Since 11 August 2021, the Democratic Reform Committee (DRC) has been meeting twice a week, every week to reestablish trust of students in CUSA that has recently been lost. Following the 2021 CUSA General Election, the incoming Executive committed to the project of democratic reform and struck this Committee. The Committee is composed of three students at large, five councilors, three non-voting CUSA Staff, one volunteer notetaker, and one member of the CUSA Executive. Membership included:

- Braeden Cain, Student at Large, Chair;
- Ahmad Hashimi, Vice President Internal, Vice-Chair;
- Emily Sowa, Councilor, Faculty of Public Affairs;
- Pierce Burch, Councilor, Faculty of Arts & Social Science;
- Cameron Davis, Councilor, Faculty of Engineering & Design;
- Greg Dance, Councilor, Faculty of Science;
- Musab Chaudry, Councilor, Sprott Business School;
- Simon Harris, Student-at-Large;
- Anthony Galipeau, Student-at-Large, (Non voting, August-September);
- Dakota Livingston, Volunteer Notetaker (Non-Voting);
- Sam Kilgour, CUSA Staff (Non-Voting);
- Jeremy Brzozowski, Carleton Staff, Student Affairs & Student Life (Non-Voting);
- Melanie Chapman, Carleton Ombudsperson, (Non-Voting)

Jeremy Brzozowski and Melanie Chapman both agreed to keep themselves at an arm’s length from the process to remain as independent and student-led as possible. Both Brzozowski and Chapman agreed only to intervene if absolutely necessary. As such, their primary relationship to this Committee was staying up to date with Committee work.
The Committee began by consulting with John McNair, CUSA’s lawyer, who answered questions from Committee members about the state of CUSA’s Governance. Mr. McNair’s testimony only reinforced the harsh reality: CUSA’s bylaws and governing structures were seriously flawed and could provide opportunities for malicious lawsuits to the detriment of CUSA and the student body. Mr. McNair’s testimony imprinted the urgent need for full and total reform of CUSA governing structures – not only because reform would improve CUSA’s democracy, but because such modifications were vital to the maintenance of CUSA as an organization.

Following Mr. McNair’s interview, the Committee began inviting witnesses and guests with personal experience working in select fields pertinent to the Committee’s mandate, or who were known to have knowledge that could be especially worthy of the Committee’s time. Current and former CUSA full-time staff, including a former CUSA executive, were invited; current and the most recent former executives were invited; current and former student leaders from recently reformed students’ associations in Ontario were invited; and consultants from the student union movement in the United Kingdom were invited. All witnesses were agreed upon by Committee members in earlier Committee meetings.

The first cohort invited to appear with the Committee were current and former full-time CUSA staff. These witnesses included General Manager Christine Falardeau and CUSA Student Services Manager Adil Tahseen. Former CUSA General Manager Travis Lindgren was invited to testify; however, he was unavailable to attend a Committee meeting, and instead submitted written testimony in response to questions from Committee members. These meetings with staff provided a concerning picture of CUSA characterized by a lack of full time staff aid with Executive transition following elections. The Committee found there had been concerning egregious behaviours or abuses of power over full-time staff on the part of executives in the past, in which no options for recourse of consequences to the executive were available. Additionally, staff also expressed concern about the hiring process of Electoral Officers, specifically that the executive currently had too much power over the hiring of these electoral officers.
The Committee then extended an invitation to current and former Executives of CUSA to hear their testimony on the state of CUSA. CUSA Executives for the 2021-2022 academic year – Ahmad Hashimi, Callie Ogden, Daisy Kasper, Valentina Vera Gonzalez, Venassa Baptiste & Matt Gagne – were all invited to the Committee. All elected Executives appeared before the Committee, with the exception of Matt Gagne. Additionally, CUSA Executives for the 2020-2021 academic year – Kathleen Weary, Jacob Howell, Morgan McKeen, Tinu Akinwande, Farook Al-Muflehi, and Osman Elmi – were also invited; however, no former Executive agreed to testify in front of the Committee’s. Instead, Jacob Howell was able to provide a written statement for Committee members to review. Additionally, former CUSA Executive Diana Idibe (2018-2019) answered questions from Committee members via a written statement.

While the Executive witnesses had varying ideas, priorities, and end goals for democratic reform, a few notable trends emerged from their testimony. First, there remains a noticeable lack of staff and structure within CUSA’s chain of commands. This manifests itself in various ways, whether it be a lack of staff assistance with executive transition and human resources, the failure to hire independent electoral officers, or the politicization of executive pay. Furthermore, witnesses universally decried toxicity rooted within CUSAs political culture. While there should always be room for healthy disagreement in any functioning democracy, the amount of abuse, hate, and discrimination that executives and candidates for the executive are exposed to is nothing short of disturbing. There should be no room for hateful behavior in CUSA, and the Committee recognizes that fixing this issue comes with re-establishing trust in CUSA. Additionally, the Committee agreed that this toxic culture indicates that Executive and Council candidates need consistent access to mental health support, at least for the duration of an election.
Next, the Committee interviewed a series of witnesses from other student unions and universities from elsewhere in the country. Witnesses include various former executives and CEOs of Student Unions such as Pat Whelan, co-founder of Paddle HR & Opendemocracy.ca and former Western USC President; Mitchell Prat, former Western USC President and public affairs consultant; Sophie Helpard, Executive Director of StudentsNS; Bardia Jalayer, former Western USC President and CEO; and Tim Gulliver, current president of the University of Ottawa Students’ Union (UOSU). All external witnesses agreed that successful student unions must have adequate staff to help elected students do their jobs, with the assistance of an executive oversight system (of which CUSA currently lacks). They also all stressed that the costs of slates within the electoral system outweigh the costs; all witnesses agreed that student unions are generally better off without slates and that electoral officers should not be hired from or by the student body. Most notably, Tim Gulliver made a case for reform over reconstruction: mentioning the dissolution of the SFUO in 2020-21, the image painted to committee members was that which tainted student life at the University of Ottawa.

Finally, the Committee was able to interview two witnesses from the United Kingdom. Simon To, who has worked with both University College London Students’ Union and the London Metropolitan University Students’ Union, as well as Nick Smith, a consultant on Education Governance and Students’ Union Leadership, both agreed to testify before the Committee. The Committee felt that interviewing individuals from the UK would be beneficial, since British students’ unions have evolved to become more efficient and institutionalized in the wake of changes similar to those now in effect in Ontario. To and Smith both spoke of extensive Boards of Directors with established onboardings, training, and consultation mechanisms outside of the extensive full-time staff networks in UK students’ unions. It was mentioned that nearly all elected executive officer positions in the UK serve a representational purpose now, rather than an operational one.

The Committee also organized four public forums for students-at-large to raise any questions, comments, or concerns regarding reforms to CUSA’s governance and elections systems. Students had a wide variety of concerns, comments, and suggestions for Committee members to consider; however, the Committee noticed there were a few issues with wide-spread support. Notably, students were generally opposed to the slate system and were concerned about the hiring process of CUSAs Electoral Officers. Additionally, students also found that CUSA struggles to provide clear communication to students about opportunities and operations. A series of former Electoral Officers also gave their testimony, but asked to remain anonymous for the sake of their mental health and well-being. These Officers vividly described the hate and vitriol received during their time in office and recommended that Electoral Officers not be selected from the student body.
Looking back at the early Committee work, it is clear that the marching orders and advice provided by CUSAs legal counsel slowly but surely left rock after rock upturned. The sheer complexity of the issues meant that the only logical end was not just to legislate away the classic slate system, but to harbour in a series of substantial, structural reforms to the entire organization that would render student-wide Vice Presidential elections pointless and establish a new Board of Directors. From the chorus of early witnesses asking for more checks and balances, to later witnesses offering examples of student union reform done right, many of the recommendations in these reports were not simply a matter of whether reform was right for CUSA. Rather, the Committee was more concerned with honing in on the best reforms that do nothing but maximize CUSA’s future success.

The reports attached below offer a fuller picture of how the Committee came to its conclusions about CUSAs political culture and institutions and the subsequent recommendations. Suffice to say, we believe the reforms outlined below will help put CUSA back in the position as one of Canada’s leading students’ unions.

This four-month process was a long time in the making and, with the completion of our work, a better and modern CUSA is finally in sight. Thanks go out to every member of the Committee who took the time to show up and give their input on this project of democratic reform. Everyone knows that finding time for extracurricular activities is often a struggle with classes and readings, so to all the members who took the time to show up: thank you! Additionally, this Committee would be incomplete without the help of two individuals in particular: Sam Kilgour and Dakota Livingston both took the time to show up every week and make sure that the Committee is functioning well. Without their help, this Committee would not have been able to function on such a frequent basis, so to both of you: thank you, thank you, thank you!

The reports written for submission to CUSA Council by the Democratic Reform Committee are the culmination of months of hard work and dedication by all members of this Committee and the Carleton community. Inside, readers will notice nothing short of a comprehensive, effective, and evidence-based approach to democratic reform for Carleton’s undergraduate students’ union. It is the recommendation of this Committee that all the provisions included be adopted.

