

POLICY

ELECTIONS

Amended August 8th, 2023
Council
Motion #: 23-24-24-C

ELIGIBILITY:

For eligibility requirements for Council and Executive Council positions, please refer to the Association Bylaws.

POLICY STATEMENT:

1. As per the PSLA and Association Bylaws, an election shall be held to elect Councillors and members of Executive Council.
2. Association Elections are maintained with the highest standards of fairness, equality, and transparency. The Association expects all those involved in the elections to adhere to the Elections Policy and Procedures.
3. Elections shall be conducted in a timely, efficient, and legitimate manner. Council and Executive Elections are conducted on-line; if necessary, a paper ballot process may be utilized.

DEFINITIONS:

1. The definitions in the Association Bylaws ("Bylaws") are applicable in this Policy.
2. Candidate is defined as an eligible Member who has put their name forward for Executive Council or Council Position.
3. Campaigning is defined as working in an organized and active way to influence persons to vote for and/or against a particular candidate and/or platform.
4. Official Agent is defined as a Member appointed by the Candidate as an official representative of their campaign team.
5. A Campaign Team shall be defined as the Official Agent and/or persons chosen by a Candidate and registered with the Association for the purpose of publicly endorsing and/or campaigning on behalf of said candidate. Election teams must be comprised of Members of the Association.

POLICY:

1. Nominations
 - 1.1 General Election: Nominations shall open no later than February 1 and remain open for at least seven (7) days.
 - 1.2 By-election: Nominations shall open no later than November 15 and remain open for at least seven (7) days.

1.3 Nomination Packages shall be available at the Association office. Each nomination package shall include:

- 1) Chief Returning Officer (CRO) contact information and office hours
- 2) Election Calendar
- 3) Candidacy Endorsement Form
- 4) Self-Declaration form
- 5) The Election section of the Bylaws and Policy
- 6) Other materials deemed necessary by the CRO

1.4 Nomination Package must be submitted to either the CRO or their designate. Nomination Package shall be considered complete and valid if they contain the following and have been validated by the CRO:

- 1) A signed Self-Declaration Form including a statement of consent to act if elected, and agreement to abide by the Bylaws and Association policies.
- 2) A Candidacy Endorsement Form with the name, signature, and corresponding valid student ID number of no less than twenty (20) current Red Deer Polytechnic students.
- 3) Name, signature, and student ID number of the candidate.
- 4) Date of nomination
- 5) Name, student ID number (must be a member of the Association), and contact information, of any Official Agents, if applicable.
- 6) Candidate's phone number and email address.
- 7) Required academic documentation:
 - a. For Councillor positions, proof of current enrolment at the Institution or a Collaborative Institution
 - b. For Executive Council positions, proof of current enrollment at the institution, and a copy of the candidate's transcript for the applicable academic term at the Institution.

1.5 All nominated candidates and/or their official agent must attend the mandatory All-Candidates Meeting.

2. Insufficient Nominations

2.1 In the event that there are twelve (12) or fewer nominations for Councillor positions, those candidates shall each be put to a "Yes/No" vote on the ballot.

- 1) The candidate must garner at least 65% "Yes" votes in order to be acclaimed to the position.
- 2) In the event that there are insufficient acclamations to fill all Councillor positions, said positions shall be filled as per the Vacancy Policy.

2.2 In the event that there is only one nomination for an Executive Council position, the said candidate shall be put to a "Yes/No" vote on the ballot.

- 1) The candidate must garner at least 65% "Yes" votes in order to be acclaimed to the position.
- 2) In the event that the said candidate fails to garnish sufficient support, said position shall be filled as per Vacancy section of the Association Bylaws.

3. Chief Returning Officer (CRO)

3.1 The Executive Director or their designate is responsible for ensuring a CRO is in place for

all Association Elections and Referenda. The Executive Director or their designate shall determine the length of the CRO's term, which shall last until at least the end of the contestation period.

