



MUNSU

Memorial University of Newfoundland Student's Union  
Canadian Federation of Students Local 35

# Elections Policy Manual

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# Section 4. Elections Regulations

# I. NOMINATIONS

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## 1.1 Applications for Nominations

- (a) Nomination forms will apply to all elected positions of the Memorial University of Newfoundland Students' Union Board of Directors.
- (b) Completed nomination forms must be returned by 12pm (noon) on the date advertised to do so. Late nomination packages will only be considered by the MUNSU Elections Committee, hereafter referred to as the Election Committee, under extenuating circumstances.
- (c) Nomination forms will be considered completed by the CRO only if the minimum threshold of nominators is met, and the name and contact information of a campaign manager is identified.
- (d) The CRO may extend the nomination period for a period no longer than three working days. This extension shall only apply for those positions for which there were not enough candidates declared to fill all the vacant seats within that position.
- (e) If only one person is nominated for a single office, the candidate shall be acclaimed as the successful candidate. A confidence vote, sometimes referred to as a yes/no vote will not be held. Should a number of persons nominated for Faculty Representative be less than the total number of positions available, that number of persons shall be acclaimed upon the close of the first nominations.
  - (i) In the case of acclaimed executive and faculty candidates, a yes/no vote (vote of confidence) shall be held for the candidate, following simple majority of 50%+1. In the case of a failed confidence vote, the candidate will not be able to run in MUNSU General or By-elections for the remainder of the academic term.
- (f) Nomination papers must contain include the following:
  - (i) Nomination forms for the Executive positions must be signed by at least 80 union member and no more than 100
  - (ii) Nomination forms for all non-Executive positions must be signed by at least 20 union members and no more than 40.
  - (iii) To be considered a valid nominator, each signatory must also include their student number. The student numbers are to be verified.
  - (iv) For specific faculty / school representatives, valid nominators must be declared in a program of the appropriate faculty/school as the nominee seeking office.
- (g) A nomination paper is invalid only by reason that:
  - (i) the signature of the candidate is a forgery; or

- (ii) the minimum threshold of valid nominators is not met; or
  - (iii) the maximum threshold of valid nominators is exceeded; or
  - (iv) the candidate is not in clear academic standing in the semester in which they are nominated.
- (h) Nominees for all positions must be at least part-time students in the semester in which the election is held.
  - (i) No member is considered a candidate for a position until officially deemed so by the CRO after completing the requirements for nomination.
  - (j) Before being nominated in a by-election, Directors must resign from their current position; a member may occupy only one position in a given term
  - (k) Eligibility restrictions:
    - (i) The CRO and the DCRO, all poll captains and ballot counters are restricted in accordance with these bylaws.
    - (ii) The poll captains and ballot counters shall not be eligible as a candidate in the Memorial University of Newfoundland Students' Union elections or by-elections during the period of their employ.
    - (iii) The Chief Returning Officer and Deputy Returning Officer shall not be eligible as a candidate in the Memorial University of Newfoundland Students' Union elections or by-elections for a period of one year from their date of hire, even if they resign or are terminated.
  - (l) Directors of the Memorial University of Newfoundland Students' Union cannot be the CRO, DCRO, poll captains or ballot counters.
  - (m) For a By-election, nominations must be open for at least five (5) consecutive business days and nominations should be closed for at least five (5) consecutive business days before the By-election takes place.
  - (n) A candidate may complete only one nomination package for only one (1) position. If a candidate decides to change to another position, the candidate must sign a Withdrawal From Position form in front of the CRO and hand over the entirety of the old nomination forms, intact, including signature sheets. The candidate must then complete a new nomination package.
  - (o) A candidate may change their nomination papers only once in any given election or by- election.

## 1.2 Withdrawal of Nominations

- (a) Until such a time as the elections webpage is launched, a candidate may withdraw their nomination form and have their name removed from the election. Upon declaration of their intent to withdraw, a candidate must immediately and at the first possible opportunity meet with the CRO to sign a declaration of withdrawal in their presence. The CRO retains the right to remove a candidate's name from the ballot once that candidate has confirmed their intent to withdraw, with the approval of the Elections Committee.
- (b) A person who, before or during an election, for the purpose of preventing the election of a candidate, knowingly publishes a false statement of withdrawal of another candidate at the election is guilty of an offence as defined by the offenses section of these policies.