Sincerely,

Braeden Cain
Chair, Democratic Reform Committee
RECOMMENDED NEXT STEPS

As the work of the Committee concludes, there are seven additional recommendations we wish to make to further develop CUSA’s administrative and electoral institutions:

Recommendation One
- The Committee recommends that the current CUSA Council develop Terms of Reference for an Ad-Hoc Secretary-Treasurer / Vice President Finance Nominating and Selection Committee, which shall select and nominate a Secretary-Treasurer / Vice President Finance for the 2022-2023 academic year; and
- The Committee recommends that 2022-2023 CUSA Council and the CUSA Board of Directors develop Terms of Reference for a Board Nominating and Selection Committee in May 2022, which shall establish a Select Committee with the purpose of selecting and nominating future Secretary-Treasurers / Vice Presidents Finance. This Committee’s authority shall be in effect for the 2023-2024 academic year.

Recommendation Two
- The Committee recommends that the current CUSA Council develop Terms of Reference for an Ad-Hoc Board Nominating and Selection Committee, which shall select and nominate four (4) student-at-large directors for a one (1) year term spanning the 2022-2023 academic years, and four (4) student-at-large directors for a two (2) year term, spanning the 2022-2024 academic years.
- The Committee recommends that 2022-2023 CUSA Council and the CUSA Board of Directors develop Terms of Reference for a Board Nominating and Selection Committee in May 2022, which shall establish a Select Committee with the purpose of selecting and nominating future student-at-large Board members. This Committee’s authority shall be in effect for the 2023-2024 academic year.
Recommendation Three

- The Committee recommends that the future CUSA Board of Directors be charged with discussing the merits of having Carleton staff facilitate CUSA student-at-large elections in comparison to external options such as Simply Voting. The Board should run a request-for-proposal process or a similar competitive process to determine the best course of action, capable of the highest degree of flexibility in the future.

Recommendation Four

- The Committee recommends that CUSA Council’s Policy and Constitution Review Standing Committee should consider and/or draft policies to support the compliance of CUSA with various provincial statutory instruments, such as the Not For Profit Corporations Act, 2010; and
- The Committee recommends that CUSA Council’s Policy and Constitution Review Standing Committee have access to all minutes and resources in possession of the Democratic Reform Committee to support their mandate and all drafting of internal policies.

Recommendation Five

- The Committee recommends that CUSA Council’s Policy and Constitution Review Standing Committee, or another entity as authorized by CUSA Council, routinely consider the composition and job descriptions of the Executive positions in a holistic and dedicated fashion beyond the limitations of this Committee’s mandate.

Recommendation Six

- The Committee recommends that CUSA Council’s Executive Compensation Review Standing Committee consider and/or draft policies that reflect CUSA Council-approved modifications to Executive responsibilities and general level of commitment to the students’ union. This includes, but is not limited to, changes relating to the establishment of a full-time President and any differences in compensation that may present.

Recommendation Seven

- The Committee recommends that either the 2021-2022 or the 2022-2023 CUSA Council authorize a Council Composition Review. Such review should look into both the representative nature of, and structures on, CUSA Council’s current iteration in a holistic and dedicated manner beyond the limitations of this Committee’s mandate.
DEMOCRATIC REFORM COMMITTEE FINAL REPORT

Prepared: January, 2022
Prepared by: CUSA Democratic Reform Committee
For receipt by: CUSA Inc Trustees, CUSA Inc Members,
CUSA Council, CUSA Executive
EXECUTIVE SUMMARY

The below report suggests the democratic reform necessary at CUSA is inextricably intertwined with our governance model and decision making power within the organization. These concerns credibly extend beyond the elections process and to the everyday operations of CUSA itself. It is time for real change at CUSA. The Democratic Reform Committee has engaged a series of witnesses and guests, receiving valuable testimony and insight around which we have structured this report. Our diagnosis is that at bare minimum, CUSA suffers from a crisis of confidence and a perception by the student body marked with rampant corruption, self-dealing, and egregious behaviours — largely because of the power invested in so few individuals and the narrow approval mechanisms in place to commit to large decisions.

This report outlines the best chance CUSA has had in its many decades to completely reform the organization from the top down. The Ontario Not-For-Profit Corporations Act will shortly force many student unions, including CUSA, to make necessary changes. We are proactively making decisions to come into compliance with the Act. The decisions which lie ahead are not optional; we are not debating whether we accept change or stay the same. Instead, we are debating how we reform, for if CUSA refuses to reform, the Association will inevitably lose all relevance and disappear. This report reflects how we suggest CUSA plan to reform.

Below we have outlined new accountability measures and reduced CUSA executive power. We advise that the creation of a new external Board of Directors — made up of knowledgeable students-at-large not otherwise involved in CUSA — will be best suited to guide CUSA over the long-term. This external Board of Directors will ensure that CUSA exists to create opportunities for future student leaders and to hold the Carleton administration, the City of Ottawa, the Government of Ontario, and the Government of Canada to account.

We have suggested a systemic removal of the slate system. To do so, we recommend that only the position of President be elected through an at-large election, in keeping with some of our peer institutions and as advised by many witnesses and guests.
For Vice Presidential executive positions, we ask the CUSA Council to choose from a variety of methods for picking the executives depending on their positions in ways other than an at-large election, including a council vote, through a hiring committee, or through a community engaged hiring process.

We suggest term limits for CUSA executives. Complementing term limits is a suggestion to legislate that an executive position be a full-time role. Such reforms will reduce the perception of nepotism and enhance the human resources of the organization in a way that empowers student representatives over full-time staff.

While our committee has more work to do, including investigating and making recommendations regarding the electoral code and the logistics of elections, we are confident the matters outlined below will satisfy the desire for change previously exhibited in the CUSA general election in February 2021.

As a final recommendation, we hope to instill a sense of urgency within CUSA Council to adopt change or make substantive reforms. This committee has done its due diligence, meeting twice a week over the course of months. We are of the position that our recommended changes are essential to the long-term success and survival of CUSA. CUSA Council now has the responsibility to heed our recommendations, reform this organization now, and spend future months hammering out fine details before the changes come into force. We firmly believe any changes should be public in advance of the next regularly scheduled general election, so potential candidates and the study body can understand the implication of this reform.
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SUMMARY OF RECOMMENDATIONS

Recommendation One: As such, the Committee recommends that Council vote to endorse a merger of the Carleton University Students’ Association (“the Association”) and CUSA, Inc. (“the Corporation”).

Recommendation Two: The Committee recommends the creation and implementation of a well recruited, dutifully selected, properly trained, and expertly advised independent Board of Directors composed of 8 students-at-large and the CUSA President to focus on protecting the long-term future of CUSA from a financial, legal, and reputational perspective.

Recommendation Three: The Committee further recommends modifications to the voting rights, selection process, legal responsibilities, and oversight mechanisms as described above, of:

- CUSA President/Chief Executive Officer;
- CUSA Vice Presidents; and
- CUSA Councillors

Recommendation Four: The committee recommends the roles of executives become full-time at 35 hours per week.

Recommendation Five: The Committee recommends that only the President and CUSA Councillors be elected in at-large elections, with Vice Presidents selected in processes determined by CUSA council.

Recommendation Six: The committee recommends that limits be placed on how and when CUSA Executives are able to serve more than one term, including options such as non-consecutive term limits, a limit of one term as an executive, or a “move up or move out” philosophy engrained in ByLaw.
Since 1968, what has been commonly referred to as the Carleton University Students’ Association (CUSA) has been composed of two separate yet intertwined legal entities: the Carleton University Students’ Association (“the Association”) and CUSA, Inc (“the Corporation”). Their respective roles, duties, and limitations are described below:

The Association
As described in the Association’s current constitution, the Association is a private, non-governmental organization designed to increase student engagement through the provision of various goods and services conducive to an enhanced general student experience. Through this end, the Association is charged with representing undergraduate students at Carleton University before university administration and the general public. The membership of the Association is composed of all members of the undergraduate body of Carleton University who are designated as members in good standing.

Legislative Body - The Students’ Council
The Association’s membership is represented through a students’ council (“CUSA Council”), which consists of democratically elected members of the Association. At the time of this report, the composition of CUSA Council consists of 35 members and is described in section 1.1 of By-Law I of the Association as follows:

1. The President of the Association elected by and from the Membership of the Association;
2. The Finance Commissioner (“Vice-President for Finance”) of the Association elected by and from the Membership of the Association;
3. The Vice-President for Internal Affairs of the Association elected by and from the Membership of the Association;
4. The Vice-President for Student Life of the Association elected by and from the Membership of the Association;
5. The Vice-President for Student Issues of the Association elected by and from the Membership of the Association;
6. The Vice-President for Services (“Vice-President for Community Engagement”) of the Association elected by and from the Membership of the Association;
7. A representative appointed by and from, and sitting at the pleasure of, the Graduate Students’ Association (“GSA”);
8. A representative appointed by and from, and sitting at the pleasure of, the residence students’ association (“the Rideau River Residence Association”, or “RRRA”);
9. A representative appointed by and from, and sitting at the pleasure of, the Carleton Academic Student Government (“CASG”);
10. A representative elected by and from, those members registered as Special Students; and
11. Twenty-five (25) Faculty Representatives elected by and from members in their faculty (“CUSA Councillors”).

