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BY-LAW #2
of
KING'S UNIVERSITY COLLEGE
STUDENTS' COUNCIL

ELECTIONS POLICIES AND PROCEDURES

BY-LAW #2

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PART A - ELECTIONS

1. DEFINITIONS AND INTERPRETATION

(1) **"Academic Year"** means the period between September 1st of any calendar year until April 30th of the following calendar year;

(2) **"Administration"** means the permanent administrative staff employed by King's University College at Western University;

(3) **"Act"** means the Corporations Act, R.S.O 1990, as amended from time to time, and every statue that may be substituted for it and, in the case of such substitution, any references in the By-Law to provisions of the Act shall be read as references to the substituted provision in the new statutes;

(4) "**Annual General Meeting"** means the annual meeting of the members, that is not a General Meeting and that follows the guidelines as set out in this By-Law;

(5) **"Board"** means the board of directors of the King's University College Students' Council;

(6) **"Board Term"** means the annual term of the Board, which shall coincide with the corporation's fiscal year, commencing May 1st and ending April 30th of any given calendar year.

(7) **"By-Laws"** means the By-Laws relating to the transactions and affairs of the Corporation, including By-Law #1 and By-Law #2 and any other By-Law adopted by the Corporation;

(8) **"Club"** means any organization ratified under the KUCSC Clubs Policy;

(9) **"Committee"** is understood to be the Elections Committee unless otherwise stated.

(10) **"Corporation"** means the King's University College Students' Council (KUCSC), a corporation without share capital incorporated under the Act;

(11) **"The Council"** means the legislative branch of the King's University College Students' Council and includes all of the Members;

(12) **"day"** shall include any day or days of the week, except for statutory holidays;

(13) "**Director**" means a voting or non-voting director of the Corporation;

(14) "**Duly Called Meeting**" means a meeting of Council called pursuant to the notice provisions in By-Law #1, regardless of whether or not the meeting meets quorum;

(15) **"Duly Constituted Meeting**" means a Duly Called Meeting of Council where quorum is met pursuant to the notice provisions in By-Law #1;

(16) **"Election Set"** or is understood to refer to each set of elections as outlined in Section 5.01; the Spring Elections, the VP Elections, the Officers Elections, and the Fall Elections are understood to be distinct sets of elections, for a total of four sets.

(17) **"the Executive" or "KUCSC Executive"** means the executive branch of the KUCSC, as described in By-Law #1 Section 7.00;

(18) **"*ex-officio*"** means a member by virtue of her office;

(19) **"General Meeting"** means a Duly Called Meeting that is not the Annual General Meeting;

(20) **"Legislative Session"** means the sitting of the Council, which shall be from the ratification of the newly elected Council during the second part of the Annual General Meeting, until the dissolution of that Council during the second part of the Annual General Meeting of the following year;

(21) **"Letters Patent"** means the letters patent of the Corporation, as amended and supplemented by supplementary letters patent;

(22) **"Member"** refers to an individual holding any membership class of the Corporation;

i. **"Ordinary Member" or "Voting Member"** means any individual who holds a position listed in By-Law #1 Section 4.03(2) and who has full voting rights at Council;

ii. **"Resource Member"** means any individual who holds a position listed in By-Law #1 Section 4.03(3) and who does not have voting rights at Council.

(23) **"Officer,"** unless otherwise stated, is understood to refer to the Chief Communications Officer and the Chief Financial Officer.

(24) **"Policies and Procedures", "Policy" and "Procedure"** includes any document approved by the Council or Board of Directors that regulates the transactions and affairs of the Corporation, excluding any By-Laws and Letters Patent;

(25) **"Residence**" means a habitation, operated by the University, housing a community of students during any particular Academic Year;

(26) **"Simple Majority"** means more than half of the votes cast, excluding blanks and abstentions;

(27) **"Student"** means any individual undergraduate student of Western University or an Affiliate, regardless of full, part time, or special status;

(28) **"Sub-constituency"** is understood to be any group of student made up of a distinct group of students at King's University College who are eligible to vote for a specific representative, for example Mature Students; this does not refer to department representatives. Students may be eligible to vote in multiple sub-constituencies;

(29) **"Two-Thirds Vote"** means at least Two-Thirds (2/3) of the votes cast, excluding blanks and abstentions;

(30) **"University"** means King's University College at Western University; and,

(31) **"Vice Presidents"** is understood to mean the Vice Presidential positions voted by students at large; that is, the Vice President Events and Vice President Student Issues.

1.2. Other definitions

(1) The terms are defined in the context in which they appear and shall have the meanings therein indicated.

1.3. Headings

(1) The headings used throughout the By-laws are inserted for reference purposes only and are not to be considered in construing the terms and provisions or to be deemed in any way to clarify, modify, or explain the effect of such terms or provisions.

1.4. Interpretation

(1) Words, phrases, or sentences written in singular form include the plural.

(2) Words, phrases, or sentences written in feminine include the masculine.

(3) Wherever the terms "includes", "include" or "including" are written in the By-Laws, the Policies or the Procedures, they shall be deemed to be followed by the words: "without limitation".

2. JURISDICTION

2.1. Jurisdiction of this By-Law shall extend to include all students registered at King's University College at Western University.

2.2. The provisions of this By-Law shall apply to all elections, by-elections, plebiscites and referenda conducted by the KUCSC.

3. ADMINISTRATION OF BYLAW #2

3.1. It will be the duty of the Governance Officer, CRO, and the Elections Committee to administer this By-Law, and to uphold its Vision and Principles.

3.2. The Elections Committee shall:

(1) Act in accordance with The Standing Committee Terms of Reference.

(2) Be composed of:

i. the Chief Returning Officer (CRO), *ex-officio,* as chair, voting;

ii. the Governance Officer, *ex-officio,* as vice-chair, voting; and,

iii. At least five (5) other members of Council, either Resource or Ordinary.

