



# ELECTIONS POLICY

In effect as of January 2020

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## **Context:**

The organization, from time to time and in accordance with the NSCC SA Common Constitution, may set policies and procedures that govern the Campus Student Association's actions and activities. These policies will be presented to the Student Association Students' Council for ratification by a vote of the members.

## **Policy Background:**

According to Article 6, Sections 2 and 3 of NSCC SA Common Constitution, students must elect a minimum of three (3) and up to five (5) executive officers to oversee the governance of the campus Student Association, dependent on their campus population as outlined in those sections. This is accomplished through Spring and Fall elections of the Student Association, conducted in accordance with the following procedures.

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## **Section 1 - PURPOSE**

To ensure all NSCCSA elections are carried out in a fair and equitable manner.

## **Section 2 – MANAGEMENT OF ELECTIONS PROCESS**

As chief executive officer of the Student Association, the President (or designate) shall oversee the management of both Fall and Spring Student Association elections. In this role, they shall:

- 1) Ensure that Election policies and procedures are followed and enforced.
- 2) Organize candidate recruitment activities to encourage students to seek election.
- 3) Regularly communicate with candidates, ensuring that they fully understand the elections policy, and all rules and guidelines associated with it.
- 4) Inform students of the election taking place, explain how to exercise the right to vote, and market elections to the student body.
- 5) Respond to requests for information from electors and candidates as well as deal with any issues and/or complaints with regard to the elections process.
- 6) Decide on appropriate measures to take following infractions of the election policy. The President (or designate) should consult with Student Life Staff in the case of serious infractions or appeals.

## **Section 3 - ELECTION SCHEDULING**

The standard makeup of the Elections period has the positions of President, VP Finance and VP Activities offered during the Spring elections, and the positions of VP Services and VP Communications, along with any positions not filled in the Spring elections, offered in the Fall elections. Campuses may, upon approval by vote of their Students' Council, offer all five Executive positions during the Spring elections. This approval must be obtained prior to the commencement of the second semester of the academic year

- 1) The Student Association Spring elections period shall conclude no later than the first week of April. During this election, nominations for the positions of President, VP Finance and VP Activities of the Student Association will be accepted.
- 2) The Student Association Fall elections period shall conclude no later than the fourth week of September. During this election, nominations for the positions of VP Services and VP Communications of the Student Association will be accepted, along with any other executive positions not previously filled during the Spring elections period.
- 3) The nomination period shall be no less than two weeks (10 business days) in duration.



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- 4) There shall be at least one week (5 business days) of active campaigning, which shall extend throughout the online voting period.
- 5) Voting shall be at least three (3) calendar days in duration and shall be conducted online through web based balloting provided through NSCC Web Services. Online voting will be open continuously during the period.
- 6) NSCC Student Life, in cooperation with Student Association Presidents and within the rules outlined in Section 3, will set the actual dates and deadlines for all election requirements such as nomination period, campaign period and voting period and will communicate these, in writing, to the Student Association. The Student Association is charged with communicating these dates to students at large.

### Section 4 - NOTICE OF ELECTIONS

Sufficient notice shall be deemed to have been given by the following:

- 1) The posting of notices on campus (including via email and social media) not less than three days prior to the opening of the nomination period which informs members of the following information:
  - a) The positions vacant/eligible for election;
  - b) The opening and closing dates and times of the period for the submission of nominations;
  - c) The location (physical and/or online) where nomination forms may be obtained;
  - d) The physical location where completed nomination forms are to be submitted;
  - e) The period of time allotted to nominees for campaigning; and
  - f) The days on which online voting will take place.
- 2) The posting of notices on campus (including via email and social media) not more than three calendar days after the closing of the nomination period which informs members of the following information:
  - a) The members nominated for Student Association positions;
  - b) The date, time and web address for online voting; and
  - c) The date(s), time(s) and location(s) of any/all SA sponsored candidate activities.

### Section 5 – PROCEDURES PRIOR TO VOTING

- 1) Nominees' Qualifications
  - a) Every student who, at the time of the election is a member in good standing of the Nova Scotia Community College Student Association as defined in the Common Constitution under Article 2, is qualified to seek office.
  - b) "In good standing" for the purposes of SA elections is interpreted to mean that the student:
    - \* is not on academic probation or in contravention of the NSCC Student Code of Conduct;
    - \* is academically and financially eligible to continue in their program of study;
    - \* has been assessed and paid a Student Association fee;
    - \* has not had prior involvement with the Student Association that resulted in termination of that involvement as a result of Students' Council vote, or academic standing suspension/dismissal.

Students enrolled in the Adult Learning Program and Achieve program have had their Student Association fee sponsored and are therefore considered members.