Furthermore, according to the sections 1.2 and 1.3 of By-Law I, the composition of Faculty Representatives should be proportional to the membership of the Association within the following faculties of Carleton University:
1. The Faculty of Public Affairs;
2. The Faculty of Arts and Social Sciences;
3. The Faculty of Engineering and Design;
4. The Faculty of Science; and
5. The Sprott School of Business

As of the release of this report, the current composition of Faculty Representatives is determined through the Association’s 2021 Writ of Elections as follows:
1. Seven (7) councillors representing The Faculty of Public Affairs;
2. Six (6) councillors representing The Faculty of Arts and Social Sciences;
3. Six (6) councillors representing The Faculty of Engineering and Design;
4. Three (3) councillors representing The Faculty of Science; and
5. Two (2) councillors representing The Sprott School of Business
To aid in the completion of CUSA Council’s duties, section 4.0 of Bylaw I for the Association authorizes the appointment of two (2) Council Officers, namely:

1. The Chair of CUSA Council
2. The Clerk of CUSA Council

Apart from the designated Council Officers, all members of CUSA Council are designated as voting members. Members of CUSA Council may choose to send proxy delegates to meetings in accordance with the procedures outlined in section 2.4 of Bylaw I of the Association. Members of CUSA Council may be removed in accordance with the procedures outlined in section 2.5 of Bylaw I of the Association.

Because of its democratic and proportionately representative nature, CUSA Council serves as the highest body of lawmaking authority for the Association. In accordance with section 3.0 of the Constitution, Council shall take precedence over the Association’s various organizations, bar the judicial decisions of the Constitutional Board. As such, CUSA Council holds a high degree of legislative jurisdiction over CUSA’s various statutory instruments, advisory boards, and connected organizations.

CUSA Council’s authority as one of the Association’s highest legislative bodies places significant responsibilities and liabilities on CUSA Councillors, executives of the Association, and other defined members of CUSA Council (with the exception of its Council Officers). This includes, but is not limited to, the following:

1. Approving or rejecting expenditures or entrepreneurial activities of the Association;
2. Enacting amendments to the Constitution, Bylaws, and Policies;
3. Repealing any Policy of the Association at any meeting of the Students’ Council; and
4. Holding legislative jurisdiction over all Advisory Bodies and Organizations of CUSA
Administrative Body - The Executive
According to Bylaw II of the Association, the executive branch of the Association consists of six (6) executive positions elected by its members. The Executive is composed of the following positions:

1. President;
2. Vice President Finance;
3. Vice President Internal;
4. Vice President Student Life;
5. Vice President Student Issues; and
6. Vice President Community Engagement

In contrast to that of CUSA Council, the Executive holds substantially less in terms of statutory liability and obligations. More specifically, the Executive’s authority, as outlined in Section 4.0 of the Constitution, is to hold administrative responsibilities for “Advisory Bodies and Organizations Funded and Administered by CUSA.”

In effect, members of the Executive hold two separate responsibilities. On top of maintaining various administrative capacities for CUSA, members of the Executive are inherently members of the legislative branch of the Association. As such, members of the Association’s Executive are liable not only for its various administrative duties, but also for decisions made at CUSA Council.

Judicial Body - The Constitutional Board
According to section 5.0 of the Constitution, the Constitutional Board “shall have the authority to rule that any act of [CUSA Council], its members, its officers, or its agents is in contravention of the Constitution, any Bylaw, or Policy of the Association.” It is comprised of the following members:

1. Four (4) members of the Association who are not themselves members of CUSA Council; and
2. The University Ombudsman

Section 7.0 of Bylaw III gives the Constitutional Board the sole authority to determine all matters arising under the Constitution, Bylaws, and Policies. This includes:

1. Electoral Board appeals and Electoral Code violations; and
2. Matters on CUSA Council’s compliance with its various statutory instruments
The Corporation
As described in the 1968 Letters Patent for Carleton University Students’ Association, Inc., the Corporation is a corporate organization legally tasked to receive and administer funds in the form of levied membership fees or by “donation, gift, return, business venture, legacy, bequest, or howsoever.” Additionally, the Association is charged with acting as a liaison between the general public and the (undergraduate) students of Carleton University, maintaining unity and cooperation among students in the university, and developing responsible government and governing bodies. The membership of the Corporation is composed of all members of CUSA Council, as well as its Chair.

Board of Trustees
According to section 3 of Corporate Bylaw No. 1, the Corporation is managed by three members of a Board of Trustees. Section 8 outlines the powers of the Board of Trustees as an administrative body with the power to carry out and enforce contracts with other organizations. The board of trustees are primarily concerned with the capital of the corporation, namely:

1. Purchasing, leasing, acquiring, selling, exchanging, or disposing of:
   a. Shares;
   b. Stocks;
   c. Rights;
   d. Warrants;
   e. Options and other securities;
   f. Lands;
   g. Buildings and other property;

2. Borrowing money on the credit of the Corporation;

3. Issue, sell, or pledge securities of the Corporation; and

4. All such powers that the Corporation is authorized to do by its character or otherwise assigned duties

The Board of Trustees for the Corporation is composed of three voting members: the President, the Vice President (also referred to as “Secretary of the Corporation”), and the Finance Commissioner (“Vice President Finance”). Two of the three voting members must be present to reach quorum for meetings of the Board of Trustees to operate.
The President of the Board of Trustees, and therefore the Corporation, is also the President of the Association. In their fiscal capacity, the President is responsible for:

1. Supervising senior management;
2. Supervising members of CUPE Local 3011; and
3. Carrying out all collective agreements between the Corporation and its bargaining units

The Vice President of the Board of Trustees is a member of the Corporation and a member of the Association’s executive branch.

The Finance Commissioner of the Board of Trustees also serves as the Vice President Finance of the Association. In their fiscal capacity, the Finance Commissioner is responsible for:

1. Acting as the primary signing authority for CUSA Inc.;
2. Properly arranging bookkeeping for the Corporation;
3. Authorizing purchases for the Association; and
4. Playing an active role in the labour negotiations with the Corporation’s various collective bargaining units

The Board of Trustees, and therefore the operations of the Corporation, are overseen by CUSA Council at every stage in the process. As previously mentioned, all members of CUSA Council with the addition of the Chair of Council serve as members of the Corporation. In practice, decisions made by the Corporation are regulated heavily in part by CUSA Council. As stated in section 3.0(b) of the Constitution,

“[The legislative body] shall initiate, approve, or reject any of the Association’s expenditures and entrepreneurial activities, under the authority of CUSA, Inc.”

Because of CUSA Council’s significant involvement in the execution of the Corporation, it is common for the Corporation to act on the advice and in lockstep with the Association’s decisions.
Status Quo, No Change

With the tabling of this report, CUSA Inc. Trustees, CUSA Inc. Members, CUSA Councillors, and CUSA executives may choose to continue to operate within its current legal framework. As such, CUSA, Inc. (“the Corporation”) and the Carleton University Students’ Association (“the Association”) would remain separate legal entities, connected by members of the executive branch of the Association being appointed to the Board of Trustees for the Corporation. Through testimony to and research conducted by the Democratic Reform Committee, we find that there are significant financial, legal, and structural costs needed to insure the Association properly.

While insurance costs can be recouped, we find that the Corporation and the Association’s own staff and representatives face unnecessarily substantive consequences and a distorted understanding of their liabilities as a result of these costs. CUSA, referring to the combined system of the Association and the Corporation, continues to be the only students’ union that the Committee is aware of that holds multiple sets of By-Laws. This leads to both the Corporation’s own staff and the Association’s executive branch holding an incomplete idea of how their respective roles should operate.

The impact of the disconnect created in part by having two, separate legal entities creates both internal and external concerns for the Association and the Corporation. Internally, the design of power structures used for expenditure and expense management means that three executives retain their narrow decision making methods largely out of the sight or scope of the remaining executives of the Association and CUSA Council. In practice, the creation of these separate entities leaves CUSA as a whole vulnerable to potential misappropriation of funds. Externally, the existence of two separate sets of bylaws means that the internal rules and statutes of the Association remain inaccessible to its members. The Committee therefore argues that having an Association and Corporation with confusing levers of power leaves the student body with a union with increasingly low engagement and a damaged reputation.
Merger of the Corporation and the Association

Conversely, CUSA Inc. Trustees, CUSA Inc. Members, CUSA Councillors, and CUSA executives may choose to mitigate the concerns and risks created through the maintenance of two legal entities through merging the Corporation with the Association.

Testimony provided to the Committee through the Corporation’s legal counsel reveals that the maintenance of both the Corporation and the Association is a completely redundant task. While most student unions in Ontario and throughout Canada have opted to incorporate under either the Ontario Not-for-Profit Corporations Act or the Canada Not-for-Profit Corporations Act, analogous duties of the Association are maintained under the Corporation’s bylaws. There is thus no precedent to suggest that the existence of the Association needs to be maintained for statutory up-keep of CUSA.

Instead, testimony given by members of both the Association and the Corporation suggest positive benefits to merging the two entities. In a response provided to the Committee, Acting General Manager Christine Falardeau noted that it would be to CUSA’s benefit to do so, as a merger would “improve overall staff morale” and broaden decision making powers. Additionally, the Corporation’s legal counsel suggested a chance for both external and internal clarity in the various responsibilities of CUSA’s various actors, mitigating potential mistakes of fact as well as misunderstood legal and financial obligations.

