

STUDENTS' COUNCIL

Tuesday November 22, 2011
Council Chambers 2-1 University Hall

ORDER PAPER (SC 2011-15)

2011-15/1 SPEAKER'S BUSINESS

2011-15/1a Announcements – The next meeting of Students' Council will take place on Tuesday, December 8, 2011

2011-15/2 PRESENTATIONS

2011-15/2a The Council of Alberta University Students (CAUS) - Presented by Duncan Wojtaszak, Executive Director of CAUS; and Zack Moline, Chair of CAUS. Sponsored by Farid Iskandar, VP External.

Abstract:

The Council of Alberta University Students (CAUS) represents the interests of over 70,000 Alberta university students across Alberta. CAUS represents undergraduate students from the University of Alberta, the University of Calgary and the University of Lethbridge to the public, government and other post-secondary education stakeholders. Based in Edmonton, CAUS is a non-partisan and active advocacy group looking to ensure a fully accessible and high quality system of education in Alberta.

2011-15/2b Get Out The Vote Campaign - Presented by Farid Iskandar, VP External. Sponsored by Farid Iskandar, VP External.

Abstract:

The Get Out The Vote Campaign is up for renewal for the Winter Semester. This presentation will orient Council with the work GOTV has done so far. It will then discuss the Plan for GOTV next semester, now that we know we do not have a fall election. We will also include some of the graphics GOTV will be using, as well as the GOTV website.

2011-15/3 EXECUTIVE COMMITTEE REPORT

2011-15/3a Executive Committee- Report

Please see document SC 11-15.01

- 2011-15/4** **BOARD AND COMMITTEE REPORTS**
- 2011-15/5** **QUESTION PERIOD**
- 2011-15/6** **BOARD AND COMMITTEE BUSINESS**
- 2011-15/6a** **ISKANDAR MOVES THAT** upon the recommendation of the Elections Review Committee, Students' Council approves Bill #14 in first reading to split Bylaw 2000 into the following documents:
1. Bylaw 2100: A Bylaw Respecting the Chief Returning Officer and Elections\ Staff of the Student;
 2. Bylaw 2200: A Bylaw Respecting Executive Committee and Board of Governors Representative Elections, Plebiscites and Referenda of the Students' Union;
 3. Bylaw 2300: A Bylaw Respecting the Councillor Elections to Students' Council and General Faculties' Council; and
 4. Bylaw 2400: A Bylaw Respecting Balloting and Counting of Students' Union Elections.
- Please see documents SC 11-15.02
- 2011-15/7** **GENERAL ORDERS**
- 2011-15/8** **INFORMATION ITEMS**
- 2011-15/8a** Policy Committee- Summary report to Council
- Please see document SC 11-15.03
- 2011-15/8b** CAC Summary report to Council
- Please see document SC 11-15.04
- 2011-15/8c** Farid Iskandar, VP External- Report
- Please see document SC 11-15.05
- 2011-15/8d** Emerson Csorba, VP Academic- Report
- Please see document SC 11-15.06
- 2011-15/8e** Votes and Proceedings
- Please see document SC 11-15.07

October 27

TIGHE/ISKANDAR MOVES that the Executive Committee approve a budgeted expenditure not to exceed \$500.00 for the purpose of the Vice President (Academic) and the University Governance & Advocacy Advisor to attend the “What Works” Conference on *Managing Quality Teaching in Higher Education* in Mexicali, Mexico on December 5th and 6th

5/0/0

November 4

TIGHE/ISKANDAR MOVED THAT the Executive Committee approve a budgeted expense not to exceed \$900.00 for the General Manager Marc Dumouchel for the purpose of attending the AMICCUS-C Regional Conference from November 23-28, 2011 in Calgary, Alberta.

4/0/0 CARRIED

November 8

CSORBA/ISKANDAR MOVED THAT the Executive Committee approve a budgeted expense not to exceed \$3000.00 for the purpose of the General Manager to attend the ACUI 2012 Conference from March 18-22, 2011 in Boston, Massachusetts.

5/0/0 CARRIED

CHEEMA/TIGHE MOVED THAT the Executive Committee approve a projects allocation not to exceed \$700.00 for the purpose supplementing the Council swag budget.

5/0/0 CARRIED

YAMAGISHI/ISKANDAR MOVED THAT the Executive Committee authorize the General Manager Marc Dumouchel to sign onto the ETS at Work Program.

5/0/0 CARRIED

Bylaw 2100
**A Bylaw Respecting the Chief Returning Officer and Elections Staff of
the Students' Union**

1. Short Title

This Bylaw may be referred to as the “Chief Returning Officer and Elections Staff Bylaw.”

2. Definitions

In this Bylaw

- a. “member” shall be anyone who is an undergraduate student currently enrolled in at least one course for credit at the University of Alberta; and
- b. “D.I.E. Board” shall be the Discipline, Interpretation, and Enforcement Board of the Students' Union, as set out in Judiciary of the Students Union Bylaw.

3. Mandate

This bylaw shall govern the conduct of all elections, plebiscites and referenda conducted by the Students' Union.

4. Elections Staff Composition

The elections staff shall consist of:

- a. the Chief Returning Officer; and
- b. one (1) or more Deputy Returning Officers, at the discretion of the Chief Returning Officer and as permitted by budgeted availability of funds.

5. Elections Staff Hiring Process

(1) The Chief Returning Officer shall be appointed by Students' Council after a recommendation is issued by a committee composed of:

- a. the Chief Returning Officer, as chair, voting only in the event of a tie; and
- b. two (2) members of the D.I.E. Board
 - i. in the event that less than two (2) members of the D.I.E. Board are available to serve on the committee on at least seven (7) days' notice, the Council Administration Committee may make an appointment to the committee from outside of the D.I.E. Board, for each D.I.E. Board seat on the committee unable to be filled.

(2) The Deputy Returning Officer(s) shall be appointed by the Council Administration Committee after a recommendation is issued by a committee

composed of:

- a. the Chief Returning Officer, as chair, voting only in the event of a tie; and
- b. two (2) members of the D.I.E. Board
 - i. in the event that less than two (2) members of the D.I.E. Board are available to serve on the committee on at least seven (7) days' notice, the Council Administration Committee may make an appointment to the committee from outside of the D.I.E. Board, for each D.I.E. Board seat on the committee unable to be filled.

6. Elections Staff Eligibility Requirements

- (1) The Chief Returning Officer shall not concurrently hold any position of Students' Council or any of its boards and committees, the D.I.E. Board or the Students' Union's paid staff.
- (2) The Deputy Returning Officer(s) shall be required to remain members for the Fall and Winter academic terms of their term in office and shall not concurrently hold any position of Students' Council or any of its boards and committees, the D.I.E. Board, or the Students' Union's paid staff.

7. Elections Staff Terms of Office

The Chief Returning Officer and Deputy Returning Officer(s) shall serve from June 1 to May 31 of the following year.

8. Duties of the Elections Staff

- (1) The duties of the Chief Returning Officer shall include:
 - a. overseeing the implementation of Bylaw 2100, 2200, 2300, and 2400;
 - b. such duties as may be required of the Chief Returning Officer under Bylaw 2100, 2200, 2300, and 2400; and
 - c. the submission to Students' Council of a written report of activities and recommendations prior to May 31.
- (2) The duties of the Deputy Returning Officer(s) shall include:
 - a. such duties as may be required of the Deputy Returning Officer(s) under Bylaw 2000; and
 - b. such assistance as required by the Chief Returning Officer in the discharge of his/her duties, as set out in Section 8(1).

9. Elections Staff Reporting and Dismissal

- (1) The Chief Returning Officer shall report directly to Students' Council, and shall be dismissed only by a two thirds (2/3) majority vote of Students' Council on two consecutive meetings, to be held not less than one (1) week apart.
- (2) The Deputy Returning Officer(s) shall report directly to the Chief Returning Officer, and shall be dismissed only by a simply majority vote of the permanent members of the Council Administration Committee.

Bylaw 2200
A Bylaw Respecting the Executive Committee and Board of Governors
Representative Elections, Plebiscites and Referenda of the Students' Union

1. Short Title

This Bylaw may be referred to as the "Elections, Plebiscites and Referenda Bylaw"

2. Definitions

In this bylaw

- a. "member" shall be anyone who is an undergraduate student currently enrolled in at least one course for credit at the University of Alberta;
- b. "C.R.O." shall be the Chief Returning Officer of the Students' Union;
- c. "D.R.O." shall be a Deputy Returning Officer of the Students' Union;
- d. "D.I.E. Board" shall be the Discipline, Interpretation, and Enforcement Board of the Students' Union, as set out in Judiciary of the Students Union Bylaw;
- e. "faculty" shall be any entity defined by the University of Alberta General Faculties Council as either a faculty or a school and in which members are registered and shall include Open Studies;
- f. "council" shall be either be Students' Council or General Faculties Council (GFC) as the context requires;
- g. "general election" shall be the General Election of the Executive Committee and the Undergraduate Board of Governors or the General Election of Faculty Councillors;
- h. "plebiscite" shall be a vote, open to all members, held on a given question but whose result is not legally binding upon the Students' Union;
- i. "referendum" shall be a vote, open to all members, held on a given question and whose result is legally binding upon the Students' Union;
- j. "side" shall be any person or group of people who have their registration as a plebiscite or referendum side accepted under this bylaw;
- k. "side manager" shall be a person registered as part of a plebiscite or referendum side who has been selected by those members of that side to serve as side manager for the purposes of this bylaw;

- l. “candidate” shall be any member whose nomination is accepted under this bylaw;
- m. “joke candidate” shall be any candidate who chooses not to use his/her given name or a reasonable derivative of his/her given name when appearing on the ballot;
- n. “campaign” shall be the period of time during which campaign activities are permitted;
- o. “campaign activity” shall be any act, planned or organized by or on behalf of any candidate or side that is calculated to convince members to vote in a given way;
- p. “volunteer” shall be any individual who assists in campaign activities;
- q. “campaign expense” shall be any and all expenditures incurred in engaging in campaign activities;
- r. “campaign materials” shall be any physical or electronic media produced or distributed as part of campaign activities;
- s. “banner” shall be any campaign material composed of paper, cloth, or similar material of a total area greater than four (4) square feet;
- t. “poster” shall be any campaign material composed of paper, cloth, or similar material, of a total area of under four (4) square feet that is designed to be posted on a wall or similar place;
- u. “forum” shall be any event organized by an entity other than the Students’ Union, a candidate, side, or a volunteer acting on behalf of a candidate or side at which campaign activities are facilitated;
- v. “University” shall be the University of Alberta;
- w. “academic year” shall be from May 1st to the following April 31st;
- x. “working hours” shall be any and all hours occurring between 0900 and 1700;
- ab. “student newspaper” refers to *The Gateway*.

3. Mandate

This bylaw shall govern the conduct of the Executive Committee and Board of Governors elections, plebiscites and referenda conducted by the Students' Union.

4. Election Dates - Executive Committee and Board of Governors

- (1) The election shall be held annually on the Wednesday and Thursday during the second week following the Winter Term Reading Week.
- (2) An Executive Committee and Board of Governors by-election shall not occur during the months of May, June, July, and August.

5. Dates - Plebiscites and Referenda

Where the C.R.O. receives a valid petition or where Students' Council initiates a plebiscite or referendum, then the plebiscite or referendum in question shall be held on the dates of the next general election not occurring within thirty (30) days of receipt of the valid petition or initiation by Students' Council of the plebiscite or referendum in question.

6. Plebiscite and Referendum Initiation

- (1) Where a member wishes to initiate a plebiscite or referendum via petition, that member shall submit to the C.R.O.:
 - a. the intent of the question;
 - b. whether the question is a plebiscite or a referendum;
 - c. the name, faculty, and student identification of that member;
 - d. a twenty-five dollar (\$25.00) deposit in the form of cash or a certified cheque or money order payable to the Students' Union.
- (2) Upon receipt of a submission meeting the requirements set out in Section 6 (1), the C.R.O. shall immediately forward the intent of the question to the Bylaw Committee.
- (3) The Bylaw Committee shall approve within fourteen (14) days from receiving the intent of the question from the C.R.O., a petition question which:
 - a. fully reflects the intent submitted by the member;
 - b. if carried and acted upon, would not violate any Students' Union bylaws or any federal or provincial law;
 - c. where the plebiscite or referendum is to approve the collection of a University non-academic fee, provides for the formation of a permanent committee to oversee and direct the expenditure of this fee, such committee to have Students' Union members in voting positions proportional to the contribution of Students' Union members;

- d. where the plebiscite or referendum is to approve the collection of a fee for a University facility or service, provides access by any Students' Union member to that facility or service.
- (4) Students' Council shall, at the meeting following the drafting of the petition question by the Bylaw Committee as set out in Section 6(3), approve a question which meets the criteria set out in Section 6(3) unless the question would cause Students' Council to breach its fiduciary responsibility to the Students' Union.
 - (5) Sections 6(2) and 6(3) notwithstanding, where it is not possible for the Bylaw Committee or Students' Council to approve a petition question which meets the criteria set out in Section 6(4), neither the Bylaw Committee or Students' Council shall approve such a question.
 - (6) Students' Council shall have the authority to call a plebiscite or referendum without a petition.
 - (7) Prior to being approved by Council all plebiscite and referendum questions must be drafted by the Bylaw Committee.