- 3.2 The CRO is responsible for upholding the Association Bylaws, Policies, procedures, and election regulations.
- 3.3 The CRO or designate shall have discretion on all campaign issues not specifically referenced in the Association Bylaws, Policies, procedures, and regulations.
- 3.4 The CRO must be neutral and does not need to be a Member of the Association.
- 3.5 The CRO or designate shall:
 - 1) Appoint at least one (1) non-partisan Deputy Returning Officer (DRO), at least one week prior to the close of nominations;
 - 2) Prior to the opening of nominations, review and/or create nomination packages;
 - 3) be responsible for scrutinizing and approving nominations;
 - 4) confirm eligibility for all candidates;
 - 5) approve the online ballot and confirm that the online voting system is available to all eligible voters;
 - 6) chair the All-Candidates Meeting;
 - 7) oversee the candidate conduct during campaigning;
 - 8) approve and monitor election activity;
 - 9) review, investigate, and adjudicate any election complaint reports received;
 - 10) review, investigate, and adjudicate any contestation reports received from a candidate; and
 - 11) submit a report to Council outlining the information from the election as well as policy and operational recommendations.

4. Deputy Returning Officer (DRO)

- 4.1 The CRO Shall determine how many DROs are needed for each election period. Current Councillors, Executive Council members, and full-time Association employees are not permitted to be a DRO.
- 4.2 At least one DRO must be an eligible voting Member of the Association. Said DRO shall cast the tie-breaking vote for all positions in order of preference.
- 4.3 The CRO shall determine the length of the DRO's term; however, it must last until at least the end of the contestation period.
- 4.4 At least one DRO shall assist the CRO with arbitrating complaints and reports of contestation.
- 4.5 The DRO shall also perform duties as assigned by the CRO.

5. Campaigning

- 5.1 Campaigning shall last for a period of at least eight (8) days.
- 5.2 Official campaigning shall begin once nominations close and after the CRO or designate has held the mandatory All-Candidates Meeting.

- 5.3 Association full time employees and members of the Executive Council – including those seeking re-election – are not permitted to be an Official Agent or a member of any campaign team for any candidate.
- 5.4 Current Association part time employees are prohibited from endorsing any candidates or their campaign(s) while on shift. Current Association part time employees who are candidates are prohibited from campaigning while on shift.
- 5.5 Candidates with pre-existing social media relationships with Association full and part time employees, Councillors, Executive Council Members, and other candidates are permitted to retain these relationships during campaigning -- provided Association full time employees, Councillors and Executive Council Members do not publicly endorse or promote the candidate's campaign.
- 5.6 The Candidate and their Official Agent shall be the only official representatives for the candidate's campaign for the purposes of administration and regulation.
- 5.7 The Association does not recognize campaign slates, where a *Slate* consists of a group of Candidates running in the election with the expectation that if one candidate wins their position, all candidates on that slate also win their positions.

6. Candidates Conduct

- 6.1 This Policy applies to Candidates, their Official Agents, and members of their campaign teams during the Election's campaigning period until the end of the Election Contestation period has passed, and includes, but is not limited to:
 - 1) Internal meetings;
 - 2) External meetings;
 - 3) Classroom Visits;
 - 4) Table Hours;
 - 5) Hallway conversations; and/or
 - 6) External Functions and/or events.
- 6.2 Campaigns are to be conducted in a conscientious and diligent manner with integrity, accountability, and transparency.
- 6.3 Fit for Work: Candidates are required to be fit for work at all times while campaigning and shall never be impaired while campaigning. Impairment can be caused by a range of causes and includes impairment from the use of drugs (including the use of prescription or non-prescription drugs, and/or the use of legal or illegal drugs), the consumption of alcohol, or by any other impairment (i.e., fatigue).
- 6.4 All Candidates have a responsibility for maintaining high standards of personal behaviour and for ensuring that others have the opportunity to exist in an atmosphere free of harassment, discrimination, or violence.
- 6.5 The Association prohibits discrimination based on the grounds of race, colour, ancestry, place of origin, religious beliefs, gender, gender identity, gender expression, age, physical disability, mental disability, marital status, family status, source of income and/or sexual orientation as per the Alberta Human Rights Commission.