(3) Develop and maintain a clear set of criteria and considerations to be used by the Committee when making decisions relating to elections;

i. The Committee may create and release Regulatory or Procedural documents detailing how By-Law #2 will be interpreted and applied prior to an election period. The Regulations shall be binding as though they were a part of the bylaws, provided that:

a. The Regulations are consistent with the bylaws;

b. The Regulations are openly available to candidates at the start of the nominations; and,

c. The Committee recommend to the Governance and Council Operations Committee relevant By-Law amendments related to Regulations issued as soon as possible following the conclusion of the Election period.

(4) Make recommendations to Council on all matters, including By-Law amendments, that relate to elections;

(5) Members of the Elections Committee may not seek office in an election, support any candidate, or endorse a position in a referendum or plebiscite administered by the Elections Committee during her term.

i. Failure to comply with this requirement will result in the immediate removal from the Elections Committee.

4. AMENDMENTS TO BY-LAW #2

4.1. Any amendment to By-Law #2 shall be treated in the same manner and subject to the same procedure as an amendment to By-Law #1, as laid out Section 11 of By-Law #1.

5. BASIC INFORMATION

5.1. There shall be four (4) sets of KUCSC elections each year: Fall Elections, Spring Elections, External Vice Presidential (VP) Elections, and Internal Officer Elections.

5.2. All campaign periods shall be no longer than twelve (12) days and no shorter than seven (7) days. As an exception, the internal VP election campaign period may be up to fifteen (15) days.

(1) For the purposes of this By-Law, a campaign period is that which has been determined by the Committee, in accordance with this By-Law.

5.3. Referenda and Plebiscites are subject to Part B of this By-Law, and they shall be held concurrently with either the Fall or Spring Election period.

5.4. The Fall Elections will consist of the First Year Off-Campus Representatives, the First Year Residents Representative, and any elected position that remains unfilled from the preceding Spring Elections.

5.5. The Spring Elections will occur in two steps, the first consisting of the President and all Representatives named in By-Law #1 Section 4.03(2)iv.; the second step shall elect the VP Student Affairs and the VP Student Events, as well as the second, third, and fourth year Board of Directors members.

(1) Notwithstanding Section 5.04, the First Year Off-Campus Representative, the First Year Residence Representative, and the First Year Board of Directors member shall be elected during the Fall Elections Period.

6. ANNUAL ELECTIONS TIMETABLE

6.1. Subject to necessary changes by the Corporation, the Fall Election timetables shall be as follows:

(1) Nominations for any position open for the Fall Election period, as stated in Section 5.04, must open no earlier than September 15th and no later than September 28th, lasting no more than ten (10) days.

(2) The Campaign Period, subject to Section 5.02, will follow the nomination period.

(3) The Voting Period, commencing no later than October 20th, shall occur on the two consecutive days following the Campaign Period.

6.2. The Spring Election timetable shall be as follows:

(1) The Spring Election timetable shall mirror the USC's;

i. Notwithstanding Section 6.02(1) and subject to the approval of the Governance Officer, the Elections Committee may elect to deviate from the USC schedule.

(2) Nominations shall open no earlier than January 1st and no later than January 12th, and close, in any event, not more than two (2) days prior to the commencement of the campaign period;

(3) Campaigning shall begin not more than two (2) days after nominations close and shall continue up to and including the day preceding balloting. In any event, the campaign period shall begin no earlier than January 24th each year;

(4) Balloting shall take place on-line over two consecutive days from 8:00am on day 1 to 8:00pm on day 2.

6.3. External Vice Presidential (VP) Elections and Board Elections

(1) Nominations for External VP and Board of Directors candidates shall open no later than January 31st, last no less than one week, and shall not close before the announcement of the Spring Elections results.

(2) Campaigning shall begin not more than two days after nominations close and shall continue up to and including the day preceding balloting. In any event, the campaign shall last no less than one (1) week and no more than ten (10) days.

i. Notwithstanding section 6.03(2), in the event that the External VP and Board Elections can be completed prior to the spring Reading Week, as established by the University, the campaign shall be extended to include Reading Week. In this case, voting is to take place the first Wednesday and Thursday following Reading Week.

(3) Balloting shall take place on-line over two consecutive days from 8:00am on day 1 to 8:00pm day 2.

6.4. Internal Officer Elections

(1) Nominations for Internal Officer (Chief Financial Officer, Chief Communications Officer) candidates shall open no earlier than three (3) weeks prior to the Annual General Meeting (AGM) and close no later than nine (9) days prior to the AGM.

(2) Campaigning shall begin not more than two days after the nominations close and shall continue up to and including the day preceding the beginning of the AGM. In any event the campaign shall last no less than one (1) week and no more than ten (10) days.

7. CANDIDATE ELIGIBILITY

7.1. Any student who has any outstanding fines, as issued by the Elections Committee, shall be deemed ineligible to be a candidate for election, until such time as those fines are paid.

7.2. Any student who has been disqualified from any KUCSC election for any reason shall be barred from running in subsequent elections.

(1) This shall automatically apply for the election in which they are disqualified and three subsequent election sets, as articulated in Section 5.01.

(2) Once four sets of elections has been held, including the one in which the candidate was disqualified, the ban may be appealed by the student in question and the ban shall be overturned if the appeal receives a two-thirds (2/3) vote in its favour by council at a Duly Constituted Meeting in which proper notice of the appeal has been made.

7.3. Candidates as students:

(1) Candidates in the Fall Elections shall be full- or part-time undergraduate students at King's University College at the time of their candidacy.

(2) Candidates in the Spring Elections shall be full- or part-time undergraduate students at King's University College at the time of their candidacy and shall be planning to be full- or part-time undergraduate students at King's University College for the duration of the term of office relating to the position for which they are running.

i. Notwithstanding Section 7.03(2), students at Western University, Huron University College, or Brescia University College who wish to run for a position on council must seek approval from council, requiring a two-thirds (2/3) vote in favour of their request at Council's final Duly Constituted Meeting of the calendar year prior to when they hope to run.

a. Under no circumstances are non-King's students eligible to be a Department Representative, USC Representative, KCC Representative, External KUCSC VP, or KUCSC President.