Recommendation One: As such, the Committee recommends that Council vote to endorse a merger of the Carleton University Students’ Association (“the Association”) and CUSA, Inc. (“the Corporation”).
Status Quo, No Change
The Committee recognizes the potential to maintain the status quo. As outlined in the background of this report, the decision-making powers of the Association and Corporation lie primarily in the hands of the Executive and CUSA Council, with distorted liability placed on CUSA Council.

While testimony from internal and external witnesses provided a variety of different solutions for addressing power structures of CUSA, a unifying sentiment was a disapproval for the current model of power concentration:

- Testimony provided by the Corporation’s legal counsel indicated “fundamental governance issues” that need to be addressed with the current model. In particular, counsel commented on gaps for narrow decision-making, lack of oversight mechanisms, and unconstrained autonomy for the Association’s executive.

- Testimony provided by Tim Gulliver (President, University of Ottawa Students’ Union) deterred from a students’ union operating without a regulating oversight body. Similar to comments given by counsel, a Board of Directors would serve as a democratic check and balance system. It was noted during this testimony that the Board of Directors model is becoming increasingly common and referred specifically to the pioneering work of the University of Toronto Students’ Union (UTSU), The McGill Students’ Union, and Western’s University Students’ Council (USC).
Lastly, input and recommendations from the incumbent executive of the Association yielded disapproval of the current chain of mandates and spoke in favour of reducing Vice President and Trustee Responsibilities. Specifically, executive members implied an intense level of responsibilities that hinder the effectiveness of completing work under administrative capacities. In a letter sent to the Committee on 13 October, the Association’s executive wrote:

“In our appearance before your committee, we suggested many of the mechanisms of power currently held by the executive be removed, limited, or provided critically needed oversight. Assuming the recommendations of your committee are in keeping with our expressed opinions, we would argue the President is the only executive position with a level of power similar to what currently exists. Put bluntly, what would students be voting for in a VP Finance or VP Internal candidate if they have nothing more than advisory say over the internal workings of CUSA.

As many of the committee members will know, we are separately advising CUSA Council that too much power is invested in a few VP positions and that some long-standing issues need to be rectified. Now is the time to do more than just paint the walls and put some new carpet down at CUSA. It’s time to fundamentally reimagine this organization, and VP roles and selection procedures should not be outside of that scope.”

**External Board, Reduced VP & Trustee Responsibilities**

**Proposed CUSA Restructuring Plan**

Under the proposed model, CUSA will be legally understood as an entity which is responsible for the current Corporation and Association’s duties, under a unified article of incorporation, and one set of ByLaws. Such a system will help our governance be more accessible to those looking to be candidates for all levels of position within the organization, and alleviate internal confusions relating to job expectations, as described above.
Under this proposal, CUSA would split its oversight and advocacy responsibilities into its current CUSA Council, and a newly-established CUSA Board of Directors. This system would alleviate disproportionate responsibilities away from CUSA Council and the Executive. Now, CUSA Council may focus solely on advocacy issues for the year and on holding the executive to account. CUSA’s Board of Directors could be more focused on the legal, financial, and reputational risks that may expose CUSA to long term costs or benefits.

The specific design of the Board of Directors allows CUSA’s other body to operate with an added advisory element. Advisors of the Board could include CUSA’s legal counsel, CUSA’s auditors, or senior Human Resources advisors. They may also include CUSA staff, including representatives of CUSA’s recognized bargaining units, or members of CUSA’s executive in the event that a proposed initiative may affect the financial, legal, or reputational position of CUSA. As indicated in the model above, all members of the Board of Directors are non-voting.

The Committee believes this system is the optimal way to merge CUSA’s democratically representative system into bodies required by law for the not-for-profit corporations in Ontario. We encourage readers to consider this structure as similar to that of Carleton University itself. For instance, the President of the University must report to and face oversight from both a faculty Senate and Board of Governors.
In practice, we are proposing that the trustees of CUSA, Inc. surrender much of their power to a more independent Board. This continues to allow the President to be the executive with the most significant authority over the corporation, but facing more oversight than currently exists. This structure will expand our currently narrow decision-making process. We will not be the first students’ union to follow a frame-work like the one outlined above. The Western USC, Wilfrid Laurier University Students’ Union, Brock University Students’ Union, and the Students’ Society of McGill University all already operate in a similar way, as does every student union in the United Kingdom.

Complementing these changes will be increased or newly created training regimens for all levels of the corporation supported by full-time and contract staff. One of our main current failures is a lack of knowledge by those in power of the mechanism they can use to hold executives accountable.

**New Chain of Mandates**

**Positions of Power within CUSA would be filled in the following ways:**

- President/Chief Executive Officer
  - Elected by all paying CUSA members (1 year term)
- CUSA Council Speaker
  - Elected by members of CUSA Council (1 year term)
- CUSA Councillors
  - Elected by faculty constituent students (1 year term)
- CUSA Vice Presidents
  - Selected in process decided by CUSA Council (1 year term)
- Chair of the CUSA Board
  - Elected by Board members (1 year term)
- Board Members
  - Appointed by a Board of Directors Selection Committee, ratified by CUSA Council (2 year term)
  - CUSA President/Chief Executive Officer serves ex-officio as a voting member (1 year term, coinciding with the duration of term on CUSA’s executive)
Changes to CUSA Council Under this Proposal

- Voting rights removed from CUSA Vice Presidential Executives.
- Improved emphasis on Councillors’ roles, responsibilities, and mechanisms of holding executives accountable.
- Vice Presidential voting bloc dismantled to ensure that the Executive cannot sway Council votes.
- CUSA President held to account for the actions of the Executive team; stronger emphasis on Presidential accountability.

CUSA Board Implementation

- Directors empowered to provide vision.
- Responsibly trained corporation oversight.
- Consequential decision making spread across many non-biased directors rather than a few politically minded executives.
- A sober second thought on all CUSA initiatives.
- A check and balance on the President and Chief Executive Officer.
- Vice Presidential role would only be to advise if invited.

Recommendation Two: The Committee recommends the creation and implementation of a well recruited, dutifully selected, properly trained, and expertly advised independent Board of Directors composed of 8 students-at-large and the CUSA President to focus on protecting the long-term future of CUSA from a financial, legal, and reputational perspective.

Recommendation Three: The Committee further recommends modifications to the voting rights, selection process, legal responsibilities, and oversight mechanisms as described above, of:
- CUSA President/Chief Executive Officer;
- CUSA Vice Presidents; and
- CUSA Councillors
EXECUTIVE STRUCTURE

Status Quo, No Change
Under the current system, the Association’s administrative duties are overseen by the Executive, consisting of one President and five Vice Presidents who work full-time over the Summer term and part-time throughout the Fall and Winter terms.

Testimony and written submissions provided to the Committee indicated the current system of executive structure maintains serious flaws for the upkeep of CUSA’s administration. Primarily, concerns relating to sheer number of various administrative tasks required had dominated testimony with the Association’s Executive and the Corporation’s staff:

- Testimony provided by former CUSA service centre coordinator Adil Tahseen stated to the Committee that too many administrative duties are assigned to Executives that could easily be assigned to staff. Tahseen argued that transferring duties during their time with CUSA would have allowed for the executives to better focus on their portfolio.

- Testimony provided by CUSA Acting General Manager Christine Falardeau indicated that, while the General Manager is tasked with meeting with the Executives every day and works alongside them for various projects, much of the work completed by Executives could be downloaded onto CUSA staff.

- Testimony provided by the Association’s Vice President for Student Issues, Valentina Vera Gonzalez, spoke to the taxing work of keeping the Association and the Corporation running. Vera Gonzalez spoke of being behind in classes from balancing working full time all summer, the demands of being a CUSA executive, and completing classes as an upper year student.
Lastly, input and recommendations from the incumbent executive of the Association yielded disapproval of the current chain of mandates in terms of modifying internal duties of the Executive. Specifically, executive members implied an intense level of responsibilities that hinder the effectiveness of completing work under administrative capacities. In a letter sent to the Committee on 13 October, the Association’s executive wrote:

“Currently, the CUSA executive has no time throughout the week when all 5 executive members are free for any meeting. This will only be additionally complicated with a 6th executive joining us soon. There is business that requires all 5 executives to be present, and that means at those meetings at least one executive is missing class, working over 25 hours per week, or the meeting happens without all members of the executive, and someone is left out. All of these results could lead to increased stress or conflict.

It is not infrequent that CUSA has a matter that needs to be urgently addressed by any permutation of the CUSA executives. Often, this puts executives in a tough position of choosing between attending class or ensuring a metaphorical fire is put out. Even evening classes can conflict with CUSA Council, committee meetings, or lobbying efforts.

[We’re not exactly capable of being exemplary students right now.”

The Committee also took the following points into consideration made by the Association’s Executive in reaching its decisions:

“Work-From-Home’ and online and/or asynchronous course options have allowed for more flexibility in schedules. However, with a hybrid ‘work-from-home’ and digital approach, incidental contact with full-time staff in the office during business hours is likely to decline from previous years, meaning the status quo is not an option in this case.