- 6.6 The Association has zero tolerance regarding messages or activities of violence, intimidation, harassment, bullying, obscenity, defamation, slander, discrimination, and prejudice.
- 6.7 Any proven allegations of violence, intimidation, harassment, bullying, obscenity, defamation, slander, discrimination, and/or prejudice will result in immediate disqualification.
- 6.8 Each Candidate must sign an Acknowledgment of Election Conduct Form (Appendix A). Official Agents cannot sign on their behalf

7. Ballots

- 7.1 Ballots are constructed through an online platform.
- 7.2 A single paper ballot shall be constructed for the purpose of the DRO's tie-breaking vote(s).
- 7.3 Each ballot shall:
 - 1) Contain the names of all candidates as submitted in the Nomination Package, corresponding with the position sought.
 - 2) Be arranged alphabetically in order of surnames for each respective position. If two (2) or more candidates have the same surname, the names of those candidates shall be arranged alphabetically in order of their given names.
- 7.4 The withdrawal deadline for all positions is 4:00 p.m. on the last Friday preceding the start of polling. Withdrawals must be in writing and addressed to the CRO. Candidates who withdraw after this deadline may appear on the ballot; votes for said candidate shall not be valid. Only valid ballots shall be acknowledged in the official results.

8. Voting

- 8.1 Voting shall be conducted through an online voting platform by way of a secret ballot.
- 8.2 Only Members of the Association shall be eligible to vote.
 - 1) In the event that a student is not on the eligible voters list, is unable to access the online voting platform, and believes themselves to be eligible, the student must provide proof of registration directly to the CRO or their designate. The CRO shall then make arrangements for that member to access a ballot.
- 8.3 Eligible voters may vote for:
 - up to twelve (12) Councillors, and
 - one (1) candidate for each Executive Council position.
- 8.4 Access to the voter's list shall be restricted to the CRO or designate and the Association Executive Director.
- 8.5 The voting period must be no less than 48 business hours. The voting period shall be published by the first day of nominations.

- 8.6 Voting by proxy is prohibited.
- 8.7 Voter intimidation, voter suppression, voter impersonation, and vote buying are strictly prohibited, and any proven allegations will result in immediate disqualification.
- 8.8 Candidates and their Official Agents are prohibited from providing devices to voters for the purpose (either directly or indirectly) of accessing the ballot and voting.
- 8.9 The CRO may make arrangements for dedicated voting stations on campus during the voting period.
 - 1) Candidates and their Agent(s) are prohibited from loitering at voting stations.
 - 2) Only the CRO, the DRO, election staff, and verified volunteers may remain at voting stations.

9. Ballot Counting and Results

- 9.1 Ballots shall be tallied by and according to the online voting platform at the close of voting.
- 9.2 The results document shall be accessed and downloaded from the online voting platform by the CRO and witnessed by the Association Executive Director. A copy of the results shall be submitted to the Association's third-party auditing firm for reporting purposes.
- 9.3 Election results shall remain confidential until announced to the Membership by the CRO or designate.
- 9.4 Election Results will remain unofficial until the end of the Contestation period has passed without incident, or until any and all Contestations and/or Complaints have been finalized.
- 9.5 Any Member of the Association may request a copy of the results document once the results have been deemed official.

10. Tied Vote

- 10.1 A designated DRO shall cast their ballot for candidates prior to the opening of voting via a paper ballot. The Executive Director shall be the custodian of the DRO's ballot.
- 10.2 In the event a tie vote is confirmed, the DRO's vote shall be considered the deciding vote.

