with their campaign.
- (2) Volunteers do not need to be appointed as a Campaign Manager.

-
- (3) Volunteers may:
- a) Assist in raising awareness for a candidate's campaign; and,
 - b) Assist in managing approved campaign social media accounts.
- (4) Volunteers may not:
- a) Be a candidate; or,
 - b) Be a current Association Executive.
- 22 (1) A group of individuals supporting the candidacy of one individual (the candidate), comprising any or all of: the candidate, a campaign manager and campaign volunteers shall constitute a "Campaign Team."
- (2) The actions of a Campaign Team are ultimately the responsibility of the candidate. The candidate is responsible for ensuring their Campaign Team is aware of all elections policy and regulations and that they abide by them.
- (3) If a member of a Campaign Team is found to be in breach of elections policy or regulations, the CRO may:
- a) Inform the candidate of the Campaign Team member's actions;
 - b) Request the candidate speak to the Campaign Team member, to inform them of the breach of policy and request they cease;
 - c) Require the candidate show proof that they have spoken to the Campaign Team member and asked them to cease any actions in breach of policy or regulation; and,
 - d) If the candidate cannot or will not show such proof, apply sanctions in accordance with this policy.

Social Media & Digital Campaigning

- 23 (1) If candidates wish to use social media for their campaign, they must create new social media accounts, and may not use pre-existing account(s).
- (2) The account cannot go live until the beginning of the Campaign Period (i.e., candidates may make the account in advance, but must ensure the

page/account remains 'private' without any followers or content posted until the Campaign Period begins).

- 24 (1) Social media and digital campaigning may only be done on those platforms whose primary content is consistent and accessible by all viewers. (e.g., platforms such as Tinder, Snapchat or other platforms where the primary content on the platform is distributed through private conversations are not allowable).
- 25 (1) Digital campaign materials (i.e., images, videos, etc.) must be approved by the CRO prior to their posting, distribution or use.
- (2) Candidates may submit up to a maximum of 10 total items for approval by the CRO, including both physical and digital campaign materials.
- (3) Text, captions or written posts do not need to be approved by the CRO in advance, however, the CRO may require a candidate to edit or remove a post if it breaches this policy.
- (4) The CRO must provide a decision on the approval of campaign materials submitted prior to 12:00 PM of any given day by 6:00 PM of the same day.
- a) The CRO must provide a decision on the approval of campaign materials submitted after 12:00 PM of any given day by 12:00 PM of the next day.
- 26 (1) Candidates may not use any of the University of Calgary's digital infrastructure for the purposes of campaigning, including:
- a) Existing email lists;
- b) The University's Global Address Book;
- c) Any D2L page or class list; or,
- d) Any other University of Calgary digital infrastructure that may be used for the purposes of campaigning in any way.
- 27 (1) Candidates may not use any of the Association's digital infrastructure for the purposes of campaigning, including:

-
- a) Existing email lists;
 - b) Association social media
 - c) The Association website; or,
 - d) Any other Association digital infrastructure that may be used for the purposes of campaigning in any way.

Campaign Materials

- 28 (1) All candidates and Campaign Teams must adhere to all applicable Students' Union and University of Calgary policies, including:
- a) The Students' Union's *Acceptable Display Policy*;
 - b) The Students' Union's *Advertising and Signage Guidelines*;
 - c) The University's *Use of University Facilities for Non-Academic Purposes Policy*;
 - d) Any applicable copyright or trademark laws; and,
 - e) Any applicable municipal, provincial or federal laws.

Campaigning Areas

- 33 (1) Campaign Teams may not conduct campaign activities in:
- a) Any SU owned or managed spaces;
 - b) Lecture halls, except when allowed with prior, written consent from the instructor;
 - c) Any Libraries and Cultural Resources (LCR) spaces;
 - d) Any study space designated as quiet or silent; or,
 - e) Any other space designated as a "No Campaign Zone" by the SU, the University of Calgary or the CRO.

Endorsement of Candidates

- 34 (1) Endorsements of candidates may only be written or verbal
- 35 (1) Campaign Teams seeking endorsements for their candidate may seek endorsements from:
- a) SU Registered Student Organizations ("Clubs");

-
- b) Student groups on campus not registered with the Students' Union;
or,
 - c) Individuals.

- 36 (1) Endorsements may not be provided for candidates by:
- a) Current Association Executives;
 - b) Current SU Arts Faculty Representatives;
 - c) Current SU Executives; or,
 - d) Any member of the University of Calgary staff or faculty.

