

# BYLAW 3: THE ELECTIONS BYLAW

As passed at the Bethune College Council Meeting on \_\_,

©2022 Bethune College Council

# CONTENTS

SECTION I: GENERAL.....	3
SECTION II: CHIEF RETURNING OFFICER.....	4
SECTION III: NOMINATIONS AND ELECTIONS.....	6
SECTION IV: INTERIM PROTOCOL.....	8

## SECTION 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 Chief Returning Officer 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:

- a. Objectively inform all voters;
- b. Elect an appropriate candidate; and
- c. Offer a fair chance to all legitimate candidates.

2.2. The following actions are strictly forbidden:

- a. Spamming, consisting of sending unsolicited bulk email;
- b. Solicitation, consisting of forceful, urgent, or repeated requests; and
- c. Deception, consisting of lies, coercion or slander.

2.3. Any election activity that breaches York University policies or regional or national laws will be grounds for disqualification

## SECTION II: CHIEF RETURNING OFFICER

### 1. Roles and Responsibilities

- 1.1. The Chief Returning Officer, hereby referred to as the CRO, shall oversee the online voting process;
- 1.2. Be in charge of all matters pertaining to the holding of BCC elections (e-Vote or by ballot), By-elections, or referenda, including the checking of the Voters List (Community Regular Members) from the Head's Office; the receiving and certification of nominations; the posting of notices; the establishing of polls; the counting of ballots; the declaration of spoiled ballots; the declaration of successful candidates and all results; the declaration of successful referenda questions; the making of all such results known both to the outgoing Council and to the Community. They will be responsible for contacting e-Vote to set up the elections, getting the votes and providing York with the newly elected members. They shall also arrange for All-Candidates, public meeting for the Community after the closing of nominations and in the campaign week (except where a post/posts is/are filled by acclamation);
- 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. Have their own vote counted only in the case of a tie and with respect to each such office;
- 1.6. Otherwise maintain complete impartiality; they may take any complaints or charges of undue pressure or influence before the BCC for investigation and resolution;
- 1.7. Have final 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;
- 1.8. 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;
- 1.9. Be replaced, in the event of their resignation by such deputy as is designated by the outgoing or present Council;

- 1.10. Will have a meeting with all nominees before the start of the Campaign Period to determine their eligibility and commitment to run for office;
- 1.11. Receive an honorarium for the performance of their duties, in the amount set and agreed upon in a regular meeting of the BCC.
- 1.12. Once the voting period has concluded just prior to the votes being counted the CRO shall cast their vote. This vote shall be concealed and locked away under the watch of the Head of Bethune College and only be revealed in the case of a tie will it be used to break the tie.
- 1.13. 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

## SECTION 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 close seven (7) days prior to the day of the election or Byelection;
- 1.3. Candidates can be nominated for the following positions: the President, the Executive Vice-President, Vice-President Athletics, the Commuter Director, the General Members, the Lassonde Representative, and two First Year Representatives;
- 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, candidates shall be allowed to campaign together in elections;
- 1.6. Nomination, and all items of Article XI, fall under the authority and supervision of the CRO, as in Article X;
- 1.7. Nominees must meet with the CRO before the start of the Campaign Period to determine if their eligibility and commitment to run for office are satisfied.

### 2. Voter Eligibility

- 2.1. Any Regular Member of the Community as defined in Bylaw 1, 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;
- 2.3. Only Regular Members who are in the first year of study in their program may vote for the First Year Representatives;
- 2.4. Only Regular Members who are in the Faculty of Lassonde may vote for the Lassonde Representative.

### 3. Elections

- 3.1. BCC elections shall be held on dates in March or October, or as otherwise set by the BCC or the outgoing Council, but never on Saturday, Sunday or a University Holiday, and these dates shall be duly advertised; voting dates shall be set by the CRO in consultation with the BCC;

- 3.2. There shall be one ballot provided at a general (March) BCC election: This will be for all elected positions on Council with the exception of the First Year Representatives; All voting shall be done by E-Vote and only those members of the Community who are deemed eligible to participate will be able to vote;
- 3.3. There shall be 2 ballots at a Fall By-election (October): This will be for the positions of First Year Representative and any vacant position that needs to be filled by Council due to resignation, impeachment or inability to fill the position during the general (March) BCC election;
- 3.4. Each voter must vote only once per election; any irregularity must be reported by a deputy to the CRO and/or by themselves to the BCC for prompt resolution;
- 3.5. 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.
- 3.6. 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.

#### **4. Ratification**

- 4.1. A Ratification Meeting shall be held after the end of elections to ratify the elected candidates, as well as after hiring to ratify the hired candidates;
- 4.2. For elected positions, a majority vote shall ratify the proper execution of elections;
- 4.3. For hired positions, a majority vote to reject ratification should reject the proposed candidate by the hiring committee.
- 4.4. Council may reject election ratifications by a two-thirds (2/3) majority vote

## SECTION 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.
- 1.2. Should the President resign, the council is required to appoint an interim President no later than ten (10) business days following the resignation.
- 1.3. Should the Executive Vice President resign, the council is required to appoint an interim Vice President no later than fifteen (15) business days following the resignation.