7.4. Candidates must have achieved a minimum average of sixty-five percent (65%) either cumulatively or in the last academic year.

7.5. Candidates for all elected positions must complete a nomination form.

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

(2) Appeals regarding the validity of the nomination shall be made in writing to the 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.

(3) A person may not submit a nomination form for more than one position in any given Election Set.

7.6. 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. The Candidate, whether present in person or not, is entirely responsible for all information provided at the All-Candidates Meeting.

(1) The Chief Returning Officer may rescind the disqualification of a candidate who fails to attend the All Candidates' Meeting, following an in-person or phone call meeting with the candidate in question provided the candidate in question provides sufficiently valid reasoning, at The Chief Returning Officer's discretion.

i. This decision may be overturned by the Committee by a Two-Thirds (2/3) vote.

8. VOTER ELIGIBILITY

8.1. In order to vote each student must possess and log in online using a unique University email username and password.

8.2. KUCSC Elections

(1) In order to be eligible to vote in a KUCSC Election, an individual must be a Student at King's University College.

(2) For the elections specific to a particular department or sub-constituency, voters must be registered as a student in the corresponding department or sub-constituency.

(3) The KUCSC will rely on records provided by King's University College or the University of Western Ontario to determine which students are eligible to vote and in which constituency each student is a member.

9. ADMINISTRATION OF ELECTIONS

9.1. The Committee

(1) Elections sponsored by the Corporation shall be conducted and supervised by the Committee in accordance to this By-Law.

i. All Committee members must abide by the KUCSC Conflict of Interest Policy.

9.2. The Chief Returning Officer (CRO)

(1) The following items will be publicized by the CRO, on behalf of the Corporation, for the purposes of each election period:

i. Call for nominations for KUCSC elections;

ii. announcement of candidates for KUCSC elections;

iii. announcement of the time and date for on-line balloting; and,

iv. announcement of official results for USC elections.

10. THE BALLOT

10.1. The Fall and Spring Ballots shall include the following segments:

(1) The list of candidates contesting the election; and,

(2) the referendum or plebiscite question, if applicable.

10.2. A hyperlink to the voter sign-in page shall be placed in prominent locations such as the /KUCSC Homepage and KUCSC Elections page during the balloting period of all Election Sets.

10.3. The following criteria must be met when developing the layout of the ballot:

(1) The name of the candidates for a constituency shall be listed in alphabetical order by last name.

(2) Only the legal names of candidates, or reasonable derivations thereof, shall appear on the ballot, as approved by the CRO.

10.4. The layout of the ballot shall be inspected by the Governance Officer prior to balloting, to ensure that it conforms with the criteria set out herein.

10.5. All candidates will have an opportunity to review the ballot not less than seventy two (72) hours before balloting.

10.6. Any candidate who, after inspecting the ballot, has concerns about the layout of the ballot, may address those concerns in writing to the CRO for consideration by the Committee.

(1) The Committee shall respond to any concerns within twenty-four (24) hours of the submission; and,

(2) Any appeals of a decision made by the Committee with respect to a submission made under paragraph 10.06 must be submitted in writing to the Governance Officer not less than twenty-four (24) hours before balloting begins.

11. RULES FOR ELECTIONS, PLEBISCITES, AND REFERENDA

11.1. Campaigning

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

i. It is permissible for prospective candidates to consult with students prior to the campaign period as is necessary for the purposes of assembling a campaign team.

ii. Any meeting held by a candidate or prospective candidate with more than one individual shall be considered pre-campaigning.

iii. Candidates and prospective candidates may meet with members of the executive body, or equivalent representative of KUCSC or King's University College recognized organizations, on a consultative basis to develop a platform of ideas for the campaign period. Candidates may not address Executive or General meetings of KUCSC or King's University College recognized

organizations prior to the start of campaigning, and must schedule meetings with executive members on their own initiative. The candidate may not solicit votes or support during consultative meetings.

a. Any candidate or prospective candidate may meet with any voting member of Council to discuss issues reasonably connected to an office that they intend to, or are considering seeking; but,

b. the foregoing must not impede any officer or member of the Corporation from carrying out all duties reasonably incident to her portfolio.

(2) Campaign team: the maximum size of the campaign team shall not be greater than ten (10) persons;

i. these ten (10) persons will be identified by signatures on a form separate from the nomination form;

ii. to be considered a member of the campaign team, a student must hold a specified position prior to signing the nomination form;

iii. a member of the campaign team is deemed a non-arm's length party.

(3) KUCSC Endorsement: No KUCSC Staff member, coordinator, or member of the KUCSC Executive may endorse or aid any candidate or prospective candidate with regards to their campaign or their general suitability as a candidate outside of meetings held on a consultative basis.

i. Any such endorsement will be seen as a conflict of interest involving the aforementioned individuals ability to act in the best interests of the KUCSC.

(4) No Slate Campaigning: Campaigning as a slate is prohibited. Each candidate must maintain separate finances, produce unique campaign materials and present campaign platforms distinct from other candidates. Candidates may campaign together in campus buildings, so long as they present themselves as individuals.

(5) Limitations on Post-Campaigning: Campaigning must cease by 11:59 pm before the first day of balloting subject to the following:

i. Candidate websites and online campaigning may remain online;

ii. Candidates may not campaign by email and electronic messaging, including social media and text messaging, except as specified in getting out the vote regulations below;

iii. Candidates may not campaign verbally by telephone;

iv. Candidates may not, through any means, electronic or otherwise, influence, appear to influence or attempt to influence a voter while she is in the process of voting.

v. Getting out the vote:

a. Campaign team members 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 favour of a particular candidate.

b. Campaign team members may not assist in the administration of voting booths.

c. The candidates themselves must not be visibly involved in any physical "get out the vote" activities. This is based on the expectation that candidates would unavoidably appear to influence voters in their favour when reminding them to vote.