- c) A student is not eligible to run for office at a campus other than the one he/she is currently attending.
- d) Nominees seeking office during Spring elections must be considered by the College to be a "returning student" in the following academic year in order to run for an Executive position.
- e) For Spring Elections, all nomination and consent forms must be signed either physically or electronically. Student Life staff will be responsible for confirming a candidate's eligibility to stand for election with campus Student Services and will communicate the outcome of that check to the SA President (or designate).



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- f) For Fall Elections, all nomination and consent forms must be signed by the nominee, either physically or electronically. Student Life Staff will be responsible for confirming a candidate's eligibility to stand for election with campus Student Services and will communicate the outcome of that check to the SA President (or designate).
- 2) Electors' Qualifications
- a) Every student who, at the time of the election is a member in good standing of the Nova Scotia Community College Student Association as defined in the Common Constitution under Article 2, is eligible to cast one vote for each position offered during the election.
- 3) List of Electors
- a) NSCC Web Services shall compile a list of all eligible electors as required for Student Association elections.
- b) List of electors having cast online ballots is privileged and is not open to inspection by any individual or group.
- c) Any irregularities in preparation of the voting lists will not be considered grounds for appealing an election.
- 4) Acclamations
- Executive positions of the Student Association may not be acclaimed. If, by the end of the nomination period, only one candidate has been nominated for any one position, the President (or designate) will still engage in a poll of voters. The ballot will consist of a "YES/NO" vote, and the candidate requires a 50%+1 of the votes in the affirmative to be declared elected.
- 5) Withdrawal of Candidate
- a) A candidate may withdraw at any time after the nomination and before the opening of the voting period by delivering to the President (or designate) written notice of their decision to withdraw.
- b) In the case of a candidate withdrawing when voting has already commenced, the President (or designate) shall advise Student Life who will remove the candidate's name from the ballot. Any ballots that have already been cast for that candidate shall be deemed to be spoiled however, electors will not be eligible to re-cast their vote.

### Section 6 – CAMPAIGNING

- 1) Campaigning shall be defined as, but not necessarily limited to:
- a) Distribution and/or display of campaign materials;
- b) Speaking to classes, student groups or individuals for the purpose of presenting a platform as a candidate; and
- c) Promoting candidacy by way of social media platforms (Facebook, Twitter, Instagram, etc.).
- 2) Neither the Student Association, its' Executive officers or College staff and/or faculty may endorse any one candidate during the election period. Executive members should be available to advise candidates and answer questions; however, this option will be available to all candidates equally.
- 3) Incumbent members of the Student Association running for a position are expected to continue to fulfill their executive responsibilities during the campaigning period. However, incumbent members may not use the Student Association office, materials or other resources (i.e. SA email, Facebook page, etc.) in support of their candidacy.
- 4) An individual asking to have his/her nomination form signed will not be considered to be campaigning.
- 5) There shall be a campaign period of at least 5 business days in length. Campaigning must be limited to this designated campaign period, as set out by the Student Association.



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### **Section 7 – CAMPAIGN MATERIALS**

- 1) Campaign materials must be original and as such, must not be an infringement on any copyright nor may it violate the spirit of the Canadian Charter of Rights and Freedoms, NSCC's Student Code of Conduct and any other NSCC policy governing behavior.
- 2) Campaign materials and/or personal candidate presentations must not slander other candidates. Candidates found to be participating in or a party to negative, personal attack campaigns against another candidate will be excused from the election, at the discretion of the President (or designate).
- 3) Campaign materials sent out via the NSCC email network is not permitted, unless sent on behalf of all candidates by the SA President (or designate). Candidates found to be personally using the NSCC email system for campaigning may be excused from the election, at the discretion of the President (or designate).
- 4) All campaign materials must be approved by the President (or designate) prior to distribution. Candidates must provide the President (or designate) with digital or hard copies of all campaign materials. The President (or designate) will send an email to the candidate which either provides written approval for distribution of campaign materials or outlines any changes that must be made to campaign materials before approval will be granted.
- 5) Any campaign materials posted and/or distributed without the express written permission of the President (or designate) will be immediately taken down and may be grounds for dismissal from the election.
- 6) In the case of social media, all candidates are required to provide the url/web address for all online campaign materials to the President (or designate) prior to advertising those links to the general population. Once reviewed, the President (or designate) will provide written approval to the candidate. These online materials will also be routinely monitored by the Student Association during the campaign period.
- 7) The President (or designate) reserves the right to limit the size, type, number and/or posting location of candidates' campaign materials in accordance with NSCC facilities policies.
- 8) The Student Association does not provide funding in support of individual campaigns. This is at the student's expense. However, the Student Association has set a maximum allowable campaign spending amount of \$50 for each candidate. All receipts must be submitted at the end of the campaign period to the President (or designate).

### **Section 8 – PREPARATION FOR VOTING**

- 1) Ballots
  - a) Student Life will provide the names of all candidates seeking election to NSCC Web Services, who will prepare the online ballots for each position on offer.
  - b) The names of the candidates for each position shall be shown alphabetically by surname on the ballot.
  - c) Each ballot shall contain instructions as to the number of candidates for which a student may vote, and the name of the Executive position(s) for which the election is being held.

