



Brescia University College Students' Council  
BY-LAW #2

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OF  
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**PREAMBLE:**

The Brescia University College Students' Council (BUCSC) is a representative body of the student community at Brescia University College and is committed to the fair and democratic operation of electoral rules and procedures and ethical hiring practices. As such, the BUCSC has approved the procedures and policies set out in this document in attempt to accomplish the following principles:

- To ensure fairness and democracy;
- To provide method(s) of balloting that are efficient, effective and confidential;
- To increase student awareness to the occurrence of student elections;
- To raise the level of debate surrounding student issues; and
- To ensure proper and ethical hiring procedures are in place
- To protect the reputation of Brescia University College and the BUCSC.

**SECTION A: ELECTIONS PROCEDURES**

**1.0 DEFINITIONS:**

- 1.01 **“Ad-hoc Committee”** means any committee formed to fill a specific purpose only;
- 1.02 **“BUCSC”** means the Brescia University College Students' Council;
- 1.03 **“Campaign Period”** means the designated days during which a candidate may campaign, as set by the CRO;
- 1.04 **“Committee”** means the Elections Committee;
- 1.05 **“CRO”** means Chief Returning Officer of the BUCSC;
- 1.06 **“Days”** means school days unless specified otherwise;
- 1.07 **“Elections”** the selection of a person or persons for office by a public vote or the act of appointing an individual by interview; this includes any by-election;
- 1.08 **“Elections Policy”** means Section B of this document;



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- 1.09 **“Endorse”** means to support a candidate either verbally, online, or through the provision of materials, advertisements, or non-financial donations;
- 1.010 **“Non-Confidence Vote”** means a statement that a candidate is deemed unfit to hold the position they are running for;
- 1.011 **“Non-Confidence Campaign”** means an elections campaign run by the sole candidate for a position they would have otherwise been acclaimed for, in which students are given the opportunity to vote “no” during the voting period;
- 1.012 **“Plebiscites”** means the direct vote of all the members of an electorate on an important public question such as a change in the constitution;
- 1.013 **“Pre-campaigning”** means campaigning before the designated campaigning timeline;
- 1.014 **“Presidential Election”** means an election for the BUCSC President;
- 1.015 **“Proxy”** means having the authority to represent another party;
- 1.016 **“Referendum”** a general vote by the electorate on a single political question that has been referred to them for a direct decision;
- 1.017 **“Regulations”** means guidelines released by the Elections Committee indicating how the policy will be interpreted and applied;
- 1.018 **“USC Representative Election”** means an election for the Western University Students' Council Representative position on the BUCSC;
- 1.019 **“Vice-Presidential Election”** means an election for the BUCSC Vice-Presidential positions;



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## **2.0 JURISDICTION**

- 2.01 The procedures outline in this document shall apply to all BUCSC elections, by-elections, and referenda held by the BUCSC;
- 2.02 Jurisdiction of these procedures shall extend to include all students registered at Brescia University College (BUC).

## **3.0 ADMINISTRATION OF ELECTIONS PROCEDURES**

- 3.01 It will be the duty of the CRO and the Elections Committee to ensure that BUCSC Elections Procedures are followed;
- 3.02 The Elections Committee shall be an ad-hoc Standing Committee of Council composed of:
  - (1) The CRO [chair]:
    - (a) In the absence of a CRO, the Elections Committee shall elect a new designated chair via internal election.
  - (2) President;
  - (3) Vice-President Student Life;
  - (4) Vice President Student Events;
  - (5) Chief Communications Officer;
  - (6) Chief Finance Officer;
  - (7) Governance Officer.
- 3.03 The Committee shall:
  - (1) Oversee the Presidential, Vice-Presidential, and USC Representative Elections as well as the Spring and Fall Elections in accordance to By-Law #2;



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- (2) Utilize By-Law #2 as a clear set of criteria, and make decisions and judgements based on these provisions;
- (3) Make recommendations to Council on all matters regarding elections;
- (4) Not seek office in an election, support or favour any candidate, or endorse a position in a referendum administered by the Committee during their term:
  - (a) Failure to comply with this requirement will result in immediate removal from the Elections Committee;
  - (b) In the event that a Committee member is removed, another eligible Council Member will be selected by the CRO to take their place.

3.04 Quorum for Elections Committee meetings shall exist when five (5) out of seven (7) members are present;

3.05 At the discretion of the Chair, Elections Committee meetings will be either confidential or open to the public;

3.06 Membership to the Committee is restricted to those not seeking a position in the current election cycle; should a member be seeking election or interviewing for a role, they shall forfeit their seat on the Committee until the next elections period;

- (1) In the event that a member is seeking office in an election, the designated chair shall select a council member to take their place.

