

BYLAW 3: THE ELECTIONS BYLAW

As passed at the Bethune College Council Meeting on April 28th, 2025

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ARTICLE I: GENERAL

1. General

- 1.1. All BCC Elections shall be coordinated by the Chief Returning Officer, hereby referred to as the CRO. If the CRO is a candidate in the election then another member who is deemed fit by Council shall take their place;
- 1.2. In any situation(s) where this Bylaw contradicts Bylaw 1, Bylaw 1 shall have precedence.

2. Principles

- 2.1. In general, the goal of any election is to:
 - 2.1.1. Objectively inform all voters;
 - 2.1.2. Elect an appropriate candidate; and
 - 2.1.3. Offer a fair chance to all legitimate candidates;
- 2.2. The following actions are strictly forbidden:
 - 2.2.1. Spamming, including, but not limited to, sending unsolicited bulk email;
 - 2.2.2. Solicitation, including, but not limited to, forceful, urgent, or repeated requests; and
 - 2.2.3. Deception, including, but not limited to, lies, coercion or slander;
- 2.3. Any election activity that breaches York University policies or regional or national laws will be grounds for disqualification.

ARTICLE II: CHIEF RETURNING OFFICER

1. Roles and Responsibilities

- 1.1. The CRO, shall oversee the online voting process;
- 1.2. Be in charge of all matters pertaining to the holding of the BCC elections, By-elections, and/or referenda, and shall do so in accordance with the Secretariat Policy of Regulation Regarding Student Organizations;
- 1.3. Conduct the elections, By-elections, or referenda on days established by the Constitution, or by motion of the BCC;
- 1.4. Ensure Council does not publicly promote candidates during the election period;
- 1.5. Maintain complete impartiality and may take any complaints or charges of undue pressure or influence before the BCC for investigation and resolution;
- 1.6. Have authority to enforce all electoral regulations or decide matters of contention or to take them before the BCC for resolution. They may disallow nominations or force the withdrawal of any candidate for documented just cause, and such a rejected person may appeal to the BCC for reconsideration;
- 1.7. Be eligible to run for office in the BCC elections or By-elections only if written notice of their resignation is given to the BCC President at least a week prior to the opening of all nominations for such elections or by-elections;
- 1.8. Be replaced as the CRO by the Hiring Committee in the event of their resignation;
- 1.9. Must have an All Candidates Meeting with all nominees before the start of the Campaign Period to determine their eligibility and commitment to run for office;
 - 1.9.1. The rules and regulations listed in Appendix I must be explained and discussed in great detail and all questions about said rules and regulations shall be answered;
- 1.10. Must sign a contract with the Council and receive a contract based payment of \$150 per election conducted;
 - 1.10.1. In the event of all responsibilities not being fulfilled by the CRO, the Council shall reduce the amount of pay with a supermajority vote of the Council to an amount decided by the Council;
- 1.11. After elections are over, the Chief Returning Officer must release the final vote count along with the results of the elections in the Ratification Meeting.

ARTICLE III: NOMINATIONS AND ELECTIONS

1. Nominations

- 1.1. Candidates for office must be regular Members of the Community, and in accordance with other provisions outlined in Bylaw 1;
- 1.2. Nominations shall be open for at least seven (7) days during the election or By-election;
- 1.3. Candidates can be nominated for all voting positions of Council as outlined in Bylaw 1 Article IV Section 3.1;
- 1.4. No candidate may be nominated for more than one office in any one election or by-election;
- 1.5. For the position of Vice-President Athletics, co-candidates shall be allowed to campaign together in elections;
- 1.6. Nominees must attend the All Candidates Meeting before the start of the Campaign Period to determine if their eligibility and commitment to run for office are satisfied;
 - 1.6.1. Failure to attend the All Candidates Meeting or a similar meeting with the CRO shall result in disqualification from the election;
- 1.7. Nominees may choose to change the office they are being nominated to any time before the start of the All Candidates Meeting;
 - 1.7.1. Nominees must have nominated themselves before the end of the Nomination Period to be eligible to change the office they are being nominated for;
- 1.8. No regular member shall be allowed to run for office if they fail to be nominated during the Nomination Period.

2. Voter Eligibility

- 2.1. Any Regular Member of the Community as defined in Bylaw 1 Article II Section 1.1.1.b., and only such persons, may vote in BCC elections, By-elections and referenda;
- 2.2. Each such voter is entitled to cast one vote for each position with the following restrictions:
 - 2.2.1. Only Regular Members who are in the first year of study in their program may vote for the First Year Representatives;
 - 2.2.2. Only Regular Members who are in the Faculty of Lassonde School of Engineering may vote for the Lassonde Representative;

2.3. The CRO shall not be allowed to vote in the BCC elections regardless of any other eligibility criteria being fulfilled to maintain impartiality in the electoral process;

2.3.1. BCC shall ensure that the CRO is not an eligible voter by notifying SCLD when submitting the election ballot.

3. Elections

3.1. BCC elections shall be held on dates set by the BCC or the outgoing Council, but never on Saturday, Sunday or a University Holiday, and these dates shall be duly advertised;

3.2. BCC shall hold at least two elections per academic year:

3.2.1. A General Election held in the Winter Semester to elect an incoming Council for the following academic year;

3.2.2. A By-Election held in the Fall Semester to elect the First Year Representatives as well any other vacant position on Council if applicable to be elected;

3.2.3. Additional By-Elections can be held at the sole discretion of the Council;

3.3. An abstain option is provided to constituents to not select any of the candidates in the elections. A reject option will also be provided to not endorse any of the candidates available. This is to be clarified and communicated to all constituents ahead of, and during the voting period.