7. Acceptance of Plebiscite and Referenda Petitions

- (1) Where a valid petition bearing the names, signatures, and student identification numbers of at least five percent (5%) of the total membership of the Students' Union as of February 1 of that academic year requesting a plebiscite on a given Students' Council-approved question is submitted to the C.R.O., then a plebiscite shall be held on that question as set out in Section 6, provided that the names, signatures, and student identification numbers were all collected within ninety (90) days of submission of the petition.
- (2) Where a valid petition bearing the names, signatures, and student identification numbers of at least fifteen percent (15%) of the total membership of the Students' Union as of February 1 of that academic year requesting a referendum on a given Students' Council-approved question is submitted to the C.R.O., then a referendum shall be held on that question as set out in Section 6, provided that the names, signatures, and student identification numbers were all collected within ninety (90) days of submission of the petition.
- (3) Where a valid petition is submitted to the C.R.O., that member's deposit shall be refunded.

8. Plebiscite and Referendum Campaign Side Selection

- (1) At least twenty-eight (28) days in advance of the plebiscite or referendum, the C.R.O. shall:
 - a. schedule, announce, and advertise via every available edition of the student newspaper, a meeting for the registration of sides, such meeting to take place not more than twenty-one (21) and not fewer than fourteen (14) days in advance of the plebiscite or referendum in conjunction with the candidates meeting;
 - b. publish in every available edition of the student newspaper the wording of the question.
- (2) For each plebiscite or referendum, there shall be
 - a. a “yes” side;
 - b. a “no” side.
 - c. no other official sides.
- (3) Members wishing to register themselves as part of a side shall attend the meeting for registering sides, as set out in Section 8(1) (a).
- (4) A member’s registration for a side shall be accepted when the member
 - a. attends the meeting for registering sides;
 - b. announces his/her intention to register for a side;
 - c. provides the C.R.O. with his/her name, student identification number, and contact information; and
 - d. the C.R.O. is satisfied that that member does not aim to falsely represent that side by registering for it.
- (5) Section 8(4) notwithstanding, no member shall register for more than one (1) side for any plebiscite or referendum.
- (6) Each side shall select, from among the members registered to it, one (1) side manager.

9. Side manager Eligibility

Any member of the Students’ Union Executive Committee is eligible to serve as a side manager of a referenda/plebiscite sides without taking a leave of absence from their position as an executive.

10. Candidate Nomination Deadlines

The C.R.O. shall determine and announce the deadlines for the nominations of candidates prior to the end of November each year, to occur not fewer than

- a. thirteen (13) days before the date of the Executive Committee and Board of Governors Election; or

11. Candidate Nomination Packages

- (1) The C.R.O. shall make available to every member nomination packages not fewer than twenty (20) days before the nomination deadline as set out in Section 10, and shall advertise the availability of these in not fewer than three (3) editions of the student newspaper before the nomination deadline.
- (2) The C.R.O shall produce nomination packages which shall contain, at minimum
 - a. complete and current copies of Bylaw 2200 and the Judiciary of the Students' Union Bylaw;
 - b. nomination papers soliciting the name, contact information, and student identification number of the proposed nominee, the position the nominee wishes to contest, and for Executive and Board of Governors elections, nominations papers soliciting the names, faculties, years, signatures, and student identification numbers of at least fifty (50) and at most one hundred (100) members as nominators;
 - c. contact information for the C.R.O. and D.R.O.s;
 - d. the time, date, and location for the candidates meeting;
 - e. the building code limits on banner size. In the absence of an upper limit, the C.R.O. will specify a size deemed appropriate
- (3) Valid nomination packages shall contain
 - a. a signed acceptance of the nomination by the proposed nominee;
 - b. a signed letter from the proposed nominee's faculty confirming that he/she is in good academic standing under University regulations;
 - c. a statement, signed by the proposed nominee, identifying the name under which he/she wishes to appear on the ballot, and
 - i. for Executive and Board of Governors nominees, papers soliciting the names, faculties, years, signatures, and student identification numbers of at least fifty (50) members identifying themselves as nominators as well as a fifty dollar (\$50.00) deposit in the form of cash or a certified cheque or money order payable to the Students' Union.

12. Restrictions on Candidate Nominees

- (1) No member shall be nominated for more than one (1) of the positions contested in each election.
- (2) Members of Students' Council and its standing committees, in order for their nomination papers to be valid are required to take a leave of absence from their duties for the period beginning with the nomination deadline and ceasing with the conclusion of voting of the election in which they are contesting a position. The following exceptions apply:
 - a. Any member of Students' Council contesting an executive position when the race is uncontested,

For the purpose of this section, any race solely contested by a joke candidate shall be considered uncontested.

- (3) Where a member contravenes Section 12(3), all of the member's nominations shall be declared null and void.

13. Acceptance of Candidate Nominations

Where a member submits valid nomination papers, as set out in Sections 11(3) and 12 and prior to the nomination deadline as set out in Section 10, that member's nomination shall be accepted by the C.R.O. within twenty-four (24) hours of the nomination deadline.

14. No Candidate Nomination, or Plebiscite/Referendum Registration Received

- (1) Where no valid candidate or side for a given position, plebiscite, or referendum has been received by the deadline, the C.R.O. shall extend the deadline for that position or side by up to two (2) days.
- (2) Where the only nominations received for a given position is (are) joke candidate(s), the CRO shall extend the deadline for that position by up to two (2) days.

15. Candidate and Plebiscite/Referendum Registration Meeting

- (1) The C.R.O. shall hold a meeting for all candidates, referenda and plebiscite sides following the nomination deadline but prior to the commencement of the campaign.
- (2) All candidates and side managers shall either attend the candidates meeting in its entirety or designate, in writing, an agent who will do so.
- (3) Where a candidate or side manager contravenes Section 15(2), that candidate or side manager shall be disqualified.
- (4) The C.R.O. may, at his/her discretion, grant exemptions to Section 15(3) to candidates, but shall do so only where
- d. the candidate requesting the exemption does so in writing at least forty-eight (48) hours prior to the commencement of the candidates meeting; or
 - e. the candidate informs and provides satisfactory evidence to the C.R.O. of an emergency for which no notice could be given.

16. Content of the Candidate and Registration Meeting

- At the candidate and registration meeting, the C.R.O. shall, at minimum
- a. review all relevant bylaws, rules, and regulations, including this bylaw, and respond to questions about same;
 - b. announce the time and date of any forums scheduled;

- c. determine and announce which candidates are joke candidates as set out in Section 2 (n);
- d. where two (2) or more candidates have asked to appear on the ballot under names that are either identical or so similar as to be effectively indistinguishable, determine and announce under what names each of the two (2) or more candidates shall appear on the ballot;
- e. announce any methods that will be regularly used to communicate with candidates;
- f. take attendance for the purpose of verifying compliance with Sections 14 and 15;
- g. announce the times, dates, and locations of daily meetings; and
- h. create a register listing the members registered for each plebiscite and referendum side as well as the side manager for each.

17. Commencement of Campaign Activities

The C.R.O. shall determine and announce the time and date of the commencement of campaign activities, to occur no fewer than seven (7) days before the date of any vote prior to the end of November each year.

18. Myer Horowitz Forum

- (1) The C.R.O. shall determine and announce the date and location of the Myer Horowitz Forum, to occur after the commencement of Executive Committee and Board of Governors and Plebiscite/Referendum campaign activities, prior to the end of November of each year.
- (2) The C.R.O. shall chair the Myer Horowitz Forum and shall enforce the following rules
 - a. each candidate and side shall be afforded an opportunity to speak that is equal to the opportunity afforded to each candidate or side in his/her race;
 - b. no objects shall be thrown;
 - c. no heckling shall occur;
 - d. no campaign materials shall be distributed during the Myer Horowitz Forum in the room in which the Myer Horowitz Forum is held.
- (3) Where an individual contravenes Section 18(2), the C.R.O. shall remove that individual from the Myer Horowitz Forum.
- (4) Where a candidate or side contravenes Section 18(2), the C.R.O., in addition to the remedies prescribed under Section 51, shall have the authority to enforce further disciplinary action, as prescribed under Section 51.

19. Requirement for Forums

No candidate or side shall participate in any forum unless each candidate or side in his/her race has received at least twenty-four (24) hours notification of the forum and will be afforded an equal chance to speak at it.

- a. the key, card, or other means of access in question would provide an unfair advantage to the candidate or side manager; and
- b. the candidate or side manager is not academically, occupationally, or otherwise required to retain the key, card, or other means of access in question for the duration of the campaign.

20. Storage Space

The C.R.O. shall make arrangements for space to be available on the University campus to all candidates and side managers for the purpose of the storage of campaign materials.

21. Prohibition on Pre-campaigning

- (1) No side manager, volunteer, or candidate shall engage in campaign activities between the nomination deadline or Students' Council initiation of a plebiscite/referenda and the commencement of the campaign.
- (2) Any campaign activity involving social media or internet activity shall not commence or exist between the nomination deadline or Students Council initiation of a plebiscite/referendum and the commencement of the campaign. Social media and internet activity with the sole purpose to prepare campaign activities, campaign material, or to solicit volunteers may be undertaken during the pre-campaign period, so long as it is kept private.

22. Joke Candidates

- (1) Where a candidate has been designated as a joke candidate, as set out in Section 2(n), and that candidate does not wish to be a joke candidate, that candidate may provide to the C.R.O. a new signed statement indicating the name under which he/she wishes to appear on the ballot, within 36 hours of being designated as a joke candidate.
- (2) Where a candidate who has been designated a joke candidate exercises his/her right, as set out in Section 22(1), to submit a new name under which he/she wishes to appear on the ballot, and where the new name is, at the discretion of the C.R.O., a reasonable derivative of that candidate's legal name, that candidate's designation as a joke candidate shall be reversed.

234. Candidates with Same or Similar Names

Where two (2) or more candidates submit names that are either identical or so similar as to be effectively indistinguishable, the C.R.O. shall determine and announce within forty-eight (48) hours of the nomination deadline what name each of the two (2) or more candidates shall use.

245. C.R.O. Shall List Candidates

Within thirty-six (36) hours of nomination deadline, the C.R.O. shall post

- a. the legal name of each of the candidates;

- b. the name under which each shall appear on the ballot ; and
- c. shall publish the same in the next available issue of the student newspaper.

25. Daily Meetings

- (1) On every weekday during the Executive Committee and Board of Governor campaign and Plebiscite/Referendum campaign, the C.R.O. shall hold a daily meeting, at which he/she shall review complaints, rulings, regulations, procedures, and announcements.
- (2) Each candidate and side manager shall either attend each daily meeting himself/herself or designate, in writing, a representative who will attend.
- (3) Where a candidate or side manager contravenes Section 25(2), he/she shall be fined ten dollars (\$10.00) for each meeting at which he/she is in contravention, and he/she shall not be assessed any further penalty.

26. Requirements of All Candidates and Plebiscite/Referendum Sides

Each candidate and side manager shall act reasonably and in good faith, and specifically shall

- a. ensure that each volunteer engaging in campaign activities on his/her/its behalf is aware of all bylaws, rules, regulations, and orders;
- b. ensure that each volunteer is in compliance with all bylaws, rules, regulations, and orders while engaging in campaign activities on his/her/its behalf; and
- c. report any contravention of a bylaw, rule, regulation, or order to the C.R.O. immediately.

27. Third Party Activities

- (1) A candidate or side in a Students' Union election may distance themselves from a third party in the event the third party effectively conducts campaign activities under the following conditions:
 - a. the candidate or side must demonstrate to the C.R.O. that the third party acted without consent of the candidate or side; and
 - b. the candidate or side must demonstrate to the C.R.O. that steps have been taken to distance themselves from the third party and to attempt to halt unauthorized campaign activity by that third party.
- (2) Should a candidate or side demonstrate the conditions specified under Section 27(1) to the C.R.O.'s satisfaction, the candidate or side would not be subject to punitive fines as a result of the third party's actions, but could still be subject to counterbalancing fines.