#### **4.0 ANNUAL ELECTIONS TIMETABLE**

4.01 There shall be four sets of BUCSC elections annually:

- (1) Presidential Elections;
- (2) Vice-Presidential and USC Representative Elections;
- (3) Spring Ordinary Members;



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(4) Fall Ordinary Members.

4.02 Each elections period shall adhere to the following timeline:

(1) Nomination Period:

- (a) Shall be open for at least seven (7) days before the start of the campaigning;
- (b) Shall be no longer than twelve (12) days;
- (c) Shall be concluded with a mandatory all candidates' meeting, held by the designated Chair of the Elections' committee.

(2) Campaign Period:

- (a) Shall open within twenty-four (24) hours of the mandatory all-candidates meeting;
- (b) Shall be no shorter than seven (7) days;
- (c) Shall be no longer than twelve (12) days;
- (d) Shall include mandatory speeches and/or debates.

(3) Voting:

- (a) Shall be held on the two (2) consecutive days following the close of the campaign period; and,
- (b) Shall be no shorter than thirty-six (36) hours;
- (c) Shall be no longer than forty-eight (48) hours.

## **5.0 ACCLAMATION**

5.01 In the event that only one (1) candidate is nominated for an Ordinary Member role for the BUCSC, the following protocol shall be met:

- (1) A press release shall announce the sole candidate available to the student assembly, outlining the due process for a Non-Confidence campaign:



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- (a) The press release shall be published on the BUCSC website and social media within twenty-four (24) hours of nominations closing.
  - (2) The candidate shall reveal a platform, as standard, during the campaign period;
    - (a) The candidate's platform shall be made public on the BUCSC website for the duration of the Campaign period;
  - (3) Should ten (10) students submit their signed Call for Non-Confidence within the first five (5) days of the campaign period, a Non-Confidence campaign shall be held:
    - (a) All procedures for the election shall continue, as standard;
    - (b) The elections timeline shall not be hindered or altered by the Call for Non-Confidence;
  - (4) Should a Call for Non-Confidence not be placed, the candidate in question shall be acclaimed to the General Member position.
- 5.02 In the event that zero (0) candidates are nominated for an Ordinary Member role for the BUCSC, the following protocol shall be met:
- (1) The Chief Executive Officer may appoint a Brescia Student to represent the constituency on an interim basis to ensure accurate representation until the next Spring or Fall Election period.
- 5.03 Sole candidates seeking an Executive role cannot be acclaimed, and a Non-Confidence campaign will automatically be held.

## **6.0 NOMINATIONS**

- 6.01 Nomination forms must be made available in electronic form via the BUCSC website, in accordance with the timeline provisions of this documents:





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(1) Should there be any sort of technology failure, the nomination forms shall be made available in paper to be picked up from the BUCSC office.

6.02 Nomination forms must include the first name, last name, student number and UWO email address of the following number of eligible voters:

(1) President – ten (10);

(2) Vice-President— five (5);

(3) Chief Officers – five (5)

(4) Associate Vice-Presidents and Governance Officer – four (4);

(5) Resource Members – two (2).

6.03 Should only one (1) candidate be received for any position, the Elections Committee may, under their discretion, extend the nomination period for up to an additional twenty-four (24) hours:

(1) Should this happen, the following Campaign and Voting periods shall be pushed back by twenty-four (24) hours.

## **7.0 ALL CANDIDATES MEETING**

7.01 The CRO or the designated chair of the Elections Committee will host an All Candidates meeting for all those seeking Ordinary Member positions during all election periods;

7.02 An All Candidates meeting must be held at least twenty-four (24) hours and at most forty-eight (48) hours before the start of the campaign period;

7.03 During this meeting, the CRO or designated chair shall:

(1) Ensure all candidates have access to By-Law #1, By-Law #2, and the appropriate Terms of Reference;

(2) Review campaign rules and regulation with candidate:



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- (a) The CRO or designated chair shall make a summary of the rules and regulations surrounding elections available for each candidate.

## **8.0 SPEECH & DEBATE PROCEDURE**

8.01 The speeches or debates shall be open to the public:

- (1) A minimum of one (1) speech and/or debate shall be held for Presidential elections, in a public space;
- (2) A minimum of one (1) speech and/or debate shall be held for Vice-Presidential candidates, in a public space;
- (3) A minimum of one (1) speech shall be held in the event of numerous candidates seeking the same Ordinary Member position, or in the event of a Non-Confidence campaign.

