

SGPS Proposed Draft Elections and Referenda Policy

B.1 Definitions

Signature: For the purposes of elections and referenda, a “signature” shall mean authenticating a member or candidates intention to nominate a particular candidate/group by physical or electronic means. An electronic signature shall constitute a “signature.” The method by which the signature is carried out shall be at the discretion of the Elections Team.

P.9 Elections and Referenda

P.9.1 Elections in General

- a. The SGPS Elections Team shall be defined as:
 - (1) the SGPS Chief Returning Officer (CRO), who shall be responsible for the oversight and operations of the elections, and decision making with regards to penalties assessed; and
 - (2) the SGPS Speaker, who shall be responsible for interpretation of policy, oversight over the Elections and Referenda Appeals Committee, and providing support to the Chief Returning Officer in the running of the election.
 - (3) The Executive Director, who shall ensure the smooth transition of the election team and act as logistical support during the election period
- b. This policy is established pursuant to B.11 for the purpose of governing the conduct of SGPS elections and referenda. Pursuant to B.11 changes to this policy do not affect any election or referenda for which the dates have already been set at the time that the changes are approved.
- c. The Chief Returning Officer shall recommend dates for SGPS elections and referenda to Council by bringing forth a motion to approve the recommended dates. This motion shall be brought no later than the November Council Meeting, if possible. Voting days may not take place on scheduled University holidays, during Reading Week in the School of Graduate Studies or the Faculty of Law, or during March Break or a practicum component in the Faculty of Education.
- d. The annual SGPS elections and referenda shall be completed no later January 31st, if possible.
- e. The dates approved by Council for the SGPS elections and referenda shall be based on the following recommended table, in alignment with the Executive election period for the Alma Mater Society:

Day(s)	Day(s) of the Week	Event
1	TUES	Nominations Open
4	TUES	Advertisement of Uncontested Positions (1 or fewer valid candidates nominated)
8	TUES	Nominations Close (at 4:00 PM) Council Approval of Candidates/Referenda Questions (at 5:30PM)
9	WED	All Candidates Meeting Hosted (TBA)
10	THURS	Campaign Period Begins (at 12:00 AM)

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16	WED	All Candidates' Debate
21	MON	Campaign Period Ends (at 11:59 PM)
22,23	TUES, WED	Voting Days

- f. Any ordinary member of the SGPS who believes that the Chief Returning Officer may have a conflict of interest with respect to an election or referendum should make the objection known to the Speaker, prior to the start of the Campaign Period if possible (Day 10 of the suggested timeline in P.9.1(e)). The Speaker shall bring the objection to the Elections and Referenda Committee who shall determine if a conflict of interest exists, subject to an appeal to Council.
- g. All SGPS elections and referenda shall allow two (2) consecutive days of voting, via an electronic ballot.
- h. All SGPS election and referenda results shall be subject to ratification at the next Council meeting following the results.
- i. An all candidates debate shall be held during the campaign period (Day 16, suggested timeline in P.9.1(e)). The SGPS Speaker shall moderate the debate.
- j. By-elections to fill Executive vacancies shall be carried out in accordance with Bylaws and Policies on Elections, subject to the exceptions indicated in B.11 and based on the following shortened timetable:

Day(s)	Day(s) of the Week	Event
1	TUES	Nominations Open
7	MON	Nominations Close (at 4:00 PM) Council Approval of Candidates via e-vote (by 11:59PM)
8	TUES	All Candidates Meeting Hosted (TBA)
9	WED	Campaign Period Begins (at 12:00 AM)
11	FRI	All Candidates' Debate
14	MON	Campaign Period Ends (at 11:59 PM)
15, 16	TUES, WED	Voting Days

P.9.2 Nomination Rules

- a. SGPS Elections and Referenda shall be advertised through all available media for a minimum of two weeks prior to the opening of nominations, except in the case of a By-election where the advertising period will be between the approval of the election dates by Council and the opening of nominations. The SGPS Elections and Referenda and By-elections shall be advertised through all available media for the duration of the nomination period.