(6) 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 or she did not direct the action, and could not have reasonably foreseen that the action would occur;

i. 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, in writing, and provided that the Committee is satisfied that the dissociation is genuine.

ii. 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.

iii. General Rule of Fair Play: Candidates shall campaign in accordance with the rules of fair play. 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.

(7) Distribution of Campaign Materials: Candidates may campaign and distribute campaign material at their own discretion, subject to the limitations within this By-Law. Candidates that receive the prior approval from the CRO for campaign materials shall not be found in violation of this By-Law, but may nonetheless be prohibited from distributing certain materials at the discretion of the Committee.

(8) 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 by placing them in a mailbox, or sliding them under doors.

(9) Personal Campaigning on Campus: Any in-person campaigning in classrooms, regardless of whether campaign materials are distributed, must be approved by the professor/lecturer before the start of class. Consent does not need to be documented in writing.

i. No campaigning of any form is permitted in the KUCSC office, including but not limited to the display of campaign materials, verbal campaigning, and discussion of campaign logistics.

ii. No campaigning of any form is permitted in the Cardinal Carter Library including but not limited to the display of campaign materials, verbal campaigning, and discussion of campaign logistics.

(10) Campaign Signs and Posted Campaign Materials:

i. Excluding any materials shown during classroom presentations, there is an absolute prohibition on posting campaign materials in classrooms or seminar rooms.

ii. Generally, campaign signs may not:

a. overlap or be attached to a campaign sign already affixed to something; or,

b. be removed from any posted location, even if posted in contravention of the bylaws, without the authorization of the CRO, except a candidate's own sign removed by that candidate.

iii. Candidates may place one (1) outdoor sign on the King's Campus, subject to prior approval of the Dean of Student's Office, and the CRO.

iv. Each candidate is permitted to hang up to thirty (30) 8.5" x 11" posters, including the number posted in residences, provided by the KUCSC.

(11) Campaigning in Residences:

i. Candidates may campaign in student residences subject to the following conditions and any additional or replacement conditions produced by the Residence Manager of a given residence:

a. Candidates shall obtain permission from the Residence Manager of a residence before campaigning in residence. All permissions shall be forwarded to the CRO before campaigning takes place.

b. Candidates shall sign in at the front desk of the residence upon arrival and again upon departure.

c. Candidates are permitted by invitation of a resident to their private room, but only until 10:00p.m. Under no other circumstances should a candidate enter a residence room.

d. Candidates are permitted by invitation of a residence staff member or residence RA to speak at the end of a wing/floor/house meeting.

e. Candidates may book additional space in the way of tables or booths in residence with approval of the Residence Manager. Candidates may distribute campaign materials at these booths.

f. Candidates may campaign door-to-door in residence, provided that the following provisions are upheld:

    (a) Campaigning may take place only between 4:30 p.m. and 10:00 p.m on weekdays and between 2:00pm and 4:00pm on Saturdays.

    (b) Candidates are accompanied by a member of residence staff or a residence soph.

    (c) Candidates may bring a maximum of two volunteers with them.

    (d) The candidate and volunteer(s) must stay together. Candidates and volunteers shall not split up for any purpose.

    (e) Candidates and volunteers shall wear a guest badge available at the front desk.

    (f) Candidates shall not knock on doors displaying signage indicating a preference for no campaigning.

g. Each candidate is limited to two posters per residence and posters shall only be posted in a central location of each residence as designated by the Residence Manager.

    (a) All posters must be submitted to the Residence Manager's office for approval.

    (b) Posters shall only be hung in the designated area by the administrative staff in the residence.

    (c) If a poster is not approved, the Chief Returning Officer will be contacted so that the candidate is made aware that a poster is not up in the building.

h. Residents supporting a candidate may place any reasonable number of posters or materials on their own doors, not subject to the above poster regulations.

i. Election committee members will visit the residence at the end of the campaign period to ensure materials have been removed in accordance with KUCSC By-law #2, and any material remaining will be collected by that committee member at that time. If material is not removed within twenty-four (24) hours after the election, residence administrative staff will remove and discard.

ii. In any case where the rules of a given residence differ from this By-law, the rules of the residence shall be held to be authoritative.

(12) Electronic Campaigning:

i. All of the physical campaigning rules in this section of the bylaw also apply to use of social media, with necessary modifications.

(13) Permissible Campaign Colours: The colour purple or green cannot be used as a campaign colour or for campaign material by any candidate.

(14) Bribery: No candidate may offer any form of monetary or pseudo-monetary incentive, including gift cards, in return for a student's consideration of the candidate during voting. This shall be seen as a violation of the spirit and purpose of elections.

(15) The KUCSC logo may not be added to campaign materials, including electronic imagery.

(16) Compliance with Non-KUCSC Policy Also Required: It is the responsibility of the Candidate to ensure that all campaign plans, materials and/or advertisements, conform with all policies and regulations of the KUCSC and King's University College, and with all municipal, provincial and federal laws. Campaign displays and the distribution of literature on campus are also subject to the requirements of the Physical Plant, Dean of Students, and/or the Residence Office.

(17) Mandated cleanup of materials: All candidates shall be responsible for the removal of all posters and other materials, within the control of the candidate, within forty-eight (48) hours following the close of balloting. Items beyond the control of the candidate are limited to distributed materials and the actions of any arm's-length party.

i. Posters and other campaign materials shall not be within a direct line of sight of a Designated Polling Station during the balloting period, and may be removed at the discretion of the CRO.

ii. A candidate will forfeit her bond if all campaign materials and posters that are within the control of the candidate are not removed within the forty-eight (48) hours following the close of balloting.

(18) Equal Access to Resources: Candidates and non-arm's length parties are not entitled to use in their campaign, any service or tangible benefit conferred onto them by virtue of their holding any position in any organization on campus. This includes, but is not limited to, mailing lists, office space, office supplies, equipment, advertising space and secretarial services.

11.2. Campaign Expenditures

(1) The maximum amount of money that a candidate may spend on her election campaign is $35.00, excluding Presidential and Vice-Presidential campaigns which allow for a total of $100.00.

