



University Students' Council Of Western University

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## Bylaw #2: Election Bylaw - **EFFECTIVE JAN 1, 2024**

<b>Authority:</b> Board of Directors	<b>Date Ratified:</b> October 11, 2023
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<b>Previous Amendments:</b> September 1, 2021; November 27, 2019; November 28, 2018	
<b>Related Document(s):</b>	
<b>Review Committee(s):</b>	
<b>Delegates:</b>	

### 1. PURPOSE

This Bylaw outlines the rules and procedures for University Students' Council (USC) elections at Western University.

### 2. DEFINITIONS

**2.1.** For the purpose of this Bylaw, in addition to definitions from **Bylaw #1**, these terms shall be defined as follows regardless of capitalization:

2.1.1. **Affiliate** means King's University College, Huron University College, and Brescia University College

2.1.2. **Campaign Material** means any material, regardless of format, that promotes or opposes any Candidate.

2.1.3. **Campaigning** means any attempt by a person or organization to motivate a student to cast a ballot in favour or against a candidate or referendum question. This may occur with or without campaign material.

2.1.4. **Committee** means the Elections Governance Committee (EGC).

- 2.1.5. **Council** means the Members of the corporation and the legislative branch of the Corporation.
- 2.1.6. **CRO** means Chief Returning Officer of the USC.
- 2.1.7. **Campaign Period** means the designated days during which a candidate may campaign.
- 2.1.8. **Candidate** means person seeking or to be elected to an office and whose name appears on the ballot.
- 2.1.9. **Days** shall be business days.
- 2.1.10. **Divisional Election** means an election for Faculty Councils and Affiliate Councils.
- 2.1.11. **Election or USC Election** shall include any election, including by-elections, for a USC Executive or Council member.
- 2.1.12. **Faculty** means any of the Western University faculties.
- 2.1.13. **Faculty Council** or **Constituency Council** means the student-led governing bodies of Western University faculties or affiliates.
- 2.1.14. **Presidential Election** means an election for President of the USC.
- 2.1.15. **Referendum** means a question posed to Western University's student body.
- 2.1.16. **Secretary of the University** as defined by Western University.
- 2.1.17. **Student** includes any individual with undergraduate status registered at the University of Western Ontario, King's University College, Huron University College, or Brescia University College unless otherwise specified.
- 2.1.18. **University** means Western University together with King's University College, Huron University College, and Brescia University College.
- 2.1.19. **USC** means University Students' Council of Western University.

### 3. JURISDICTION

- 3.1. This Bylaw applies to all University Students' Council-administered elections at Western University.

- 3.2. The Committee can delegate the administration of an election or by-election to another governing body by a simple majority vote.
- 3.3. The USC shall recognize no election or referendum conducted by a body other than the EGC or CRO unless first delegated such authority as outlined in section 3.2 of this bylaw.

#### **4. ELECTION GOVERNANCE**

- 4.1. There shall be a Chief Returning Officer (CRO) and an Elections Governance Committee chaired by the Chief Returning Officer.
  - 4.1.1. The Chief Returning Officer is responsible for the elections and referendum processes. The CRO may appoint one or more Deputy Returning Officers and other officers to assist them in the completion of their duties.
- 4.2. The CRO and the Committee shall have the sole authority to enforce the provisions of this Bylaw.
- 4.3. The Elections Governance Committee is responsible for those decisions which it is empowered to make by By-Law, Policy or Procedure.

#### **5. VOTER ELIGIBILITY**

- 5.1. All undergraduate students enrolled at Western University at the start of the nomination period, as outlined in the election calendar, are eligible to vote in the USC Elections.
- 5.2. Each eligible voter is permitted one vote for USC President.
- 5.3. Each eligible voter is permitted one vote for the following positions in the faculty or affiliate college they are registered in as determined by the Western University Registrar's Office.
  - 5.3.1. Constituency Council President
  - 5.3.2. Constituency Councillor
- 5.4. Students in a dual degree program can only vote in one of the constituencies in which they are enrolled.
  - 5.4.1. By default, the student will be eligible to vote in the constituency listed in the common data elements delineating the candidates, electors, and voting segments as received by the Registrar's Office. To vote in the other constituency, the student must make a written request to that effect. The manner in which such requests will be processed, including criteria for a successful request, will be prescribed in a Policy established by the Board in accordance with section 10 of this by-law.

Requirements for the form and substance of such requests, including any deadlines, will be prescribed by the Chief Returning Officer.

5.5. Council Members of the outgoing and incoming USC shall be permitted one vote for the Vice-President External Affairs and Vice-President University Affairs elections.

5.5.1. A councillor who is a member of the outgoing and incoming councils shall be permitted two votes.

5.6. Eligible voters are permitted one vote for each referendum question presented to the entire student body.

5.6.1. For referendum questions specific to faculty or affiliate college only students enrolled in that faculty or affiliate college will be permitted to one vote.

## **6. CANDIDATE ELIGIBILITY**

6.1. For elections during the summer term only undergraduate students enrolled in the most recent winter term and intending to return for the following academic year will be permitted to run for USC President, Vice President External Affairs and Vice President University Affairs.

6.2. For elections during the fall term only undergraduate students enrolled in the most recent fall and winter terms will be permitted to run for USC President, Vice President External Affairs and Vice President University Affairs.

6.3. For elections during the winter term only undergraduate students currently enrolled in the winter term and most recent fall term will be permitted to run for USC President, Vice President External Affairs and Vice President University Affairs.

6.4. Any person can become a candidate in a faculty or affiliate election if they are registered as a student in that faculty or affiliate college at the time of nomination.

6.5. Candidates may only run for one elected position.

6.6. To determine if a student meets the above criteria, the USC will rely on records provided by the University Registrar.

6.7. Students in a dual degree program can only run for an elected position in one of the constituencies in which they are enrolled.

6.7.1. By default, the student will be eligible to run in the constituency listed in the common data elements delineating the candidates, electors, and voting segments as received by the registrars office. The student must make a written request to run in

the other constituency. How such requests will be processed, including criteria for a successful request, will be prescribed in a Policy established by the Board following section 10 of this by-law. Requirements for the form and substance of such requests, including any deadlines, will be prescribed by the Chief Returning Officer.

6.8. For a full list of the constituencies and the number of Councillors representing each, refer to [Council Composition Procedure](#).

## **7. ELECTIONS CALENDAR**

7.1. The CRO will release the election calendar each year by the end of July.

## **8. BALLOTING**

8.1. Ballots are cast online using a service provider determined by the USC.

8.2. Voters shall be able to abstain from any or all segments on the ballot without risk of spoiling the ballot.

8.3. All elections and referenda with more than two (2) options on the ballot, excluding divisional races, will be administered using a preferential ranked ballot that is counted using the single transferable vote method.

8.3.1. Voters shall mark their choices in order of preference.

1. One (1) is the highest (most preferred) ranking;
2. Two candidates cannot have the same ranking, or the ballot is invalid ;
3. Any candidate can be given any ranking, including no ranking.

8.4. For all elections and referenda, with only two (2) options on the ballot, and for all divisional elections with any number of options, a plurality voting system shall be used to count ballots.

## **9. ELECTION RESULTS**

9.1. Election results shall be released within three days of the close of balloting.

## **10. POLICIES AND PROCEDURES**

10.1. The Board of Directors will occasionally establish Policies for the conduct of elections and referendums consistent with this By-Law. The EGC may establish procedures and regulations consistent with this By-Law and any Policies established by the Board of Directors under this section.