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- b. In order to be nominated as a candidate for Executive, Graduate Student Senator or Graduate Student Trustee, a candidate must file a nomination form in the manner set out by the Chief Returning Officer, by the end of the nomination period.
- c. The nomination and referendum packages shall be made available on the SGPS website starting at 9:30 AM on the day nominations open. No prospective candidate or referendum group may collect signatures for a nomination or a referendum form before 9:30 AM on the day nominations open.
- d. The Chief Returning Officer is permitted to make the nomination package available in a physical and online format. Both forms shall respect university and SGPS data collection and privacy policies. The form must be approved and administered by SGPS directly.
- e. The nomination form must include the following information:
 - (1) The candidate's name, student number, program, department/faculty and contact information;
 - (2) The position the candidate is being nominated for;
 - (3) A statement, signed by the candidate, that the candidate is an ordinary member and satisfies all eligibility requirements for the position;
 - (4) The name, student number and signature of not less than twenty-five (25) ordinary members indicating support for the nomination of the candidate;
 - (5) A statement identifying and providing contact information for the candidate's campaign manager, if the candidate chooses to designate a campaign manager;
 - (6) A statement signed by the candidate and campaign manager (if applicable) that all information contained in the nomination form is accurate, that the candidate and campaign manager (if applicable) are aware of the Bylaws and Policies governing conduct of the elections, and that the candidate and campaign manager (if applicable) agree to follow the Bylaws and Policies governing conduct of the elections;
 - (7) A statement of the candidate's position on issues of relevance to the position for which they have been nominated. This statement will be posted on the SGPS website at the end of the nomination period. This statement may be altered once during the election campaign. The Chief Returning Officer will set a deadline for submission of any alterations to the statement of candidate's position. Any submissions received after this deadline will not be posted to the SGPS website. If the Chief Returning Officer does not officially set a date, the submission deadline for an updated statement must be received 3 days prior to the first day of voting. Where no statement is included with the nomination form, the candidate may still submit the updated statement during the campaign period; and
 - (8) A photo to be placed on the website and accompany the statement of issues. Where no photo is included with the nomination form, the candidate may submit it later up until the deadline for updated statements referred to in subsection (1).
- f. Submission of a nomination or a referendum package to the Chief Returning Officer may be accomplished by electronic submission or in person to the SGPS office. The packages must be received no later than 4:00 pm on the day nominations close. Nomination and referendum packages must also be submitted via email to both the Chief Returning Officer and the Executive Director no later than 4:00 pm on the day nominations close.
- g. Nominations shall be validated by the Chief Returning Officer on a rolling basis throughout the nomination period as well as immediately following the close of nominations. Where a nomination is not validated, the prospective candidate must be notified of the deficiency no

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later than 4:00 PM on the business day following the day the nomination was received. Where a nomination received on the last day of nominations is not validated, the prospective candidate must be notified by 11:59 PM that day.

- h. Where a nomination is not validated because it is incomplete or contains information that is incorrect, a prospective candidate may submit a supplementary delivery email or in person form by the deadline for nominations that need contain only the additional or corrected information or the additional signatures.
- i. A decision by the Chief Returning Officer not to validate a nomination may be appealed to the Elections and Referenda Appeals Committee within 48 hours of receiving this notice.
- j. If only one valid nomination for any position is received by the Chief Returning Officer by the close of nominations, the candidate's name for that position shall appear on the ballot in the following question: "Do you agree to the acclamation of (name of candidate) to the position of (name of position) of the Society of Graduate and Professional Students at Queen's University?"

