



**ELECTIONS & REFERENDA  
POLICIES & PROCEDURES**

**EFFECTIVE DATE:**

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## 1.0 DEFINITIONS

- 1.1 **Annual General Election** means the regular election occurring between the first (1<sup>st</sup>) day of the winter term and April 1<sup>st</sup> of each calendar year to elect directors for the regular Board term.
- 1.2 **Appeal** means a written application by a particular candidate(s) for the Election Oversight Panel to overturn a decision of the Chief Returning Officer.
- 1.3 **Election Officers** means staff assigned in an official capacity to assist the Chief Returning Officer with the administration of annual general elections, by-elections, and membership referenda.
- 1.4 **Board** means the Board of Directors of Saitsa.
- 1.5 **By-Election** means a special election occurring outside the annual general election period to fill vacant directorships for the remainder of the term.
- 1.6 **Bylaws** means the corporate bylaws of Saitsa.
- 1.7 **Campaign/Campaigning** means efforts undertaken by or on behalf of a candidate(s) designed to promote their election as a director(s) to the Board.
- 1.8 **Campaign Agents** means voting members affiliated with the campaign to elect a particular candidate and authorized to act on their behalf.
- 1.9 **Candidate** means a voting member who meets the eligibility requirements for directorship established in the bylaws, has completed the requirements for nomination, and is authorized by the Chief Returning Officer to contest an election.
- 1.10 **Candidates' Meeting** means a meeting hosted by the Chief Returning Officer or their designate and attended by candidates for the purposes of orienting candidates to the rules governing elections.
- 1.11 **Chief Returning Officer** means the person designated to act as the chief administrator of Saitsa's annual general elections, by-elections, and membership referenda.
- 1.12 **Complaint** means a written request by a particular candidate(s) for enforcement action by the Chief Returning Officer.
- 1.13 **Director** means a director on the Saitsa Board.
- 1.14 **Election Oversight Panel (EOP)** means the adjudicative panel tasked with arbitrating disputes arising out of annual general elections, by-elections, and membership referenda.
- 1.15 **Expense Report** means a complete and accurate detailing of all monetary and in-kind campaign costs submitted by each candidate to the Chief Returning Officer.

- 1.16 External Authorities** means any external bodies corporate with proper authority to regulate certain election and referenda-related activities, in particular SAIT and the Government of Alberta.
- 1.17 In-kind** means the non-monetary provision of goods and services, excepting volunteer labour by voting members, any goods and services freely available to all candidates, and any benefits provided equally to all candidates by Saita.
- 1.18 Membership Referenda** means a specific question(s) put to the voting members for their authoritative decision.
- 1.19 Member Staff** means employees, agents, contractors, or volunteers of Saita who are simultaneously voting members.
- 1.20 Nomination** means the written support of a voting member to contest an election for the position of director.
- 1.21 Non-Member Staff** means employees, agents, contractors, or volunteers of Saita who are not voting members.
- 1.22 Organization** means an organized group, department, council/committee or body of people who share a common purpose or objective.
- 1.23 Procedural Fairness** is the right to fair and impartial decision-making processes that provide all parties with an equal opportunity to be heard and the reasons for decisions rendered.
- 1.24 Prospective Candidate** means a voting member who has commenced but not finalized their nomination.
- 1.25 SAIT** means the Southern Alberta Institute of Technology.
- 1.26 Saita** means the Southern Alberta Institute of Technology Students' Association.
- 1.27 Single Transferable Vote (STV)** means a multi-winner, ranked-choice voting system using the Droop formula to calculate the quota for election and the fractional method for the transferral of votes.
- 1.28 Slate** means a group of two or more candidates who affiliate for the purposes of campaigning.
- 1.29 Staff** means employees, agents, contractors, or volunteers of Saita.
- 1.30 Voting Member** means a Saita member as defined in the bylaws.