Funding of Campaigns

- 37 (1) Candidates and Campaign Teams may spend:
- a) For uncontested candidates (i.e., 1 candidate for the position):
\$0.00.
 - b) For contested candidates (i.e., 2+ candidates for the position):
\$40.00.
- (2) Candidates must provide official proof of transactions and payment in the form of complete, original receipts for all expenses incurred for the purposes of their campaign.
- (3) The Association shall reimburse candidates for eligible campaign expenses, up to the allowable limit, pursuant to s. 37(1) of this policy.
- 37 (1) The use of any discounted rate or price for the purchase of campaign materials must be available to all candidates (e.g., staff discounts or knowing an employee who provides a discount is not allowable. Coupons, publicly accessible sales, etc., are allowable).

Rules of Fair Play

Statements of Independence

- 38 (1) Participation in any Association election campaign activity is prohibited for:
- a) Current Association Executives, except if participating as a candidate themselves;
 - b) Current SU Arts Faculty Representatives, except if participating as a candidate themselves;
 - c) Current SU Executives, except if participating as a candidate themselves; and,
 - d) Any member of the University of Calgary staff or faculty.

Community Standards

- 39 (1) The Faculty of Arts Students' Association, and any candidate wishing to serve as an Executive for it, are beholden to numerous policies, regulations and rules from various organizations and institutions, including:
- a) The Association itself;
 - b) The Students' Union;
 - c) The University of Calgary; and,
 - d) Municipal, provincial and federal government
- (2) All Campaign Teams must adhere to all applicable law, policy, procedures, regulations and rules from all organizations and institutions listed in ss. 39(1).
- 40 (1) Candidates and their Campaign Teams shall demonstrate good sportsmanship and good nature.
- (2) Further to all formal requirements in s. 39, Candidates and Campaign Teams must demonstrate respect for all members of the University community and maintain positive campaigning at all times.

-
- (3) Campaign Teams may not personally attack other Campaign Teams. However, constructive criticisms of platforms and reasonable debate are allowable.
 - (4) Campaign Teams must remain aware of noise, use of space and the interactions they have while campaigning. Members of the University the community must be able to continue their work and study unimpaired.

Re-Election of Incumbents

- 41 (1) Incumbent Association Executives seeking re-election or election to a different Executive position shall:
 - a) Remove any Association materials that may display their face (e.g., posters, marketing materials). Incumbents' photos on the Association website are allowable to remain.
 - b) Exclusively refer to their position as "prior personal experience" in face-to-face campaigning, at forum(s), or in their platform.
 - c) Only use the term "re-elect" if they are running for the same position they presently hold; and,
 - d) Not utilize their position in any way to gain information or resources inaccessible to other candidates.

Voting Procedures

- 42 (1) All General Members of the Association may vote in the election.
- 43 (1) All votes for the elections shall be conducted online through a secure platform, managed only by the CRO and/or physical voting stations with ballots.
 - (2) Uncontested positions will require a YES/NO vote in which the candidate must receive a simple majority (50% plus 1) of "yes" votes to hold the position applied for.

-
- (3) The CRO shall produce a record of the vote from the secure platform, detailing:
- a) The total number of votes cast for each position;
 - b) The total number of votes cast for each candidate; and,
 - c) The winning candidate for each position.
- 44 (1) The CRO shall announce provisional results from the record of votes cast 24 hours after the voting period ends:
- a) The total number of valid votes cast in the election;
 - b) For each contested position, the candidate with the highest number of votes cast in their favour, and the percentage of the total vote the candidate received;
 - c) For uncontested positions for which the sole candidate was elected; the candidate who has been elected; and,
 - d) Any positions that shall remain vacant, if no candidate is elected.
- (2) At the time of announcement, the CRO shall not announce:
- a) Runners-up; or,
 - b) Names of candidates who did not win uncontested races.
- 45 (1) The CRO shall collaborate with the incumbent Vice President Communications to release official results:
- a) If no active complaints or appeals procedures are in effect, after one week following the announcement of provisional results; or,
 - b) If active complaints or appeals procedures are in effect, after the conclusion of those procedures.