### 1.3 Death of a Candidate

- (a) If a candidate dies during the nomination period the potential candidate is withdrawn from the campaign, and the nomination period must be extended for 5 business days,
- (b) If a candidate dies during the campaigning period, before the Elections Webpage is launched, the potential candidate is removed from the ballot, and the election proceeds as normal.
- (c) If the candidate dies on the Election Day, and if there are more than two (2) other candidates for the position, the results will be void and a by-election must be held to fill the position.

## II. CAMPAIGN REGULATIONS

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### 2.1 General Rules

- (a) Under no circumstances is any campaigning to occur between the opening of nominations and the official CRO candidate meeting. If the CRO feels that such practices are evident, the matter will be brought to the Board of Directors for an immediate decision.
- (b) Campaigning shall be permitted after the official candidate meeting with the CRO, until polling stations close on the last day of voting.
- (c) Candidates and campaign workers of a candidate who deliberately cover, destroy, damage, deface, or remove any campaign material of another election candidate shall be penalized as per the offenses section of these policies.
- (d) Distribution of candidate's campaign materials will be restricted to those areas as designated by the CRO at the official candidates' meeting.
- (e) All candidates shall comply with:
  - (i) All building regulations, on and off campus.
  - (ii) The MUN Student Code of Conduct.
  - (iii) The regulations of the university as it pertains to the Memorial University of Newfoundland Students' Union elections.
  - (iv) The regulations of CHMR pertaining to the Memorial University of Newfoundland Students' Union elections.

### 2.2 Materials

- (a) For the duration of the electoral period, no candidate shall use the logo, corporate seal, copyrighted material or other materials produced for promotional purposes of MUNSU or MUN on any material for their campaign.
- (b) Any non-election publicity materials relating to the candidate, including but not limited to any materials produced by MUNSU or MUN, may not be presented for the duration of the electoral period.
- (c) It is the responsibility of the candidate to ensure that any parties, groups, or organizations who present non-election publicity materials predominantly featuring the candidate have such materials removed or covered for the duration of the electoral period unless otherwise determined by the CRO.
- (d) If a candidate who has attempted to have non-election publicity materials removed is unable to do so, the candidate must bring any such materials to the attention of the CRO. The CRO then has the discretion as to whether or not any further action need be taken concerning said materials.

- (e) Candidates who are presently elected or appointed members of the Board of Directors or employees of the Memorial University of Newfoundland Students' Union, may not use the privileges of their position for the promotion of their candidacy.
- (f) There will be no campaigning within the MUNSU office and services. No campaign materials of any sort will be stored in any of the offices of MUNSU overnight.
- (g) MUNSU student staff and/or volunteers are not permitted to wear campaign materials of any candidate while working; however, they may work on campaigns, provided that campaign work is not done while they are working / volunteering for MUNSU.
  - (i) MUNSU CUPE Staff are not permitted to engage in individual nominee campaigns but may assist with the elections processes under guidance of the CRO. Debates, forums or public assemblies must be approved by the CRO before being organized and advertised.
- (h) All candidates, in addition to submitting their receipts at the designated time, must also ensure that all campaign materials are removed as outlined in 'Campaign Expenditures' found in this policy.
- (i) Any candidate found to be using profane language or unruly behavior to Election/MUNSU staff shall be subject to penalty as outlined in 'Offenses Section' found in this policy.
- (j) MUNSU staff and/or volunteers are not permitted to wear campaign materials of any candidate while working; however they may work on campaigns, provided that campaign work is not done while they are working / volunteering for MUNSU.
- (k) Candidates shall not pepper with election paraphernalia, which includes, but is not limited to, pamphlets, leaflets, posters, or any documents dealing with the election.
- (l) Any candidate who violates, breaks or contravenes any of these campaign rules and regulations of these by-laws, or any other section, is guilty of an offence and will be subject to the penalties outlined in the Offenses section (Section F) of these policies.
- (m) If a candidate is expelled from the election by the CRO, the procedure for expulsion shall follow the procedures as stated in Offenses section (Section F) of these policies.