Student executives should be students primarily, and executives secondarily so they understand the student experience. If this remains the case, know that executives may not be in the same boat as other students scheduling and balancing their own part-time work and personal matters throughout the year. As mentioned above, the work involved with being an executive of a non-profit corporation is frequently urgent and unforeseeable. We think we’ve explained above that we’re not exactly capable of being exemplary students right now.”
There will continue to be a limited ability for executives to meet because of class schedules. CUSA may continue hiring staff to take on responsibilities, rather than students. Executives will continue working part-time outside of CUSA to financially support themselves. Executives will miss and occasionally drop or fail classes due to the commitments of their jobs.

**Full Time Executives**

Converting the requirements of Executive positions from 25 hours per week to 35 hours per week integrates CUSA executives more closely into the operations of the Corporation and office culture. This would allow a greater presence and attendance by executives in meetings, and would expand the time resources of the corporation. This also ensures that as many responsibilities as possible remain in the hands of students rather than slipping into the administrative bureaucracy.

We as a committee understand that we would be following the footsteps of many other students’ unions by making this change. This may open up the opportunity to those who cannot balance school and an executive role at the same time by virtue of their program. Furthermore, we have heard from representatives and alumni of students’ unions (for instance, Western USC) that candidates for executive positions must be enrolled as students at the time of their candidacy as well as in the previous semester. This allows graduating students to run for the positions, or for students to take a year off from studies in an educational sabbatical to fulfill the role. We’ve heard from our witnesses that highly ambitious executives sometimes take a course or two over the course of the year if they can balance the work and course load, but that is a decision taken by the executive and approved in a manner consistent with other full-time staff taking courses. Testimony provided by former Western USC President, Pat Whelan, indicated a need to shift the understanding of the responsibilities of the President and the Vice President of students’ unions. Whelan asked the committee to determine, in a full-time executive system, who acts as the politicians. Whelan suggested that union Councillors and the President should be thought of as politicians, while the Vice Presidents should be viewed as full time staff.
Lastly, the Committee considered information provided by the Association’s Executive. In a letter sent to the Committee on 13 October, the Association’s executive wrote:

“CUSA is currently understaffed, as recognized by CUSA Council and the CUSA executive with the creation of a hand-full of new positions recently. One way to enhance the human resources of CUSA would be to add 10 hours per executive to allow them to maintain agency over initiatives that otherwise would be or will be delegated to full-time staff.

[There would also be m]inimal financial change. Compensation could be reasonably understood to already exist in the budget if a tuition credit is converted and rolled into the salary.

More office time throughout the workday will allow for a more full integration with the CUSA full-time staff, who often feel they just get to know executives before they leave office. This change would also combat a growing disconnect between office staff and student staff as a direct result of the pandemic and innovative approaches to work.

CUSA executives will remain engrossed in student culture, potentially even taking a class or two, and will never be distant from the student experience. Indeed, executives may return to courses following their term in office, meaning they would have a vested interest in advocacy initiatives which make student life easier. Meetings with University and government officials could be arranged with more flexibility on CUSAs side. Advocacy initiatives would move faster.

There is a saying in CUSA that if an initiative is not moving towards completion by August of an Executive’s term, it is not likely to be complete by the time they leave office. While we reject this notion, as evidenced by some of our big initiatives forcefully moving forward this semester, we can understand the sentiment, and certainly realize our time was more focused on CUSA initiatives at 35 hours a week without anything near a full course load.”
Full Time President
Many of the strongest recommendations in this advisory report ask for additional checks and balances on the president while giving them increased responsibility to be an accountable leader to both a Council and a Board of Directors. In order to represent both the advocacy initiatives as well as functioning as the Chief Executive Officer of a large nonprofit corporation, we would recommend the Presidency become a full time role, and the requirement of being actively enrolled in classes be dropped. Many of the benefits remain the same as the above full-time executives point, but on a more narrow scope.

Fewer Vice Presidents
If CUSA Council decides to limit the power of the CUSA Executive and expand decision making beyond the current three-trustee system, it could be argued the oversight and high level aspects of the roles of the executive would be limited to those relevant to their portfolio, and their perspectives considered advisory rather than binding. With this in mind, the duties of the executive writ-large will decline. Potentially, duties from one vice president role could be spread among remaining executives of other offices within CUSA. Moving forward with this proposal would involve a vacant physical office, and one less salary/benefits package for the Corporation.

Recommendation Four: The committee recommends the roles of executives become full-time at 35 hours per week.
EXECUTIVE ELECTIONS & SELECTIONS

Status Quo, No Change

Under the current system, the Association’s Executive is selected under six at-large elections that are elected through campus-wide votes. Candidates have the option to register a political affiliation with the Chief Electoral Officer in one of two categories: as a member of an executive team (“Slate”) or as an independent candidate. Executive candidates are elected using a single-member plurality system applied to all eligible positions. Furthermore, members of the electorate may choose to spoil their ballot, or vote with no confidence against all candidates. Because of this system, it is completely possible that the Association’s executives may be composed of two or more opposing slates, independent candidates, or both.

The Committee recognizes that various costs come to the current executive election system. Most notably, having the entire executive be elected by members of the Association gives students a direct say in more roles for the union, rather than a single Presidential election. Furthermore, the current system allows more people, including those who serve as Vice Presidents, to be emboldened with a democratic mandate for internal and external advocacy. We also recognize the history of the Association’s frequent questioning of hiring processes by the Corporation, specifically in relation to nepotism. However, we would argue the establishment of a new Director of Human Resources for CUSA will help with this perception, and CUSA’s new training regimen may help with the reality of nepotism and conflicts of interest.
Independent Executive Campaigns With At-Large Elections

Based on witness testimony, we are hesitant about many facets of this plan. Including:

- Whether all the executive positions will rise to the level of needing an election in the future with so much power dispersed across other entities
- Whether a ban on slates will equal a ban in name only, and partnerships in some form or fashion will continue
- Whether a rule banning slates would be fairly enforceable, or whether we would be waiting on candidates and their teams to slip up before being caught

Presidential Only At-Large Election, Vice Presidents Selected in Process Determined by CUSA Council

On 13 October, the Committee voted to adopt recommendations made by the Association’s Executive to reform the presidential and vice-presidential selection process.

Under the proposed model, only the President of CUSA will be elected by members of the Association. In lieu of elections for the Vice Presidential positions, members of CUSA Council will vote on behalf of members of the Association to appoint four to five Vice Presidents under a selection process to be determined by CUSA Council. This decision would put CUSA in line with other students’ unions across the country, including Western’s USC. The Committee argues that the proposed advisory capacity of the Vice President positions with regards to the internal workings of CUSA substantially limits the leverage power the electorate would have over a political mandate. Instead, such a change to a President-only election model would keep the political levers in the hands of the student body.
In keeping with recommendations by the Executive and many guests and witnesses, including alumni of Western’s USC:

- Races where only a president is elected will lead to a closer examination of the individual, not just the platform. In an intimate non-profit like CUSA, presidential disposition can be crucial to their success in an office and lobbying environment.
- Current Vice Presidents are not reaping the supposed benefits of democratic legitimacy. While the origins of an attitude of “we need to hear it from the president” likely differ depending on who is saying it to us, the effect is already real. Often, doors are only opened at the will of the President, whether it is with university administrators, government officials, or the press.
- We see the slate as a structural barrier, and hope having only the president elected at large with VPs selected after will allow for more presidential candidates and for failed presidential candidates to pursue other avenues of involvement via the VP positions. We would suggest your committee look into processes for selecting VPs if they are not elected at-large, such as hired by a committee designed by council, potentially in concert with any other future body of power within the organization, elected by incoming and outgoing council members following 1:1 meetings and/or debates, or other methods which involve specific student populations.
- We should seek to put as much distance between our previous processes and future processes as possible. Given the outrageous and unacceptable developments in recent elections, we need to try something different. We’re committed to putting our effort behind an entirely new system, as we honestly worry the status quo may jeopardize the long-term future of CUSA. A presidential-only election with VPs filling largely administrative roles focused on their portfolio and distinctly different from the Presidency are a departure from the CUSA norm and not without precedence in the province.
- As many of the committee members will know, we are separately advising CUSA council that too much power is invested in a few VP positions and that some long-standing issues need to be rectified. Now is the time to do more than just paint the walls and put some new carpet down at CUSA. It’s time to fundamentally reimagine this organization, and VP roles and selection procedures should not be outside of that scope.
• Contentious campaigns ending in contentious relationships among executives when positions are split between multiple factions would be less common.
• A newly elected and emboldened president could have a more limited role in selecting their direct reports than the current slate system, as allowed by council.
• Council or a hiring committee could provide a check and balance on the president by appointing a former adversary or someone known to be outside of the President’s sphere of influence to a VP role.
• Candidates who are qualified but not willing to subject themselves to all that is involved in an at-large election will be more likely to put their names forward.

Our committee would add to the CUSA Executive’s recommendations that we’ve heard from our witnesses that a reduction in slate size or an all-out abandonment of the slate system in favour of a presidential-only election has led to an increased number of candidates, fewer barriers to entry, more candidates from diverse backgrounds, an increase in voter turnout, and less contentious or scandal-plagued elections.