11. Campaign Complaints

- 11.1 The CRO may issue sanctions to Candidates or any Official Agents who are deemed to be in violation of any election related Bylaws, Policies, and regulations.
- 11.2 Official Complaints must be submitted in writing to the CRO no later than 4:00 p.m. one (1) day after the close of voting.
- 11.3 Any Member of the Association may bring forward a suspected violation as per the following process:
 - 1) Read and understand the Election Policy and applicable Bylaws, and/or regulations.
 - 2) Read and understand the Investigation Procedure ([Appendix C](#)).

- 3) Complete, sign, and submit the Contestation/Complaint Form ([Appendix B](#)) to the CRO and/or Governance Coordinator prior to the end of the contestation period.
- 4) Upon receipt, the CRO and/or Governance Coordinator will evaluate whether the complaint requires further action as per the Investigation Procedure ([Appendix C](#)).

11.4 Frivolous or vexatious complaints will not be tolerated.

11.5 Any complaints regarding the CRO or other Election staff must be submitted to the Executive Director.

12. Penalization and/or Disqualification

12.1 Any candidate in contravention of the Association Bylaws, Policies, regulations, or procedures set by the CRO, may be penalized and/or disqualified by the CRO or designate.

12.2 Any activities or actions deemed inappropriate by the CRO may result in penalization and/or disqualification.

12.3 Penalties for contravention of Association Bylaws, Policies, and/or election regulations may include, but are not limited to:

- 1) a written warning;
- 2) suspension from campaigning;
- 3) confiscation or deletion of campaign materials;
- 4) the imposition of limitations or prohibitions on any or all campaign activities; for a specified period of time; or
- 5) disqualification

12.4 Any decision made by the CRO that results in penalization up to, but not including, disqualification, is final and cannot be appealed.

12.5 Any decision made by the CRO that results in disqualification may be appealed to the Judicial Review Committee as per the Terms of Reference.

13. Contested Elections

13.1 Elections may be contested on the following grounds:

- 1) Deliberate violation of Election Bylaws, policy, and/or regulations;
- 2) Candidates Eligibility;
- 3) Counting irregularities;
- 4) Mistakes in the electoral roll; and
- 5) Any activities that may call into question the integrity of the voting process.

13.2 Contestations must be submitted in writing to the CRO no later than 4:00 p.m. one (1) day after the close of voting.

13.3 Only Candidates may contest an election as per the following process:

- 1) Read and understand the Election Policy and applicable Bylaws, and/or regulations.
- 2) Complete, sign, and submit the Contestation/Complaint Form ([Appendix B](#)) to the CRO and/or Governance Coordinator prior to the end of the contestation period.

- 3) Upon receipt, the CRO and/or Governance Coordinator will evaluate whether the contestation requires further action as per the Investigation Procedure ([Appendix C](#)).
- 4) Read and understand the Election's Investigation Procedure ([Appendix C](#)).

13.4 Frivolous or vexatious complaints will not be tolerated.

14. Election Report

14.1 The CRO must submit a report to the Executive Director no later than two (2) weeks after the election results are deemed official.

15. Deletion of Voter Information

15.1 Once the election results are deemed official, the Executive Director shall ensure all voter information is removed from the online voting platform and the DRO's ballot is destroyed.

Related Documents:

Appendix A - Acknowledgement of Election Conduct Form

Appendix B - Election Complaint/Contestation Form

Appendix C – Investigation Procedure

Appendix B – Election Complaint/Contestation Form

PREAMBLE

All Members of the Red Deer Polytechnic community have the right to make a complaint regarding an Election Candidate, their Campaign Team Members, and the Election Staff.

Only Election Candidates have the right to Contest an election.

INSTRUCTIONS

To submit a complaint regarding an Election Candidate or campaign team member, or to contest an election, please:

1. Read the Association's Election Policy, Bylaw, and regulations.
2. Contact the Association's Governance and Student Support Coordinator at (403) 342-3200 or sagov@rdpolytech.ca for assistance in filling out this form.
3. Ensure that the contact information that you provide on this form, including email, phone, and/or mailing address are accurate. The contact information you provide on the form will be the method used to communicate with you.
4. Complete the form with as much detail as possible, including any supporting documentation.
5. Follow all instructions on the form.
6. Email the completed and signed form to the Chief Returning Officer at cruz-martin@outlook.com or the Association Governance and Student Support Coordinator at sagov@rdpolytech.ca or drop it off in an addressed and sealed envelope marked "Atten: CRO - Confidential" at the Association Office located in room 2010.