P.9.3 Fee Referendum Rules

- a. A referendum on a Fee is required in order to:
 - (1) Establish a new Fee; or,
 - (2) Increase the dollar value of an existing Fee.
- b. Fee referendums must be held at the same time and on the same system as the annual SGPS executive election as outlined in P.9
- c. Optional fees require a simple majority to pass; mandatory fees require a simple majority to pass, unless quorum, which shall be fifteen percent (15%) of the ordinary members of the SGPS, is not met. If quorum is not met, mandatory fees require a 2/3 majority to pass.
 - (1) A fee that fails to achieve the requisite threshold in a referendum is cancelled effective the following academic year, with any uncollected or withheld funding reallocated to the SGPS Bursaries and Grants Program.
- d. Fees for University services, AMS services, clubs ratified by the Queen's Clubs Office, and organizations external to Queen's shall expire after three (3) academic years following a successful referendum result.
 - (1) During any academic year of a Fee's collection, the group may apply under either P.1.2.4.f or P.1.2.4.g to establish a new Fee or increase an existing Fee for the next three (3) academic years following that referendum.
 - (2) For further clarity, should a group with an existing student fee apply under either P.1.2.4.f or P.1.2.4.g, to establish a new Fee or increase an existing Fee, but fail to achieve the required votes in a referendum, the existing Fee shall continue uninterrupted until the conclusion of the original three (3) academic years.
 - (3) Fees for University services, AMS services, clubs ratified by the Queen's Clubs Office, and organizations external to Queen's do not renew. In order to request that a fee be renewed or continued, proposed changes must undergo the process to outlined in P.1.2.4.f – "Establishing New Student Activity Fees".

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- e. Cooling off period – A group may only apply for an activity fee twice out of every three (3) academic years.
 - (1) This period is waivable upon a majority vote of the Finance and Services Committee.
- f. All sections of the Referendum package that do not include sensitive personal information shall be made publicly available to society members for review during the referendum period.
- g. Referendum packages shall be made available on the SGPS website starting at 9:30 AM on the day nominations open.
- h. Completed referendum packages must be submitted to the Chief Returning Officer and Executive Director no later than 4:00 pm on the day nominations close.
- i. A decision by the Chief Returning Officer not to validate a referendum package may be appealed to the Elections and Referenda Appeals Committee within 48 hours of receiving a notice of decision from the Chief Returning Officer.

P.9.?.? Establishing New Student Activity Fees

For a new Fee to go to referendum, the Fee and its recipient shall satisfy each of the following conditions:

- (1) The group must be an eligible group as designated under P.1.2.3;
- (2) The group shall submit a referendum package no later than the last day of the nomination period as set by the CRO under P.9.
- (3) This package shall contain:
 - i. A written description of the group or organization seeking the Fee and specific purpose for which the Fee revenue will be used.
 - ii. A detailed budget and financial information that clearly indicates how the fee will be spent;
 - (a) For further clarification, registered charities and non-profit organizations shall include their most up-to-date annual report and audited financial statements.
 - iii. A petition that specifies the Fee to be established and bears the signatures of at least 100 ordinary Society members, in accordance with the guidelines set forth in B.10 and P.9, delivered to the CRO;
 - iv. A detailed report answering the following questions:
 - (a) Why is your group seeking a Fee?
 - (b) What direct benefit will SGPS members derive from granting your group a Fee?
 - (c) How is the dollar value of the Fee related to the benefit you are proposing to provide?
 - (d) When was your group established?
 - (e) If you have collected a Fee in the past, what initiatives and/or opportunities have you provided the Queen's Community with the collected funds?
- (4) Upon completion of the requirements as laid out in Subsections P.1.2.4.e.a and P.1.2.4.e.b, Council shall require a majority vote to add the Fee to the referendum ballot.

P.9.?.? Increasing a Pre-Existing Student Activity Fee

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For a currently established Fee to be increased at referendum, the Fee and its recipient group shall satisfy each of the following conditions:

- a. The group must be an eligible group as designated under P.1.2.3;
 - b. The group shall submit a referendum package no later than the last day of the nomination period as set by the CRO under P.9.
 - c. This package shall contain:
 - i. A written description of the group or organization seeking the Fee and specific purpose for which the Fee revenue will be used. This description shall not exceed 500 words.
 - ii. A detailed budget and financial information that clearly indicates how the fee will be spent;
 - (a) For further clarification, third-party organizations to the SGPS, AMS or Queen's University shall include their most up-to-date annual report and audited financial statements.
 - iii. A petition that specifies the Fee to be established and bears the signatures of at least 100 ordinary Society members, in accordance with the guidelines set forth in B.10 and P.9, delivered to the CRO;
 - iv. A detailed report answering the following questions:
 - (a) Why is your group seeking a Fee increase? What circumstances have changed to necessitate a change in your Fee?
 - (b) What direct benefit have SGPS members derived from your Fee?
 - (c) Is there any added benefit SGPS members will receive as a result of an increase in your Fee?
 - (d) When was your group established?
 - (e) What initiatives and/or opportunities have you provided the Queen's Community with the funds collected? Will these initiatives change with the increase to your Fee? If so, how will they change?
- (5) Upon completion of the requirements as laid out in Subsections P.1.2.4.f.a and P.1.2.4.f.b, Council shall require a majority vote to add the Fee to the referendum ballot.