## **9.0 VIOLATIONS OF CAMPAIGN RULES**

- 9.01 The Committee shall have the sole authority to enforce the provisions of the elections Policies and Procedures, and no candidate may attempt to enforce the provisions of this document;
- 9.02 Allegations of campaign violations as outlined later in this document (Section B, 4.0), shall be submitted in writing to the Committee who shall decide on the charge;
- 9.03 The Committee may lay charges of violations of campaign rules on its own initiative;
- 9.04 Upon violation of a campaign rule, the Committee may assign demerit points in accordance with the provisions of this document (Section B, 6.0);
- 9.05 The Elections Committee may award demerit points to prospective candidates for pre-campaigning:



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- (1) Any demerit points awarded to prospective candidates shall be counted against the total number of allowable demerit points should the prospective candidate become an actual candidate;
  - (2) In the event demerit points may be awarded prior to the start of campaigning, the Elections Committee shall notify the prospective candidate within forty-eight (48) hours of the alleged violation being reported.
- 9.06 Any charge of a violation must be given in writing within five (5) days of the close of voting to the CRO or designated chair of the Elections Committee;
- 9.07 The Committee shall meet at the call of the CRO or designated chair to discuss any charges of campaign violations, and decide on the appropriate action to be taken, subject to the following:
- (1) To issue four (4) demerit points or less, a decision can validly be made by the CRO or designated chair;
  - (2) To issue five (5) demerit points or more, a meeting of the Elections Committee, with quorum, is mandatory;
  - (3) The CRO or designated chair shall invite the candidate to the meeting where the alleged violation will be addressed, at least twenty-four (24) hours in advance. At the time notice is given, the candidate shall be informed of the nature of the complaint and all relevant facts surrounding the alleged violation. The candidate may attend a portion of the meeting and present their case;
  - (4) Minutes of the meeting will be made available to the public on written request via the BUCSC website within a forty-eight (48) hour period, at the discretion of the Elections Committee.
- 9.08 The Elections Committee, where it finds there has been a violation of campaign rules, must make available for publication the details of the violation;
- 9.09 The Committee, where it finds there has been a violation:



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- (1) Shall assign a demerit point penalty and resulting vote deduction against a candidate or a group representing a side, consistent with the guidelines as outlined in Section B, 6.0 of this document;
- (2) Shall disqualify a candidate from the election automatically if required by Section B, 6.0 of this document;
- (3) May disqualify a candidate from the election upon their discretion, if permitted Section B, 6.0 of this document;
- (4) May declare that an election in a particular BUCSC constituency or the election of a specific candidate be ruled void; and,
- (5) Shall declare a Referendum/Plebiscite to be void, if the Committee determines that the violation(s) have compromised the integrity and/or reliability of the results.

9.010 The Elections Committee, where it finds that there has been a violation, must communicate to the candidate, via e-mail, the reasons for the decision within forty-eight (48) hours after any penalties take effect:

- (1) An instance of a failure of the Committee to communicate these reasons does not invalidate or otherwise affect the status of the penalties.

9.011 Demerit points shall be assigned for infractions as outlined in Section B, 6.0 of this document. The Committee may reduce the demerit points assigned for an infraction by up to half, where circumstances warrant a lesser penalty.

## **10.0 APPEALS OF ELECTION COMMITTEE DECISIONS**

- 10.01 Appeals regarding decisions made and/or sanctions levied by the Elections Committee shall be made in writing to the Speaker of the Council within forty-eight (48) hours of the candidate being informed of the decision;
- 10.02 A candidate is to be informed of an Elections Committee decision no later than six (6) hours after the decision has been made;



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10.03 Appeals to an Elections Committee decision will be heard by the Affiliate Appeals Board in accordance with the provisions outlined in the Affiliate Appeals Board Terms of Reference:

- (1) Refer to the Affiliate Appeals Board Terms of Reference, in their most recently passed form, for situations that would be brought before the Appeals Board.

10.04 The Appeals Board shall hear from the CRO or his/her agent, and the appellant or his/her agent, after which time they will reach a determination;

10.05 All decisions by the Appeals board are recommendations and thus, not binding. While it is suggested that the recommendations made are followed, it is not mandatory.

## **11.0 VOTING**

11.01 All BUC students shall be eligible to vote in a BUCSC election;

11.02 Voting shall occur online:

- (1) In the event that online voting is not possible, paper voting procedures are to be followed as stated in this document, Section A, 12.0, the Ballot.

11.03 The following polling policies shall apply:

- (1) Polls will open at midnight, and are to run no less than thirty-six (36) hours and no more than forty-eight (48) hours:

- (a) In extenuating circumstances, the Elections Committee can postpone the opening of voting:

- i. Extenuating circumstances will be defined at the discretion of the Elections Committee Chair.