(2) All candidates in a Presidential, Vice-Presidential, or Internal Officer election must submit a projected budget of their campaign materials prior to the campaign period. Failure to do so may result in a demerit point penalty at the discretion of the Committee.

i. The demerit point penalty must not exceed three (3) points and shall be applied in a consistent manner to all candidates.

ii. Notwithstanding Section 11.02(2)i., failure to submit a projected budget by the third (3rd) day of campaigning results in an automatic disqualification.

(3) Only campaign expenses with valid, verifiable and corresponding receipts will be eligible for reimbursement. Any item deemed not to be an appropriate campaign expense may be excluded from reimbursement by the Committee.

i. In order to receive full reimbursement from the KUCSC, a candidate must receive ten percent (10%) of the total popular vote.

a. Ten percent (10%) of a candidates total reimbursement shall be deducted for every percentage point below ten percent (10%) of the vote.

(4) The calculation of a candidate's spending shall be made according to the fair market value of all purchases, services, donations, and items, which are deemed by the Committee to be used for the purposes of the campaign.

i. Fair Market Value ("FMV") of a product or service shall be the lowest price, without special concessions or discounts that is available in London for that product or service, to all persons who approach a person or company that sells, or deals in, that product or service.

ii. In order to calculate FMV, the Committee shall contact three (3) major suppliers in the London area and shall adopt the lowest price as the FMV. Such FMV may be rebutted by the candidate if the Candidate is able to produce/ submit receipts from London area merchants which evidence a lower FMV than that obtained by the Committee;

a. Where an item is not available at multiple retail outlets in London, the Committee shall attempt to approximate FMV through comparison with similar items which are available at retail.

(a) As a specific example, salvaged or recycled items that show wear and tear should be assessed at 80% of the cost of the same product purchased at retail.

b. Where an item is used during the campaign period, but not entirely consumed during the campaign period, the cost may be prorated. The Committee shall have discretion to determine whether and to what extent it is appropriate to prorate the expense.

(a) As a specific example, website domains that are purchased for a twelve-month period should ordinarily be valued at 1/12 of their cost.

iii. There shall be no FMV assigned for the use of computers, phones, and other similar items that are widely owned, and confer no special advantage to the candidate.

iv. FMV for the production of campaign videos shall be set as follows, at the discretion of the Committee: a one-time expense of 1/15th of the applicable campaign spending limit for an amateur quality video and 2/15ths for a professional quality video, or the actual cost of producing the video, whichever is higher.

a. The Committee shall develop detailed criteria for judging the professionalism of videos, and shall apply those criteria consistently to each video.

b. Where a candidate produces multiple videos, the Committee will evaluate the totality of the productions, and still only assign a single FMV.

(5) All candidates shall submit to the CRO original receipts of all expenditures, a statement indicating the FMV of an expenditure for which no receipt is available or a signed statement to the effect that no campaign expenses were incurred by four (4) p.m. on the last day of campaigning. The CRO may, at any time, request from any candidate, original receipts prior to this date;

i. Failure to submit receipts by the deadline will result in an automatic reduction in the reimbursement otherwise owed to a candidate of 10% per business day that the submission is late.

(6) In determining a candidate's campaign expenditure, the Committee reserves the right to include the fair market value (FMV) of any materials or advertisements, which endorses or supports a candidate. This may, at the discretion of the Committee, include situations whereby a non-arm's length party producing the material or advertisement does so without the consent of the candidate.

(7) Where a candidate purchases goods or services at a discounted price, or receives them as a donation, the FMV of the purchase will be included in determining a candidate's campaign expenditure.

(8) The CRO and the Committee shall have the authority not to reimburse a campaign expense, and to decide whether an expenditure shall be included as a campaign expense.

11.3. Violation of Campaign Rules

(1) The Committee shall have the sole authority to enforce the provisions of this By-Law and no candidate may attempt to enforce the provisions of this By-Law;

(2) Allegations of violation of this By-law shall be submitted in writing to the Committee who shall decide on the charge;

(3) The Committee may lay charges of violations of campaign rules on its own initiative;

(4) The Committee may award demerit points to prospective candidates for pre-campaigning, subject to the procedures of this By-law, prior to the start of campaigning.

i. 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.

ii. Where demerit points may be prior to the start of campaigning, the Committee shall endeavour to notify the prospective candidate within (48) hours of the alleged violation being reported and notify the prospective candidate of any points awarded.

(5) Any charge of a violation must be given in writing within two (2) days of the close of balloting to the CRO;

(6) The Committee shall meet from time to time, at the call of the CRO, to discuss any charges of violations to this By-Law, and decide on the appropriate action to be taken, subject to the following:

i. to issue four (4) demerit points or less, a decision can validly be made by the CRO and GO;

ii. to issue five (5) demerit points or more, the majority of the voting members of the Committee must be present;

iii. the CRO shall invite the candidate to the meeting where the alleged violation will be addressed, at least six (6) 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 her case;

iv. minutes of the meeting will be made available to the public on written request within a forty-eight (48) hour period.

(7) It will be the responsibility of the candidate to ascertain her position on a daily basis with respect to decisions made by the Committee regarding alleged violations committed by the candidate.

(8) The Committee, where it finds there has been a violation of this By-Law, must make available for publication the details of the violation.

(9) The Committee, where it finds there has been a violation:

i. Shall assign a demerit point penalty and resulting fine against a candidate or a group representing a side, consistent with the guidelines in subsection (11) below;

ii. shall disqualify a candidate from the election automatically if required by subsection (13) below;

iii. may disqualify a candidate from the election discretionarily, if permitted by subsection (11) below.

iv. may reduce or eliminate a candidate's or referendum/plebiscite group's reimbursement;

v. Shall declare a referendum or plebiscite to be void, if the Committee determines that the violation(s) have compromised the integrity and/or reliability of the results;

(10) The Committee, where it finds that there has been a violation, must communicate to the candidate the reasons for the decision within 48 hours after any penalties take effect. An instance of a failure of the Committee to communicate these reasons does not invalidate or otherwise affect the status of the penalties.

