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**Preamble**

The elections committee is the impartial body overseeing any election taking place under the TDSA. The TDSA is committed to the fair and effective running of elections. Elections are open to all members of the corporation are eligible to run in the election and the TDSA is committed to encourage all members to participate in these elections. All members of the elections committee and the Board of Directors are bound to uphold the policies herein. The Board of Directors has the final say on all election policy should the Elections Committee become unavailable.

**1.0 Definitions**

1.0.1 A Director is defined as a Trent Durham Student Association Board of Director members, which includes executive directors and program directors.

1.0.2 An external advisor is defined as any member of the Trent community that is not a member of the Trent Durham Student Association. External advisors shall not possess voting rights. The elections committee may appoint a maximum of three (3) external advisors.

1.0.3 Students at large are defined as a member of the organization that do not hold and elected or hired position within the TDSA

1.0.4 Quorum for the elections committee is defined as 50% plus one (1) for elections it shall be 5% of the total student population

**2. Elections Committee**

**2.1 Composition**

2.1.1 The Elections Committee shall be comprised of no less than seven (7) members formfilling the following requirements

I Three (3) of whom shall be disinterested members of the Board of Directors, preference given to executive members

II Two (2) members of the committee shall be students at large selected by the three Board of Director members

III One (1) member of the committee shall be an external advisor selected by the three Board of Director members

IV One (1) ex-facto electoral trustee

2.1.2 The Chief electoral officer shall be appointed from the existing committee according to section 4.1

2.1.3 The elections committee must have a minimum of six (6) voting members for the committee to become active.

2.1.4 The Election Committee shall be formed before the conclusion of the fall semester

**2.2 Committee Eligibility**

2.2.1 In the event a member of the corporation declares candidacy they shall be considered an interested party and shall not be a member of the committee.

2.2.2 In the event there are too few disinterested board members the disinterested members of the executive committee shall appoint student(s) at large to replace said vacant positions until quorum is met.

**3 Election Committee Responsibilities and Powers**

**3.1 Nomination Package**

3.1.1 An elections committee member receiving a candidate elections package shall sign the proof of validation form attached to the nomination package upon confirmation of the validity of the form

3.1.2 An elections committee member shall submit all completed nomination form to the Chief Electoral Officer within 1 calendar day (24 hours) upon receiving the document

3.1.3 Said member shall not alter the contents of the submitted nomination. Alteration of the nomination form is subject to By-Law VII concerning Termination from Office.

**3.2 Elections Committee Commitments/Responsibilities**

3.2.1 The election committee is committed to the following:

I Ensure the elections are conducted in accordance with the bylaws and policies of the Corporation;

II Recommend an elections schedule to the board of directors;

III Assess complaints against candidates;

IV Adhere to policy No. 5 concerning Infractions;

V Ensuring all candidates and fellow committee members comply with the bi-laws, policies and agreements to witch the candidates are subject

VI Provide sufficient informational support to candidates

VII Maintain the confidence of the Electoral Trustee and refrain form discussing any elections matters with said trustee

3.2.1 The elections committee will under no circumstances reveal the identity of the Trustee to any outside party.

**3.3 Election Committee Powers**

3.3.1 The election committee has the power to do the following:

I make reasonable requests of candidates, or officers of the corporation in order to ensue the effective and proper running of the election

II In compliance with EP#12 the Elections Committee as the power to levy and all sanctions it deems justified against candidates

III Interpret the results of the election and distribute the results

IV Enforce the bylaws policies and restrictions imposed by Trent University, The TDSA or the Elections Committee

**4 Chief Electoral Officer**

**4.1 Appointments**

4.1.1 The Chief Electoral Officer(s) must be a disinterested member of the organization

4.1.2 The President and the Vice President of University Affairs will be provided the opportunity to volunteer for the position, if both refuse or are interested the committee will appoint a member of the executive committee or board of directors.

**4.2 Responsibilities**

4.2.1 The Chief Electoral Officer(s) shall ensure all members of the elections committee are adhering to the policies, bylaws, and procedures of the TDSA administration.

4.2.2 The Chief Electoral Officer shall act as Chair of the Committee, appoint a recording officer, and assume responsibility for the distribution of the minutes to the board of directors, whom are not running in the election.

4.2.3 The Chief Electoral Officer(s) shall act as official spokesperson and liaison with the board of directors and candidates. The Chief Electoral Officer(s) shall release the election results to the candidates and the general public.