28. No-Use of Non-Universal Resources

- No individual candidate or side shall make use of any resource that is not
- a. available to all candidates and sides;

- b. general volunteer labour or expertise; or
- c. accounted for as part of that candidate's or side's campaign expenses.

29. No Joint Use of Resources

No two (2) or more candidates or sides shall jointly use any resources, including tables, posters, banners, and budgets but excluding volunteers.

30. Endorsements

- (1) Any member with the exception of the C.R.O, the D.R.O.s, and incumbent members of the Executive Committee who are not also candidates shall be free to endorse any candidate.
- (2) Any member with the exception of the C.R.O, the D.R.O.s, candidates, and incumbent members of the Executive Committee shall be free to act as a volunteer for any candidate.
- (3) Notwithstanding Section 30(1), regulations regarding the endorsement of candidates by Students' Union employees not referenced in Section 30(1) shall be subject to the Students' Union operating policy.
- (4) Notwithstanding Section 30(2), regulations regarding the capacity of Students' Union employees not referenced in Section 30(2) to act as a volunteer shall be subject to the Students' Union operating policy.
- (5) Incumbent members of the Executive Committee and the incumbent Board of Governors Representative are allowed to endorse sides in a Students' Union election.

31. Restrictions on Campaign Activities

No candidate or side shall, without the permission of the C.R.O. engage in any campaign activity

- a. in any business or service operated by the Students' Union;
- b. in a University library;
- c. in a classroom during a class unless he/she first obtains the permission of the professor responsible for that class;
- d. in any residence; or
- e. in any building or on any land not owned or operated by the University or the Students' Union.

32. Campaign Materials

- (1) All campaign materials shall be approved in form, content, and cost by the C.R.O. before they may be used in campaign activities.
- (2) Candidates and side wishing to have campaign materials approved shall provide the C.R.O. with

- a. a written estimate of the cost of the proposed campaign material, including the source of that cost; and
- b. the complete contents of the proposed campaign material, including text, images and layout.

(3) The C.R.O. shall provide in confidence a written approval or refusal of campaign materials within eight (8) working hours of receiving a request as set out in Section 32 (2).

33. Forbidden Campaign Materials

- (1) The C.R.O. shall not approve campaign materials that
 - a. have more than a nominal value when distributed;
 - b. cannot be removed at the end of the Campaign; or
 - c. are likely to permanently damage or alter property.
- (2) Where a candidate or side contravenes Section 33(1), the offending campaign materials shall be destroyed and the C.R.O. may assess an additional penalty to that candidate or side, as set out in Section 49.

34. Media

All candidates and sides are free to pursue campus-based media as determined by the C.R.O; however, are restricted from contacting external media sources. All external media must be directed through the C.R.O office.

35. Use of Social Media and Public Internet Ventures

The C.R.O. shall be kept privy to elections-related social media and public internet ventures undertaken by candidates, and reserves the right to penalize candidates for any violation of this bylaw or related regulations.

36. Banners

- (1) No candidate or side shall have more than one (1) banner on display in any given building at any given time.
- (2) Where a candidate or side contravenes Section 36(1), the offending banners shall be destroyed and the C.R.O. may assess an additional penalty to that candidate or side as set out in Section 48.

37. Posters

- (1) No poster shall be displayed in such a way as to obscure another candidate's or side's campaign materials.
- (2) In any given building, at any given time
 - a. no Executive or Board of Governors Candidate shall have more than ten (10) posters;

- b. no Plebiscite or Referendum side shall have more than ten (10) posters;
- (3) The C.R.O. shall set a minimum distance between posters or signs that are placed outside belonging to the same candidate or side.
- (4) Where a candidate or side contravenes Sections 37(1) through (3), the offending posters shall be destroyed, and the C.R.O. may assess an additional penalty to that candidate or side as set out in Section 49.

38. Designated Printer

- (1) All printed campaign materials shall be purchased at official list price costs from one (1) or more of the printing companies designated by the C.R.O.
- (2) The C.R.O. shall designate at least five (5) printers from which candidates and sides may purchase materials to be in compliance with Section 38(1).
- (3) Where a candidate or side demonstrates that a desired campaign material could not be produced by any of the five (5) or more printers designated by the C.R.O. as set out in Section 38(2), the C.R.O. shall grant a limited exemption from Section 38(2) to that candidate or side.
- (4) Where campaign materials can be produced by a Students' Union operated business, candidates and sides shall purchase those campaign materials from that business.
- (5) Where a candidate or side contravenes Section 38(1) or Section 38(4), the offending campaign materials shall be destroyed, and the C.R.O. may assess an additional penalty to that candidate or side, as set out in Section 48.

39. Recycled Materials

Where a candidate or side chooses to print campaign materials on recycled paper containing one hundred per cent (100%) post consumer content, and where that candidate or side demonstrates, to the satisfaction of the C.R.O., that this choice resulted in an increased cost being incurred to it, then the amount of this increased cost shall not count against the limits set out in Sections 42 through 44.

40. Destruction of Campaign Materials

No candidate, side manager, or volunteer shall damage or destroy any other candidate's or side's campaign materials unless specifically authorized to do so by the C.R.O.

41. Campaign Material Removal

All campaign materials shall be removed by 21h00 the day before the commencement of voting.

42. Campaign Expense Limits – Executive Committee and Board of Governor Candidates

- (1) No candidate for the Executive Committee or Board of Governors shall accrue more than five hundred and fifty dollars (\$550.00) in campaign expenses, all of which shall be paid by the Students' Union.
- (2) No joke candidate shall accrue more than two thirds (2/3) of the expenses set out in Sections 42(1).

43. Campaign Expense Limits – Referenda and Plebiscite Sides

- (1) No Referenda or Plebiscite Side shall accrue more than one thousand dollars (\$1000.00) in campaign expenses, all of which shall be paid by the Students' Union.
- (2) No joke candidates will be allowed as specified under Section 8(2) (c).

44. Expense Reporting

- (1) Each candidate and side shall keep an up to date and accurate record of all campaign expenses he/she/it incurs, and shall be responsible to the C.R.O. for all such campaign expenses.
- (2) Each candidate and side shall submit to the C.R.O. the record, as set out in Section 44(1), no less than twelve (12) working hours prior to the commencement of voting.
- (3) No candidate or side shall incur any campaign expenses within twelve (12) working hours of the commencement of voting, except where those campaign expenses have been reported in the record submitted to the C.R.O. as set out in Section 44(2).
- (4) Where the C.R.O. determines that a candidate or side has exceeded or falsified its campaign expense limit
 - a. the candidate or side manager for the side shall be disqualified;
 - b. that candidate or side shall be prohibited from engaging in further campaign activities;
 - c. notice of this shall be posted with the campaign expense records;
 - d. the violation will be communicated directly to the candidate or the side's side manager in question;
 - e. the C.R.O. may recommend to the D.I.E. Board that further action be taken against that the candidate, the side's side manager, and/or any volunteers.
- (5) The C.R.O. shall review all campaign expense records, and shall post summaries of same more than eight (8) working hours prior to the commencement of voting.

45. Fair Market Value

- (1) Where a product or service has been provided to a candidate or side for no consideration or for consideration that is less than the official list price of the service provider, that candidate or side shall be considered to have incurred a campaign expense at the fair market value of that product or service, as determined by the C.R.O.
- (2) Where a candidate or side receives a product or service for consideration that is greater than the fair market value, then that candidate or side shall be considered to have incurred a campaign expense equal to the actual consideration.
- (3) The fair market value shall be determined by the C.R.O. using the price that any other candidate or side would have to pay for a comparable product or service as a guideline.
- (4) Candidates or sides shall have the right, but not the obligation, to receive an assessment of a product or service's fair market value in advance.
- (5) A candidate or side wishing to receive a fair market value assessment in advance shall make a written request to the C.R.O., which shall include
 - a. a full and accurate description of the product or service;
 - b. the supplier of the service, along with contact information for the same; and
 - c. the candidate or side's estimation of the product or service's fair market value, and a rationale for same.
- (6) Where a complete request under Section 45(5), has been submitted to the C.R.O., the C.R.O. shall respond with a decision within eight (8) working hours.

46. General Labour

For purposes of Section 44, general labour and any expertise had by a significant portion of the population, including, but not limited to, poster design, web page design, and web page programming, shall be considered to have a fair market value of zero.

47. Complaints

- (1) The C.R.O. shall prepare and provide a complaint form which shall require complaints to indicate
 - a. their names and student identification numbers;
 - b. the specific bylaw and section, rule, or regulation that has allegedly been contravened;
 - c. the specific individual or group that is alleged to be in contravention;
 - d. the specific facts which constitute the alleged contravention; and
 - e. the evidence for these facts.

- (2) Where a complaint is received within twelve (12) working hours of the alleged contravention, and where the original complaint form is provided to the C.R.O., the C.R.O. shall rule on that complaint.
- (3) The C.R.O. shall provide a copy of the complaint form, with the complainant's student identification number blacked out, to each respondent.
- (4) Where a complaint is received and is found to be complete as set out in Section 47(1), the C.R.O. shall rule on the complaint within twelve (12) working hours of receiving the complaint.
- (5) The C.R.O. shall post all of his/her rulings, including
 - a. a summary of the complaint;
 - b. a list of parties to the complaint;
 - c. where the C.R.O. fails to possess jurisdiction as set out in Section 49(5) (c), a summary of the reasons for this finding;
 - d. a listing of all bylaws, rules, and regulations that apply;
 - e. a finding regarding the facts;
 - f. a ruling regarding the alleged contravention;
 - g. the penalty assigned, if any;
 - h. the time the ruling was posted; and
 - i. the time limit for appeal.

48. Penalties Available

- (1) Where a candidate, side manager or volunteer has contravened a bylaw, rule, or regulation, regardless of the cause or the intent of the parties involved, and that contravention has provided an unfair advantage to a candidate, the C.R.O. shall assign a penalty that
 - a. fully counter-balances any advantage gained; and
 - b. where the contravention was intentional, penalizes the candidate or campaign manager who was or whose volunteer was guilty of the contravention.
- (2) Penalties available to the C.R.O. shall include
 - a. a fine, to be counted against the candidate's campaign expenses;
 - b. the confiscation or destruction of campaign materials;
 - c. limits, restrictions, and prohibitions on any type of campaign activities for any period of time up to the commencement of voting; and
 - d. disqualification of the candidate or side manager.
- (3) The C.R.O. shall draft a schedule of fines and penalties as an appendix to the rules and regulations concerning this bylaw.

49. Disqualification

- (1) A candidate shall be disqualified where he/she/it is guilty of a contravention that
 - a. cannot be counter-balanced by a lesser penalty;
 - b. is malicious or substantially prejudicial to another candidate; or
 - c. involves tampering with ballots, voting procedures, or counting procedures.
- (2) Where the advantage gained by the “yes” side of a referendum or plebiscite due to a contravention cannot be fully counterbalanced by the penalties available to the C.R.O. as set out in Section 50, the C.R.O. shall cancel the referendum or plebiscite.
- (3) Where the advantage gained by the “no” side of a referendum or plebiscite due to a contravention cannot be fully counterbalanced by the penalties available to the C.R.O. as set out in Section 50, the C.R.O. shall counterbalance the advantage to the maximum extent possible, and may recommend to the D.I.E. Board that further disciplinary action be taken against the members guilty of the contravention under the Judiciary of the Students’ Union Bylaw.
- (4) Where a side’s side manager is disqualified, that side shall select a new side manager.
- (5) The C.R.O. shall be empowered to investigate and rule upon every contravention of this bylaw or any other bylaw, rule, or regulation related to the election, plebiscite or referenda.

50. D.I.E. Board

- (1) Where a member is guilty of a serious contravention, the C.R.O. may recommend to the D.I.E. Board that further penalties be brought under the Students’ Union Judiciary Bylaw.
- (2) Any member shall be entitled to appeal a ruling of the C.R.O. to the D.I.E. Board.
- (3) All appeals of the C.R.O.’s rulings, with the exception of those arising out of voting and Election results, shall be heard and ruled upon by the D.I.E. Board prior to the commencement of voting.
- (4) No appeal shall be considered by the D.I.E. Board unless it is received within twelve (12) working hours of the C.R.O.’s ruling being posted.
- (5) Where a complete appeal is received, the D.I.E. Board shall convene a hearing within twelve (12) working hours of the appeal being submitted.
- (6) The D.I.E. Board shall, at the meetings set out in Section 50, either

- a. rule on all appeals; or
- b. order a delay to the Election, Referenda or Plebiscite.