P.9.3 Referendum Questions

- a. The SGPS may conduct referenda on any matter within the jurisdiction of the SGPS. Valid results of referenda shall be binding on the SGPS and actively enforced by the Executive.
- b. Referendum questions may be submitted to the Chief Returning Officer by Council or by a petition bearing the signatures specified in P.1.2 Student Fees and Referenda of the ordinary membership of the SGPS.
- c. Eligible referendum questions must be submitted to the Chief Returning Officer no later than the day nominations close.
- d. Referenda may only be held during the fall and winter terms and may only take place outside an ordinary election period if a special referendum date is approved by Council or to replace a previous referendum invalidated because of lack of quorum. No question may be submitted for referendum if a question on the same topic has been the subject of a referendum within the previous eleven (11) months, unless the prior referendum was invalid due to lack of quorum.
- e. The following standard wording shall be used for referenda questions:
 - (1) For SGPS fees:

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- i. "Do you agree to the establishment of a mandatory student fee of [\$x]for [group]?"
 - ii. "Do you agree to a [decrease/increase] in the [group] mandatory student fee from [\$x] to [\$y], a [decrease/increase] of [\$z]?"
 - iii. "Do you agree to the establishment of an optional student fee of [\$x]for [group]?"
 - iv. "Do you agree to a [decrease/increase] in the [group] optional student fee from [\$x] to [\$y], a [decrease/increase] of [\$z]?"
- (2) For non-SGPS mandatory fees:
- i. "Do you agree to the establishment of a mandatory student fee of [\$x] for [group]? This fee is subject to triennial review."
 - ii. "Do you agree to a [decrease/increase] in the [group] mandatory student fee, from [\$x] to [\$y], a [decrease/increase] of [\$z]? This fee is subject to triannual review."
 - iii. "Do you agree to the continuation of a mandatory student fee of [\$x] for [group]? This fee is subject to triennial review."
- (3) For non-SGPS optional fees:
- i. "Do you agree to the establishment of an optional student fee of [\$x] for [group]? This fee is subject to triennial review"
 - ii. "Do you agree to a [decrease/increase] in the [group] optional student fee from [\$x] to [\$y], a [decrease/increase] of [\$z]? This fee is subject to triennial review."
 - iii. "Do you agree to the continuation of an optional student fee of [\$x] for[group]? This fee is subject to triennial review."
- f. In exceptional circumstances, SGPS Council may adopt language different from that prescribed in P.9.5 (e) & (f), upon a simple majority vote during the Council meeting in which the fee slate is approved.

P.9.4 Petitions Against Referendum Results

- a. Quorum for referenda shall be ten percent (10%) of the ordinary members of the SGPS. If quorum is not met, the results shall not be ratified pursuant to P.9.1. If the Chief Returning Officer receives a petition signed by not less than ten percent (10%) of the ordinary members of the SGPS requesting that the referendum be declared invalid prior to the Council meeting at which ratification would otherwise occur. Such a petition may name any or all of the referendum questions that did not receive quorum, and Council may ratify a referendum result that did not receive quorum despite receiving a petition invalidating a different referendum result in the same referendum.
- b. Where a petition is received that invalidates one or more referendum results, that petition is deemed also to be a petition for a new referendum on the invalidated question. The Chief Returning Officer shall schedule a new referendum based on the dates in P.9.1. e except that there shall be no nomination period.
- c. Upon receipt by the Chief Returning Officer of a petition signed by not less than ten percent (10%) of the ordinary members of the SGPS requesting that the referendum be declared invalid for any reason other than a lack of quorum, received prior to the Council meeting at which ratification would otherwise occur, the matter will be referred to the Elections & Referenda Appeals Committee, who shall make a final ruling on the validity of the Referendum at the next Council Meeting. Council shall take appropriate action.