### III. CAMPAIGN EXPENDITURES

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#### 3.1 Funding:

- (a) All candidates for executive positions shall be eligible for a MUNSU election credit in the amount of \$125.00 to be used at The Attic Copy Centre.
- (b) All candidates for non-executive positions shall be eligible for a MUNSU election credit in the amount of \$50.00 to be used at The Attic Copy Centre.
- (c) No candidate is allowed to make use of personal funds for the elections process, on penalty of expulsion.
- (d) Election credits are non-transferable and can only be used for the current election in which the person is seeking office. The Chief Returning Officer has the right to place a fair market value upon any election material used by a candidate if they feels that the value placed on that material by the candidate is not representative of fair market value.
- (e) A complete, documented list of all expenditures and receipts from each candidate must be provided to the CRO no later than 4:30pm on the second working day after the close of the election. Failure to do so by an elected official will result in the forfeit of the Board of Directors seat and failure to do so by unsuccessful candidates denies them the right to appeal any part of the election.

## IV. PUBLICITY

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### 4.1 Media

- (a) The CRO shall ensure that all nominees receive a copy of all student media election policies on or before the day nominations close.
- (b) All candidates for executive positions are allowed to have a picture of themselves and a write- up of their election platform published in the student newspaper.
- (c) The Editor(s) of the student newspaper shall be responsible to ensure that no person reads any of the candidates' platforms before publication.
- (d) Each candidate will be allowed a maximum number of words to be set by the editor of the student newspaper.
- (e) The CRO shall ask the CHMR station manager to submit to their office, a radio election policy concerning the subject of election commercials. This policy shall include which candidates will be allowed to have an election commercial played on air and the procedure for candidates to explain their platforms on air. This will be included in the candidates' information package available at the official candidates' meeting.
- (f) All candidates must clearly state the dates of the election on all material they have for distribution on any medium, as well as the URL (universal resource locator) address for the MUNSU elections site.
- (g) Any Memorial University of Newfoundland Students' Union staff or volunteer who is a candidate in the Memorial University of Newfoundland Students' Union elections, shall not be allowed to talk about their candidacy while performing their duties.

### 4.2 Posters

- (a) All Campaign Posters shall meet the regulations presented by the CRO at the official CRO candidates' meeting.
- (b) Posters that measure 8 1/2" by 11" or less are allowed one per bulletin board. No poster exceeding this measurement will be allowed to be displayed.
- (c) Posters are not to go anywhere but on campus bulletin boards, unless the CRO instructs a candidate that they may do otherwise.
- (d) A bulletin board is defined as cork-like board framed by four distinct borders, for example, wooden or steel.
- (e) Candidates are not permitted to cover other current posters on any of the bulletin boards.

#### 4.3 Banners

- (a) Only Executive candidates will be permitted to display a banner. The banner for Executive candidates may not exceed 16 square feet in area, with a minimum of two feet on any side.
- (b) The location of the banner must be booked with the CRO. A draw will take place at the official CRO candidates meeting to determine the order in which banner locations will be chosen. No banners may be hung from the ceilings or attached to the floors. The banner must include the candidate's name, full position title of the position the candidate is running for, the dates of the election and MUNSU election website, which must be clearly visible.
- (c) No campaign materials, with the exception of executive banners, shall be permitted within visual sight of polling stations.

#### 4.4 Websites

- (a) Candidates may develop a website or homepage for the purposes of advertising their platform and their campaign. These sites shall follow university guidelines as well as current MUNSU election poster policy and social media regulations.
- (b) Any costs associated with this website are not deductible from the copy centre allowance. (as per A.2.1.C: Campaign Expenditures)

#### 4.5 Email

- (a) Candidates are permitted to email people on their personal contacts lists to promote their campaign.
- (b) Candidates are not permitted to email people on contact lists they have obtained through MUN or MUNSU listservs, employment opportunities, clubs and societies, resource centres or class lists.