(7) No appeal shall exist from a ruling of the D.I.E. Board on an appeal of a ruling by the C.R.O.

(8) No voting shall be conducted prior to the D.I.E. Board ruling on all appeals covered by Section 50.

DRAFT

Bylaw 2300
**A Bylaw Respecting the Councillor Elections to Students' Council and General
Faculties' Council**

1. Short Title

This Bylaw may be referred to as the “ Councillor Elections to Students' Council and General Faculties Council Bylaw”

2. Definitions

In this bylaw

- a. “member” shall be anyone who is an undergraduate student currently enrolled in at least one course for credit at the University of Alberta;
- b. “C.R.O.” shall be the Chief Returning Officer of the Students' Union;
- c. “D.R.O.” shall be a Deputy Returning Officer of the Students' Union;
- d. “D.I.E. Board” shall be the Discipline, Interpretation, and Enforcement Board of the Students' Union, as set out in Judiciary of the Students Union Bylaw;
- e. “faculty” shall be any entity defined by the University of Alberta General Faculties Council as either a faculty or a school and in which members are registered and shall include Open Studies;
- f. "council" shall be either be Students' Council or General Faculties Council (GFC) as the context requires;
- g. “general election” shall be the General Election of the Executive Committee and the Undergraduate Board of Governors or the General Election of Faculty Councillors;
- h. “candidate” shall be any member whose nomination is accepted under this bylaw;
- i. “joke candidate” shall be any candidate who chooses not to use his/her given name or a reasonable derivative of his/her given name when appearing on the ballot;
- j. “campaign” shall be the period of time during which campaign activities are permitted;
- k. “campaign activity” shall be any act, planned or organized by or on behalf of any candidate or side that is calculated to convince members to vote in a given way;

- l. “volunteer” shall be any individual who assists in campaign activities;
- m. “campaign expense” shall be any and all expenditures incurred in engaging in campaign activities;
- n. “campaign materials” shall be any physical or electronic media produced or distributed as part of campaign activities;
- o. “banner” shall be any campaign material composed of paper, cloth, or similar material of a total area greater than four (4) square feet;
- p. “poster” shall be any campaign material composed of paper, cloth, or similar material, of a total area of under four (4) square feet that is designed to be posted on a wall or similar place;
- q. “forum” shall be any event organized by an entity other than the Students’ Union, a candidate, side, or a volunteer acting on behalf of a candidate or side at which campaign activities are facilitated;
- r. “University” shall be the University of Alberta;
- s. “working hours” shall be any and all hours occurring between 0900 and 1700;
- t. “student newspaper” refers to *The Gateway*

3. Mandate

This bylaw shall govern the conduct of the Election to Students' Council and General Faculties' Council.

4. Election Dates - General Faculties Council and Students' Union Council

- (1) The election shall occur fifteen (15) days after the General Election of the Executive Committee and the Undergraduate Board of Governors Representative as set out in Section 10.
 - a. Notwithstanding, the C.R.O. may establish one alternate date designated for the election to occur, where the faculty can prove that the above date is unsuitable for their electorate.
 - b. Notwithstanding, the election of representatives from Augustana Faculty to General Faculties Council and Students' Union Council shall be conducted concurrently with the General Election of the Executive Committee and Board of Governors Representative as set out in Section 10.
- (2) A General Faculties Council or Students' Union Council election or by-election shall not occur during the months of May, June, July and August.

5. Candidate Nomination Deadlines

The C.R.O. shall determine and announce the deadlines for the nominations of candidates prior to the end of November each year, to occur not fewer than nine (9) days before the date of the Faculty Councillor Election.

6. Candidate Nomination Packages

- (1) The C.R.O. shall make available to every member nomination packages not fewer than twenty (20) days before the nomination deadline as set out in Section 5, and shall advertise the availability of these in not fewer than three (3) editions of the student newspaper before the nomination deadline.
- (2) The C.R.O. shall produce nomination packages which shall contain, at minimum
 - a. complete and current copies of Bylaw 2300 and the Judiciary of the Students' Union Bylaw;
 - b. nomination papers soliciting the name, contact information, and student identification number of the proposed nominee, the position the nominee wishes to contest, and nominations papers soliciting the names, faculties, years, signatures, and student identification numbers of at least ten (10) and at most twenty (20) members registered in the same faculty as the nominee as nominators;
 - c. contact information for the C.R.O. and D.R.O.s;
 - d. the time, date, and location for the candidates meeting;
 - e. the building code limits on banner size. In the absence of an upper limit, the C.R.O. will specify a size deemed appropriate

- (3) Valid nomination packages shall contain
 - a. a signed acceptance of the nomination by the proposed nominee;
 - b. a signed letter from the proposed nominee's faculty confirming that he/she is in good academic standing under University regulations;
 - c. a statement, signed by the proposed nominee, identifying the name under which he/she wishes to appear on the ballot, and papers soliciting the names, faculties, years, signatures, and student identification numbers of at least ten (10) members registered in the same faculty as the nominee as nominators;
- (4) Candidates who are registered in Open Studies are exempt from Section 18(3) (c) (ii).

7. Restrictions on Candidate Nominees

- (1) No member shall be nominated for more than one (1) of the positions contested in each election.
- (2) Notwithstanding Section 7(1), members may be nominated for both Students' Council and General Faculties Council within the same election.
- (3) Members of Students' Council and its standing committees, in order for their nomination papers to be valid are required to take a leave of absence from their duties for the period beginning with the nomination deadline and ceasing with the conclusion of voting of the election in which they are contesting a position. The following exceptions apply:
 - a. An executive contesting a Councillor position when the race is uncontested,
 - b. Any member of Students' Council, excluding members of the Executive, contesting a Councillor position.
 For the purpose of this section, any race solely contested by a joke candidate shall be considered uncontested.
- (4) Where a member contravenes Section 7 (3), all of the member's nominations shall be declared null and void.

8. Acceptance of Candidate Nominations

Where a member submits valid nomination papers, as set out in Sections 6(3) and 7 and prior to the nomination deadline as set out in Section 5, that member's nomination shall be accepted by the C.R.O. within twenty-four (24) hours of the nomination deadline.

9. No Candidate Nomination Received

- (1) Where no valid candidate for a given position has been received by the deadline, the C.R.O. shall extend the deadline for that position by up to two (2) days.
- (2) Where the only nominations received for a given position is (are) joke candidate(s), the CRO shall extend the deadline for that position by up to two (2) days.

10. Candidate Registration Meeting

- (1) The C.R.O. shall hold a meeting for all candidates following the nomination deadline but prior to the commencement of the campaign.
- (2) All candidates shall either attend the candidates meeting in its entirety or designate, in writing, an agent who will do so.
- (3) Where a candidate contravenes Section 10(2), that candidate shall be disqualified.
- (4) The C.R.O. may, at his/her discretion, grant exemptions to Section 10(3) to candidates, but shall do so only where
 - a. the candidate requesting the exemption does so in writing at least forty-eight (48) hours prior to the commencement of the candidates meeting; or
 - b. the candidate informs and provides satisfactory evidence to the C.R.O. of an emergency for which no notice could be given.

11. Content of the Candidate and Registration Meeting

At the candidate and registration meeting, the C.R.O. shall, at minimum

- a. review all relevant bylaws, rules, and regulations, including this bylaw, and respond to questions about same;
- b. announce the time and date of any forums scheduled;
- c. determine and announce which candidates are joke candidates as set out in Section 2 (j);
- d. where two (2) or more candidates have asked to appear on the ballot under names that are either identical or so similar as to be effectively indistinguishable, determine and announce under what names each of the two (2) or more candidates shall appear on the ballot;
- e. announce any methods that will be regularly used to communicate with candidates;
- f. take attendance for the purpose of verifying compliance with Sections 8 and 9;

12. Commencement of Campaign Activities

The C.R.O. shall determine and announce the time and date of the commencement of campaign activities, to occur no fewer than seven (7) days before the date of any vote prior to the end of November each year.

13. Requirement for Forums

No candidate shall participate in any forum unless each candidate or side in his/her race has received at least twenty-four (24) hours notification of the forum and will be afforded an equal chance to speak at it.

14. Storage Space

The C.R.O. shall make arrangements for space to be available on the University campus to all candidates and side managers for the purpose of the storage of campaign materials.

15. Joke Candidates

(1) Where a candidate has been designated as a joke candidate, as set out in Section 2(j), and that candidate does not wish to be a joke candidate, that candidate may provide to the C.R.O. a new signed statement indicating the name under which he/she wishes to appear on the ballot, within 36 hours of being designated as a joke candidate.

(2) Where a candidate who has been designated a joke candidate exercises his/her right, as set out in Section 15(1), to submit a new name under which he/she wishes to appear on the ballot, and where the new name is, at the discretion of the C.R.O., a reasonable derivative of that candidate's legal name, that candidate's designation as a joke candidate shall be reversed.

16. Candidates with Same or Similar Names

Where two (2) or more candidates submit names that are either identical or so similar as to be effectively indistinguishable, the C.R.O. shall determine and announce within forty-eight (48) hours of the nomination deadline what name each of the two (2) or more candidates shall use.

17. C.R.O. Shall List Candidates

Within thirty-six (36) hours of nomination deadline, the C.R.O. shall post

- a. the legal name of each of the candidates;
- b. the name under which each shall appear on the ballot ; and
- c. shall publish the same in the next available issue of the student newspaper.

18. Requirements of All Candidates and Plebiscite/Referendum Sides

Each candidate and side manager shall act reasonably and in good faith, and specifically shall

- a. ensure that each volunteer engaging in campaign activities on his/her behalf is aware of all bylaws, rules, regulations, and orders;
- b. ensure that each volunteer is in compliance with all bylaws, rules, regulations, and orders while engaging in campaign activities on his/her behalf; and
- c. report any contravention of a bylaw, rule, regulation, or order to the C.R.O. immediately.

19. Third Party Activities

- (1) A candidate in a Students' Union election may distance themselves from a third party in the event the third party effectively conducts campaign activities under the following conditions:
 - a. the candidate or side must demonstrate to the C.R.O. that the third party acted without consent of the candidate or side; and
 - b. the candidate or side must demonstrate to the C.R.O. that steps have been taken to distance themselves from the third party and to attempt to halt unauthorized campaign activity by that third party.
- (2) Should a candidate demonstrate the conditions specified under Section 19(1) to the C.R.O.'s satisfaction, the candidate or side would not be subject to punitive fines as a result of the third party's actions, but could still be subject to counterbalancing fines.

20. No-Use of Non-Universal Resources

No individual candidate shall make use of any resource that is not

- a. available to all candidates;
- b. general volunteer labour or expertise; or
- c. accounted for as part of that candidate's campaign expenses.

21. No Joint Use of Resources

No two (2) or more candidates shall jointly use any resources, including tables, posters, banners, and budgets but excluding volunteers.

22. Endorsements

- (1) Any member with the exception of the C.R.O, the D.R.O.s, and incumbent members of the Executive Committee who are not also candidates shall be free to endorse any candidate.
- (2) Any member with the exception of the C.R.O, the D.R.O.s, candidates, and incumbent members of the Executive Committee shall be free to act as a volunteer for any candidate.
- (3) Notwithstanding Section 22(1), regulations regarding the endorsement of candidates by Students' Union employees not referenced in Section 22(1) shall be subject to the Students' Union operating policy.

- (4) Notwithstanding Section 22(2), regulations regarding the capacity of Students' Union employees not referenced in Section 22(2) to act as a volunteer shall be subject to the Students' Union operating policy.

23. Restrictions on Campaign Activities

No candidate shall, without the permission of the C.R.O. engage in any campaign activity

- a. in any business or service operated by the Students' Union;
- b. in a University library;
- c. in a classroom during a class unless he/she first obtains the permission or the professor responsible for that class;
- d. in any residence; or
- e. in any building or on any land not owned or operated by the University or the Students' Union.

24. Campaign Materials

- (1) All campaign materials shall be approved in form, content, and cost by the C.R.O. before they may be used in campaign activities.
- (2) Candidates wishing to have campaign materials approved shall provide the C.R.O. with
 - a. a written estimate of the cost of the proposed campaign material, including the source of that cost; and
 - b. the complete contents of the proposed campaign material, including text, images and layout.
- (3) The C.R.O. shall provide in confidence a written approval or refusal of campaign materials within eight (8) working hours of receiving a request as set out in Section 24 (2).