### **Section 9 – VOTING PROCEDURES**

- 1) No voting will occur before the opening of the online poll or after it has closed.
- 2) All voters must have a valid NSCC student ID number and corresponding password in order to log on and complete the online ballot.



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### **Section 10 – BALLOT COUNTING PROCEDURE**

- 1) Time Limits
  - a) The ballots cast online by students will be tabulated and the results communicated within twenty-four hours of the close of voting. If, as a result of extenuating circumstances this is not possible, the President shall extend the period to such time as the ballot counting can be accomplished.
- 2) Counting
  - a) Student Life will be provided with a spreadsheet of all the votes cast for each candidate at each campus. Staff will be responsible for calculating total votes and voting percentages for each candidate and communicating the results to the Student Association President (or designate).
  - b) Ballots will be considered spoiled and will not be counted if no information has been indicated on the online ballot (left blank) or if ballots have been cast for a candidate that has removed him/herself from the election while online voting is open.
- 3) Tie Vote
  - a) In the event of a tie between candidates, Student Life will conduct another count of those ballots. If the tie is confirmed, the online vote shall be extended for an additional 24 hour period, to be scheduled in consultation with the campus SA President (or designate) and NSCC Web Services.
  - b) The President (or designate) will advise students of the reopening of voting.
  - c) If more nominees than the tied candidates were present on the original online ballot, Student Life will create a new ballot. The online ballot will list only those candidates now eligible for selection.
  - d) Only those NSCCSA members who have not previously voted in the election shall be permitted to vote in the extended poll.

### **Section 11 – APPEAL PROCEDURES**

- 1) All appeals must take place within 48 hours of the election results being announced and must be sent directly to the SA President or designate. A request for a recount is considered an appeal and would follow this procedure and its deadlines.
- 2) All appeals must be in a written form with the charges/reasons explicitly set out, providing evidence if possible.
- 3) The President (or designate) will investigate the charges within an appeal and make a decision on the validity of the appeal or a “ruling”.
- 4) If the President (or designate) should make a ruling to accept an appeal, the President will declare the previous election null and void and the Student Association will call a second election, notifying all previous candidates.
- 5) If the President (or designate) should make a ruling to reject the appeal, the results of the election will stand. The President (or designate) will inform the individual who launched the appeal immediately.

### **Section 12 – ELECTIONS APPEAL COMMITTEE**

Should the candidate not be satisfied by the results of an initial appeal, they may appeal the President (or designate's) decision formally to an Elections Appeal Committee. The process for convening an Elections Appeal Committee is as outlined:

- 1) An appeal to Student Life must be in written form and be received by the Manager, Student Engagement & Awards within forty-eight (48) hours of notification of the President (or designate)'s ruling on the initial appeal.



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- 2) The appeal must contain the identical charges, reason and evidence contained in the appeal to the Student Association President (or designate).
- 3) Student Life will appoint and call together a committee to investigate the appeal. The committee would be comprised of the following members:
  - a) One Student Association Executive member who has not been previously involved or affected by the appeal or appeal process in any way;
  - b) Two members of the Students' Council who have not been previously involved or affected by the appeal or appeal process in any way;
  - c) The Student Association Advisor; and
  - d) Student Life Staff Member.
- 4) The Elections Appeal Committee will call before it the following parties:
  - a) The individual who launched the appeal;
  - b) The SA President (or designate); and
  - c) Any candidates of the election and/or students that may be able to provide relevant information to the appeal.
- 5) The Elections Appeal Committee, once it has investigated the appeal to its complete satisfaction, will report to the Student Association Students' Council whether there have been any irregularities in the election. The Elections Appeal Committee may uphold the ruling of the President (or designate) or impose a new ruling and invalidate the election.
- 6) The decision of the Elections Appeal Committee shall be final.

### **Section 13 – BY ELECTION PROCESS**

- 1) Any positions not filled during the regularly scheduled Spring Elections will be offered during Fall SA elections, in addition to those positions already available.
- 2) Any Executive position that remains unfilled after Fall elections have occurred or that becomes vacant during a term of office shall be filled through resume submission.
- 3) The Student Association will advertise any Executive vacancy for a minimum of 5 days and shall accept applications during this period.
- 4) Following the application deadline, a hiring committee of the Student Association shall be struck to interview qualified candidates and make hiring recommendations to the Students' Council. This hiring committee shall be made up of: one (1) Students' Council member; the Student Association President (or designate); and the SA Advisor or Student Life staff member.
- 5) The Hiring Committee will provide a written hiring recommendation to the Students' Council during a regularly scheduled meeting at which time the Council will be asked to ratify the Committee's recommendation by way of a motion to approve.
- 6) Upon Students' Council approval, the successful applicant will assume their office effective immediately and will serve until the conclusion of that position's stated term of office.