#### 4.6 Social Media

- (a) Candidates are permitted to promote themselves and their campaign through the following social media platforms: Facebook, Instagram, Twitter and Snapchat or other social media platforms as approved by the CRO. All candidates are allowed to have a maximum of one (1) Facebook page, one (1) Facebook event page and one (1) public Facebook group to advertise their campaign.
  - (i) These platforms must be titled with the candidate's full name and the position the candidate is running for.
  - (ii) These groups/pages must include the dates of election and the URL (universal resource locator) address to the MUNSU Election website within the 'about' section.
  - (iii) A link to this platform must be sent to the CRO.

- (iv) Candidates may not use, modify or rename an existing page or event for their campaign. Social media pages on platforms must be built for the specific election the candidate is seeking office.
- (b) Candidates must delete the page or group used for their campaign on completion of the electoral period. This is considered removing election materials and failure to do so will have the same effect as not removing physical posters.
- (c) A candidate may not campaign or share the materials of another candidate through social media without a clearly attached critical lens.
  - (i) They may engage with another candidate in comments or react to their comments and posts.
- (d) Candidates are not permitted to share events or materials promoting or endorsing their campaign through pages/ groups that they administer. This includes student club and society pages, point-of-sale commercial sites and/or cultural/community groups.
- (e) Social media outlets of MUNSU-ratified clubs and societies may support members in voting by providing details of the voting process, but may not promote individual candidates. The timeline for campaigning on social media, follows the same guidelines as all other campaign materials.
  - (i) Resource Centres and Clubs and Societies are to be notified of election regulations and prospective candidates as soon as nominees for a given position are made available. This will be the responsibility of the CRO and the Director of Student Life.
- (f) All candidates must clearly place the dates of the election on all material they have created for campaigning through social media, as well as the URL (universal resource locator) address for the MUNSU Elections site.
- (g) All costs associated with social media advertising must be deducted from the \$50.00 non-copy centre amount. For example, 'promoting' and 'boosting' posts, purchasing Snapchat filters, ads, etc

## 5. ELECTION OFFICIALS

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### 5.1 Election Committee

- (a) The membership of the elections committee will be comprised of MUNSU Board of Directors members in accordance with the MUNSU by-laws.

### 5.2 Election Staff Hiring:

- (a) There shall be a Chief Returning Officer and Deputy CRO hired to conduct all MUNSU Elections, referenda and plebiscites. These positions shall be hired by the Elections Committee no later than the third week of classes in the fall semester and shall hold office until the end of the winter semester.
- (b) In the event that the CRO or DCRO resigns or is terminated prior to the end of their appointment, the Elections Committee shall immediately initiate a hiring process to fill the vacated position.
- (c) The election committee will be available at all times during the election to provide advice and guidance to the Chief Returning Officer or Deputy Returning Officer.

### 5.3 Chief Returning Officer (CRO)

- (a) The CRO will be autonomous from the Executive of the Memorial University of Newfoundland Students' Union. The CRO will be responsible only to the Board of Directors.
- (b) The CRO and the Deputy Chief Returning Officer, henceforth referred to as the DCRO shall be responsible for the Memorial University of Newfoundland Students' Union elections, as per the student union by-laws.
- (c) The CRO shall be responsible, along with the Students' Union Elections Committee, for the hiring of poll captains and ballot counters.
- (d) The CRO shall be responsible to organize a meeting of all poll captains before the election.
- (e) The CRO will be paid at an hourly rate, reviewed on a yearly basis, equal to the current hourly MUCEP rate + \$2.00. The CRO is responsible for submitting weekly timesheets to be approved by the Resource Coordinator or a member of the MUNSU Executive.
- (f) The CRO and DCRO must be members of the Students' Union. They will not be eligible for employment at any other services of the Students' Union for the duration of their appointment.
- (g) The CRO and DCRO must be 19 years of age or older so as to have access to the Breezeway Bar.