Contact Information

Last Name	First Name	Middle Name
Phone Number	RDP ID Number (If Student)	
Email Address		
Is this a Contestation or Complaint?		

Information

Who are you making the allegation against? (Please include as much information as possible. i.e., name, role/title, etc.)
When and where did the incident occur? (Please include date, time, and location)
What Association Policy, Bylaw, or regulation has been breached by the individual? (Include policy name and number if known)

Provide an account of the incident, including what happened and when it occurred.
(Provide as much detail as possible in your description of the events, attach additional pages if necessary)

Please describe any attempts at informal resolution.
NOTE: Informal resolution may not be appropriate for every situation. If you did not seek informal resolution, please leave blank.

Were there any witnesses to the incident? If so, please list. (Include names and contact information, if known)

Have you discussed the incident with any other individuals? If yes, who?

Do you require any accommodations? (Including a support person)

Signature

Date

Acknowledgement of receipt (for use of SA Staff)

Received By

Date

Re: Election Policy

Appendix C

Procedure

INVESTIGATION

Council

Adopted August 8 th , 2023

Purpose

The purpose of this procedure is to outline the investigative process followed by the Chief Returning Officer and Election Staff when an allegation is made regarding a breach of election related Bylaws, Policies, procedures, and/or Regulations.

Definitions

1. The definitions in the Association Bylaws (“Bylaws”) are applicable in this Policy.
2. Candidate is defined as an eligible Member who has put their name forward for an Executive Council or Council Position.
3. Official Agent is defined as a Member appointed by the Candidate as an official representative of their campaign team.
4. For the purpose of this procedure, an individual who submits a Complaint/Contestation Form may be referred to as a “complainant” during the investigation process.
5. For the purposes of this procedure, an individual who is alleged to have breached Association Bylaws, Policies, and/or election regulations may be referred to as a “respondent” during the investigation process.

Process

1. Following receipt of a Complaint/Contestation Form, the CRO and relevant members of the Elections team will assess the complaint to determine if the complaint and /or contestation has grounds to proceed. This determination will be made within one (1) business day.
2. An investigation will be initiated when the allegations potentially violate the Association Bylaws, Policies, or election regulations and there is sufficient information upon which to base an investigation.
3. The CRO will function as an investigator to fact find and is responsible for determining if there is a breach.
4. Determining culpability and discipline will be the responsibility of the CRO.

Investigation

1. An investigation must be resolved within ten (10) business days.
2. To conduct a fair and thorough investigation, the respondent will be provided the complainant’s name and the particulars of the complaint. The respondent will be offered an opportunity to respond.
3. Both the complainant and the respondent will be interviewed separately by the CRO and any relevant members of the Elections team.

4. Individuals who have relevant information regarding the investigation (witnesses) will also be interviewed.
5. Each interviewee has the right to be accompanied by a support person if they wish.
6. If deemed necessary, the CRO may issue a Notice to the Membership to request information.
7. When the investigation is complete, the investigator will submit a report to the Executive Director, which includes the allegations, the parties' responses, findings of fact, and any decision made by the CRO.
8. In consideration of applicable privacy laws, the CRO will provide a copy of the decision to the complainant and respondent via a decision letter which will include reasons for the decision, a summary of the investigation, and any recourse to be taken. A copy of the decision letter will also be given to the Executive Director.
9. Investigations will be concluded within the prescribed timeline unless documented and extenuating circumstances warrant an extension.

Accommodation

If anyone involved in the investigation process has accommodation needs, they are encouraged to disclose their requirements to the Association and/or investigator.