- (2) One (1) poster (up to 8.5" x 11") is permitted per location as predetermined by the CRO or the designated chair of the Elections Committee:



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(a) Posters will be approved and hung by the CCO or the AVP Promotions.

(3) There shall be no advanced polling.

## **12.0 THE BALLOT**

12.01 The name of the candidates shall be listed in alphabetical order, by last name:

(1) In the event of only one candidate, the candidate shall be listed, along with "NO", indicating a vote of confidence or non-confidence.

12.02 In the event that paper voting is required, the following procedure would apply:

(1) Voting by Proxy must be approved by the CRO or designated chair of the Elections Committee;

(2) At the dedicated closing of the polls, voters still waiting in line may vote. However, no new voter thereafter shall be admitted to the waiting line;

(3) Under no circumstances may a student be allowed to vote without a government issued photo ID or a UWO student card;

(4) Record shall be kept for a minimum of ten (10) business days of every person who voted in the election;

(5) Polls must be open for a minimum of six (6) hours;

(6) There shall be at least two (2) poll clerks for each polling station. The poll clerk must not be a member of any campaign team. It is the responsibility of the poll clerks to inform candidates and/or campaign team members that they may not loiter in the surrounding area of the polling station. Any irregularities or violations are to be reported to the CRO designated chair of the Elections Committee;

(7) Poll clerks disobeying rules are subject to censure by the CRO or designated chair of the Elections Committee;

(8) Poll clerks shall be determined by the Elections Committee;



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(9) The following counting policy shall apply:

- (a) No ballot shall be counted under the presence of less than two (2) persons;
- (b) A ballot shall be rejected if there is no clear indication of the preference of a single candidate, and/or any additional comments, notations or information is present other than the voting preference;
- (c) The CRO must retain all records and ballots pertaining to an election for thirty (30) days following the public release of elections results.

(10) The following recount policy shall apply:

- (a) Request for recounts must be made in writing to the CRO designated chair of the Elections Committee within two (2) business days following the publication of results;
- (b) Recounts shall be performed only when requested and when the difference between the two (2) concerned candidates is less than ten (10) percent of votes;
- (c) Properly called recounts must be performed within two (2) business days of the request.

### **13.0 ELECTIONS RESULTS**

13.01 All Candidates will be contacted by a member of the Elections Committee with the election results;

13.02 The Elections Committee will release the Total Ballots cast and the Total Number of Spoiled Ballots, if a written request is submitted within forty-eight (48) hours of the polls closing;

13.03 Results will be posted on the BUCSC website and BUCSC social media within twenty-four (24) hours of the end of voting.

13.04 In the event of a tie between two candidates:



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- (1) There will be two (2) further days of campaigning followed by one (1) extra day of voting;
- (2) The Elections Committee will be responsible for informing the student body of the new election period;
- (3) The two tied candidates will be on the ballot:
  - (a) A third candidate will also be included on the ballot if that candidate is within five (5) percent (%) of the vote of the tied candidates.

**14.0 ANNUAL HIRING TIMETABLE**

14.01 There shall be three (3) sets of BUCSC hiring annually:

- (1) Chief Officer and Governance Officer;
- (2) Spring Resource Members;
- (3) Fall Resource Members.

**15.0 INTERVIEW PROTOCOL**

15.01 All applicants shall complete required documentation, as outlined in their nomination form;

15.02 Those seeking an interviewed position are not required to attend the All-Candidates meeting;

15.03 Those seeking an interviewed position shall be contacted by the CRO or the designated chair of the Elections Committee within two (2) days to verify an interview time;

15.04 The interview panel shall consist of the following:

- (1) Chief Officer Interviews:
  - (a) The Incoming President;





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- (b) The Outgoing Chief Officer.
- (c) The Outgoing Governance Officer
- (d) The Outgoing Chief Officer and Governance Officer shall act as a consultant to guide the Incoming President on decision making but does not have decision making power regarding hiring.

(2) Resource Interviews, Spring Elections:

- (a) The Outgoing Portfolio Holder;
  - i. The Outgoing Portfolio Holder shall act as a consultant to guide the Incoming Portfolio Holder on decision making but does not have decision making power regarding hiring.
- (b) The Incoming Portfolio Holder;
  - i. In the event of the Outgoing Portfolio Holder and incoming Portfolio Holder being held by the same individual or in event of vacancy, the Incoming President act as the Outgoing Portfolio Holder.

(3) Resource Interviews, Fall Elections:

- (a) The President;
  - i. The President shall act as a consultant to guide the Portfolio Holder on decision making but does not have decision making power regarding hiring.
- (b) The Portfolio Holder;
  - i. In the event of the Portfolio Holder and President being held by the same individual or in event of vacancy, the Governance Officer shall act as the vacant position.