- (h) The CRO shall:
- (i) carry out their duties in a fair, unbiased, objective manner, in conjunction with the DCRO.
  - (ii) be, along with the DCRO, the only union members not eligible to vote.
  - (iii) be responsible for the advertising of all elections, plebiscites, and referenda through posters, flyers, banners, and student media. This must commence at least two weeks in advance of polling days.
  - (iv) immediately inform the building managers, department heads and the university administration that an election/referenda/plebiscite has been called.
  - (v) be responsible for the hiring of all poll captains and ballot counters.
  - (vi) be responsible for the scheduling of the hours of the Poll Stations, in conjunction with the election committee.
  - (vii) be responsible for the location of each poll station during the election.
  - (viii) be responsible for holding an official candidates' meeting on the day nominations close.
  - (ix) be responsible for arranging meetings with all poll captains and ballot counters related to their service in these roles.
  - (x) be responsible for booking a suitable room for counting the ballots.
  - (xi) hire appropriate student security to watch the room where the ballots will be counted.
  - (xii) organize and publicize debates between candidates for individual executive positions. Each office of the executive shall debate separately. The debate is publicized at least two weeks in advance. The debates shall be held on one day, with a schedule publicized through the normal means of campus publicity.
  - (xiii) be in receipt of candidate's requests for additional public campaign events such as debates, town halls, or other similar events, and assist in organization of requested events to include all candidates vying for the same office.
  - (xiv) ensure that all complaints are kept confidential.
  - (xv) be responsible for having the ballots printed, when needed, and ensure the number of ballots are distributed correctly for each individual poll station. At the same time, the CRO must ensure that the candidates' last names are listed in alphabetical order before they go to print. The CRO shall ensure that there are no blank entries on the ballots.
  - (xvi) be responsible to ensure that no person has access to the ballot boxes, ballots, or any other material before, or during the night between, the two election days.

- (xvii) be responsible for the destruction of the ballots after such time that appeals and recounts are no longer possible, and Board of Directors has accepted the CRO's report.
- (xviii) be responsible for keeping the public, the Board of Directors, and all election candidates informed of issues relating to the election.
- (xix) be responsible for ensuring that all poll captains and ballot counters are paid for the hours worked.
- (xx) oversee the campaigning of each candidate and ensure that it is in accordance with this by-law.
- (xxi) supervise the work of any or all election officials.
- (xxii) be responsible for overseeing the counting of ballots and announcing the election results when the counting is finished.
- (xxiii) be responsible for making a final report of the results of the Memorial University of Newfoundland Students' Union election or referenda at the next regular Board of Directors meeting after the election.
- (xxiv) have the responsibility to ensure that all election officials remain impartial and unbiased. If they are found not to be doing so the CRO may terminate their employment.
  - (i) They shall arrange tours by candidates to all residences. These shall be arranged with house presidents, or delegate, and the schedule shall be publicized at least one week in advance.
  - (i) Ensure questions are first taken from members of the house during these residence tours.
  - (j) They shall arrange a forum for clubs and societies. This shall be arranged with society presidents, and the schedule shall be publicized at least one week in advance, by normal means of campus publicity and in conjunction with residential offices.
  - (k) The CRO is to be provided contact information for all Residence Societies at the hiring of the CRO and the DCRO, by the Director of Student Life.
  - (l) A decision by the CRO may be overturned by a 2/3 majority vote at a regular or emergency Board meeting.

#### 5.4 Deputy Chief Returning Officer (DCRO)

- (a) The DCRO shall be responsible to the CRO.
- (b) The DCRO shall assist the CRO in all of the CRO's duties.
- (c) If the DCRO is removed or resigns during the election, another Deputy Returning Officer will be hired immediately.
- (d) The DRO will be paid at an hourly rate, reviewed on a yearly basis, equal to the current hourly MUCEP rate. The CDO is responsible for submitting weekly timesheets to be approved by the Resource Coordinator or a member of the MUNSU Executive.
- (e) In the event that the CRO cannot fulfill their duties, then the DCRO will immediately take the CRO's place and be paid accordingly.

#### 5.5 Ballot Counters & Student Security

- (a) The responsibility of the ballot counters and Student Security shall be:
- (b) to help count and record the ballots in the case of paper ballots.
- (c) to be present when the ballot boxes are opened.
- (d) to maintain confidentiality of any election results until publicly disclosed by the CRO.