25. Forbidden Campaign Materials

- (1) The C.R.O. shall not approve campaign materials that
 - a. have more than a nominal value when distributed;
 - b. cannot be removed at the end of the Campaign; or
 - c. are likely to permanently damage or alter property.
- (2) Where a candidate contravenes Section 25(1), the offending campaign materials shall be destroyed and the C.R.O. may assess an additional penalty to that candidate or side, as set out in Section 39.

26. Media

All candidates are free to pursue campus-based media as determined by the C.R.O; however, are restricted from contacting external media sources. All external media must be directed through the C.R.O office.

27. Use of Social Media and Public Internet Ventures

The C.R.O. shall be kept privy to elections-related social media and public internet ventures undertaken by candidates, and reserves the right to penalize candidates for any violation of this bylaw or related regulations.

28. Banners

- (1) No candidate shall have more than one (1) banner on display in any given building at any given time.
- (2) Where a candidate contravenes Section 28(1), the offending banners shall be destroyed and the C.R.O. may assess an additional penalty to that candidate or side as set out in Section 39.

29. Posters

- (1) No poster shall be displayed in such a way as to obscure another candidate's or side's campaign materials.
- (2) In any given building, at any given time candidate shall have more than sixteen (16) posters.
- (3) The C.R.O. shall set a minimum distance between posters or signs that are placed outside belonging to the same candidate or side.
- (4) Where a candidate or side contravenes Sections 29(1) through (3), the offending posters shall be destroyed, and the C.R.O. may assess an additional penalty to that candidate or side as set out in Section 39.

30. Designated Printer

- (1) All printed campaign materials shall be purchased at official list price costs from one (1) or more of the printing companies designated by the C.R.O.
- (2) The C.R.O. shall designate at least five (5) printers from which candidates may purchase materials to be in compliance with Section 30(1).
- (3) Where a candidate demonstrates that a desired campaign material could not be produced by any of the five (5) or more printers designated by the C.R.O. as set out in Section 30(2), the C.R.O. shall grant a limited exemption from Section 30(2) to that candidate or side.
- (4) Where campaign materials can be produced by a Students' Union operated business, candidates shall purchase those campaign materials from that business.
- (5) Where a candidate contravenes Section 30(1) or Section 30(4), the offending campaign materials shall be destroyed, and the C.R.O. may assess an additional penalty to that candidate or side, as set out in Section 39.

31. Recycled Materials

Where a candidate chooses to print campaign materials on recycled paper containing one hundred per cent (100%) post consumer content, and where that candidate demonstrates, to the satisfaction of the C.R.O., that this choice resulted in an increased cost being incurred to it, then the amount of this increased cost shall not count against the limits set out in Sections 34.

32. Destruction of Campaign Materials

No candidate, or volunteer shall damage or destroy any other candidate's campaign materials unless specifically authorized to do so by the C.R.O.

33. Campaign Material Removal

All campaign materials shall be removed by 21h00 the day before the commencement of voting.

34. Campaign Expense

- (1) No candidate shall accrue more than thirty dollars (\$30.00), plus six dollars (\$6.00) for every one thousand (1,000) students' in his or her faculty beyond three thousand (3,000) in campaign expenses, all of which shall be paid by the Students' Union.
- (2) Where the number of students in a faculty beyond three thousand (3,000) is not a multiple of one thousand (1,000), the amount of money in excess of the base amount as set out in Section 34(1), shall be prorated and rounded to the nearest cent.
- (3) No joke candidate shall accrue more than two thirds (2/3) of the expenses set out in Sections 34(1) and 34(2).

35. Expense Reporting

- (1) Each candidate shall keep an up to date and accurate record of all campaign expenses he/she incurs, and shall be responsible to the C.R.O. for all such campaign expenses.
 - (2) Each candidate shall submit to the C.R.O. the record, as set out in Section 35(1), no less than twelve (12) working hours prior to the commencement of voting.
- (1) No candidate or side shall incur any campaign expenses within twelve (12) working hours of the commencement of voting, except where those campaign expenses have been reported in the record submitted to the C.R.O. as set out in Section 35(2).

- (2) Where the C.R.O. determines that a candidate has exceeded or falsified its campaign expense limit
 - a. the candidate shall be disqualified;
 - b. that candidate shall be prohibited from engaging in further campaign activities;
 - c. notice of this shall be posted with the campaign expense records;
 - d. the violation will be communicated directly to the candidate in question;
 - e. the C.R.O. may recommend to the D.I.E. Board that further action be taken against that the candidate, and/or any volunteers.
- (3) The C.R.O. shall review all campaign expense records, and shall post summaries of same more than eight (8) working hours prior to the commencement of voting.

36. Fair Market Value

- (1) Where a product or service has been provided to a candidate for no consideration or for consideration that is less than the official list price of the service provider, that candidate shall be considered to have incurred a campaign expense at the fair market value of that product or service, as determined by the C.R.O.
- (2) Where a candidate receives a product or service for consideration that is greater than the fair market value, then that candidate shall be considered to have incurred a campaign expense equal to the actual consideration.
- (3) The fair market value shall be determined by the C.R.O. using the price that any other candidate would have to pay for a comparable product or service as a guideline.
- (4) Candidates shall have the right, but not the obligation, to receive an assessment of a product or service's fair market value in advance.
- (5) A candidate wishing to receive a fair market value assessment in advance shall make a written request to the C.R.O, which shall include
 - a. a full and accurate description of the product or service;
 - b. the supplier of the service, along with contact information for the same; and
 - c. the candidate's estimation of the product or service's fair market value, and a rationale for same.
- (6) Where a complete request under Section 36(5), has been submitted to the C.R.O., the C.R.O. shall respond with a decision within eight (8) working hours.

37. General Labour

For purposes of Section 35, general labour and any expertise had by a significant portion of the population, including, but not limited to, poster design, web page design, and web page programming, shall be considered to have a fair market value of zero.

38. Complaints

- (1) The C.R.O. shall prepare and provide a complaint form which shall require complainants to indicate
 - a. their names and student identification numbers;
 - b. the specific bylaw and section, rule, or regulation that has allegedly been contravened;
 - c. the specific individual or group that is alleged to be in contravention;
 - d. the specific facts which constitute the alleged contravention; and
 - e. the evidence for these facts.
- (2) Where a complaint is received within twelve (12) working hours of the alleged contravention, and where the original complaint form is provided to the C.R.O., the C.R.O. shall rule on that complaint.
- (3) The C.R.O. shall provide a copy of the complaint form, with the complainant's student identification number blacked out, to each respondent.
- (4) Where a complaint is received and is found to be complete as set out in Section 38(1), the C.R.O. shall rule on the complaint within twelve (12) working hours of receiving the complaint.
- (5) The C.R.O. shall post all of his/her rulings, including
 - a. a summary of the complaint;
 - b. a list of parties to the complaint;
 - c. where the C.R.O. fails to possess jurisdiction as set out in Section 39(5) (c), a summary of the reasons for this finding;
 - d. a listing of all bylaws, rules, and regulations that apply;
 - e. a finding regarding the facts;
 - f. a ruling regarding the alleged contravention;
 - g. the penalty assigned, if any;
 - h. the time the ruling was posted; and
 - i. the time limit for appeal.

39. Penalties Available

- (1) Where a candidate, side manager or volunteer has contravened a bylaw, rule, or regulation, regardless of the cause or the intent of the parties involved, and that contravention has provided an unfair advantage to a candidate, the C.R.O. shall assign a penalty that
 - a. fully counter-balances any advantage gained; and

- b. where the contravention was intentional, penalizes the candidate or campaign manager who was or whose volunteer was guilty of the contravention.
- (2) Penalties available to the C.R.O. shall include
- a. a fine, to be counted against the candidate's campaign expenses;
 - b. the confiscation or destruction of campaign materials;
 - c. limits, restrictions, and prohibitions on any type of campaign activities for any period of time up to the commencement of voting; and
 - d. disqualification of the candidate.
- (3) The C.R.O. shall draft a schedule of fines and penalties as an appendix to the rules and regulations concerning this bylaw.

40. Disqualification

- (1) A candidate shall be disqualified where he/she/it is guilty of a contravention that
- a. cannot be counter-balanced by a lesser penalty;
 - b. is malicious or substantially prejudicial to another candidate; or
 - c. involves tampering with ballots, voting procedures, or counting procedures.
- (2) The C.R.O. shall be empowered to investigate and rule upon every contravention of this bylaw or any other bylaw, rule, or regulation related to the election, plebiscite or referendum.

41. D.I.E. Board

- (1) Where a member is guilty of a serious contravention, the C.R.O. may recommend to the D.I.E. Board that further penalties be brought under the Students' Union Judiciary Bylaw.
- (2) Any member shall be entitled to appeal a ruling of the C.R.O. to the D.I.E. Board.
- (3) All appeals of the C.R.O.'s rulings, with the exception of those arising out of voting and Election results, shall be heard and ruled upon by the D.I.E. Board prior to the commencement of voting.
- (4) No appeal shall be considered by the D.I.E. Board unless it is received within twelve (12) working hours of the C.R.O.'s ruling being posted.
- (5) Where a complete appeal is received, the D.I.E. Board shall convene a hearing within twelve (12) working hours of the appeal being submitted.
- (6) The D.I.E. Board shall, at the meetings set out in Section 41, either
- a. rule on all appeals; or

b. order a delay to the Election.

(7) No appeal shall exist from a ruling of the D.I.E. Board on an appeal of a ruling by the C.R.O.

(8) No voting shall be conducted prior to the D.I.E. Board ruling on all appeals covered by Section 41.

DRAFT

Bylaw 2400

A Bylaw Respecting Balloting and Counting of Students' Union Elections

1. Short Title

This Bylaw may be referred to as the "Balloting and Counting Bylaw"

2. Definitions

In this Bylaw

- a. "member" shall be anyone who is an undergraduate student currently enrolled in at least one course for credit at the University of Alberta;
- b. "C.R.O." shall be the Chief Returning Officer of the Students' Union;
- c. "D.R.O." shall be a Deputy Returning Officer of the Students' Union;
- d. "council" shall be either be Students' Council or General Faculties Council (GFC) as the context requires;
- e. "general election" shall be the General Election of the Executive Committee and the Undergraduate Board of Governors or the General Election of Faculty Councillors;
- f. "plebiscite" shall be a vote, open to all members, held on a given question but whose result is not legally binding upon the Students' Union;
- g. "referendum" shall be a vote, open to all members, held on a given question and whose result is legally binding upon the Students' Union;
- h. "side" shall be any person or group of people who have their registration as a plebiscite or referendum side accepted under this bylaw;
- i. "side manager" shall be a person registered as part of a plebiscite or referendum side who has been selected by those members of that side to serve as side manager for the purposes of this bylaw;
- j. "candidate" shall be any member whose nomination is accepted under this bylaw;
- k. "joke candidate" shall be any candidate who chooses not to use his/her given name or a reasonable derivative of his/her given name when appearing on the ballot;
- l. "campaign" shall be the period of time during which campaign activities are permitted;

- m. “volunteer” shall be any individual who assists in campaign activities;
- n. “campaign expense” shall be any and all expenditures incurred in engaging in campaign activities;
- o. “voter” shall be any member who exercises his/her entitlement to vote;
- p. “working hours” shall be any and all hours occurring between 0900 and 1700; and
- q. “student newspaper” refers to *The Gateway*.

3. Right to Vote

- (1) Each member shall be entitled to cast one (1) ballot, except the C.R.O. who shall be entitled to cast a ballot as outlined in Section 13(2).
- (2) Where a member is found to have a cast more than one (1) ballot, only one ballot shall be counted.
- (3) All votes cast shall be by secret ballot.

4. Voting Days

Voting shall be conducted at times determined and advertised by the C.R.O.

5. Voting

- (1) The C.R.O. shall conduct balloting by any means that provide precise, accurate results, and may use multiple methods in any combination.
- (2) At each polling station, there shall be a notice to voters that candidates are elected individually to each position, which shall also explain the balloting procedures.
- (3) On each ballot, there shall be an explanation of the balloting procedures which shall include, at minimum, the following
 - a. that “None of the Above” shall be considered a candidate;
 - b. that voters shall rank each candidate according to their preferences;
 - c. that a portion of the ballot shall be considered spoiled where any of the conditions set out in Section 8(6) are met; and
 - d. that voters shall be permitted to rank as many as all or as few as zero of the candidates for each position.