15.05 All applicants shall be asked the same, position-specific questions as pre-designated by the Elections Committee;



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15.06 The Elections Committee holds the right to do the following in the interview process:

- (1) Check a candidate's social media, as it is general practice in an application process.
- (2) Take into consideration a candidate's performance on council if they have formerly been a member. This includes:
  - (a) Reading the candidate's interim and/or final report from their previous position;
  - (b) The amount of demerit points accumulated by the candidate in their previous position;
  - (c) Any documents related to discipline for the candidate in their previous position;
  - (d) Any formal complaints made by any member of council, particularly those made by a Portfolio Holder.

15.07 Candidates shall be contacted regarding their success after the completion of the corresponding elections:

- (1) Unsuccessful candidates shall be contacted via email, after acceptance of the position from the successful candidate.
- (2) Successful candidates shall be contacted via telephone within Twenty-Four (24) hours of the closure of the interview period.

15.08 In the event of only one candidate applying for the interviewed position, the committee is not obligated to select an unqualified candidate. Nominations shall roll over to the following election:

- (1) A portfolio head, in conjunction with the Governance Officer, may decide to leave the unfilled role empty until the next major Ordinary and Resource Member Election.



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**16.0 PROCEDURAL AUTHORITY**

16.01 Further Procedures necessary for the effective and efficient implementation of this policy shall be established and amended as necessary by Council:

- (1) The scope of such Procedures is limited to the scope of this policy;
- (2) In the event of any conflict, this Policy supersedes any document created under it;
- (3) Council must ratify any new Procedures and amendments to any existing Procedures before said changes take effect;
- (4) Any Procedures ratified by Council, or any subsections therein, may be repealed by a resolution of Council.

**SECTION B: ELECTIONS POLICY**

**1.0 DEFINITIONS**

- 1.01 **“Arm’s-length Party”** means the condition or fact that the parties to a transaction are independent and on an equal footing;
- 1.02 **“Brescia Resident”** means any person who is a resident of Clare Hall at Brescia University College;
- 1.03 **“Brescia Student”** means any person who is registered as a full-time or part-time student at Brescia University College;
- 1.04 **“BUCSC”** means the Brescia University College Students’ Council;
- 1.05 **“Building on Campus”** means any building owned and/or operated by Brescia University College, except for a student residence;
- 1.06 **“Campaigning”** means any attempt by an individual or organization to encourage a student to cast a ballot in favour or in opposition of a candidate. This may occur with or without campaign material;



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- 1.07 **“Campaign Material”** means any item, giveaway, design, sound, symbol or mark that is created or copied in any form in order to and/or likely influence at least one voter to cast a ballot in favour or in opposition of a candidate;
- 1.08 **“Campaign Period”** means the designated days during which a candidate may campaign, as set by the CRO;
- 1.09 **“Committee”** means the Elections Committee;
- 1.010 **“CRO”** means Chief Returning Officer of the BUCSC;
- 1.011 **“Days”** means school days unless specified otherwise;
- 1.012 **“Distribute”** means the dissemination of campaign material(s) by a candidate, or a non-arm’s length party, to any individual or group;
- 1.013 **“Elections”** shall include any by-election;
- 1.014 **“Electronic Campaigning”** refers to any and all campaign materials on the web and/or social media;
- 1.015 **“Elections Procedure”** means Section A of this document;
- 1.016 **“Endorse”** means to support a candidate either verbally, online, or through the provision of materials, advertisements, or non-financial donations;
- 1.017 **“Getting out the vote”** means activity aimed at increasing participation and/or the number of votes cast in an election;
- 1.018 **“Gross Misrepresentation of Facts”** refers to an untrue statement of a fact or facts that is said with malicious intent, that can unfairly sway voters towards a particular candidate;
- 1.019 **“Misrepresentation of Facts”** refers to an untrue statement of a fact or facts that can unfairly sway voters towards a particular candidate;



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- 1.020 **“Non-Arm’s-length Party”** means an individual or group who a candidate knew, or reasonably ought to have known, who would assist that candidate with their campaign. Knowingly distributing more than one of the same type of campaign item to an individual shall result in that individual being deemed a non-arm’s length party;
- 1.021 **“Presidential Election”** means an election for the BUCSC President;
- 1.022 **“Proxy”** means having the authority to represent another party;
- 1.023 **“Regulations”** means guidelines released by the Elections Committee indicating how the policy will be interpreted and applied;
- 1.024 **“Runner Up”** means a candidate who finishes in second place during an election;
- 1.025 **“Senior Class”** refers to any student entering third year or above;
- 1.026 **“Slander”** refers to the act of degrading a candidate either in oral or written form;
- 1.027 **“USC”** means the University Students’ Council at Western University;
- 1.028 **“Vice-Presidential Election”** means an election for the BUCSC Vice-Presidential positions;
- 1.029 **“Votes Cast”** means the total of valid votes;
- 1.030 **“Voting Members”** means any member who has voting rights on the BUCSC.