(11) Demerit points shall be assigned for infractions as follows. The Committee may reduce the demerit points assigned for an infraction by up to half, where mitigating circumstances warrant a lesser penalty.

i. Campaigning and Campaign Materials

Misrepresentation of Facts, including in the content of campaign materials……..... Campaign Materials displayed in an unauthorized area (per piece of material) ……. Failure to submit campaign receipts (or signed statement of having no expenses) ……... Same violation in multiple locations…… Improper distribution of campaign materials (e.g. without consent) …… Multiple violations in different locations……..... Campaigning in person in an unauthorised area……... Pre/Post Campaigning, including get out the vote campaigns……. Breaking any municipal, provincial or federal law while campaigning……......	3 1 4 4 4 6 10 20

ii. Fair Play

Unsanctioned use of USC resources……	15
Gross Misrepresentation of facts……	15
Abuse of position or status……..	15
Failure to Comply with the Spirit and Purpose of the Elections*…….	15
…	

* Failure to comply with the spirit and purpose of the elections includes, but is not limited to, destruction of another candidates' materials, slander or harassment of any kind, or intentional circumvention or manipulation of the by-laws or any relevant policies in order to gain an advantage. The elections committee can grant any amount of demerit points they see fit for any one (1) action, up to but not exceeding fifteen (15) demerit points.

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

iii. anyone improperly declared an eligible candidate,

iv. intentional misrepresentation of campaign expenditures,

v. any attempted interference in the election process as regulated by this By-Law,

vi. solicitation of the login information necessary for voting,

vii. action or conduct which represents a flagrant undermining of the purpose and effect of the electoral process set up under this By-Law.

viii. Exceeding the maximum demerit point allocation of twenty (20) points, as determined by the Committee.

11. INTERFERENCE FROM OUTSIDE PARTIES

11.1. Notwithstanding provisions dealing with candidates, non-arms-length parties, and clubs, no student may engage in actions that are likely to bring the electoral process into disrepute. Where such an action takes place, the following procedure shall be followed:

(1) Any student alleged to be violating this by-law by the Committee shall be notified via their UWO e-mail address, including information about any subsequent action that may be taken under this By-Law and any relevant times or dates.

(2) The student shall be given the opportunity to respond with a written statement to the Committee within a reasonable period of time.

(3) Where the Committee finds a violation has occurred, the Committee may refer the matter to an outside person or body with recommendations, including, but not limited to, the King's University College administrator tasked with enforcing the Code of Student Conduct, the University Police and Information and Technology Services.

12. ELECTION RESULTS

12.1. In each constituency the candidate with either a plurality or majority of votes shall be declared the winner.

(1) Where there are multiple available positions, they shall be filled by the candidates who received the next highest amounts of votes.

12.2. In the event of a tie, the winner shall be decided by a coin toss initiated by the CRO.

13. SPECIAL RULES FOR INTERNAL OFFICER ELECTIONS

13.1. Candidates may make campaign materials available to current Council members through the KUCSC Office and the King's Connection.

13.2. No campaigning shall be allowed during the Annual General Meeting of the Corporation.

13.3. Special balloting rules:

(1) Balloting for the Vice Presidential election shall occur during the second-half of the Annual General Meeting of the Corporation.

(2) Voting shall take place by secret ballot.

(3) Voting shall take place according to the Preferential Balloting Rules outlined in section 16.00 of this By-Law.

(4) Each Voting Member, including the incoming and outgoing Council Voting Members, the outgoing President and external Vice-Presidents, and the incoming President and external Vice-Presidents shall be entitled to one (1) vote per ballot for any given Vice-Presidential position.

(5) No Voting Member shall cast more than one (1) ballot for each Vice-Presidential position.

13.4. Vote of Confidence: If only one candidate stands to be elected for a Presidential, Vice-Presidential or Officer Position, the Speaker of Council shall initiate a vote of confidence in place of balloting during the second-half of the Annual General Meeting. The candidate shall be acclaimed if a simple majority of eligible Council members votes in favour of the resolution to acclaim the candidate.

(1) Notwithstanding Section 14.04, if only one candidate stands to be elected for the position of President, Vice-President, or Officer during a by-election of the KUCSC, the Speaker of Council shall initiate a vote of confidence in place of balloting during Council Business at the first Duly Called Meeting of the KUCSC following the election. The candidate shall be acclaimed if a simple majority of Ordinary Members votes in favour of the resolution to acclaim the candidate.

(2) No Executive candidate shall act in their position to any degree until such time as a vote of confidence is held.

14. PREFERENTIAL VOTING RULES

14.1. Ballots: Preferential voting will proceed by a numbered ballot such that on the preferential ballot for each position, each voter must indicate the order in which she prefers the candidates by placing a numeral '1' beside her first preference, a numeral '2' beside her second preference, in numerical order up to and including the final candidate.

14.2. Counting Ballots: The counting of the ballots shall take place according to the following:

(1) Each candidate may designate an agent to act as her scrutiniser during the counting of the ballots;

(2) In the first count, first preference votes for each candidate are counted;

(3) If a candidate receives 50% + 1 of the eligible votes cast, that candidate shall be elected.

(4) Where the top place candidate fails to achieve 50% + 1, the second choice votes of the candidate finishing last in that round of ballot counting shall be reassigned accordingly. This process is repeated until one candidate receives the majority of the highest preferences remaining on the ballots;

(5) If two (2) or more candidates are tied for the least popular position, those candidates shall be redistributed accordingly;

(6) Failure to select a preference in any round of voting shall result in that ballot being spoiled for that and all subsequent rounds of balloting. A ballot shall not be deemed spoiled so long as the voter's intentions can be reasonably ascertained from the ballot;

(7) Tie result - In the event of a tie, whenever possible, tie shall be resolved in favour of the candidate with the most first place votes.

i. In the event of an absolute tie between two candidates, the election shall be resolved by way of a coin toss.