6. Limitations During Voting

- (1) During voting, candidates, side managers, members of sides and volunteers shall not encourage members to vote or engage in any campaign activities.

- (2) During voting, candidates, side managers, and registered members of sides shall not be within twenty (20) feet of any polling station except to vote themselves.

7. Ballots

- (1) For each ballot the rank order of candidates shall be rotated randomly.
- (2) For each position ballots shall list all candidates, followed by “None of the Above”
- (3) Where a referenda or plebiscite question(s) is/are on the ballot, the ballot shall list “yes” followed by “no” for each referendum or plebiscite question.
- (4) Where a voter’s intention is clear, that voter’s ballot shall be counted.

8. Balloting and Counting– Executive, Board of Governors and Councillor Elections

- (1) All elections shall be divided into Class A and Class B elections.
- (2) Class A elections
 - a. shall include the 2012 General Elections and any subsequent election.
 - b. shall be subject to the ballot counting mechanism outlined in §8(4) through §8(18) and §8(28) through §8(30).
- (3) Class B elections
 - a. shall include elections that occur before the 2012 General Elections.
 - b. shall be subject to the ballot counting procedure outlined in §8(4) through §8(6) and §8(21) through §8(30).
- (4) Balloting shall be conducted by preferential balloting, in which each voter shall rank his/her preference for each position using natural numbers with one (1) representing the first preference, and increasing numbers representing less desirable choices.
- (5) Voters shall be entitled to mark as few as zero candidates for any given position or as many as all of them.
- (6) A section of a voter’s ballot shall be considered spoiled where
 - a. that voter has indicated the same number for more than one (1) candidate;
 - b. that voter has not included the number one (1) next to any candidate;
 - c. that voter has indicated more than one (1) number next to the same candidate;
 - d. that voter has used non-consecutive numbers; or
 - e. that voter has left all candidates in a race unranked.

- (7) Once the total number of ballots is established for each race, the minimum quota of votes required for a candidate to be elected is calculated. This quota shall be determined by the sum of one plus the quotient of the total number of valid ballots cast for the race divided by the sum of the number of seats being contested plus one, with any remainders being ignored.
- (8) All ballots shall be examined and, on the first count, each ballot shall be assigned to the candidate who is indicated to be the voter's first preference.
- (9) If a candidate on the first count has a number of ballots exactly equal to the quota established in Section 8(7), that candidate is declared elected.
- (10) If one candidate on the first count has a number of ballots greater than the quota established in Section 8(7), the candidate is declared elected and the number of ballots in excess of the quota is recorded as a surplus. All of the elected candidate's ballots are re-examined and assigned to candidates not yet elected according to the next available preference marked on the ballot at a fractional transfer value, as determined by the quotient of the surplus ballots cast for the elected candidate divided by the total number of ballots received by the elected candidate.
- (11) If two or more candidates on the first count have a number of ballots greater than the quota established in Section 8(7), all of these candidates shall be declared elected. The ballots of the candidate with the largest number of ballots will be re-examined first and assigned at a transfer value to candidates not yet elected according to the next available preference on the ballots. The ballots of the other elected candidates will then be re-examined, and the corresponding surplus ballots will be distributed to candidates not yet elected at a fractional transfer value as outlined in Section 8(11), according to the next available preference on the ballots in a descending order corresponding to the number of ballots received by the elected candidate.
- (12) If at any point a candidate receives a number of ballots greater than the quota established in Section 8(7) as a result of a transfer of ballots from an elected candidate, the candidate is declared elected, and the number of ballots in excess of the quota is recorded as a surplus. All of the elected candidate's ballots are re-examined and assigned to candidates not yet elected or eliminated according to the next available preference marked on the ballot at a fractional transfer value depending on the nature of the ballot.
- a. For ballots received by the elected candidate on the first count, the fractional transfer value is as set out in Section 8(11), and;
 - b. for ballots received as a the result of a transfer of ballots from previously-elected candidates, the transfer value shall be the product of

the surplus ballots cast for the elected candidate multiplied by the transfer value of the ballots as received by the previously-elected candidate, all divided by the total number of ballots received by the elected candidate.

- (13) In the event that no remaining candidates have received a number of ballots greater than the quota established in Section 8(7), the candidate with the fewest number of votes is eliminated. All ballots cast for the eliminated candidate are re-examined and assigned to candidates not yet elected or eliminated according to the next available preference marked on the ballot at the full value as received by the eliminated candidate.
- (14) The ballot-counting process as outlined in Section 8(7)-(13) shall continue until all but one of the candidates to be elected have been elected, and only two candidates remain in the count. At this point the candidate with the highest number of ballots shall be declared elected.
- (15) If, during the transfer of ballots, a ballot indicates remaining preferences that only include candidates who have been already elected or eliminated, the ballot is put aside as exhausted.
- (16) In the event that two or more candidates have the same number of ballots on the first count, and this number is greater than the quota established in Section 8 (7), the candidate whose surplus ballots are re-distributed first shall be decided by:
 - a. If the C.R.O. is a Students' Union member eligible to vote in that race and has ranked one of the tied candidates as the first preference on a ballot prepared in advance by the C.R.O., then that candidate's surplus ballots shall be re-distributed first, or
 - b. If the C.R.O. is ineligible to vote in that race or has not ranked one of the tied candidates as the first preference, or in the event that more than one candidate remains tied following the casting of a vote as prescribed in Section 8(16)(a), then the candidate whose surplus ballots are re-distributed first shall be determined by a random or quasi-random method selected by the C.R.O.
- (17) In the event that no candidate has a number of ballots on the first count greater than the quota established in Section 8(7) and two or more candidates have the same number of ballots, this number being the smallest number of ballots received by any candidate, then the candidate who is eliminated shall be decided by:
 - a. If there are only two candidates who are tied and the C.R.O. is a Students' Union member eligible to vote in that race and has ranked one of the tied candidates as the first preference on a ballot prepared in advance by the C.R.O., than the tied candidate who was not indicated as such shall be eliminated, or

- b. If the C.R.O. is ineligible to vote in that race or has not ranked one of the tied candidates as the first preference, or in the event that more than one candidate remains tied following the casting of a vote as prescribed in Section 8(17)(a), then the candidate who is eliminated shall be determined by a random or quasi-random method selected by the C.R.O.
- (18) If, at any stage of the count other than the first count, two or more candidates have the same number of ballots, that number being either greater than the quota established in Section 8(7) or the lowest number of ballots provided that no other candidates have a number greater than the quota, the candidate who is declared elected first, or who is not excluded, shall be:
- a. The candidate with the larger number of ballots on the first count in which a differential existed between the number of ballots received by each candidate, or
 - b. The candidate whose name is ranked highest on a ballot prepared in advance by the C.R.O, if the C.R.O. is a Students' Union member eligible to vote in that race and no differential in the number of ballots has existed between the candidates at any preceding count, or
- (19) The candidate whose name is selected by a random or quasi-random method selected by the C.R.O., if the C.R.O is ineligible to vote in the in the race and no differential in the number of ballots has existed between the candidates at any preceding count. A candidate shall require a majority of voters to indicate him/her as their first choice in order to be elected.
- (20) In the event that no candidate receives a majority of first place votes in a given race, the candidate with the fewest first place votes shall be eliminated.
- (21) Any voter who has indicated an eliminated candidate with a number shall have the candidate marked with the next highest number following the number by which the eliminated candidate has been indicated take the place of the eliminated candidate, and so on, in such a way that all candidates indicated by that voter as less desirable than the eliminated candidate are registered as being one (1) step more desirable than originally indicated.
- (22) Where a ballot is left with no first place vote for a given race, the section of that ballot in question shall be considered spoiled.
- (23) Where all remaining candidates have an equal number of first place votes, or where the remaining candidate with the fewest first place votes is tied with another remaining candidate, the candidate that had the fewest first place votes on the first count in which a differential existed shall be eliminated.
- (24) Where all remaining candidates have an equal number of first places votes, or where the remaining candidate with the fewest first place votes is

tied with another remaining candidate, and where this tie has existed on every count, and the C.R.O is a Students' Union member eligible to vote in that race, then the C.R.O. shall cast a ballot.

- (25) Where all remaining candidates have an equal number of first places votes, or where the remaining candidate with the fewest first place votes is tied with another remaining candidate, and where this tie has existed on every count, and the C.R.O is a not a Students' Union member eligible to vote in that race, then the candidate to be eliminated shall be selected from those candidates with the fewest first place votes by a random or quasi-random method selected by the C.R.O.
- (26) The process set out for Class B elections as defined by §8(3) shall continue for each position until such a time as a candidate receives a majority of first place votes for that position at which point that candidate shall be declared the victorious and removed from the ballot, and the process repeated with the remaining candidates not yet declared victorious.
- (27) The process set out for Class B elections as defined by §8(3) shall continue for each position until such time as all the candidates are preferentially declared victorious.
- (28) Candidates shall be allocated seats as specified in Bylaw 100.
- (29) Where "None of the Above" is declared victorious, no further candidates shall be declared victorious.
- (30) Where a joke candidate is declared victorious, the seat to which that joke candidate has been elected shall be considered vacant.

9. Requirements to Receive a Deposit

- (1) The side that receives the greater number of votes shall be declared victorious.
- (2) Where both sides receive an equal number of votes, and only if both sides receive an equal number of votes and the C.R.O. is a member, then the C.R.O. shall cast a ballot.
- (3) Where both sides receive an equal number of votes, and only if both sides receive an equal number of votes and the C.R.O. is not a member then the result of the election shall be determined by a random or quasi-random method of selected by the C.R.O.

10. Balloting and Counting– Plebiscites and Referenda

- (1) The side that receives the greater number of votes shall be declared victorious.

- (2) Where both sides receive an equal number of votes, and only if both sides receive an equal number of votes and the C.R.O. is a member, then the C.R.O. shall cast a ballot.
- (3) Where both sides receive an equal number of votes, and only if both sides receive an equal number of votes and the C.R.O. is not a member then the result of the election shall be determined by a random or quasi-random method of selected by the C.R.O.

11. Secure Handling of Ballots

The C.R.O. shall provide for the secure handling of ballots, and shall ensure that at all times ballots are either under the direct supervision of the C.R.O. or in a secure location.

12. Right to a Scrutineer

- (1) Each candidate and side shall be permitted to have one (1) person, designated in writing by the candidate or side manager, acting as scrutineer and being present at the counting of ballots.
- (2) Notwithstanding Section 13(1), the scrutineer may not be a candidate or side manager

13. Requirements of the C.R.O

- (1) The C.R.O. or at least one (1) D.R.O. shall
 - a. supervise the counting of ballots;
 - b. post final results within twenty four (24) working hours of all complaints and appeals being resolved;
 - c. notify the Speaker of Students' Council and the President of the Students' Union of the final results in writing
 - i. Additionally for General Faculties Council Elections, notify the Vice President (Academic) of the Students' Union and the Secretary of the General Faculties Council of the final results in writing;
 - d. post unofficial results at any time, including during counting;
 - e. advertise final results in the first available edition of the student newspaper after the posting of final results as set out in Section 13(1)(b); and
 - f. store the ballots in a secure location for at least two (2) weeks after the last recount has been completed.
- (2) The C.R.O. shall prepare a paper ballot before the close of voting, as if their capacity as C.R.O. did not restrict their voting privileges. The C.R.O. shall place this ballot in a sealed and signed envelop and give it to the D.R.O. before any results from the election are available to the C.R.O.. The envelope shall be opened only if the C.R.O.'s vote is required to break a tie as outlined in Section 8(16-18) and Section 10(2). At this point, a D.R.O. shall open the envelope and oversee the C.R.O. implement the tie-breaking mechanism as

outlined in Section 8(16-18). If this procedure is not followed, the C.R.O.'s ballot will be considered spoiled.

14. Recounts

- (1) A request for a recount shall be granted by the C.R.O. where
 - a. the request is in writing and signed by a member;
 - b. the request is submitted to the C.R.O. within forty-eight (48) hours of the posting of results as set out in Section 13(1) (b); and
 - c. the difference between the votes of the victor and those of the second place candidate or side on the final count is less than two percent (2%) of the total votes cast.
- (2) The C.R.O. may initiate a recount independently for any reason.
- (3) The C.R.O. shall post the results of any recount within twenty-four (24) working hours of the recount being completed.