## **2.0 JURISDICTION**

- 2.01 The policies outlined in this document shall apply to all BUCSC elections, by-elections and referenda conducted by the BUCSC;
- 2.02 Jurisdiction of these policies shall extend to include all students and residents registered at Brescia University College.



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### **3.0 NOMINATION REQUIREMENTS**

3.01 A prospective candidate will be deemed eligible for election if they meet the following requirements:

- (1) All Presidential, Vice Presidential and Chief Officer candidates must be in good standing with a minimum of a sixty-five percent (65%) grade average either cumulatively or in the last academic year, as certified by the Associate Registrar, and/or Academic Success, to run for the position:
  - (a) Proof of good standing must be submitted to the CRO or designated chair of the Elections Committee within twenty-four (24) hours of a nomination form being turned in.
- (2) Candidates shall be part or full-time registered at Brescia both at the time of their nomination and throughout their term of office. Additionally:
  - (a) Candidates must fulfil the specific eligibility requirements of the position as outlined in the relevant Terms of Reference.
- (3) The Executive Members must be a member of the senior class or have at least one (1) year of experience on the BUCSC, to be elected by a vote by all members of the student body;
- (4) If an Executive Candidate does not meet this requirement, they must have a meeting with the Governance Officer to discuss their potential candidacy:
  - (a) It is up to the discretion of the Governance Officer to allow an Executive Candidate that does not meet this requirement to run in the election.

3.02 Candidates for all elected positions must complete a nomination form;

- (1) A nomination form shall only be valid if the required form has been submitted prior to the closing of nominations and has been filled out completely and accurately.



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- 3.03 A candidate may submit a nomination form for up to two (2) Resource Positions or one (1) Resource and (1) one Ordinary Member position.
- (1) If the candidate is successfully elected or acclaimed into the Ordinary member position, they must sit on Council as the Ordinary Member and their Resource Member interview/offer will be cancelled/terminated.
  - (2) If the nomination form is incorrectly completed, the candidate will be contacted by the CRO or designated chair of the Elections Committee to address the error and clarify which positions they will be running/applying for.
- 3.04 A student may only hold one (1) elected position on the BUCSC during a given academic year:
- (1) In the case of an Executive or Associate vacancy, members shall fill roles through steps outlined in the Executive Officer Vacancy Policy and the Resource Member Vacancy Policy.
- 3.05 Any and all electable Candidates will be declared ineligible if they fail to attend the All-Candidates Meeting or if the candidate fails to send a Proxy to the All-Candidates Meeting:
- (1) The candidate, whether present or sending a proxy in their place, is entirely responsible for all information provided at the All-Candidates Meeting;
  - (2) Proxies must submit a Proxy form to the CRO or designated chair of the Elections Committee, no later than twenty-four (24) hours before the All-Candidates Meeting.
- 3.06 Appeals regarding the validity of a nomination shall be made in writing to the Elections Committee no later than twenty-four (24) hours following the closing of nominations. The Committee will render a decision prior to the beginning of the campaign period.



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#### **4.0 ELECTION RULES**

4.01 General Rule of Fair Play: Candidates and Non-Arm's-Length parties shall campaign in accordance with the rules of fair play and should conduct themselves with full respect for their opponents. Breaking the rules of fair play include, but are not limited to, breaching generally accepted community standards, libel, slander, general sabotage of the campaigns of other candidates and misrepresentation of fact:

- (1) Ideas proposed by a candidate in the course of their campaign may be criticized, but the candidate shall not be critiqued on a personal level.

4.02 Equal Access to Resources: No BUCSC resources may be used to aid in any candidate's campaign. This includes, but is not limited to, mailing lists, office space, office supplies, BUCSC logo, equipment, BUCSC Merchandise, Flag football, any club logo or merchandise, and Soph merchandise;

4.03 No Pre-Campaigning: Candidates and prospective candidates are not permitted to influence voters prior to the campaign period, including, for example, through the posting or distributing of material designed and/or likely to influence voters;

- (1) It is permissible for prospective candidates to consult with students prior to the campaign period as is necessary for the purposes of creating a platform and assembling a campaign team;
- (2) Any candidate or prospective candidate may meet with any voting or non-voting member of Council to discuss issues reasonably connected to an office that they intend to, or are considering seeking, on a consultative basis to develop a platform of ideas for the campaign period; and,
- (3) Candidates may not address Executive or General Meetings of the BUCSC regarding their candidacy prior to the start of the campaign period.