15. APPEALS OF COMMITTEE DECISIONS OR ELECTION RESULTS

15.1. Appeals of Committee Decisions

(1) Appeals regarding decisions made and/or sanctions levied by the Committee shall be made in writing to the Governance Officer within (2) days of the candidate or prospective candidate being informed of the decision.

(2) A candidate or prospective candidate is deemed to be informed of a Committee decision six (6) hours after the decision is posted on the designated elections space in the KUCSC office. All decisions shall indicate the time posted.

i. In cases where the Committee decision happens prior to the opening of the campaign period, prospective candidates shall be deemed to be informed of the decision:

a. after twenty-four (24) hours of the communication being delivered, if delivered by email or other messaging system; or,

b. at the moment of delivery, if the communication is delivered by phone or in person.

(3) Appeals from a Committee decision shall be heard by the HBK Appeals Board

i. The HBK Appeals Board shall be governed by the HBK Appeals Board Terms of Reference.

ii. The HBK Appeals Board may conduct appeals from decisions of the Committee on an inquisitorial or adversarial basis, at its discretion. The HBK Appeals Board may accept written and oral submissions from the Governance Officer, the CRO or her agent, the candidate in question or the candidate's agent, and any person who the HBK Appeals Board believes may provide relevant information.

15.2. Appeals of Election Results

(1) Any candidate may challenge the validity of her election result in a written submission containing her reasons to the Governance Officer no sooner than two (2) days and no later than five (5) days after the close of balloting;

(2) Written submissions appealing election results shall contain the appellant's name, student number, telephone number and address, as well as a detailed explanation of the reason(s) for challenging the results; and,

(3) The Committee shall investigate any appeal and decide on the appropriate action.

PART B - REFERENDA AND PLEBISCITES

16. GENERAL

16.1. Without limiting any section of By-Law #2, Part A, this Part covers any referenda or plebiscites conducted by the KUCSC.

16.2. The administration of this Part, unless otherwise stated, is vested with the Governance Officer.

16.3. The results of any referendum shall be binding on the KUCSC unless the results affect the Letters Patent or the Articles of Incorporation of the KUCSC or unless, by implementing the directive of the referendum, the Executive Council would be breaching its fiduciary obligations to the corporation.

16.4. The results of a plebiscite shall not be binding.

16.5. Any referendum or plebiscite requiring a motion of Council must be posted as required by By-Law #1. The Vice President Communications shall advertise meetings of Council, in which motions and writs to hold referenda or plebiscites will be put forward, on the official KUCSC website and any relevant form of social media.

16.6. For the purposes of this part, the number of students in the student body shall be the number of full-time equivalent students registered at King's University College.

16.7. The results of any referendum shall be binding only if a minimum of 30% of the student body vote in the referendum.

16.8. A referendum may be initiated either by Council or by students at large.

16.9. A plebiscite may be initiated either by Council or by students at large.

17. STUDENT-INITIATED REFERENDUM

17.1. For the purposes of this Section:

(1) A "policy issue" means any issue or proposal which is not likely to have any direct financial or legal implications on the KUCSC;

(2) The Executive Board, in consultation with any relevant individuals and/or committees, shall determine whether an issue is one which is likely to have direct financial or legal implications on the KUCSC; and,

(3) An issue shall be deemed to have a direct financial implication on the KUCSC if it will result in the imposition of any fee on students.

17.2. Any student wishing to initiate a referendum shall contact the Governance Officer to review the process to have a referendum question put on the ballot prior to collecting signatures, including the collection of signatures, the campaigning process, and any other pertinent information.

17.3. Any student may present a petition to the Governance Officer requesting that a referendum be held on any matter, subject to the following.

(1) Any petition requesting a student-initiated referendum must be submitted to the Governance Officer no later than nine (9) days before the last Council meeting prior to the commencement of the campaign period for the election.

(2) A petition is only valid if it contains the following:

i. The names, student numbers and signatures of at least 10% of the student body when a request is being made for a referendum on any issue; and,

ii. A clear indication of the issue on which the requested referendum is to beheld.

(3) The Governance Officer shall check the validity of each name on the petition. If greater than 10% of the names are invalid, the petition is invalid.

(4) Any petition which contains any material misstatements of fact or material misrepresentations is invalid.

(5) For a petition to contain a clear indication of the issue, it must include at least the following:

i. The amount of any fee which will be levied upon students directly for the purpose of implementing the proposal; and,

ii. A statement summarizing the question which will be decided by the referendum.

(6) Any student-initiated referendum involving levying a student fee shall require:

i. A written statement from the CFO of King's University College stating a willingness to allow such a fee to be collected by the KUCSC; and

ii. The VP Finance to work with the student to determine the exact fee that is to be levied by means of a budget prepared by the student,

a. If no such budget exists, the VP Finance shall assist the student in putting together a budget from which a student fee can be derived.

(7) The Committee shall assess the validity of all petitions and shall notify the student submitting the petition if it is found to be invalid.

i. Prior to submitting a completed petition, any student may submit a draft petition question to the Governance Officer for review. Any petition question which is reviewed and endorsed by the Governance Officer shall be deemed to contain a clear indication of the issue and not to contain any material misrepresentations.

17.4. If a petition is found to be valid, a "writ of referendum" shall be drafted by the CRO in consultation with the Committee, which shall include the following:

(1) The particulars of the petition, including the name of the petitioner and the number of student signatures on the petition.

(2) The Executive Board's decision about the financial and legal implications of the proposal, with a brief summary of the reasons for that decision.

(3) The proposed referendum question, subject to approval by the Governance Officer to ensure that the question is constructed in an objective and clear manner.

(4) A budget outlining the projected cost of holding the referendum.

17.5. A valid petition requesting that a referendum be held on a policy issue shall automatically result in the initiation of a referendum and shall not require the approval of Council.

(1) The Governance Officer shall present the writ of referendum to Council.