**4.3 Powers**

4.3.1 The Chief Electoral Officer(s) has the right to issue class B sanctions and approve materials without the consultation of the elections committee.

**4.4 Replacement**

4.4.1 In the event the Chief Electoral Officer is suspected to be neglecting the responsibilities of the position and/or infringing upon the policies, bylaws, and procedures of the TDSA administration, any member of the Corporation may the submit a report to the board of directors for review.

4.4.2 Any infraction necessitating punitive measures must obtain the vote of the electoral committee. All approves and sanctions must be communicated to the elections committee upon communication to the candidate

4.4.3 In the event the Chief Electoral Officer is found to have neglected their responsibilities ro violated any policy, bylaw or procedures they shall be removed from the position with immediate effect and replaced by the Deputy Chief Electoral Officer. This party is then subject to the TDSA Disciplinary Procedures

**5 Deputy Chief Electoral Officer**

**5.1 Selection Criteria**

5.1.1 The Deputy Chief Electoral Officer may be any member of the Elections Committee provided they are a member of the corporation. This position will be filled at the same time as the Chief Electoral Officer

**5.2 Responsibilities**

5.2.1 The Deputy Chief Electoral Officer can be designated tasks by the Chief Electoral Officer but possess no approval right themselves.

5.2.2 This position must be CC’ed on all email communications to the Chief Electoral Officer in order to ensure the election is being run in the most ethical manner.

5.2.3 In the event, for whatever reason, the Chief Electoral Officer is unable to perform their duties the Deputy takes the role of Chief Electoral Officer. A member at large is then found to fill the vacant spot on the Committee and shall act as a regular voting member there of.

**6 Electoral Trustee**

**6.1 Selection Criteria**

6.1.1 The Electoral Trustee must be a neutral third party not affiliated with any candidates or members of the elections committee.

6.1.2 This party will be chosen by an elections committee majority vote of the Elections Committee.

**6.2 Responsibilities**

6.2.1 The Electoral trustee will be the sole party whom holds access to the votes prior to the conclusion of the voting period

6.2.2 This party will inform the Chief Electoral officer once quorum is obtained.

6.2.3 This party will only divulge the voting result to the elections committee one (1) calendar day after the voting period has ended to ensure that the voting software has fully been updated.

6.2.4 Should there be technical difficulties with the voting software the chief electoral officer shall be notified and shall be present should any third party need to examine the software.

**7 Election Committee Complaints**

7.1 In the event of a complaint against the Elections Committee or any member thereof, a member of the corporation may produce a report to the board of directors. The board of directors shall determine the legitimacy of the complaint(s) and determine the appropriate action.

7.2 All directors on the Elections Committee shall declare a conflict of interest and refrain from voting on an appropriate action.

7.3 In the event a complaint is launched against a candidate said complaint must come within forty-eight (48) hours after the incident took place by email or in person.

7.4 Upon receiving a complaint, within the valid time frame, the chief electoral officer and elections committee shall investigate the alleged incident within two business days. Any complaints brought forward may not be retracted without investigation.

7.5 Any complaint brought past the 48 hour mark must go through Trent University’s Student Charter reporting procedures.

7.6 Should compelling evidence of wrong doing in the election become available after the disillusion of the elections committee the executive committee must consider the evidence. An investigation may be (re)opened based on a majority vote of the executive committee and shall be conducted by disinterested members of the board.

**8. Candidate Eligibility and Nomination**

**8.1 Eligibility**

8.1.1 Candidates must meet the following validation requirements to be eligible for a director position:

I Be a current member of the corporation;

II Possess written candidacy support, by no less than twenty-six (26) members of the Corporation; and have completed the above listed forms

III Possess a clear criminal record.

IV Has not been terminated from a TDSA position within the last fiscal year.

**8.2 Candidate Nomination**

8.2.1 Candidates seeking nomination for a director position shall submit the following completed forms.

I Applicant Information & Eligibility Contract,

II Nomination Form, Proof of Validation Form,

III Agreement of Good Faith Form to a member of the elections committee before the nomination period expiration date.

**8.3 Candidacy Approval**

8.3.1 Candidates must submit their completed nomination form to a member of the elections committee that is not the electoral trustee.

8.3.2 The member of the elections committee then has a maximum of one (1) calendar day to review the package and submit it to the chief electoral officer.

8.3.3 The chief electoral officer then has one (1) calendar day to review the submission and countersign and to communicate the results to the candidate in question. If the package is rejected the rejection must come with a rationale.