## 5.6 Poll Captains

- (a) Polling Captains will be compensated at an hourly rate, reviewed on a yearly basis, equal to the current hourly MUCEP rate.
- (b) The responsibilities of each poll captain shall be to:
  - (i) ensure the ballot box is sealed at all times.
  - (ii) ensure that all campaign material is removed from sight of the poll station.
  - (iii) ensure that the casting of the ballot for example, the laptop or pad, is obscured to any but those voting.
  - (iv) maintain a voters list.
  - (v) maintain the ballot in an organized and secure manner.
  - (vi) instruct the voter only in the manner in which the ballot is to be marked.
  - (vii) stay at the poll station at all times, unless relieved by an election official or another poll captain.
  - (viii) bring all the election material to the office of the CRO when the poll station closes.
  - (ix) ensure that no candidate or supporter campaigns within hearing distance of the poll station.
  - (x) ensure that the ballots are properly stamped and IDs properly checked, as well as entered into the computer system.
  - (xi) ensure that no voter leaves the vicinity of the poll station with ballots.
  - (xii) ensure unmarked physical ballots are returned to the CRO to be destroyed.
- (c) All polling captains must wear numbered badges provided by the CRO at all times while staffing a polling station.
- (d) Each badge must clearly identify the bearer as an official MUNSU polling captain.
- (e) In addition, each badge must be stamped with its own number. Badges must be signed out by the polling captains, thereby linking them to a polling station and ballot box.

## 6. POLLS

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### 6.01 Physical Polls

- (a) Proximity:
  - (i) No campaign materials may be distributed, affixed, or transmitted within sight of polling stations. When polls are open, any campaign material remaining within sight of the polling station will be removed by the poll captain.
  - (ii) Verbal campaigning in an area where a polling station is located shall not be within a 20- metre radius of that polling station, and the polling captains must not be able to hear such campaigning from any distance.
- (b) The CRO shall be responsible for the location of all poll stations.
- (c) For General Elections and By-Elections, at least four polling stations locations shall be established in areas that the CRO reasonably believes will promote access to voting for a majority of potential voters.
- (d) At least three physical polling stations must be operated at any one time.
- (e) The locations of polling stations must be published in the student newspaper and other student media sources.
- (f) A minimum of one polling captain per station, but no more than two polling captains per station shall be allowed for all elections.
- (g) As much as possible, secrecy of voting will be ensured.
- (h) Except to cast their vote, no individual shall be permitted to loiter in the vicinity of a polling station.
- (i) Where possible, regular business hours will be kept for all polling stations. At least three physical polling stations shall be open until 9:00 pm.
- (j) The CRO may not extend polling station hours.
- (k) In the event of closure of the University on election days, the CRO, in conjunction with the elections committee, may extend the election period to compensate only for the period missed by the closure.

## 6.02 Online Voting

- (a) The purpose of providing electronic balloting is to increase voter participation by providing maximum convenience for the voter while ensuring that the principles of an anonymous, democratic free vote are upheld. Voting is meant to be a personal, anonymous action and should not take place in a group setting, or in the presence of persons whose presence might influence a candidate to vote in a particular way.
- (b) Electronic balloting provides opportunities for abuse, intended or not, by voters, candidates and campaign workers. Abuse of electronic balloting includes, but is not limited to, the following types of action:
  - (i) efforts by voters to vote more than once.
  - (ii) efforts by candidates or their campaign workers to influence votes by holding parties or social events at which individuals are encouraged to vote on the premises.
  - (iii) offering favors or gifts in exchange for votes.
  - (iv) pressuring individuals to vote in the presence of a candidate, campaign worker or any other individual.
  - (v) bringing the means of electronic voting to a voter.
  - (vi) In determining whether abuse of electronic balloting has occurred, the CRO must consider potential abuses on a case by case basis. Abuse is not limited to the types of actions outlined above but must be interpreted in the spirit of this section and in the spirit of upholding the principle of an anonymous, secret-ballot vote. The CRO shall exercise the right to determine whether abuse of electronic voting has taken place and shall have the discretion of imposing or recommending any and all punitive actions as necessary, including disqualification from the election or by-election.
- (c) For the days of actual voting of the election, all Memorial University computer rooms and terminals for the purposes of the election shall be considered to be polling stations for the purpose of restricting candidates/campaign worker activity around these sites.
- (d) The Elections Webpage shall be in operation continuously from the start of the election until closing of the polls at 9pm on the second day of voting with the exception of system downtime that will occur during the first night of polling.