An additional benefit appears to be that because presidential candidates are facing a host of challengers, there is rarely a focused animosity between two candidates. Because of this, candidates that lose the presidency frequently run or apply for and win VP positions where they hold the President accountable from within while maintaining a positive relationship.

Selections Process Options for Executive Positions:

Council Vote
The incoming and outgoing councillors would all be given a single vote in a VP election. Candidates would likely try to meet with councillors in advance of the vote to explain their platform in depth and answer questions. Councillors could choose to meet with candidates individually, with other councillors, or not to meet them at all. On the final day of campaigning, CUSA council would hold a debate where Councillors could pose questions to the candidates. At the conclusion of the debate, 50-odd councillors would cast their ballot. Incoming councillors would be included to prevent “creatures of council” from having an outsized constituency of support from their peers, while outgoing councillors would be included to provide tough scrutiny based on their experiences on CUSA council.
Hiring Committee
Council would approve a committee, likely different depending on the executive being hired, that could contain any permutation of the following roles: CUSA Councillor(s), CUSA Board member, incoming CUSA President, outgoing VP (non-voting), CUSA CUPE employee (non-voting), CUSA Director of Human Resources (non-voting).

Community-Based Hiring
For positions with an advocacy focus, or a focus on marginalized populations, we’ve heard of systems where candidates are hosted by various interest groups or services centres for town halls, debates, or Q&As and then the groups send their recommendations to a committee decided by council. The committee then makes a final recommendation to CUSA council.

Recommendation Five: The Committee recommends that only the President and CUSA Councillors be elected in at-large elections, with Vice Presidents selected in processes determined by CUSA council.
Status Quo, No Change
The Committee recommends not continuing with a lack of term limits. There are other options for moving forward. None of them involve executives serving three years, or limitlessly. We worry a lack of term limits will allow groups to entrench themselves and could lead to a perception of nepotism and corruption.

Non-Consecutive Term Limit for President Only
We’ve heard places have a functional term limit on the presidency as the president is elected while being a student and then doesn’t begin serving until after they graduate or take a break from their studies. They are then ineligible to run for re-election as they are not students. Some places have clear policies that you can only serve as a president once. A President could leave office, return to student status, and run again a year later, serving multiple terms, but not consecutively.

“Move Up or Move Out”
Adopting this idea would mean Presidents would be ineligible to run for re-election or to run for a VP position while in office. It would also mean VPs could not run for re-election or another VP role. If a VP wants to remain on the executive in back to back years, they must run for the presidency.

Limit of 1 Term as Executive
Once you are sworn in as an executive and your term commences, you are ineligible from running in elections or contending for future executive positions. We have heard this works well in other places, where the majority of executives run in their final year of school and then leave for the workforce at the end of their terms. In the rare cases where a student not in their final years wins an election, they generally return to their studies and keep their head down to graduate. It seems as though one of the benefits of a limit of one term as an executive is that ex and current executives are less incentivized to be involved in elections.

Recommendation Six: The committee recommends that limits be placed on how and when CUSA Executives are able to serve more than one term, including options such as non-consecutive term limits, a limit of one term as an executive, or a “move up or move out” philosophy engrained in ByLaw.
FURTHER COMMITTEE WORK

So far, we have received live virtual testimony from 15 people, written testimony from 2 people, and we have at least 2 more live virtual guests still to appear along with 2 further written responses to receive.

Our guests early on implored us to examine the interplay between our decision making process, governance model, and elections. Luckily, we appear to have had the right witnesses at the right time to properly provide this advisory report to you in advance of you needing to make decisions on some of these items.

We will continue working to outline a potential restructuring of the election office, how campaigns should be regulated, and an examination of the electoral code. We will provide a final report at the conclusion of our work.

EXHIBIT 1: ONCA

https://theonn.ca/our-work/our-regulatory-environment/onca/

Committee editorial: The new ONCA regulations are being proclaimed on 19 October, 2021. Not-for-profit corporations will have three years (by 22 October 2021) to come into compliance with the act. This would suggest our work is very timely, and we’re lucky to be engaging our lawyers to ensure compliance anyway. A cursory review of the guidance suggests our recommendations for an external Board of Directors may be determinative within the next three years in deciding how CUSA continues.
This report outlines a series of necessary changes to the CUSA electoral code. Since August of this year, the Democratic Reform Committee has been undergoing a thorough evaluation of the democratic process in CUSA and have found a significant lack of trust in CUSA and CUSA’s electoral process. Given this lack of trust, the Committee is presenting this report as a diagnosis of the many problems in our elections, but also as a treatment plan that will help nurse our damaged democracy back to health.

In October, the Democratic Reform Committee submitted a similar report to CUSA Council that outlined several key reforms with regards to CUSA’s governance. In the executive summary of that report, we expressed the sentiment that “The decisions which lie ahead are not optional; we are not debating whether we accept change or stay the same. Instead, we are debating how we reform, for if CUSA refuses to reform, the Association will inevitably lose all relevance and disappear.” Once again, we would like to reiterate that sentiment, but apply it to the field of our elections.

In any organization, having good effective leadership is key, no matter if that leadership is appointed by a board or elected by an electorate. At CUSA, maintaining a democratic hiring process for the top decision maker of the organization is key. As such, ensuring Transparency and Trust in CUSA’s elections is the first step to rebuilding the trust of the students that CUSA has lost over the last several years.

First and foremost, this report begins by defining the rules around the election for the Presidency, the only election that is available to all students. Specifically, we look at the requirements to run for office, the nomination process and define a candidate code of conduct to better ensure that presidential candidates are acting in a respectful manner and following election rules.
Next, the report examines some of the more pressing issues in Carleton’s electoral code and proposes various solutions. Banning paper campaign handouts, limiting campaign volunteers and properly regulating online campaigning. Additionally, the committee also looked at the practice of dropping the writ and replacing it with fixed election dates.

Any casual observer of CUSA will know that there is currently a democratic deficit on CUSA Council. Currently, the First Past the Post voting system that is used in council elections has left the voices of thousands of students unheard and unrepresented by their CUSA Council. To remedy this, we have outlined a new electoral system for CUSA Councillors that maintains the current proportionality of the faculty system, but gives students a louder voice than they currently have. These changes are also paired with several recommendations to ensure proper and transparent council elections as well.

Finally, there are some fundamental changes that need to occur to ensure transparency and trust. On many different occasions, the Democratic Reform Committee was warned about the importance of having independent third party contractors to conduct elections, and not hiring electoral officers from the student body. As such, the committee has made a clear recommendation that CUSA no longer hire a student as CEO, and instead hire a third party contractor. This recommendation is paired with guidelines for a Elections Oversight Committee that should operate in tandem with the CEO to ensure proper electoral transparency.

The importance of this report cannot be understated. In any functioning democracy, the trust of the electorate in their elections is critical. Ensuring a fair and free election will make sure that the people handling our student union are trustworthy and trusted. But more than just re-establishing trust in CUSA, it is the hope of this committee that the reforms outlined in this report go further than trust. It is our firm belief that implementing the recommendations of this report will help to reinvigorate democracy on campus and turn student politics into an outlet for everyone to find their political voice and get involved.
SUMMARY OF RECOMMENDATIONS

Recommendation 1: Any Student who wishes to run for the Presidency must be enrolled at the time of the election and have enrolled in the regular academic semester immediately preceding the election. Note, students may complete their term as president even if they have graduated.

Recommendation 2: Any student who wishes to officially become a Presidential candidate must receive a number of signatures equal to 0.5% of the population of the Carleton undergraduate student body. Note, Candidates may only receive signatures from Carleton undergraduate students.

Recommendation 3: Students should be permitted to sign multiple nomination forms for the same position if they have confidence in multiple candidates.

Recommendation 4: Candidates should be allowed to collect signatures on the Monday, Wednesday, and Friday before the election campaign.

Recommendation 5: CUSA should reimburse all 95% of all campaign expenses for any presidential candidate that received over 10% of the first ballot vote.

Recommendation 6: CUSA should reimburse 50% of all campaign expenses for any presidential candidate who receives between 5%-10% of first ballot votes.

Recommendation 7: CUSA should not reimburse any campaign expenses for presidential candidates who receive less than 5% of the vote or are disqualified.

Recommendation 8: Candidates for the Presidency should not spend more than $800.
Recommendation 9: Candidates are entitled to receive their reimbursement as soon as the CEO has confirmed their financial filings and election results officiated.

Recommendation 10: Presidential candidates should not hand out any paper media for campaigning purposes.

Recommendation 11: Presidential candidates should be allowed to put up paper posters in designated areas.

Recommendation 12: Each presidential candidate should not have any more than two volunteers on the floor at once. Note, Candidates do not count as volunteers and may campaign at any point within the designated times.

Recommendation 13: Each volunteer should undergo mandatory training with the elections office before being allowed to volunteer. This training should be applicable to the Co-Curricular Record of Students.

Recommendation 14: Each presidential candidate should be given two volunteer lanyards to give to volunteers to indicate that a volunteer is authorized by a campaign.

Recommendation 15: Volunteers should only be allowed to campaign on behalf of a presidential candidate between the hours of 9:00 and 5:00. Presidential candidates should be allowed to campaign from 9:00 to 9:00.

Recommendation 16: No websites or social media platforms should be banned from campaigning.