8.3.4 The candidate then has the opportunity to resubmit with corrections. Any package received by an elections committee member during the nomination period must be considered even if the consideration extends past the nomination period.

**9. Election Timeline**

9.0.1 Any General or By-election must take place within the Fall or winter academic semester.

9.0.2 Fall General Election: The Fall General Election shall be held in the first half (1/2) of the Fall Semester to elect any vacant positions created by resignation or removal.

9.0.3 Spring General Election: The voting period for the Spring General Election shall be held in February, with notice of the election given by the end of the Fall Semester.

Standard General Election Timeline

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Day  | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 |
| Nomination | x | x | x | x | x | x | x | x | x | x |  |  |  |  |  |  |  |  |
| Campaigning |  |  |  |  |  | x | x | x | x | x | x | x | x |  |  |  |  |  |
| Voting  |  |  |  |  |  |  |  |  |  |  | x | x | x |  |  |  |  |  |
| Results/review |  |  |  |  |  |  |  |  |  |  |  |  |  | x | x |  |  |  |

**9.1 Nomination Period**

9.1.1 The nomination package shall be available prior to the start of nomination period but will only be accepted during this time. Nominations may be accepted up until the before the start of voting period

9.1.2 Nominations for the Spring General Election shall be accepted for a period of ten (10) business days

9.1.3 The election timeline for the Fall General Election shall be determined by the Board of Directors in line with the guidelines herein.

**9.2 Candidate Information Session**

9.2.1 All candidates shall attend the Candidate Information Session, which shall be held before they are able to campaign.

9.2.2 Members of the elections committee shall attend the CIS. The Chief Electoral Officer(s) must be present for the CIS.

9.2.3 Candidates shall be briefed on the following during the Candidate information session

I elections policy/procedure,

II Infraction Classification System

III Poster policy

IV Guidelines regarding appropriate conduct during the campaigning period.

9.2.4 In the event a candidate(s) is unable to attend the CIS, the elections committee shall provide an alternative CIS for the absentee(s).

**10. Campaigning**

**10.1 Campaigning Timeline**

10.1.1Campaigning for the Fall General Election shall commence during the first half (1/2) of Fall Semester.

10.1.2 Campaigning period shall be no shorter than eight (8) business days and shall end on the final day of voting period.

**10.2 Campaigning Specifications**

10.2.1 Candidates shall not commence campaigning until the Applicant Information & Eligibility Contract, Campaign Agreement Form and Nomination Form have been signed and the elections committee has approved the candidate request to run for office.

10.2.2 Candidates shall adhere to the following specifications:

I Candidates shall refrain from using social media to explicitly solicit votes from individual students.

II Candidates shall refrain from using belittling, demeaning or defamatory language while campaigning.

III Candidates shall refrain from using any language or acting in any way that violates the Policy/Bylaws of the TDSA, the Trent Student Charter of Rights and Responsibilities, or the Ontario Human Rights Code.

**10.3 Campaigning Materials**

10.3.1 Candidates may submit materials for approval once they are notified of a completed nomination form.

10.3.2 Campaign materials (physical materials) shall only be permitted on Trent University Durham property inside the University building

10.3.3 Campaign materials are prohibited on windows, trash/recycle bins, floors, ceilings, doors, inside classrooms and/or offices, and personal property of students and Trent employees;

10.3.4 Campaign posters shall be no larger than 8.5 x 11 inches;

10.3.5 Executive director candidates shall be permitted a maximum of forty (40) posters; Non-executive director candidates shall be permitted a maximum of twenty-five (25) posters.

10.3.6 All campaign materials (excluding written social media posts) shall be approved by the elections committee prior to distribution and all campaigning materials shall adhere to the Advertisement and Poster Policy.

10.3.7 The elections committee shall be informed of all social media campaign outlets.

10.3.8 Candidates may not provide the means, directly observe, or in anyway violate the good faith agreement during the voting period.

10.3.9 Candidates shall adhere to policy 10.4.4 concerning the Campaign Spending Limit.

10.3.10 Those candidate that campaign during the voting period shall make all reasonable attempts to not coerce or observe directly or indirectly the votes of individuals or groups.

**10.4.4 Campaign Spending Limit**

10.4.1 Candidates running for an executive director position shall be provided a maximum of $50 for campaign materials. Candidates running for a general director position shall be provided a maximum of $25 for campaign materials.