## 7. ELECTION RESULTS

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### 7.01 Counting Ballots

- (a) When a poll station closes, the poll captain shall be responsible to bring the voters list, ballot box, all unused ballots and other material assigned to them to the CRO.
- (b) The CRO will be responsible for booking a room for the counting of ballots. It will be closed to the public.
- (c) A minimum of three (3) ballot counters will be designated by the CRO, and shall be selected from DCRO, Elections Committee and other union staff.
- (d) Each executive candidate shall be allowed to provide one person to act as a scrutineer during the counting of the ballots. The scrutineer shall not be allowed to assist in the counting of ballots. The candidate must submit the name of their scrutineer no later than 5:00pm on the first polling day, with the CRO responsible for determining extenuating circumstances.
- (e) The CRO may begin the process of counting when the first polling station closes on the second day of polling.
- (f) A scrutineer may enter the counting room at any time, but the ballots already counted will not be recounted nor will the scrutineer be allowed to look through previously counted ballots.
- (g) Other than the CRO, no person involved in the counting of ballots shall:
  - (i) communicate results from the voting room once the counting has started,
  - (ii) leave the counting room before the ballots are counted at least twice to ensure accuracy.
- (h) The CRO will reject spoiled ballots and put them in an envelope to be sealed. A ballot will be considered spoiled if:
  - (i) it is not marked for any candidate.
  - (ii) more candidates are voted for than are to be elected.
  - (iii) it is so marked as to render it uncertain for which candidate or candidates the voter has voted.
  - (iv) there is any writing or mark by which the voter/elector can be identified.
  - (v) no ballot box stamp is clearly present on the reverse side of the ballot paper.
- (i) Election results will be revealed to the public by the CRO, when they ensure the results are accurate for all elected positions.
- (j) The CRO shall ensure that all used and unused ballots are stored safely until such time when appeals or recounts are no longer possible. All ballots must then be destroyed.

- (k) The voters shall place a distinguishably clear mark for the candidate(s) preferred. The candidate(s) with the highest number(s) of votes will be declared elected. (Note: some Director positions have more than one seat for the position and therefore more than one candidate will be elected).
- (l) The CRO shall have final say as to a ballot's validity.

#### 7.02 Event of a Tie

- (a) In the event of a tie the CRO, in consultation with the Elections Committee, shall break the tie by:
  - (i) comparing the fines and complaints received during the election, with the winner being the candidate with lesser fines and fewer complaints.
  - (ii) drawing a candidate's name from a hat in the case of no fines or complaints for any candidate in the tie.

#### 7.03 Recounting of Ballots

- (a) The candidates shall not recount the ballots.
- (b) Pursuant to 'Counting Ballots' subsection 7, further recountings may only occur if a Candidate submits to the CRO a signed statement requesting a recount of the ballots of the elective position requested.
- (c) A request for a recount must be submitted to the CRO no later than three business days after the election. The CRO shall then set a time, date, and place for the recount of ballots.
- (d) The following persons may be present at a recount:
  - (i) CRO
  - (ii) DCRO
  - (iii) any ballot counters the CRO deems necessary for the recount.
  - (iv) all candidates for positions being recounted or their respective delegate(s).
- (e) The results of the recount will be recorded by the CRO.
- (f) If the recount alters the candidate's declaration of election, the CRO will inform the Board of Directors and the public immediately.
- (g) The recount shall be completed within 5 business days after the recount was requested.
- (h) A recount will not be held unless the appealing candidate passed in their complete expense form due in to the CRO within the specified time.

## 8. OFFENSES

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### 8.01 Strikes

- (a) An offence of a candidate in this Section is defined as the following:
- (i) Any part of these policies that has been broken or contravened by a candidate.
  - (ii) A conspiracy to stuff a ballot box or stuff ballot boxes.
  - (iii) To bribe or hire an election official to stuff a ballot box or to campaign for a candidate.
  - (iv) breaking any elections policy as set out by the student media sources.
  - (v) defames another candidate.
  - (vi) releasing campaigns materials containing a statement purporting to be a statement of fact that is inaccurate and misleading to a material extent.
- (b) If any clauses of these policies are violated, the following procedure shall apply for each clause violated or contravened:
- (i) The CRO can charge the candidate a strike, as per the below chart.