Recommendation 17: All presidential candidates should operate online using their real names.
Recommendation 18: All presidential candidates should submit all social media accounts that they intend to campaign on to the elections office. Note, the elections office does not need to have access to presidential candidate accounts, but they must be aware and able to monitor them for any malpractice.

Recommendation 19: The Chief Electoral Officer should be a third party individual with no connection to CUSA or Carleton.

Recommendation 20: The Chief Electoral Officer should be hired as a contracted position for a period of one year.

Recommendation 21: The position of Deputy Electoral Officer should be abolished and replaced with an Elections Oversight Committee.

Recommendation 22: The CEO must present the Elections Oversight Committee with the final copy of election rules at the first meeting of the committee. Once these rules are submitted, there may be no further changes to them until after the election is over.

Recommendation 23: The “Abstain” option should be removed from all ballots.

Recommendation 24: If a majority of voters choose the “No Confidence” Option, the entire election (in the relevant constituency) must be redone.

Recommendation 25: CUSA should hire an on-call counsellor for the duration of the election period for candidates, volunteers and elections staff.

Recommendation 26: All CUSA elections and by-elections should be held on a fixed date.

Recommendation 27: All CUSA General elections should be held in the first week of February with balloting being conducted at 5:00 on Friday.
Recommendation 28: All CUSA By-Elections should be conducted on the first week of October with balloting being conducted at 5:00 on Friday.

Recommendation 29: CUSA Councillors should be elected using a Single Transferable Vote System. To be elected in this system, must receive 100% Number of Council Seats of the vote to win. Voters may rank their choices. Balloting Continues until all seats have been filled. Abstentions Should not count towards the total vote.

Recommendation 30: Council Candidates must be enrolled at the time of the election and have enrolled in the regular academic semester immediately preceding the election.

Recommendation 31: Councillors must currently be enrolled if they wish to continue as councilors.

Recommendation 32: Council Candidates may spend up to $100.

Recommendation 33: Council Candidates should be reimbursed for 80% of campaign expenses if they receive 5% of the first ballot vote.

Recommendation 34: CUSA should implement a clause in employment contracts that bars employees, including executives, from participating in CUSA, RRRA, or CASG elections while employed by CUSA.

Recommendation 35: CUSA should make clear to candidates and third parties, however possible, that elections are to be decided among a student body free from undue influence by third parties.

Recommendation 36: Candidates should have to sign an official Code of Conduct.
Recommendation 37: The Code of Conduct should read:

I [Candidates Name], do solemnly swear that I shall:
1. Follow the rules of this election,
2. Treat my fellow competitors with respect and decency,
3. Act in good faith, with integrity and transparency and,
4. Not spread any lies or misinformation,

Recommendation 21 (Reiterated): The position of Deputy Electoral Officer should be abolished and replaced with an Elections Oversight Committee.

Recommendation 38: The Elections Oversight Committee should only be composed of CUSA Councillors who are not seeking re-election. Note, Executives, Board Members and Councillors who are running for re-election should not be allowed to sit on the Committee.

Recommendation 39: The Committee should be made up of five members, one of whom should be elected as chair by the committee members.

Recommendation 40: All members of the Elections Oversight Committee should fill out a disclosure form.

Recommendation 41: The Committee should meet one week before nominations start, once nominations have been completed, once midway through the campaign, once after all the votes have been counted and once two weeks after the campaign.

Recommendation 42: Any two committee members summon the committee upon written notice to the chair.

Recommendation 43: The CEO must appear before the committee if two or more members submit a written request to the chair.
BACKGROUND

CUSA was first organized as a students’ association around a constitution document in 1944. Since 1968, a separate CUSA Inc has run alongside the original constitution of CUSA, their operations inextricably linked. What has evolved over the years is a democratic process unfolding to determine the management of these two entities.

Through the years, there have been many incremental shifts or pendulum swings back and forth in elections and representation. The pandemic forced CUSA to conduct elections differently, and the 2021 election became one of especially problematic, but by no means unique, challenges.

The Democratic Reform Committee (The Committee) was composed by council in the summer of 2021 to confront the issues faced in the previous election and recommend courses of action to CUSA Council and the CUSA Elections Office. Interest in the committee was high, especially demonstrated by the number of candidates for the student-at-large positions on the committee.

The Committee spent several months meeting with students and guests to seek advice, to learn, and to frame our discussions for the below recommendations. Current and former CUSA executives, current and former CUSA staff, CUSA’s lawyers, consultants, and representatives from students’ unions and associations across the country and the United Kingdom from outside the Carleton community were all engaged in this process.

It became clear to the committee quickly that we were dealing with a multi-pronged issue, with power and decision making on the one hand, and with elections and perceptions on the other. Our consultations were often illuminating, if contradictory at times, always allowing the committee to have a more informed discussion on what we would recommend in advisory or final reports.
Fundamental philosophical differences emerged along the high level policing of elections or rules outlined in the electoral code. Carleton students and guests were often calling for new rules or limitations to respond and remedy the situation, while external guests advised a restraint in rule making, both out of practicality and out of a desire to let campaigns be creative.

The final results in this report reflect the culmination of committee discussions to accept, modify, or reject the advice or recommendations we received. These matters deserve a Carleton-specific solution, and the committee worked at every step to ensure CUSA could be proud of the process and recommendations in any document we produced.

These kinds of reviews should become commonplace in the future.
REQUIREMENTS TO RUN

Recommendation 1: Any Student who wishes to run for the Presidency must be enrolled at the time of the election and have enrolled in the regular academic semester immediately preceding the election. Note, students may complete their term as president even if they have graduated.

Recommendation 2: Any student who wishes to officially become a Presidential candidate must receive a number of signatures equal to 0.5% of the population of the Carleton undergraduate student body. Note, Candidates may only receive signatures from Carleton undergraduate students.

Recommendation 3: Students should be permitted to sign multiple nomination forms for the same position if they have confidence in multiple candidates.

Recommendation 4: Candidates should be allowed to collect signatures on the Monday, Wednesday, and Friday before the election campaign.

Rationale
A democracy is always well served when an election is contested by many highly qualified and intelligent candidates and this is no different for CUSA. CUSA has never struggled to have well qualified candidates contesting an election, nor has it ever had too many “joke” candidates. However, given the recent restructuring of CUSA’s elected executive, defining nomination requirements was a top priority for the Democratic Reform Committee. There are two major requirements that a Presidential candidate must meet before they can be
There are two major requirements that a Presidential candidate must meet before they can be officially designated as a candidate. First, a candidate must be a student during the semester that the election transpires, as well as the semester before the election. This rule applies to standard semesters only, meaning that summer semesters do not count. The reasoning behind this rule is so that any potential presidents are students that have been involved with the campus community for at least a full semester. A student may find themselves elected to the presidency and then proceed to carry out their term following their graduation.

Second, prospective candidates must acquire signatures of undergraduate students representing 0.5% of the undergraduate student body in order to become official candidates. CUSA has always required executive candidates to require signatures for their nominations as any prospective candidate must be able to show that they have at least a little support from the student body. 0.5% of the student body was chosen as currently that number is a manageable amount of signatures for a candidate to collect.

One flaw of the current nomination process that needs to be addressed is the use of the nomination period as a “Pre-Campaign Period”. The Committee unanimously agreed that nominations should be an opportunity for prospective candidates to show off their past accomplishments and involvement in the student community, and not as a chance to pitch their campaign platform. Dedicating three individual but separate days for nominations would counteract this. By limiting nominations to certain days, candidates will have the flexibility to collect signatures while not campaigning or harassing students on a daily basis.
Financing

Recommendation 5: CUSA should reimburse all 95% of all campaign expenses for any presidential candidate that received over 10% of the first ballot vote.

Recommendation 6: CUSA should reimburse 50% of all campaign expenses for any presidential candidate who receives between 5%-10% of first ballot votes.

Recommendation 7: CUSA should not reimburse any campaign expenses for presidential candidates who receive less than 5% of the vote or are disqualified.

Recommendation 8: Candidates for the Presidency should not spend more than $800.

Recommendation 9: Candidates are entitled to receive their reimbursement as soon as the CEO has confirmed their financial filings and election results officiated.

Rationale

CUSA elections should be a fair and equal process for all, regardless of a candidate’s socioeconomic status or financial abilities. The Democratic Reform Committee explicitly wanted to set provisions outlining the reimbursement process for campaign related expenses in the section above to ensure that all candidates had the opportunity to run for a position. The reimbursement benchmarks exist to ensure that candidates who are running have good intentions of taking office and have done their due diligence in campaigning to the student body. Presidential candidates should receive their reimbursements as soon as possible, as waiting for a reimbursement of up to $760 can place a lot of financial strain on someone. As such, candidates should receive their reimbursements as soon as the election is over and as soon as their financial returns are confirmed by the CEO.
Use of Paper
Recommendation 10: Presidential candidates should not hand out any paper media for campaigning purposes.

Recommendation 11: Presidential candidates should be allowed to put up paper posters in designated areas.