10.4.2 Candidates shall submit all original receipts incurred from campaigning materials. Candidates shall be reimbursed for campaign materials upon completion of the Reimbursement and Expense Form, subject to the financial limitations.

10.4.3 Candidates with campaigning materials in excess of the financial limitations are subject to policy No. 5 concerning Infractions.

**11 Candidate Debate**

11.0.1The time of the debate will be established by the elections committee on a year to year basis.

11.0.2 The executive debate will take the following form:

I The VPCL debate will take place first followed by the VPUA and finally the Presidential debate.

II The moderator will ask questions based on recommendations by the sitting executive and candidate’s platforms.

III Each candidate will have one hundred and twenty seconds to respond followed by a short debate on the question following Roberts Rules of Order.

IV During the moderator question period the election committee will collect questions from the audience, they will filter the questions and present them to the moderator. The public question period will take the same form as the previous section.

11.0.3 Director debates will occur in alphabetical order based on position. Each candidate will have one hundred and twenty seconds to speak about their platform and will field questions as required with a sixty second time limit.

11.0.4 The moderator on their discretion may remove candidates if they feel the candidate is not debating in good faith or is otherwise negatively affecting the good and proper conducting of the elections or debate. And will be subject to further dictionary action at the discursion of the CEO and elections committee

**12 Infractions**

12.0.1 Candidates are subject to an infraction evaluation process conducted by the Elections Committee.

12.0.2 The elections committee may deem an act and/or behaviour not included in this list as an infraction classification. The election committee may assess each infraction and determine the severity thereof.

12.0.3 Any violation of this policy by a candidate shall be considered an infraction. The elections committee shall utilize a standardized Class Infraction System for all director candidates. The

12.0.4 Elections Committee is required to inform all candidates of the Class Infraction System at the Candidate Information Session(s). The Trent Durham Student Association shall inform the general student population of all candidate infractions within twelve (12) hours of notification.

12.0.5 All members of the Corporation possess the right to inform the election committee and/or board of directors of potential infractions. Members presenting infraction notices must provide sufficient evidence to the elections committee and/or board of directors for the review process to proceed.

**12.1 Infraction Classification System**

12.1.1 Class A infractions are defined as an act deemed detrimental to either the election process or the public perception of the process. Said infractions shall constitute immediate disqualification. Class A violations include but are not limited to:

I Any action performed by a candidate that gives them an unfair and irreparable advantage over competitors.

II Bullying, Harassment or any other violations of the Student Charter of Rights and Responsibilities

III Slander

IV Vandalism

V libel

VI Unethical conduct

VII Campaign materials that are obscene, pornographic, vulgar, religious, racist, homophobic, transphobic, sexist, or contain material directed to incite violations of the Student Charter of Rights and Responsibilities

12.1.2 The Elections Committee shall assess the legitimacy of the infraction and determine the necessity of a hearing. If a hearing is deemed necessary, the Chief Electoral Officer(s) shall schedule a hearing with the accused candidate. A hearing shall provide the accused candidate with the opportunity to present rebuttals. The Elections Committee shall determine the process of a hearing, subject to this policy herein

12.1.3Class B infractions include any violation of the policy herein that are not deemed Class A violations. Two (2) Class B infractions shall be assessed as a Class A infraction, constituting disqualification. Class B infractions include, but are not limited to

I Use of any unapproved campaign materials,

II Obstructing the view or the removal of another director’s campaign materials,

III Damage to an opponent’s campaign materials, interfering with or disrupting the normal operations of the university, which includes any businesses or departments that normally operate on the university campus,

IV disrupting any academic setting so that the academic pursuit of any student(s) is unduly impaired,

V offering a student a means of voting during the voting period, including a laptop, tablet, smart phone, or any other digital device,

VI campaign materials that include commercial and/or promotional material sponsored by a non-Trent entity,

VII campaign materials sponsored by Trent services, campaign materials sponsored by a faculty and/or administrative member,

VIII campaign materials referencing illegal drugs and alcohol. Endorsements without consent

12.1.4 The Chief Electoral Officer(s) is required to inform candidates and the Elections Committee of infraction notices within twelve (12) hours.

**13 Infraction Appeals**

13.0.1 Candidates may appeal infractions levied by the Chief Electoral Officer to the elections committee within forty-eight (48) hours of being notified of the infraction.

13.0.2 Candidates may appeal class A infractions levied by the Elections Committee to the Board of Directors within twenty-four (24) hours.