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P.9.5 Referendum Committees

- a. Any ordinary member may establish a Yes or No referendum committee for any referendum question by submitting an application to the Chief Returning Officer. Such application may be submitted by delivery in person to the SGPS office during its normal business hours, and must be submitted no later than the seventh (7th) day before the first voting day.
- b. Notwithstanding this policy, a referendum committee may include, be established by, or be campaign managed by AMS members if the referendum relates to a fee for an AMS- run service, an AMS ratified club or CFRC.
- c. No person who is not a member of a referendum committee may spend any money campaigning in support of, or in opposition to, any referendum question.
- d. Where more than one valid application is submitted to establish a referendum committee on the same side (pro or con) of the same referendum question, the Chief Returning Officer shall request each applicant to determine if the applications may be joined. If the applicants determine that joining the applications is not possible, any spending limits shall be divided equally among the referendum committees on the same side of the question. There may not be more than one Yes referendum committee for a referendum on establishing, renewing or increasing a fee that goes to the SGPS, the AMS, CRFC or an SGPS- or AMS-ratified club.
- e. An application to establish a referendum committee must include the following information:
 - (1) The name, student number and contact information for one ordinary member who shall be the campaign manager for the referendum committee;
 - (2) The names, student numbers and signatures of all ordinary members seeking to be members of the referendum committee;
 - (3) A statement indicating the referendum question and which side the referendum committee will take; and
 - (4) Where the referendum committee is on the Yes side for a referendum on establishing, renewing or increasing a fee that goes to the SGPS, the AMS, CFRC or an SGPS- or AMS ratified club, a letter from the president of the relevant group authorizing the establishment of the referendum committee;
 - (5) A statement signed by the campaign manager that all information contained in the nomination form is accurate, that the campaign manager is aware of the Bylaws, Policies and rules governing conduct of the referendum, and that the campaign manager agrees to ensure the referendum committee follows the Bylaws, Policies and rules governing conduct of the referendum.; and
 - (6) Where the referendum committee contains AMS members, a statement signed by all such members agreeing to be bound by the exclusive jurisdiction of the SGPS Chief Returning Officer and Elections and Referenda Appeals Committee to make all rulings related to the referendum, including a ruling levying a monetary fine and agreeing to comply with any such rulings.

P.9.6 Campaign Rules

- a. The campaign period shall end at 11:59 pm before the first voting day.
- b. No campaigning shall occur for any election or referendum except within the campaign period and during the two (2) day voting period. All campaign material must be removed within three days after the end of the election.

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- c. Candidates may, but shall not be required to, designate a campaign manager for their campaign. Referendum committees must designate one campaign manager for their campaign.
- d. No person who is not a candidate, candidate's campaign manager or referendum committee's campaign manager shall authorize the spending of money on campaign expenses.
- e. No SGPS resources shall be expended or used for the purpose of supporting or opposing any candidate or referendum question, with the exception of SGPS specific fee referendum questions. All candidates and referendum committees are required to submit any campaign material to the SGPS Chief Returning Officer for approval before use.
- f. The maximum amount that can be spent on campaign activities by any candidate or by the referendum committees on one side of a referendum question is \$100. All funds spent by candidates will be reimbursed to the candidate by the SGPS at the conclusion of the campaign. No reimbursement will be given to referendum committees.
- g. The cost of any expenditure that supports or opposes more than one referendum question shall be allocated equally among the relevant referendum committees.
- h. For the purpose of this policy, without limiting its generality, the following shall be included in the meaning of "campaigning":
 - (1) Placing posters, or leaving up posters already placed, that support or oppose any candidate or referendum question; and
 - (2) Sending e-mail communications supporting or opposing any candidate or referendum question; and
 - (3) Sending social media communications. Where possible, all accounts created for campaigning must be set to public, and the Chief Returning Officer must be added as an administrator; and
 - (4) Any other method of encouraging support or opposition for any candidate or referendum question.
- i. The following shall not be considered "campaigning":
 - (1) Any communication encouraging members to vote in the election, so long as the communication does not encourage support or opposition for any candidate or referendum question; and
 - (2) Efforts made prior to the deadline for accepting nominations for the purpose of obtaining signatures in support of a nomination.