## 2.0 GENERAL

- 2.1** Saitsa shall conduct secure, transparent, free, and fair annual general elections, by-elections, and membership referenda in accordance with its bylaws, Board policies, this policy, and regulations legitimately imposed by external authorities.
- 2.2** To ensure that annual general elections, by-elections, and membership referenda are secure, such processes shall adhere to the following provisions:
- 2.2.1** Voting members shall vote using a medium that ensures the privacy, anonymity, and accuracy of their individual votes.
  - 2.2.2** The voting medium shall be adequately protected against unauthorized access and any unauthorized access shall be immediately addressed and publicly reported.
  - 2.2.3** Any voting stations erected during the voting period shall ensure that voting members are able to vote without obstruction or undue influence.
  - 2.2.4** Persons that are not voting members shall neither campaign in nor be permitted to influence the outcome of the annual general election, by-elections, or membership referenda.
  - 2.2.5** Organizations whose memberships are not majority voting members shall neither campaign in nor be permitted to influence the outcome of the annual general election, by-elections, or membership referenda.
  - 2.2.6** Organizations whose memberships are majority, but not exclusively, voting members shall not allow non-voting members to influence or participate in any of their election-related activities.
  - 2.2.7** Candidates shall neither seek nor accept monetary or in-kind support, assistance, nor benefits of any kind from persons or organizations other than those who are voting members or whose memberships are majority voting members. Repayable loans do not constitute support, assistance, or benefits. Saitsa and/or the CRO are in no way responsible for any aspect of loans obtained by any candidate for the purpose of their campaign or any other purpose.
  - 2.2.8** Vandalization of promotional or campaign materials, or any other deliberate or malicious interference in election and referenda processes, shall be strictly prohibited and Saitsa shall seek to punish such action within the scope of the law, SAIT policy, and its own authority.
- 2.3** To ensure that annual general elections, by-elections, and membership referenda are free, such processes shall adhere to the following provisions:
- 2.3.1** Candidates and their campaign agents may exercise the maximum amount of freedom consistent with secure, fair, and transparent process and restrictions legitimately imposed by external authorities.

- 2.3.2** Restrictions on the freedoms of candidates and their campaign agents are imposed solely to serve secure, fair, and transparent process and to satisfy external authorities and not for administrative convenience or other purposes.
- 2.3.3** Voting members and organizations whose memberships are majority or exclusively voting members shall be free to endorse or support candidates of their choice, excepting that directors and member staff will remain neutral during their official engagements or working hours and non-voting members will not be allowed to influence or participate in the election-related activities of organizations.
- 2.3.4** Candidates and their campaign agents may speak and act freely, excepting that they shall not engage in statements or acts deemed to be discriminatory, derogatory, obscene, slanderous, or otherwise indecent according to applicable laws, bylaws, policies, codes of conduct, or commonly accepted free speech standards.
- 2.3.5** Candidates may affiliate in slates at their discretion, though their candidacies will be regulated separately by the CRO, and candidates will maintain separate campaign promotions, materials, and expenses.
- 2.4** To ensure that annual general elections, by-elections, and membership referenda are fair, such processes shall adhere to the following provisions:

  - 2.4.1** Officials appointed to administer or oversee annual general elections, by-elections, or membership referenda shall remain impartial.
  - 2.4.2** Official benefits provided or restrictions imposed upon candidates and their campaign agents shall be provided or imposed on an equal basis unless differentiated as a result of disciplinary action.
  - 2.4.3** Candidates holding positions within Saitsa prior to and/or during annual general elections, by-elections, and membership referenda are prohibited from using such positions and their available resources or benefits to further their campaigns or preferences.
  - 2.4.4** Non-member staff shall remain impartial and not publicly or privately endorse or support any candidate. Member staff will remain impartial for the duration of their working hours and are prohibited from using their positions to further campaigns or preferences they support.
  - 2.4.5** Recipients of Saitsa funding that host election outreach events and/or opportunities shall ensure that all candidates are given equal opportunity to participate and must advise the CRO in writing a minimum of 48 hours prior to such events and/or opportunities.
  - 2.4.6** Officials finding themselves in a conflict of interest will recuse themselves from all election-related responsibilities in which they are conflicted. Officials are not conflicted by virtue of having an interest in matters affecting their general rights and privileges as voting members.
- 2.5** To ensure that annual general elections, by-elections, and membership referenda are transparent, such processes shall adhere to the following provisions:

- 2.5.1 All official candidate correspondence by the Chief Returning Officer shall be made in writing to all candidates and/or prospective candidates as circumstances dictate.
  - 2.5.2 The schedule for each annual general election, by-election, and membership referendum shall be publicly advertised in accordance with the terms of this policy.
  - 2.5.3 All election and referendum-related notices to the voting members shall be communicated in writing to the full membership.
  - 2.5.4 The Chief Returning Officer and election officers shall strive to ensure reasonable practicable promotion of annual general election, by-election, and membership referendum opportunities to voting members.
  - 2.5.5 All disciplinary actions, complaints, and appeals shall be communicated in writing between the relevant parties.
  - 2.5.6 All campaign-related expenses shall be completely and accurately reported in writing.
  - 2.5.7 The provisional results shall be publicly released in writing in their entirety on the Saitsa website at the earliest opportunity following their tabulation at the conclusion of voting.
  - 2.5.8 The official results shall be publicly released on the Saitsa website at the earliest opportunity following their certification by the Chief Returning Officer, excepting that this may be foregone provided there is no change from the provisional results.
  - 2.5.9 The post-mortem report of the Chief Returning Officer following each annual general election, by-election, and/or membership referendum, shall be made publicly available on the Saitsa website for not fewer than three (3) years.
- 2.6 If this policy shall contradict with any higher-order documents or regulations, it shall have no force and effect to the extent of the contradiction.

## **3.0 MANAGEMENT**

- 3.1 Annual general elections, by-elections, and membership referenda shall be administered by a Chief Returning Officer and such election officers as are assigned to support them.
- 3.2 The Chief Returning Officer shall have general managerial responsibility for annual general elections, by-elections, and membership referenda and all other election officials shall report directly or indirectly to them in their election-related capacities.
- 3.3 The Chief Returning Officer shall be a non-member with expertise or training in elections management.
- 3.4 The Chief Returning Officer is empowered to enforce all relevant election and referendum-related provisions of the bylaws, Board policy, and this policy, subject to the authority of the Elections Oversight Panel as delegated therein.

**3.5** For such residual matters where bylaw or policy guidance related to annual general elections, by-elections, and/or membership referenda is omitted or unclear, the Chief Returning Officer may, at their discretion, make procedural determinations.

**3.5.1** Procedural determinations shall be made in the interest of fairness to all parties and to mitigate any materially negative effects.

**3.5.2** Procedural determinations shall be made in writing and communicated to all candidates.

**3.5.3** Procedural determinations may be appealed to the Elections Oversight Panel within twenty-four (24) hours of their being issued.

## **4.0 OVERSIGHT**

**4.1** Oversight for annual general elections, by-elections, and membership referenda shall be provided by an Elections Oversight Panel established in accordance with the bylaws and Board policy.

**4.2** The Elections Oversight Panel shall consider appeals and render decisions on such appeals in accordance with the bylaws, Board policy, and this policy. Such decisions shall be binding within the scope of the authority delegated to the Election Oversight Panel.

**4.3** Appeals brought before the Elections Oversight Panel shall be conducted in accordance with principles of procedural fairness.

**4.4** Appeals may be filed by candidates from the commencement of nominations until no more than five (5) days after the conclusion of voting and the Elections Oversight Panel shall render decisions to dismiss or hear such appeals within forty-eight (48) hours of their written submission.