15. Multiple Coinciding Elections

The Election shall be divided into as many parts as there are councils for which elections are occurring. All rules concerning nominations, campaign activities, campaign expenses, balloting, and penalties apply to a candidate per contested part of the Election and not to the candidate between multiple parts of the Election;

16. By-Election - Executive Committee and Board of Governors

- (1) Where another Election is required by virtue of Section 8(17) or Section 8(18), the new Election shall be conducted.
- (2) The Campaign for the new Election shall begin a minimum of seven (7) days prior to the commencement of voting as set out in Section 16(4).
- (3) The nomination deadline for the new Election shall occur a minimum of thirteen (13) days prior to the commencement of voting as set out in Section 16(4).
- (4) The voting for the new Election shall occur on two (2) consecutive weekdays to be determined and announced by the C.R.O. at least twenty-one (21) days in advance.

17. By-Election – General Faculties Council and Students' Council

- (1) Where vacancies exist in positions filled under this bylaw on August 15 of any year, the C.R.O. shall call a by-election to take place in September or October of that year for all those positions vacant on August 15.

- (2) Where the total voting membership of Students' Council falls below twenty-three, the C.R.O. shall call a by-election to occur
 - a. not more than one month past the date that the voting membership of Students' Council fell below twenty-three; or
 - b. where Students' Council's voting membership falls below twenty-three during the months of May, June, July, or August, in September.
- (3) Except as otherwise stipulated in this bylaw, there shall be no by-elections to fill positions filled under this bylaw.
- (4) The deadline for the nomination of candidates in any by-election shall be determined and announced by the C.R.O. at the same time as the date of the by-election is announced, such deadline occurring not less than nine (9) days prior to the Election.
- (5) The commencement of the Campaign for any by-election shall be determined and announced by the C.R.O. at the same time as the date of the by-election is announced, such commencement occurring not less than seven (7) days prior to the Election.
- (6) Except as otherwise stipulated in this bylaw, any by-election shall be conducted in accordance with the rules governing the Election.

DRAFT



POLICY COMMITTEE MEETING SUMMARY REPORT TO COUNCIL

Date: **November 1, 2011**

Time: **6:34 PM**

2011 – 2012 # **11**

Motions

1.	LEPAGE FORTIN moved that the <i>November 1, 2011</i> agenda be approved as amended.	<i>CARRIED</i> 8/0/1
2.	FEHR moved that the <i>October 4, 2011</i> minutes be approved as amended.	<i>CARRIED</i> 8/0/1
3.	YAMAGISHI moved that the <i>October 4 minutes</i> be reconsidered.	<i>CARRIED</i> 7/0/2
4.	KHINDA moved that the <i>November 1, 2011</i> agenda be approved as amended.	<i>CARRIED</i> 7/0/2
5.	KARUVELIL moved that the meeting be adjourned.	<i>CARRIED</i> 7/0/2



POLICY COMMITTEE MEETING ACTION ITEM SUMMARY

Date: November 1, 2011

Time: 6:34 PM

2011 - 2012 # 11

Action Items

1. <i>LEPAGE FORTIN</i> moved that the <i>November 1, 2011</i> agenda be approved as amended.	<i>CARRIED</i>
2. <i>FEHR</i> moved that the <i>October 4, 2011</i> minutes be approved as amended.	<i>CARRIED</i>
3. <i>YAMAGISHI</i> moved that the <i>October 4 minutes</i> be reconsidered.	<i>CARRIED</i>
4. <i>KHINDA</i> moved that the <i>October 4, 2011</i> minutes be approved as amended.	<i>CARRIED</i>
5. <i>KARUVELIL</i> moved that the meeting be adjourned.	<i>CARRIED</i>



CAC SUMMARY REPORT TO COUNCIL

Date: November 8, 2011

Time: 4:40pm

2010 – 2011 *MEETING 14*

Motions

1.	<i>ZHAO moved that the November 8, 2011 agenda be approved as amended.</i>	<i>CARRIED 3/0/0</i>
2.	<i>FERGUSON moved that the October 25, 2011 minutes be approved as amended.</i>	<i>CARRIED 3/0/0</i>
3.	<i>FERGUSON moves that, upon the recommendation of the Deputy Returning Officer hiring panel, the Council Administration Committee ratify Josh Dodman and Mathieos Belayneh as Deputy Returning Officers for the 2011-2012 term.</i>	<i>CARRIED 3/0/0</i>
4.	<i>BELLINGER moves that the CAC chair looks into a possible water bottle.</i>	<i>CARRIED</i>
5.	<i>LIANG moved that the meeting be adjourned.</i>	<i>CARRIED 7/0/0</i>

November 17th, 2011

To: Students' Council

Re: VPX Report to Council

Canadian Alliance of Students' Associations (CASA) Lobby Conference

Starting Sunday November 13th the President, the Director of Research and Political Affairs, and I went to Ottawa for CASA Lobby Conference. This Conference is one of the most important weeks for CASA, and the UASU when it comes to advancing Federal Advocacy. As a reminder to council we are lobbying for:

- Book Importation Regulation/Copyright
- International Student Visas/Work Permits
- Removing the 2% funding cap from the Post Secondary Student Support Program
- Exempt 1 vehicle from the Canada Student Loan Program, as well as removing Parental Contribution

We had 115 meetings scheduled with Members of Parliament, Senators, and with the Office of the Prime Minister. We meet with members of government as well as oppositions. We met with Party Leaders Bob Rae, and Elizabeth May. I personally met with 5 Members of Parliament from across the country, as well as the Director General of the Canada Student Loans Program (CSLP). I was lucky enough to meet with Sean Speer, Director of Stakeholder Relations and Economic Policy Advisor from the Office of the Prime Minister who provides policy advice to the Prime Minister, as well as Phil Harwood who is also a Policy Advisor. The overall feedback on our asks has been overall positive from all parties. On Friday November 18th we will have a CASA General Meeting, where the UASU will be moving two Political Policies regarding Undergraduate Research, and GST exemption for textbooks. Check out the #casaacae on the twitter verse to see some of the feedback on our meetings.

On Wednesday and Thursday since the last council, I spent most of my time preparing for the CASA Lobby Conference.

Cheers,
Farid

"You're breaking my heart John, you're breaking my heart." Matt McMillan - VP External of U of C SU - to MP John McCallum after hearing that their meeting was cancelled on the Hill

VPA Council Report

Date: November 18 2011

Hi everyone,

Because of the current Undergraduate Research Symposium (URS), this report is going to be shorter than usual. I have an update about the URS so far, as well as some quick points about what I plan to do in the days following the URS. If you have any questions, feel free to contact me!

UNDERGRADUATE RESEARCH SYMPOSIUM

Yesterday was an incredibly hectic day, but I'm really pleased with how the symposium dinner and keynote turned out. We had over 150 people in attendance, some great speeches and good food. The event has gained a lot of momentum and awareness over the last two months in particular, and I feel like that will make 2012 even more successful. Whoever organizes it will inherit this momentum, in addition to a very thorough transition.

Today, we have the poster competition and closing ceremonies, both of which are in CCIS. The former runs from 10am-3pm and will feature 124 student projects. We have the posterboards and tables currently set up in CCIS, so all that is needed are people: judges, presenters and volunteers. Once the symposium is over, I will take most of Monday off. There is a Community Service Advisory Board meeting that I might attend on Monday, but that is likely it.

If you would like to see the abstracts, you can check out the online program here:
<http://su.ualberta.ca/governance/executives/projects/urs/>

CANADIAN ROUNDTABLE ON ACADEMIC MATERIALS

The second big event that we plan on organizing is the Canadian Roundtable on Academic Materials, which I would envision taking place in January. This would bring together student leaders from student associations across the country, as well as Bookstore staff and librarians.

ACADREAM TEAM

One of the things that organizing the symposium has reminded me of is the importance and value in teams. With this considered, I am going to get the AcaDream Team up and running and put a lot of effort into it. There is a lot of potential for this team, to say the least.

TALKING TO STUDENTS

Starting Friday November 25, I will strive to talk one-on-one to a minimum of 100 different students per week, asking them about their ideal academic experience. I'll report back to you on what students tell me at each Council meeting.

CONCLUSION

Overall, I feel like the end of the symposium marks the true beginning of the second half of my term. So far, I'm pleased with how things have gone, but I plan on making the second term more productive than the first.

If you have any questions whatsoever, please feel free to send them off to me at vp.academic@su.ualberta.ca or give me a call at 780.492.4236.

In solidarity,

-Emerson

STUDENTS' COUNCIL VOTES AND PROCEEDINGS

Tuesday November 8, 2011
Council Chambers 2-1 University Hall

VOTES AND PROCEEDINGS (SC 2011-14)

- 2011-14/1 **SPEAKER'S BUSINESS**
- 2011-14/1a Announcements – The next meeting of Students' Council will take place on Tuesday, November 22, 2011
- 2011-14/2 **PRESENTATIONS**
- 2011-14/2a Bill 12 Feedback - presented by Councillor Bellinger, sponsored by Councillor Bellinger
- Abstract:
- This short presentation will go through the summary of the feedback council gave on bill 12. More details can be found in the ERC report to council. It will include ERC's work on Bill 12 since it was sent back, and most importantly a question period.
- 2011-14/7 **GENERAL ORDERS**
- 2011-14/7a **KUSMU/LEPAGE FORTIN MOVED TO** appoint one (1) member of Students' Council to the Policy Committee.
- Nominations: Power, Kelly
- Nominations Closed
- Appointed: Power
- TIGHE/LUIMES MOVED TO** make item 2011-14/6c special order to be dealt with immediately
- Motion: CARRIED**
- 2011-14/6 **BOARD AND COMMITTEE BUSINESS**
- 2011-14/6c **NICOL/FERGUSON MOVE THAT** upon the recommendation of the Elections Review Committee, Students' Council approve Bill #12 to allow campaigning on voting days for the Executive, Students' Council, and General Faculties Council elections, as well as for Plebiscites, and Referenda in first reading based on the following principles:

- 1) No campaign activity shall take place within 6 meters of a polling station
- 2) No campaign materials shall be permitted within 6 meters of a polling station

Speakers List: Ferguson, Bellinger, Iskandar, Kelly, Sumar, Tighe, Yamagishi, Crone, Gulyas, Woods, Karuvelil, Cheema, Fehr, Luimes, Le, West, Mills, Eslanger, Csorba

WOODS/MILLS MOVED to amend the motion to read:

NICOL/FERGUSON MOVE THAT upon the recommendation of the Elections Review Committee, Students' Council approve Bill #12 to allow campaigning on voting days for the Executive, Students' Council, and General Faculties Council elections, as well as for Plebiscites, and Referenda in first reading based on the following principles:

- 1) No campaign activity shall take place within 6 meters of a polling station
- 2) No campaign materials shall be permitted within 6 meters of a polling station
- 3) No side manager, volunteer or candidates shall provide laptops or other devices to voters for the purpose of voting in any Students' Union elections and/or referendum or plebiscite.

TIGHE/ISKANDAR MOVED TO amend the amendment to read:

NICOL/FERGUSON MOVE THAT upon the recommendation of the Elections Review Committee, Students' Council approve Bill #12 to allow campaigning on voting days for the Executive, Students' Council, and General Faculties Council elections, as well as for Plebiscites, and Referenda in first reading based on the following principles:

- 1) No campaign activity shall take place within 6 meters of a polling station
- 2) No campaign materials shall be permitted within 6 meters of a polling station
- 3) No side manager, volunteer or candidates shall not use intimidation to coerce voters into voting in any Students' Union elections and/or referendum or plebiscite.

Amendment to amendment: FAILED

Main Amendment: FAILED

YAMAGISHI/ROBERTO CHARRON MOVED TO amend the motion to read:

NICOL/FERGUSON MOVE THAT upon the recommendation of the Elections Review Committee, Students' Council approve Bill #12 to allow campaigning on voting days for the Executive, Students' Council, and General Faculties Council elections, as well as for Plebiscites, and Referenda in first reading based on the following principles:

- 1) No campaign activity shall take place within 6 meters of a polling station
- 2) No campaign materials shall be permitted within 6 meters of a polling station
- 3) That voting days shall occur on the Tuesday and Wednesday of the week following the state of the campaign, the pre campaign period be extended into the first Monday of the former campaign period, and that the first day of the pre campaign period be struck.

CHEEMA/WOODS MOVED TO amend the amendment to read:
NICOL/FERGUSON MOVE THAT upon the recommendation of the Elections Review Committee, Students' Council approve Bill #12 to allow campaigning on voting days for the Executive, Students' Council, and General Faculties Council elections, as well as for Plebiscites, and Referenda in first reading based on the following principles:

- 1) No campaign activity shall take place within 6 meters of a polling station
- 2) No campaign materials shall be permitted within 6 meters of a polling station
- 3) That voting days shall occur on the Tuesday and Wednesday of the week following the state of the campaign which Shall be on a Tuesday.