P.9.7 Conducting Elections and Referenda

- a. SGPS Elections and Referenda shall be conducted using the SGPS Online Voting system, or, when unavailable, paper ballots.
- b. The candidate's name and the position for which they are running will be listed on the ballot.
- c. The Chief Returning Officer shall vote 24 hours in advance of an election or referendum and place the ballot in a sealed envelope or password protected document. This envelope shall only be opened and the ballot cast only in the event of a tie vote. Should there be more than two candidates for one position, the Chief Returning Officer shall indicate order of preference on the ballot form. The Chief Returning Officer is not otherwise allowed to vote.
- d. The candidate receiving a plurality of votes cast shall be declared the winner.
- e. The Chief Returning Officer shall attempt to advise each candidate and a representative of each referendum committee of the results before publicly releasing the results of any election or referendum.

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The Executive Director shall keep the records from an election and/or referendum. These records shall not be destroyed.

P.9.8 Elections and Referenda Appeals Committee

- a. All parties participating in an election or referenda are expected to be familiar with the election procedures. Candidates are strongly encouraged to engage their campaigning in a clean, positive, and good faith manner. Candidates are encouraged to contact the Chief Returning Officer about a practice they are unsure about, beforehand.
- b. The Chief Returning Officer shall have sole authority to administer the aforementioned election policies and reserves the right to make rulings on issues and events not covered in these policies.
- c. Allegations of election violations to the Bylaw and Policy shall be submitted to the Chief Returning Officer via email. Such allegations must be made within 24 hours of the incident occurring, and prior to the conclusion of the end of the voting days.
- d. If a candidate or referendum committee violates aforementioned Bylaw and Policies for elections and referenda, the Chief Returning Officer will determine, at their discretion, whether the violation warrants disqualification. The Chief Returning Officer will communicate this decision to the candidate(s) and complainant within 24 hours.
- e. In the event a candidate has been disqualified during the voting days, the candidate with the second-most votes will be declared the successful candidate. In the event that the disqualification leaves no valid candidates, a by-election will occur as per the timeline set out in policy P.9.1 (j).
- f. All candidates and their representatives are strongly cautioned against committing any of the following infractions, as these will result in immediate disqualification:
 - (1) Harassment of candidates, SGPS members, or community members;
 - (2) Threats to a candidate or intimidation of voters
 - (3) Attempts to tamper with election process or outcome
 - (4) Blatant discrimination, enumerated in the Ontario Human Rights Code
 - (5) Libel, slander, and gross misrepresentation of other candidates
 - (6) Misrepresentation of eligibility for position, as per B.11.2
- g. If a candidate is unsatisfied with a formal decision by the Chief Returning Officer involving disqualification, the decision can be appealed to the Elections and Referenda Appeals Committee, through an email to the SGPS Speaker, within 24 hours of the decision being issued from the Chief Returning Officer
- h. The Elections and Referenda Appeals Committee will be comprised of the SGPS Speaker and two Council members who will be elected at the November SGPS Council meeting. SGPS Executive members and staff cannot sit on the Elections and Referenda Appeals Committee.
- i. The Elections and Referenda Appeals Committee will meet and come to a decision within 48 hours of receipt of an appeal to the SGPS Speaker. The decision of the Committee will be provided to the Chief Returning Officer and candidate; however, if the decision of the committee results in disqualification, it will be posted publicly.
- j. If a complaint is received prior to the conclusion of the voting days, the results of the election will be withheld until the complaint has been processed by the Chief Returning Officer and the candidate permitted the allowed hours to appeal the decision