**4.5** If the Election Oversight Panel decides to proceed to a hearing, then the hearing shall be concluded within five (5) days of their deciding to proceed or ten (10) days following the conclusion of voting, whichever is earlier.

**4.6** Hearings on appeals shall determine whether decisions made by the Chief Returning Officer shall be upheld or overturned. If overturned, the Elections Oversight Panel shall render a decision remediating the effect of the misapplication or malpractice within the scope of its delegated authority.

## **5.0 SCHEDULING**

**5.1** The Chief Returning Officer shall establish a schedule for the annual general election each year as required provided such schedules conform to the following provisions:

**5.1.1** The voting period shall be not fewer than two (2) days and conclude prior to April 1st for the annual general election;



- 5.1.2 The campaigning period shall be not fewer than twenty-one (21) days, inclusive of the voting period;
  - 5.1.3 The nomination period shall be not fewer than twenty (20) days and shall conclude at 12pm the day prior to the beginning of the campaigning period;
  - 5.1.4 The nomination period for the annual general election shall not commence prior to the first (1st) day of classes in the winter term;
  - 5.1.5 The schedule for each annual general election shall be set and advertised no later than December 1st of the preceding calendar year;
  - 5.1.6 Each schedule shall conform to any other requirements of the bylaws, Board policies, or this policy.
- 5.2 The Chief Returning Officer shall establish a schedule for by-elections as required provided such schedules conform to the following provisions:
- 5.2.1 The voting period shall be not fewer than two (2) days;
  - 5.2.2 The campaigning period shall be not fewer than seven (7) days, inclusive of the voting period;
  - 5.2.3 The nomination period shall be not fewer than five (5) days and shall conclude at 12pm the day prior to the beginning of the campaigning period;
  - 5.2.4 The schedule for by-elections shall be set and advertised not fewer than five (5) days prior to the commencement of the nomination period; and,
  - 5.2.5 Each schedule shall conform to any other requirements of the bylaws, Board policies, or this policy.
- 5.3 Membership referenda shall be scheduled, advertised, and notice given not less than thirty (30) days prior to the commencement of the voting period.

## **6.0 NOMINATION**

- 6.1 Any voting member who meets the eligibility requirements for directorship established in the bylaws may be nominated as a candidate for director in an annual general election or by-election to the Board.
- 6.2 To be nominated as a candidate each eligible voting member must be authorized by the Chief Returning Officer. The Chief Returning Officer shall authorize any eligible voting member as a candidate provided that prior to the end of the nomination period they:
  - 6.2.1 Submit a nomination form as established by the Chief Returning Officer with no fewer than twenty (20) valid nominations from other voting members;

- 6.2.2** Sign a declaration as established by the Chief Returning Officer indicating their agreement to abide by the bylaws, Board policy, this policy, and directives of the Chief Returning Officer during their campaign; and,
- 6.2.3** Attend an official candidates' meeting.
- 6.3** Candidates must submit completed nomination forms by 12pm on the final day of the nomination period.
- 6.4** The Chief Returning Officer shall hold not fewer than one (1) official candidates' meeting and will schedule such meetings with due consideration for the ability of prospective candidates to attend. At least one (1) meeting shall be held after 12pm on the final day of the nomination period.
- 6.5** All candidates affiliating with slates shall submit a form registering their affiliation that shall identify the slate name and be undersigned by all slate members.