SUMAR call to question

Motion: CARRIED

Amendment to Amendment: FAILED

Main Amendment: FAILED

YAMAGISHI/BELLINGER MOVED TO recess for 10 minutes

Motion: FAILED

POWER/WOODS MOVED TO amend the motion to read:
NICOL/FERGUSON MOVE THAT upon the recommendation of the Elections Review Committee, Students' Council approve Bill #12 to allow campaigning on voting days for the Executive, Students' Council, and General Faculties Council elections, as well as for Plebiscites, and Referenda in first reading based on the following principles:

- 1) No campaign activity shall take place within 6 meters of a polling station
- 2) No campaign materials shall be permitted within 6 meters of a polling station
- 3) Students be given the opportunity to change their vote any time during the voting period.

Motion: FAILED

BELLINGER/CRONE called to question

Motion: CARRIED

Main Motion: CARRIED

Automatic Recess at 7:35 pm

Meeting called back to order at 7:50 pm

2011-14/3

EXECUTIVE COMMITTEE REPORT

Farid Iskandar, VP External- Oral Report

Emerson Csorba, VP Academic- Oral Report

Colten Yamagishi, VP Student Life- Oral Report

2011-14/4

BOARD AND COMMITTEE REPORTS

Kim Ferguson, CAC Chair- Oral Report

2011-14/5

QUESTION PERIOD

Question Period extended 15 minutes

2011-14/6

BOARD AND COMMITTEE BUSINESS

2011-14/6a

WOODS/KARUVELIL MOVE THAT upon the recommendation of the Bylaw Committee, Students' Council approve Bill #8 in second reading based on the following principles:

1. A motion to impeach a member of the Executive or the Board of Governors Representative must be made in good faith, and only for one or more of the reasons which follow:

i) A significant or multiple breaches of Students' Union Bylaw, or Political Policy. It is required that such contraventions of Students' Union Legislation be supported by D.I.E. Board Rulings.

ii) Charges levied against the respondent for violation of the Code of Student Behavior, Provincial or Federal Law.

iii) Performing without the care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances.

2. A motion to begin impeachment procedures shall be submitted to the Speaker of Students' Council via a motion by petition, which shall require the endorsement of at least one third of the voting members of Council

3. At least nine business days before impeachment proceedings begin, the accused member shall be informed in writing of the allegations being levied against him or her.

4. A motion to impeach shall require two readings. The second reading may not occur at the same council meeting as the first reading.

5. Debate on a motion to impeach shall be conducted in camera.

6. The first reading will include a presentation where the respondent shall be given the opportunity to defend themselves, and the appellate shall be given the opportunity to present their case for removal.

7. Each reading will require a 2/3rds majority to pass.

8. After the passage of the 1st reading, the respondent shall be placed on a paid suspension until the second reading occurs. This will relieve the accused of their ability to act in any official capacity on behalf of the Students' Union

9. Upon the passage of the second reading the office of the respondent shall be declared vacant.

Speakers List: Woods, Tighe, Bellinger, Ferguson, Cheema, Crone, Iskandar, Laing, Kelly

BELLINGER MOVED TO amend the document to read:

(6)The respondent shall be informed of the allegations being levied against him or her, in writing by the Speaker, at least nine (9) business days before a motion to impeach can appear in first reading.

Motion: friendly CARRIED

FERGUSON/LEUMIS MOVED TO amend the document to read:

(8)All debate on a motion to impeach shall only occur *in camera*

Motion: CARRIED

CHEEMA/TIGHE MOVED TO make and omnibus amendment to amend the motion to read:

(2) A motion to impeach the President, a Vice President, or the Undergraduate Board of Governors Representative must be made in good faith and only for one or more of the following reasons:

- (a) A significant breach or breaches of Students' Union Bylaw, or Political Policy. It is required that that such contraventions be supported by D.I.E. Board Rulings.
- (a) Charges levied against the respondent for violation of the University of Alberta Code of Student Behavior, Provincial law, or Federal Law.
- (b) Performing without the care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances.

(3) A motion to impeach must be submitted to the Speaker through a petition submitted by the appellant. The motion shall require signatures of at least one third of the voting members of Students' Council.

(4) A motion to impeach shall require two (2) readings, where each reading requires a two thirds (2/3) majority of Students' Council to pass.

(5) The second reading may not occur at the same Students' Council meeting as the first reading.

(6) The respondent shall be informed of the allegations being levied against him or her, in writing by the Speaker, at least nine (9) business days before a motion to impeach can appear in first reading.

(7) The first reading will include a presentation where the respondent shall be given the opportunity to defend himself or herself, and the appellant shall be given the

opportunity to present their case for impeachment.

Motion: CARRIEED

ISKANDAR/BELLINGER MOVED TO divide the amendment

Motion: CARRIED

CHEEMA/TIGHE MOVED TO make and omnibus amendment to amend the motion to read:

(a) A significant breach or breaches of Students' Union Bylaw, or Political Policy. It is required that that such contraventions be supported by D.I.E. Board Rulings.

FERGUSON/WEST MOVED TO amend the amendment to read:

(a) A significant breach or multiple breaches of Students' Union Bylaw, or Political Policy. It is required that that such contraventions be supported by D.I.E. Board Rulings.

Amendment to Amendment: CARRIED

Main Amendment: CARRIED

CHEEMA/TIGHE MOVED TO make and omnibus amendment to amend the motion to read:

(2) A motion to impeach the President, a Vice President, or the Undergraduate Board of Governors Representative must be made in good faith and only for one or more of the following reasons:

- (b) A significant breach or multiple breaches of Students' Union Bylaw, or Political Policy. It is required that that such contraventions be supported by D.I.E. Board Rulings.
- (a) Charges levied against the respondent for violation of the University of Alberta Code of Student Behavior, Provincial law, or Federal Law.
- (b) Performing without the care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances.

(3) A motion to impeach must be submitted to the Speaker through a petition submitted by the appellant. The motion shall require signatures of at least one third of the voting members of Students' Council.

(4) A motion to impeach shall require two (2) readings, where each reading requires a two thirds (2/3) majority of Students' Council to pass.

(5) The second reading may not occur at the same Students' Council meeting as the first reading.

(6) The respondent shall be informed of the allegations being levied against him or her, in writing by the Speaker, at least nine (9) business days before a motion to impeach can appear in first reading.

(7)The first reading will include a presentation where the respondent shall be given the opportunity to defend himself or herself, and the appellant shall be given the opportunity to present their case for impeachment.

Motion: CARRIED

CHEEMA/POWER MOVED TO amend the document to read:

(b)Charges levied against the respondent for violation of the University of Alberta Code of Student Behavior, provincial law, or federal law.

(7)The first reading will include a presentation where the respondent shall be given the opportunity to defend this himself or herself, and the appellate shall be given the opportunity to present his or her case for impeachment.

Motion: CARRIED

CHEEMA/FEHR MOVED TO amend the document to read:

(8)All debate on a motion to impeach shall occur *in camera*

Motion: CARRIED

BELLINGER/FEHR MOVED TO amend the motion to read:

(6)The respondent shall be informed of the allegations being levied against them self, in writing by the Speaker, at least nine (9) business days before a motion to impeach can appear in first reading.

(7)The first reading will include a presentation where the respondent shall be given the opportunity to defend them self, and the appellant shall be given the opportunity to present his or her case for impeachment.

(8)All debate on a motion to impeach shall only occur *in camera*

(9) Once a motion to impeach has passed in first reading, the respondent shall be placed on paid suspension until the second reading occurs.

(a) While the President, a Vice President, or the Undergraduate Board of Governors representative is placed on suspension under Section 6 (9),they will be relieved of the responsibilities of their office as set out in the Bylaw 1100, and cannot act in any official capacity on behalf of the Students' Union.

(b) Notwithstanding Section 9 (a), the President, or a Vice President shall remain members of Students' Council until the motion to impeach is passed in second reading.

(c) The Undergraduate Board of Governors Representative shall remain a member of Students' Council until the motion to impeach is passed in second

reading.

FERGUSON MOVED TO amend the document to read:

(6)The respondent shall be informed of the allegations being levied against themselves, in writing by the Speaker, at least nine (9) business days before a motion to impeach can appear in first reading.

(7)The first reading will include a presentation where the respondent shall be given the opportunity to defend themselves, and the appellant shall be given the opportunity to present his or her case for impeachment.

Motion:(friendly) CARRIED

Main Motion: CARRIED

2011-14/6b

ISKANDAR/FEHR MOVE THAT upon the recommendation of the Discipline, Interpretation, and Enforcement Board Selection Committee, Students' Council appoint Rena Chen, Eve Coppinger, Becky Gormley, and Roy Ho to the Discipline, Interpretation, and Enforcement Board.

ISKANDAR/FEHR MOVED TO amend the motion to read:

ISKANDAR/FEHR MOVE THAT upon the recommendation of the Discipline, Interpretation, and Enforcement Board Selection Committee, Students' Council appoint Rena Chen, Eve Coppinger, Becky Gormley, Drew Maharaj, and Roy Ho to the Discipline, Interpretation, and Enforcement Board.

Amendment: CARRIED

Main Motion: CARRIED

Meeting adjourned

Councillor Attendance Records

2010-2011

Attendance

9/13/2011 SC 11-10
 9/27/2011 SC 11-11
 10/11/2011 SC 11-12
 10/25/2011 SC 11-13
 11/8/2011 SC 11-14

Council Seats (40 total) Name

Ex-officio Members (6 voting seats)

Ex-officio Members (6 voting seats)

President	Rory Tighe	0.5	Y	Y	Y	Y
VP Academic	Emerson Csorba	Y	Y	Y	Y	Y
VP External	Farid Iskander	Y	Y	Y	Y	Y
VP Operations & Finance	Andy Cheema	Y	Y	Y	Y	Y
VP Student Life	Colten Yamigishi	Y	Y	Y	Y	Y
Undergraduate Board of Governors Rep	Raphael Lepage Fortin	Y	Y	Y	Y	Y

Faculty Representation (32 voting seats)

ALES	Andrew Fehr	Y	Y	Y	Y	Y
Arts	Petros Kusmu	Y	Y	Y	Y	0.5
Arts	Navneet Khinda	Y	Y	Y	Y	Y
Arts	Adam Woods	Y	Y	0.5(p)	Y	Y
Arts	Brent Kelly	Y	Y	Y(p)	Y	Y
Arts	Chaka Zinyemba	Y	Y	Y	Y	Y(p)
Arts	Kelsey Mills	Y	N	Y	Y	Y
Augustana (Faculty)	Nathan Sereda	N	N	N	Y	N
Business	Josh Le			N	Y	Y
Business	vacant					
Education	Vanessa Johnson	N	N	Y(p)	N	Y(p)
Education	Brit Luimes	Y	Y	Y	Y	Y
Education	Mallory McMurtrie	Y	N	Y	N	N
Engineering	Aaron Eslinger	Y	Y	N	N	0.5
Engineering	Lyndon Crone	Y	Y	Y	Y	Y
Engineering	Saadq Sumar	Y	0.5	Y	Y	Y
Engineering	Adam Gulyas	Y	Y	Y	Y	Y
Law	Scott Nicol	Y	Y	Y	Y	N
Medicine & Dentistry	Rebecca Gould	Y	Y	Y	0.5	Y(p)
Native Studies	vacant					
Nursing	Eric Bellinger	Y	Y	Y	Y	Y
Open Studies	vacant					
Pharmacy	Sarah Zhao	0.5	Y	Y	0.5	0.5
Phys Ed & Rec	Susan Amer	N	N			
Saint-Jean (Faculty)	Kinnar Power	Y	Y	Y	Y	0.5
Science	Kim Ferguson	Y	Y	Y	Y	Y
Science	Amelie Roberto Charron	Y	Y	N	Y	Y
Science	Avinash Karuvellil	0.5	0.5	Y	N	Y
Science	Peter West	Y	Y	N	Y	Y
Science	Arun Thomas	Y	0.5	0.5	0.5(p)	0.5(p)
Science	Su Su Liang	Y	Y	Y	Y	Y
Science	Brett MacGillivray	Y	Y	Y	Y	0.5(p)

Ex-Officio Members (2 non-voting seats)

Speaker	Michael Ross	Y	Y	Y	Y	Y
General Manager	Marc Dumouchel	N	N	N	0.5	N

Resigned:

Josh Le

Samaar Haider

Jake Archie

Elauna Boutwell

Susan Amer