4.04 Campaigning during the Voting Period: while physical campaigning shall be prohibited during the voting period, electronic campaigning shall be approved under the following circumstances:





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- (1) All posters and physical campaign materials within the control of the candidate must be removed by 11:55pm before the first day of balloting. Items beyond the control of the candidate are limited to distributed materials and the actions of any Arm's-Length party;
- (2) Candidates and their elections team shall not establish their own polling stations to solicit votes;
- (3) Candidates and their election team shall not campaign at any location in the Brescia community or off-campus. This prohibition includes, but is not limited to, the distribution of physical campaign materials, campaign rallies, and approaching students to solicit votes;
- (4) Candidates may not solicit votes verbally by telephone or through text messaging; and,
- (5) Candidates may not, through any means, electronic or otherwise, influence, appear to influence or attempt to influence a voter while he/she is in the process of voting:
  - (a) A candidate is permitted to encourage students to vote, so long as they do not compel them to specifically vote for them.

4.05 Assumed Responsibility for Actions of Campaign Team: Candidates shall be responsible for the actions, and violations stemming from such actions, of any Non-Arm's-Length party unless the Candidate satisfies the Committee that he/she did not direct the action, and could not have reasonably foreseen that the action would occur:

- (1) Candidates may dissociate themselves from any person or organization who would otherwise be considered Non-Arm's-Length, provided that they give immediate notice to the CRO or designated chair of the Elections Committee, in writing, and provided that the Committee is satisfied that the dissociation is genuine;
- (2) A Candidate shall not be held responsible for the actions of any person or organization if the candidate has previously and adequately dissociated themselves with that person or organization.



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4.06 Compliance with Poster Regulations: Candidates must adhere to the following poster regulations:

- (1) Posters are defined as signage restricted to 8.5x11" sized paper;
- (2) All campaign materials must be approved by the CRO or designated chair of the Elections Committee;
- (3) No signs may be posted in the public domain. "Public domain" is property not owned and operated by Brescia University College. Posters may only be placed on BUCSC poster boards with the approval of the CCO and shall be hung by the AVP Promotions or the CCO;
- (4) Only the CRO or designated chair may remove campaign materials from posted locations legal or illegal; except a candidate's own sign may be removed by the candidate;
- (5) The use of stickers is prohibited; and,
- (6) No signs are to be placed outside of buildings or on windows regardless of the way the sign is facing. Posters may not be placed on any doors, glass, varnished wood, or painted surfaces. Posters found on these surfaces will be removed immediately.

4.07 Distribution of Campaign Materials: Candidates may campaign and distribute campaign material at their own discretion, subject to the limitations within this policy:

- (1) Candidates that receive the prior approval from the CRO or designated chair for campaign materials shall not be found in violation of this policy, but may nonetheless be prohibited from distributing certain materials at the discretion of the Elections Committee.

4.08 Consent Requirement for Distributing Campaign Materials: Physical campaign materials may not be distributed to individuals without their consent. For example, campaign materials may not be forced into the possession of students, including, but not limited to placing them in a mailbox/locker, leaving them on tables, or sliding them under doors.



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4.09 Personal Campaigning on Campus: Any in-person campaigning in the library, classrooms, office space or business operations (excluding the cafeteria), regardless of whether campaign materials are distributed, must be approved by an individual with authority over the space.

- (1) For classroom presentations, a candidate must obtain consent from the professor/lecturer before the start of class. Consent does not need to be documented in writing.
- (2) No campaigning of any form is permitted in the BUCSC office, including but not limited to the display of campaign materials, verbal campaigning, and discussion of campaign logistics.
- (3) Campaigning in Residence: Campaigning shall not be permitted past the Bottega in the Mercato as well as the rear entrance/exit of the Mercato.

4.010 Electronic Campaigning: Candidates must adhere to the following electronic campaigning rules:

- (1) The use of social media including, but not limited to sites such as Facebook, Twitter, YouTube, and Instagram are permitted during the campaign period;
- (2) Candidates may not send electronic mail for the purpose of campaigning without the consent of the recipient; and,
- (3) Consent will be assumed on social media sites in which both parties have agreed to communication (for example, Facebook friends or "liking" a page or personal social media accounts).