## **7.0 CAMPAIGNING**

- 7.1** Candidates and their campaign agents shall be permitted to freely campaign, excepting restrictions imposed to ensure secure, fair, and transparent process and those legitimately imposed by external authorities.
- 7.2** Campaigning shall be subject to the following restrictions:
  - 7.2.1** Campaigning shall not occur prior to 8am on the day after the close of nominations;
  - 7.2.2** Locations for campaigning or the placement of campaign materials may be prohibited, limited, or restricted by the Chief Returning Officer to ensure the unperturbed operations of Saitsa or satisfy restrictions imposed by SAIT;
  - 7.2.3** Specific types of campaign materials may be prohibited to satisfy restrictions imposed by SAIT or because they are likely to permanently damage or alter property;
  - 7.2.4** Only candidates and campaign agents registered with the Chief Returning Officer shall campaign on behalf of a candidate;
  - 7.2.5** Candidates shall not appear on each other's campaign materials, though candidates affiliated in slates are permitted to use their slate name and harmonize their designs and branding;
  - 7.2.6** Campaign agents shall not be registered for more than one candidate;
  - 7.2.7** Classroom talks shall only be permitted if candidates have the explicit permission of the instructor, and the instructor provides such opportunities indiscriminately to all candidates;
  - 7.2.8** The use of existing trademarks, logos, or copyrighted materials, or any likenesses thereof, shall be strictly prohibited;

**7.2.9** The use of any corporate or official mailing lists, list serves, or other communications media other than those established for the purposes of the candidate's campaign shall be strictly prohibited; and,

**7.2.10** Campaigning within ten (10) metres of any voting station shall be strictly prohibited.

**7.3** The Chief Returning Officer shall provide all prospective candidates with written information detailing the restrictions imposed upon their campaigning activities and placement of campaign materials.

**7.4** The Chief Returning Officer shall endeavour to provide official outreach opportunities and channels for all candidates throughout the campaign and shall provide sufficient notice in writing of such opportunities to all candidates.

## **8.0 VOTING**

**8.1** All voting members shall be eligible to vote in the annual general election, by-elections, and membership referenda.

**8.2** Voting members shall vote using the single transferable vote to elect directors and shall be provided with clear questions determined by the Board with respect to membership referenda.

**8.3** Voting shall occur according to the following provisions:

**8.3.1** Voting shall occur over a period of not fewer than two (2) days;

**8.3.2** Voting members shall receive notification and access information through their SAIT emails upon the commencement of the voting period;

**8.3.3** Voting shall be conducted by secret ballot through electronic means and shall be sufficiently accessible that all voting members can reasonably participate;

**8.3.4** The Chief Returning Officer may erect physical voting stations equitably throughout campus for the purpose of allowing voting members to securely, accessibly, and conveniently vote;

**8.3.5** Voting members requiring assistance shall be assisted impartially by the Chief Returning Officer or Election Officers;

**8.3.6** Candidates shall appear in random order on each individual ballot;

**8.3.7** Slate affiliations shall appear in brackets after Candidates' names; and,

**8.3.8** In the event of a campus emergency, technical failure, malicious interference, or other unforeseen complication, the Chief Returning Officer may alter the voting period and/or reset the poll to accommodate the situation provided such accommodation provides all voting members with sufficient notice and time to cast their votes.

## 9.0 EXPENSES

- 9.1 To ensure fair and diverse political discourse, the Chief Returning Officer shall limit the expenses that candidates may incur for their campaigns.
- 9.2 The expense limit for each campaign shall be established by the Chief Returning Officer prior to the commencement of each election and communicated in writing to all prospective candidates.
- 9.3 In establishing the expense limits for each election, the Chief Returning Officer shall give due consideration to:
  - 9.3.1 Striking a balance between ensuring sufficient freedom for candidates to mount vigorous campaigns and ensuring that no candidates receive an unfair advantage based on their personal means; and,
  - 9.3.2 Maintaining reasonable costs for Saitsa in their reimbursement of candidates' expenses.
- 9.4 Saitsa shall reimburse expenses for each candidate up to fifty (50) percent of the expense limit unless reduced as a result of disciplinary action.
- 9.5 A reasonably fair market value of in-kind expenses shall be included in the calculation of expenses for the purposes of remaining under the established limit. The Chief Returning Officer shall have final authority to determine fair market value. Such valuations shall apply uniformly to all candidates and align with comparable examples in the local marketplace.
- 9.6 Candidates shall be required to submit an accurate and complete expense form as established by the Chief Returning Officer within twenty-four (24) hours of the conclusion of voting.
- 9.7 If the Chief Returning Officer has reason to suspect that a candidate has exceeded the expense limit prior to the conclusion of voting, they may require that candidate to submit a complete and accurate expense report within twenty-four (24) hours written notice.