3.4. If the option to reject all candidates has higher votes than any candidate at the end of the voting period, that candidate is therefore rejected, and a new election must be called for the respective position if necessary. Any applicable position requirements should be disregarded for the new elections in accordance with Bylaw 1 Article III Section 1.14;

3.5. In the event of a tie between winning candidates for any election, a re-election shall be held with a new campaign and voting period with only said winning candidates being eligible to run to determine the specified number of winning candidates as allowed by Bylaw 1 Article IV Section 3;

3.5.1. In the event that the subsequent election ends in a tie as well, council shall proceed with another re-election or decide a winner with a supermajority vote at the sole discretion of the BCC.

4. Ratification

4.1. A Ratification Meeting shall be held after the end of elections to ratify the

elections, as well as after hiring to ratify the hired candidates;

4.2. For elections, a supermajority vote shall ratify the proper execution of elections;

4.2.1. In the case of improper execution of elections, Council may reject election ratification by a supermajority vote;

4.2.2. If election ratification is rejected, a new By-Election shall be held by the Council for all positions being elected in the current election;

4.3. For hired positions, a majority vote to reject ratification should reject the proposed candidate by the hiring committee;

ARTICLE IV: INTERIM PROTOCOL

1. Protocol

- 1.1. In the event an elected position becomes vacant for any reason, a person who meets the qualifications as set forth in Bylaw 1 and who is approved by a simple majority vote of Council may fill that position temporarily;
 - 1.1.1. Should the position of President become vacant, the council is required to appoint an interim President no later than ten (10) business days following the resignation;
 - 1.1.2. Should the position of Executive Vice-President become vacant, the council is required to appoint an interim Executive Vice-President no later than fifteen (15) business days following the resignation;
- 1.2. Once an interim has been appointed, the Council shall hold a By-Election at its earliest convenience to fulfill the position permanently, as outlined in Article III.

APPENDIX I: BETHUNE COLLEGE COUNCIL ELECTION RULES

1. General

- 1.1. Appendix I shall be reviewed and discussed at a Regular Meeting of the Council before the start of each Election or By-Election;
- 1.2. All penalties listed in this Appendix shall be stackable;
- 1.3. All penalties listed in this Appendix may be reduced under extenuating circumstances with a simple majority vote of Council;
- 1.4. All penalties being discussed in the Ratification Meeting shall be done so anonymously to ensure a fair and impartial process;

2. Campaign Rules

- 2.1. Posters may be posted around campus and must adhere to the following guidelines:
 - 2.1.1. Posters may ONLY be posted on Bulletin Boards and nowhere else **(-5%)**;
 - 2.1.2. Posters MAY NOT be posted in the Bethune College Council Office space **(-5% per poster)**;
 - 2.1.3. Candidates may not utilize any Bethune College Council, Bethune College Head Office, or Lassonde School of Engineering's Student Welcome & Support Centre's materials **(-10%)**;
 - 2.1.4. Posters must be taken down on the last day of voting before 11:59 PM **(-2% per poster reported)**;
- 2.2. Campaigning methods that utilize online content (i.e. social media, email, etc.) must adhere to the following guidelines:
 - 2.2.1. Facebook Groups/Events/Instagram may be utilized but only during the campaign period **(-10%)**;
 - 2.2.2. Posts may not be posted in Bethune and/or Lassonde affiliated social media platforms, unless in a registered elections platform, including the groups, but not limited to, Bethune Athletics, Bethune College Council, and Lassonde Student Congress. **(-25%)**;
- 2.3. Class announcements are permitted, however, approval must be acquired from the professor or designate to speak in front of a class beforehand to make such announcements **(-15%)**;

- 2.4. Candidates cannot pass around electronic devices to a community member to vote (-50%);
- 2.5. Candidates may not campaign after the campaigning period has ended (-20%);
 - 2.5.1. Any new physical or online content (this includes reposting content) that specifically campaigns for oneself or another candidate (-20%);
 - 2.5.2. Campaigning during the voting period through texting and/or intentionally verbally telling people to vote for yourself (-35%);

3. Lasonde Representative Specific Rules

- 3.1. Posters must also follow Lasonde Student Congress guidelines listed in the constitution. Posters MUST NOT (-5% per clause):
 - 3.1.1. Exceed the size of 2 letter-size pages;
 - 3.1.2. Be placed on other posters;
 - 3.1.3. Obstruct other notices while they are current;
 - 3.1.4. Be clustered in groups of more than 2;
 - 3.1.5. Be posted in restrooms in any building;
 - 3.1.6. Be put up in computer labs, on tables or any glass surfaces;

4. Disqualification

- 4.1. Any campaigning deemed tasteless or degrading to other candidates will result in disqualification (-100%);
- 4.2. Ripping down or defacing another candidate's posters will result in disqualification (-100%);
- 4.3. Campaigning in slates or parties in any shape or form will result in disqualification (-100%);
- 4.4. The use of emails sent out using York sanctioned, Bethune registered, or CNS registered listserv is strictly prohibited and will result in disqualification (-100%).

5. Appendix I Amendment

- 5.1. Appendix I of Bylaw 3: The Elections Bylaw, shall be amended with:
 - 5.1.1. A simple majority vote at a regular meeting of the Council;
 - 5.1.2. A simple majority vote at a General Meeting of the BCC;
- 5.2. Appendix I shall not be considered a part of Bylaw 3, but as an additional document further elaborating on the information provided within Bylaw 3.