13.0.3 The election committee has twenty-four (24) hours to respond to the complaint.

**14 Voting and Voting Timeline**

14.0.1 Voting shall be open to members of the cooperation for a period no shorter than three (3) business days coinciding with the conclusion of the campaigning period.

14.0.2 The vote shall consist of an online vote monitored by the electoral trustee. Should the elections committee wish to conduct paper ballots said trusty will also become the key holder to the secure box the votes shall be placed in.

14.0.3 The voting box must be monitored by a member of the elections committee or a member of the Board of Directors at all times during the voting period. Should there ever be no one available to attend the box, it will be kept in the TDSA office and voting will temporarily cease.

14.0.4 Paper ballots must be clearly marked with an X or check mark beside the name of the candidate they wish to indorse. Any other marking or what a reasonable person would consider an ambiguous indication of support will render the ballot spoiled.

14.0.5 Spoiled ballots will count towards quorum but in individual races will count as abstentions.

14.0.6 The order candidates appear on the ballot will be chosen via random lottery conducted by the elections committee.

14.0.7 Candidates may not provided directly or indirectly the means for a student to vote

**15 Interpretation of Results**

15.0.1 The candidate with the highest number of votes shall be determined the winner of the election specific to the position. In the event a candidate is running unopposed, said candidate must obtain a minimum of five 5% of student votes. Student votes include full-time and/or part-time Trent Durham students that are not classified as an online student.

15.0.2 In the case the vote is a tie, the candidates that have obtained the same number of votes shall be put into an by-election subject to section 6.5.

**16 Ratification of Results**

16.0.1 Election results shall remain unofficial until the elections committee has approved the winners. Candidates shall not be informed of the election results until the elections committee has approved the results.

16.0.2 The voting election committee members shall sign the Election Results Form after the vote has been counted.

16.0.3 The results shall be deemed invalid until a minimum of three Elections Committee members have signed the Election Results Form.

16.0.4 Ratified results shall be conspicuously advertised to the members of the association.

16.0.5 Candidates may request a copy of the elections results after the elections results are publicly released.

**17 Electoral Disputes**

17.0.1 Members of the Corporation may dispute the election results, provided a dispute is brought forth to the elections committee within one (1) week of the release of the results.

17.0.2The elections committee shall investigate the dispute within seventy-hours (72) and produce a report to the board of directors. The board of directors shall decide the outcome of the dispute.

**18 By/re-elections**

18.0.1 A By-election may be held at any point during the year upon a two thirds (2/3) majority vote of the Board of Directors and/or will be called automatically in the result of a tie in a general election.

18.0.2 Once a by-election is called if there is no existing elections committee the chair, disinterested executives or board members, and an external adviser shall make up an ad-hock committee. If the committee does exist its mandate shall be extended for the duration of the by-election.

18.0.3 By-elections not necessitating nomination periods (ties or re-elections) will have no less than 3 business days of campaigning and no less than 2 business days of voting

18.0.4 By-elections necessitating nomination periods (to fill vacancy) will have no less than 5 business days of nomination period, no less than 3 business days of campaigning and no less than 2 business days of voting.

18.0.5 By-elections shall be exempt from Quorum and the winner will be determined by whichever candidate receives the greatest number of affirmative votes. If uncontested, the candidate will be appointed providing they receive more affirmative votes than rejections.

**19 Tampering**

 19.0.1 Tampering includes but is not limited to:

I Using privileged information that a reasonable person would deem confidential for the purpose of influencing the outcome of the election.

II The physical or digital altering of voting ballots.

III The act of physically or verbally obstructing the proper and fair conduct of the vote.

19.0.2 Any member of the corporation suspected of engaging in electoral tampering will be subject to an investigation by disinterested members of the Board of Directors.

19.0.3 Any member of the corporation found to have tampered with the electoral process will be disbarred from the organization, thereby forfeiting all rights and privileges provided by the cooperation.

19.0.4 If the Board of Directors finds that an election has been tampered with in any meaningful way, the appointment(s) resulting from that election will be considered invalid, the position(s) declared vacant and a re-election will be conducted with all eligible candidates automatically put on the ballot. In order for candidates to not be on the ballot they must withdraw themselves via formal email to the Chief electoral officer.

19.0.5 If the evidence is found that a third party altered the results of an election, the position will have the opportunity to respectfully resign with full severance, and will continue in good standing with the organization. If the party refuses to resign they must