## 10.0 VIOLATIONS

- 10.1 Any violation of this policy by candidates and their campaign agents may result in disciplinary action up to and including disqualification of a candidate by the Chief Returning Officer.
- 10.2 If the Chief Returning Officer deems that violations are reasonably unintended or inconsequential, they may, at their discretion, issue up to three (3) written warnings to a candidate prior to disqualifying them.
- 10.3 The Chief Returning Officer may also levy costs alongside written warnings in the form of reductions of the amount of campaign expenses to be reimbursed. Such costs shall be commensurate to the action that necessitated the provision of the warning.

- 10.4** Repeated identical infractions will be treated as separate instances provided that subsequent infractions occur after warnings and remedial directives issued by the Chief Returning Officer.
- 10.5** The Chief Returning Officer shall comparably discipline all candidates for equivalent or similar violations.
- 10.6** Violations by campaign agents shall be treated as though violations by the candidate themselves.
- 10.7** Disciplinary actions by the Chief Returning Officer may be appealed in writing to the Elections Oversight Panel within twenty-four (24) hours of their being received. The Elections Oversight Panel shall have forty-eight (48) hours to either dismiss the appeal or decide to hold a hearing. If disqualifications occur during the campaigning period, then candidates may continue to campaign while their case is being adjudicated.
- 10.8** Violations by candidates may be reported to the Chief Returning Officer by other candidates, their campaign agents, voting members, staff, or others. Such complaints shall detail violations in writing and append all available evidence.
- 10.9** The Chief Returning Officer will investigate all complaints, render appropriate decisions in accordance with the bylaws, Board policy, and this policy, and provide a written response both to the complainant and candidate about whom the complaint has been filed.
- 10.10** Decisions regarding such complaints may be appealed in writing to the Elections Oversight Panel by the complainant or the disciplined candidate. The Elections Oversight Panel shall have forty-eight (48) hours to either dismiss the appeal or hold a hearing. If disqualifications occur during the campaigning period, then candidates may continue to campaign while their case is being adjudicated.
- 10.11** Candidates may be disqualified if they fail to remove their physical campaign materials from all SAIT facilities after each election in accordance with timelines established by SAIT and in no event more than forty-eight (48) hours following the close of voting.
- 10.12** The Chief Returning Officer may discipline or disqualify candidates for repeated complaints deemed to be frivolous, vexatious, or malicious.
- 10.13** Disqualified candidates shall not be reimbursed for their campaign expenses.
- 10.14** Disqualified candidates may not appear on the ballot if their disqualification is concluded 48 hours prior to the commencement of the voting period. If a disqualification is pending due to an appeal opportunity or application or an unconcluded hearing, then the candidate will appear on the ballot.
- 10.15** If a disqualified candidate is elected, their position shall be filled by the next candidate that would have been elected due to the removal of the disqualified candidate.
- 10.16** The Chief Returning Officer shall not disqualify a candidate more than ninety-six (96) hours after the conclusion of voting.

**10.17** No candidate shall be disqualified after the certification of results.

## **11.0 CERTIFICATION**

- 11.1** The provisional results of annual general elections, by-elections, and membership referenda shall be publicly released by the Chief Returning Officer at the earliest opportunity following their tabulation.
- 11.2** The provisional results of annual general elections, by-elections, and membership referenda shall become final and official upon their certification by the Chief Returning Officer following the closure of the appeals period including the implementation of any remedial directives emanating therefrom.
- 11.3** Following the certification of any election and/or referendum event, the Chief Returning Officer shall submit a post-mortem report to the Chief Executive Officer detailing the process, the results, and any recommended process, policy and/or bylaw amendments.