4.011 Getting Out the Vote:

- (1) Candidates and Non-Arm's-Length parties may personally remind students to vote, provided that they do not identify themselves as being associated with a particular candidate (either explicitly or implicitly); and, provided that they do not otherwise influence voters in favor of a particular candidate;
- (2) Candidates and campaign team members may not assist in the administration of voting booths; and,



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- (3) Candidates, Non-Arm's-Length parties and students at large shall not encourage students to vote by approaching them with laptops or other electronic equipment during the voting days. Such action will be considered interference in the process of polling and candidates will be subject to penalty as outlined in section 6.0 of this policy.

## **5.0 CAMPAIGN EXPENDITURES**

5.01 The following campaign spending limits shall apply:

- (1) Presidential Candidates: \$100 each;
- (2) Vice-Presidential Candidates: \$75 each;
- (3) First Year Representatives, USC Representative, Faculty Representatives and Year Representatives: \$50 each.

5.02 All donations must be accounted for based on fair market value;

5.03 Candidates are to submit campaign receipts and completed expense forms to the CRO or the designated chair of the Elections Committee, no later than one (1) day prior to balloting;

5.04 The CRO or the designated chair shall review all receipts and expense forms, and shall prepare and make available a publication of all campaign spending;

5.05 Each candidate is entitled to request an inquiry into the campaign spending of another candidate(s) within 3 days of the CRO or the designated chair's publication of candidates' expenditures. In the case of an inquiry, the CRO or the designated chair shall evaluate the campaign spending of the candidate in question on the basis of the fair market value of her campaign materials.



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**6.0 VIOLATION OF ELECTION RULES**

6.01 Demerit points shall be assigned for infractions as follows. The Elections Committee may reduce the demerit points assigned for an infraction by up to half, where extenuating circumstances warrant a lesser penalty;

6.02 Campaigning:

Failing to give a Mandatory Speech	2 demerit points
Failing to submit a campaign platform by the due date	3 demerit points
Misrepresentation of Facts	3 demerit points
Campaign Materials displayed in an unauthorized area	3 demerit points
Campaigning in person in an unauthorized area	5 demerit points
Failure to submit campaign receipts (for signed statement of no expense)	3 demerit points
Same violation in multiple locations	4 demerit points
Improper distribution of campaign materials (e.g. without consent)	6 demerit points
Multiple violations in different locations	8 demerit points
Pre/post campaigning	8 demerit points

6.03 Fair Play:

Unsanctioned use of BUCSC resources	10 demerit points
Gross misrepresentation of facts	10 demerit points
Abuse of position or status	15 demerit points
Failure to comply with the Spirit and Purpose of the election	15 demerit points

(1) The Elections Committee will also impose violations at their discretion for any gross violations of the aforementioned subsection.

6.04 In addition to demerit points, candidates will be deducted votes on a per demerit point basis as follows:

Presidential Candidates:	10 votes per point
Vice-Presidential Candidates:	5 votes per point
All Representatives:	2 votes per point



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6.05 Violations of the following nature will result in automatic disqualification of a candidate:

- (1) Anyone improperly declared an eligible candidate;
- (2) Non-attendance by the candidate or pre-designated representative (by prior arrangement with the CRO or designated chair of the Elections Committee) at the mandatory candidates' advisory meeting prior to campaign period;
- (3) Tampering with other candidate's signs so as to cause them to be defaced or removed;
- (4) Intentional misrepresentation of campaign expenditures and/or any candidate spending over the maximum spending limit as outlined in section 6.0;
- (5) A candidate accruing enough violations to be penalized twenty (20) or more demerit points;
- (6) Any candidate found to be breaching Municipal, Provincial, and Federal Laws;
- (7) Solicitation of the login information necessary for voting;
- (8) Any attempted interference in the elections process as regulated by this Policy.

6.06 In the event that a winning candidate in any election is disqualified, the runner-up will take place of the disqualified winner.

## **7.0 BUCSC MEMBERS**

7.01 The Elections Committee shall remain neutral during BUCSC elections;

7.02 The BUCSC general members may be a part of a campaign team. They must follow all rules in the BUCSC Elections Policy.



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**8.0 DISTRIBUTION OF ELECTIONS POLICY**

8.01 Each Candidate shall be provided with a copy of the BUCSC Elections Policy and Procedure prior to the beginning of the campaign period. The CRO or designated chair of the Elections Committee shall explain this Elections Policy to each candidate at the time of distribution.

**9.0 PROCEDURAL AUTHORITY**

9.01 Further Procedures necessary for the effective and efficient implementation of this policy shall be established and amended as necessary by Council:

- (1) The scope of such Procedures is limited to the scope of this policy;
- (2) In the event of any conflict, this Policy supersedes any document created under it;
- (3) Council must ratify any new Procedures and amendments to any existing Procedures before said changes take effect;
- (4) Any Procedures ratified by Council, or any subsections therein, may be repealed by a resolution of Council.