Offense	Initial Consequence
Improper Postering	1 Strike
Social Media Spam	1 Strike
Overspending on Campaigns Materials	1 Strikes
Scheduling Townhalls Outside the Jurisdiction of the CRO	2 Strikes
Slating	Expulsion
Using Personal Funds	Expulsion

- (c) A candidate is allowed up to 4 strikes and is expelled at 5 strikes. Leniency may be advised by the CRO or by the elections committee.
- (d) In the case of infractions which are designated by the CRO to be especially serious, the CRO may, upon approval by the Elections Committee, grant the candidate a strike, up to and in excess of the 5 allowed.

- (e) Any person or candidate who contravenes or breaks any part of this Section is guilty of an offense and is liable:
  - (i) If already a member of the Board of Directors, subject to Reprimand, Censure, and Recall section of the MUNSU by-laws.
  - (ii) To be disqualified as a candidate in a Memorial University of Newfoundland Students' Union election by the CRO.
  - (iii) If an employee of the Memorial University of Newfoundland Students' Union, to be dismissed.
  - (iv) To be penalized as per the Offenses section of these policies.

#### 8.02 Penalty Procedure:

- (a) If a candidate is penalized, the decision of the CRO shall stand until it can be ratified at the next Board Meeting. In the case of the aforementioned, the CRO must consult with the Elections committee, and if they deem it necessary, the CRO will call an emergency meeting of the Board within 48 hours to endorse the penalties.
- (b) Notwithstanding the aforementioned, if a candidate is forced to withdraw, that decision must be endorsed by an emergency meeting of the Board of Directors within 48 hours.
- (c) Any candidate who is the subject of an appeal brought before a meeting of the Board of Directors is permitted to send in a concise two-page written response to the Board to be read out at that meeting, in addition to any evidence the Elections Committee finds suitable to be submitted to the board.
  - (i) This two-page written response is to be in Times New Roman size 12, on standard letter paper, or equivalent electronic format.
  - (ii) Said candidate is to be informed of the meeting occurring with a minimum 6-hour notice.
- (d) Any Candidate who is subject to discussion by the Board of Directors and is currently on the Board is required to leave the room during these discussions, and their absence will not be counted against quorum during such meetings.

### 8.03 Expulsion

- (a) Any candidate(s) who breaks or contravenes any Section, Subsection, item, or any part of these By-laws, or has committed any offense as described, is subject to expulsion from the election by the CRO.
- (b) If the CRO is aware that a candidate(s) has broken any part of this Section, they shall set up a meeting with themselves, the candidates, and the DCRO to discuss relevant offense and appropriate penalties.
- (c) After consultation with the candidate(s) and the DCRO, the CRO shall determine if the candidate(s) has broken or contravened any part of this Section.
- (d) If the CRO has concluded that the candidate(s) has broken or contravened any part of these policies, the CRO may:
  - (i) expel the candidate(s) from the election, or
  - (ii) grant the candidate a strike.
- (e) If a candidate(s) has been expelled from the election by the CRO, the candidate may appeal the decision by submitting a written request of appeal to the Elections committee within three business days of the expulsion.
- (f) If the Elections Committee, after hearing all the evidence, decides that the expulsion is not warranted, the committee may reinstate the candidate(s). The decision of the committee shall be made within 5 business days of the appeal.
- (g) If the reinstatement of a candidate(s) is decided after the date of the election, then the CRO shall redo the process of the election of that particular elective position as stated in 'the Applications for Nominees' section of the by-law, by process of a by-election.
- (h) Any candidates and/or their campaigns knowingly in conspiracy with another candidate and/or campaign(s) in an effort to increase their chances of being elected, known as slating, will be expelled from the election.
- (i) If a candidate exceeds 5 strikes, then, with Board approval, and based on the CRO's recommendation, that candidate shall be expelled from the election.