Complaints & Appeals

Complaints

- 46 (1) Any member of the University community may file a complaint against a Campaign Team or individual member thereof by contacting the CRO.
- (2) A complaint shall require:

-
- a) The name of the individual being complained about;
 - b) Details regarding the incident being complained about; and,
 - c) Contact information of the complainant for the CRO to follow up.
- (3) Upon the receipt of a complaint, the CRO shall:
- a) Acknowledge receipt of the complaint in writing to the complainant;
 - b) Review all provided details and evidence in the complaint; and,
 - c) Review all relevant policy or regulations that may pertain to the complaint.
- (4) Complaints submitted against a Candidate or Campaign Team, regardless of their merit, for the sole purpose of harassing or subduing the candidate (i.e., “vexatious complaints”) shall not be allowed.
- a) A Candidate or Campaign Team who submits vexatious complaints against another Campaign Team may, at the CRO’s discretion, be subject to sanctions.
- (4) The CRO may, upon the receipt of a complaint:
- a) Dismiss the complaint;
 - b) Request additional information from the complainant;
 - c) Request additional information from relevant parties; or,
 - d) Apply sanctions to the candidate whose Campaign Team the individual being complained about is a member of.

Appeals

- 47 (1) Candidates may, by contacting the CRO, request an appeal of:
- a) Sanctions;
 - b) CRO decisions; and,
 - c) Results of an election.
- (2) A request for appeal shall require:
- a) Cause for the appeal (i.e., misinterpretation of policy; unfair sanctions; election or vote tampering/fraud; etc.); and,

-
- b) Supporting evidence or information.
- (3) Upon the receipt of an application for appeal, the CRO shall:
- d) Acknowledge receipt of the application in writing to the appellant;
 - e) Review all provided details and evidence in the application; and,
 - f) Review all relevant policy or regulations that may pertain to the appeal, as well as relevant precedent.
- (4) The CRO may:
- e) Dismiss the appeal;
 - f) Request additional information from the appellant;
 - g) Request additional information from relevant parties;
 - h) Grant a partial appeal (i.e., reducing a sanction, but not removing it entirely); or,
 - i) Grant an appeal for a decision.
- 48 (1) Appeals may be subsequently appealed to a vote at a meeting of the Council. For the meeting to address the appeal:
- a) The CRO shall provide to the Council in advance of the meeting all relevant information used in the initial decision(s);
 - b) The CRO shall provide a written statement explaining their rationale for any previous decisions;
 - c) The appellant and defendant (or CRO) shall be allowed to make verbal statements of no longer than 5 minutes each; and,
 - d) The Council shall vote whether to grant the subsequent appeal or deny it.
- (2) Decisions of the Council are final, and may not be further appealed.

Sanctions

- 49 (1) The CRO may, in accordance with this policy, apply sanction(s) to any Candidate(s) or Campaign Team(s) in contravention of this policy by the judgment of the CRO or by valid complaint.

-
- 50 (1) Sanctions available to the CRO shall be applied in a manner respective of the gravity of the breach of policy.
- (2) The CRO may consider, in addition to any given breach, complaint or appeal being considered at any given time:
- a) A candidate's behavioural history throughout the election;
 - b) Supplementary information, including precedent and history from elections both for the Association and for the Students' Union.
- 51 (1) Sanctions available to the CRO include:
- a) A formal, written warning;
 - b) Suspension of all campaign activities for one day;
 - c) Financial penalties in \$5.00 or \$10.00 increments, respective of the severity of the breach of policy, up to a maximum of \$50.00 per sanction;
 - d) Disqualification of a candidate; or,
 - e) Invalidation of an election for the candidates' position.
- 52 (1) Financial penalties shall be made first against the candidate's deposit.
- (2) Financial penalties in excess of the candidate's deposit shall:
- a) Be made against the candidate's allowable expense limit (i.e., reducing the amount a candidate shall receive in reimbursement for eligible campaign expenses); and/or, in excess of the candidate's allowable expense limit,
 - b) Be held as a debt to the Association.
- (3) The CRO shall not apply financial penalties to a candidate in excess of \$50.00 per election.

Amendments

- 52 (1) This policy may be rescinded, altered or added to by:
- a) A super-majority vote of the Council; or,

- b) A majority vote of the Council, when changes to the policy have been duly reviewed and recommended by the Policy Review and Amendment Committee.

- (2) Notwithstanding ss. 52(1), this policy may not be amended during the period beginning 2 weeks before any Nominations Period and ending after the later of either the end of the subsequent Appeals Period, or the conclusion of any Appeals processes.

- (3) A record of any such amendments will be kept by the Policy Review and Amendment Committee.

Appendix A: 2022 Elections Timeline

JUNE/JULY 2022				
Monday	Tuesday	Wednesday	Thursday	Friday
13 Nomination Package Released	14	15	16	17
20	21	22 Nominations Close 4 PM	23 Campaign Period begins 4 PM	24
27	28	29 Voting opens 3:30 PM	30 Voting opens at 9 AM and ends at 6 PM Appeals/ Complaints Deadline 5 PM Provisional Results announced within 24 hours	1
4 Official Results announced				