17.6. A valid petition requesting that a referendum be held on an issue or proposal which is likely to have direct legal or financial implications on the KUCSC must be approved by Council before a referendum may be initiated. A Simple Majority vote of Council will be required to prevent the referendum as requested from being placed on the ballot.

(1) The Governance Officer shall present the writ of referendum as well as a motion to place the referendum question on the ballot.

18. COUNCIL-INITIATED REFERENDUM

18.1. Council may initiate a referendum on any issue through a motion of Council, duly passed by a simple majority vote of those present and voting.

19. STUDENT-INITIATED PLEBISCITE

19.1. A student initiated plebiscite is subject to the same rules and procedures as a student initiated referendum, with the only exception being as follows:

(1) The names, student numbers and signatures of at least 5% of the student body are required when a request is being made for a plebiscite on any issue.

20. COUNCIL-INITIATED PLEBISCITE

20.1. Council may initiate a plebiscite on any issue through a motion of Council, duly passed by a simple majority of those present and voting.

21. REGISTERED INTEREST PARTY

21.1. Registered interested parties are entitled to campaign on behalf of any side in any referendum or plebiscite. More than one registered interested party may represent each official side.

21.2. Any group may request recognition as a registered interested party provided that the following conditions are met:

(1) They are a King's University College student group, or party approved by the Committee, autonomous from the KUCSC, that has been in existence for at least six (6) months prior to the writ, including, but not limited to the following: ratified clubs and Residence Councils.

(2) If a student group or party approved by the Committee, as described above, does not register, then a group of students may register.

21.3. When applying to be a registered interested party, a group must prepare a written submission indicating how they will be directly affected by the result of the referendum or plebiscite.

21.4. All applications for status as a registered interested party must be submitted to the CRO within seven (7) days of the passing by Council of the motion or writ of referendum or plebiscite.

21.5. The Committee will decide on the merit of an application for status as a Registered Interested Party with such decision being subject to appeal to the HBK Appeals Board and finally to Council.

21.6. All registered interested parties must name an official spokesperson and this name must be handed into the CRO with the request.

21.7. Where there is only one registered interested party, it will constitute the only official side.

21.8. Subject to the following, all registered interested parties, including the KUCSC, when applicable, are deemed to be candidates, and are bound by the campaign rules in Part A, as well as by the rules and procedures governing referenda and plebiscites, when representing their side of the issue.

(1) All Campaign Materials produced by a registered party, including electronic materials, must clearly indicate that they are authored by a registered interest party.

(2) Registered interest parties shall be allowed a maximum of twenty (20) demerit points.

i. A registered interest party that accrues more than twenty (20) demerit points shall be automatically disqualified.

(3) Consequences of Disqualification:

i. If the disqualified group is a KUCSC-ratified club, they shall be prohibited from further campaigning. Failure to adhere to this prohibition will be reported to the Governance Officer, and could result in further sanctions.

ii. Individual students cannot be prohibited from further campaigning. However, students that continue to campaign after their group has been disqualified will not be reimbursed for any new campaign expenses.

iii. A disqualified group will not be reimbursed for the cost of any campaign materials that continue to be used after the group's disqualification.

iv. A disqualified group may not refer to themselves as an "official registered interest party".

v. The disqualification of the "Yes" registered interest party does not automatically mean that a referendum fails. The Committee must make a separate determination as to whether the referendum result is valid. In doing so, the Committee must consider the potential impact of the infractions on the results.

vi. The disqualification of the "No" registered party never means that a referendum carries.

22. KUCSC-SPONSORED SIDE

22.1. Subject to subsection 25.02(1), where the KUCSC has an interest in the outcome of a referendum or plebiscite, or where it is felt that a side of an issue is not being adequately represented by a registered interested party, the Council has the option of campaigning or appointing someone to campaign on behalf of a particular side.

23. INFORMATION-BASED CAMPAIGN

23.1. Where Council supports the provision of information to the electorate, the KUCSC, by a simple majority vote of Council, may provide financing for an information-based campaign in accordance with the financing rules prescribed in section 25.00.

(1) Information-based campaign funding can be allotted in addition to registered interest party campaign funding, or in place of registered interest party campaign funding.

23.2. The Elections Committee shall be responsible for administrating information-based campaigns by selecting an Ad-Hoc Committee for this express purpose.

(1) As a consequence, the Ad-Hoc Committee members shall be prohibited from sponsoring a side whenever an information-based campaign has been approved and shall refrain from participating in Committee discussions of referenda with regards to enforcement of campaign rules and demerit points.

23.3. All information-based campaign materials must be reviewed and approved by the Committee before being posted or distributed.

(1) The Committee shall review the materials to ensure that they are neutral, and unbiased.

24. FINANCES

24.1. Registered interested parties may apply to the Committee for the funding available for their official side.

24.2. Each official side shall be entitled to funding up to 100% of the Presidential campaign limit as established, unless there is only one official side in which case the spending shall be at 50% of the Presidential limit.

24.3. An Information-Based Campaign shall be entitled to funding as follows

(1) 100% of the Presidential limit, if there are no registered interest parties;

(2) 75% of the Presidential limit, if interest parties are only registered for one official side; or

(3) 50% of the Presidential limit, if there is at least one registered interest party for both official sides.

24.4. If any registered interested party overspends their allowable limit, the surplus shall be applied to the official side's spending in addition to an automatic fine of 100% of the surplus.

24.5. All official sides and registered interested parties shall present a full financial statement to the CRO by 12:00 noon on the last day of campaigning.

25. APPEALS OF PLEBISCITE OR REFERENDUM RESULTS

25.1. Any student may challenge the validity of any referendum or plebiscite results. All appeals must be done in a written submission that:

(1) Is presented to the Committee no sooner than two (2) days and no later than five (5) days after the close of balloting; and,

(2) Contains the appellant's name, student number, telephone number and address, as well as a detailed explanation of the reason(s) for challenging the results.

25.2. The Committee shall investigate the appeal within fourteen (14) days, and decide on the appropriate action.

25.3. All voting data collected shall be destroyed not less than thirty (30) days after the close of balloting.