Rationale
After years of in-person elections and an online election, the use of paper campaigning materials has proven to be an effective method of campaigning. However, in an effort to make CUSA elections more environmentally-conscious and prevent littered campus areas, paper media in the form of flyers, brochures, business cards, etc... should be prohibited in campaigning. This also has the benefit of not allowing volunteers to harass students by handing them unwanted campaign materials. To continue to allow for in-person campaigning and the opportunity to reach on-campus students, the use of posters will be allowed only in designated areas.

Volunteers
Recommendation 12: Each presidential candidate should not have any more than two volunteers on the floor at once. Note, Candidates do not count as volunteers and may campaign at any point within the designated times.

Recommendation 13: Each volunteer should undergo mandatory training with the elections office before being allowed to volunteer. This training should be applicable to the Co-Curricular Record of Students.

Recommendation 14: Each presidential candidate should be given two volunteer lanyards to give to volunteers to indicate that a volunteer is authorized by a campaign.

Recommendation 15: Volunteers should only be allowed to campaign on behalf of a presidential candidate between the hours of 9:00 and 5:00. Presidential candidates should be allowed to campaign from 9:00 to 9:00.
Rationale
In the past, large swarms of election volunteers have deterred students from engaging with CUSA, using public campus spaces or feeling empowered to vote in the elections. The current state of massive volunteer teams is excessive and should be limited severely to allow for a more equitable election for students and candidates alike.

By limiting the amount of individuals running for elected positions, the number of volunteers will decrease significantly. Further, each candidate should only have two volunteers on the floor at one time which will aid in making the campaigning process less stressful for students on campus. This limit will also ensure that no individual has more volunteers than another candidate. Since volunteers are tasked with representing not only a candidate, but also the CUSA Elections system, there should be mandatory training provided for every student volunteering. This training will be administered by the Elections Office and as an incentive, will be applicable to the Co-Curricular Record of Students who successfully complete their duties as volunteers. As an enforcement mechanism to the two-volunteer limit, each candidate will be given two volunteer lanyards to indicate who is authorized to be active on the floor.

In an effort to limit the hours of campaigning for the wellness of both students and candidates, volunteers will be allowed to campaign on behalf of a candidate on campus between the hours of 9:00 am and 5:00 pm. However, the individual candidate will be allowed to campaign on campus from 9:00 am to 9:00 pm.
Recommendation 16: No websites or social media platforms should be banned from campaigning.

Recommendation 17: All presidential candidates should operate online using their real names.

Recommendation 18: All presidential candidates should submit all social media accounts that they intend to campaign on to the elections office. Note, the elections office does not need to have access to presidential candidate accounts, but they must be aware and able to monitor them for any malpractice.

Rationale
In the 2021 CUSA election campaign, various online platforms were banned from official campaign use. While there were doubtless many critical policy considerations behind this decision, it fundamentally was an undemocratic decision that severely harmed student trust in CUSA.

Given that it is not the place of CUSA to police online communities or limit where people engage in the political discourse, it is the firm recommendation of this committee that there be no online platforms banned from campaigning. This does not mean that there should be no rules or regulations on online campaigning, however, given that Carleton is a large community with many different students, it is fair to let candidates reach out to students however they may wish to communicate.

In order to ensure that candidates remain respectful and follow the rules online, all candidates should have to submit all their social media accounts that they intend to use for campaigning to the elections office. Additionally, candidates should have to use their real names on any and all social media that they wish to use for campaigning purposes. These measures are not to police candidates or restrict what they say. Instead, it is to make sure that the candidates are following election rules.
RETHINKING OUR ELECTIONS OFFICE

Recommendation 19: The Chief Electoral Officer should be a third party individual with no connection to CUSA or Carleton.

Recommendation 20: The Chief Electoral Officer should be hired as a contracted position for a period of one year.

Recommendation 21: The position of Deputy Electoral Officer should be abolished and replaced with an Elections Oversight Committee.

Recommendation 22: The CEO must present the Elections Oversight Committee with the final copy of election rules at the first meeting of the committee. Once these rules are submitted, there may be no further changes to them until after the election is over.

Recommendation 23: The “Abstain” option should be removed from all ballots.

Recommendation 24: If a majority of voters choose the “No Confidence” Option, the entire election (in the relevant constituency) must be redone.

Rationale
While the committee delved into this topic largely as a product of more recent perceived conflicts of interest matters, the rationale behind these recommendations comes from a deeper understanding of the origins of the current system and an analysis of one of our Ottawa peers in dealing with their own elections turmoil.
United Kingdom students’ union governance consultant Nick Smith informed the Committee that students in CEO or Chief Returning Officer (CRO) roles at UK students’ unions was a phenomenon largely phased out over the past 70 years, with only the oldest of the establishment unions retaining a student in the CRO role (Oxford, Cambridge, London School of Economics). It seems many of the Canadian students’ unions largely based themselves on UK students’ unions in the 1940s and 1950s, before the culture change began sweeping through the UK students’ union system. From a few influential students’ associations in Canada, the structure likely spread as other unions and associations popped up.

The University of Ottawa Students’ Union (UOSU) has fashioned themselves after successful peers within the province, but have broken from the standard practice by appointing a CEO from outside the campus community with no conceivable link back to the candidates in the election. UOSU President Tim Gulliver assured the committee there are indeed qualified individuals with an interest in policy and elections who are looking to take on the role of CEO. This is consistent with what we heard from Nick Smith in the UK, as he mentioned there was a community of individuals who served in these capacities, often being current or former staff at another students’ union or charitable entity.

Additionally, it is well known by the committee that many past elections officers on campus have been the subject of abuse and hate online. Testimony from past election officers as well as Final Reports from outgoing CEOs on campus confirm that the current social environment on campus is not safe for student electoral officers.

CUSA currently has two options for voters who do not want to vote for the available candidates: “Abstain” and “No Confidence”. Many advanced democracies from all around the world include a “None of the Above” option on their ballots to provide an easy way for electors to show their distaste for their current list of candidates.
Recommendation 25: CUSA should hire an on-call counsellor for the duration of the election period for candidates, volunteers and elections staff.

Rationale
Previous CUSA election cycles have demonstrated the tolls of campaigning on those running elections, those running in elections as candidates and those close to campaigns. An increasingly digital and anonymized environment has led to expanded needs for mental health support across society, and CUSA elections are not immune from the fallout. If anything, the competitive nature of elections and the inherently gruelling campaigns aggravators in the extreme.

Due to the often fast-paced nature of elections, access to counselling through Carleton is not realistic. While one would be within their right to ask why CUSA elections should yield easier access to counselling than the general student population, we would argue a mental health crisis can or should merit the postponing or rescheduling of an election, further subjecting those involved in the election to aggravating factors. Ensuring access to a counsellor will ensure the Carleton counselling resources are not occupied with students involved in the CUSA elections and that sensitive matters inherent in a counselling setting are addressed and managed as possible to ease the elections process and transition of new CUSA leadership as much as possible.
Recommendation 26: All CUSA elections and by-elections should be held on a fixed date.

Recommendation 27: All CUSA General elections should be held in the first week of February with balloting being conducted at 5:00 on Friday.

Recommendation 28: All CUSA By-Elections should be conducted on the first week of October with balloting being conducted at 5:00 on Friday.

Rationale
When an individual or group has the power to choose the time of an election, they have an unfair advantage over any potential challengers. Deciding when an election happens can be unfairly decisive for one side or another, or if an election is poorly timed, it can contribute to student stress and mental health struggles.

By having a distinct pre-set election date, there will be no room for the politicization of the election process. Fixed election dates mean that prospective candidates and volunteers will be able to plan their school schedules well in advance and avoid unnecessary or stressful scheduling mishaps. Additionally, the first weeks of February and October are both weeks that are generally regarded to have a natural lull in schoolwork, thus making an election less stressful for candidates voters alike.

Additionally, a scheduled by-election timeline will allow for a structured process to deal with any vacancies remaining following the regular election or any vacancies occurring in the first 5 months of council or executive terms. Currently, the electoral code and ByLaws conflict on dealing with vacancies, and a scheduled by-election date should be uniform and codified going forward.
Recommendation 29: CUSA Councillors should be elected using a Single Transferable Vote System. To be elected in this system, must receive 100% Number of Council Seats of the vote to win. Voters may rank their choices. Balloting Continues until all seats have been filled. Abstentions Should not count towards the total vote.

Recommendation 30: Council Candidates must be enrolled at the time of the election and have enrolled in the regular academic semester immediately preceding the election.

Recommendation 31: Councillors must currently be enrolled if they wish to continue as councillors.

Recommendation 32: Council Candidates may spend up to $100.

Recommendation 33: Council Candidates should be reimbursed for 80% of campaign expenses if they receive 5% of the first ballot vote.

Rationale
Given the increased role that CUSA Council has been given in CUSA’s new governance structure, there needs to be a serious restructuring of CUSA Council elections in order to ensure accountability and trust in CUSA Council. The Current First-Past-the-Post election system used to elect councillors is a barrier to re-establishing that trust. In 2021 there wasn’t a single councillor that was elected with more than 20% of the vote (Note, this figure does not include the Sprott Council Candidate, as there were only two candidates for two seats). This figure is even worse when looking at the Council Elections in the Faculty of Public Affairs, where out of 23 Candidates, not a single one received more than 10% of the vote. In the end, the seven councillors elected to the Faculty of Public Affairs collectively received only 36% of the vote. This democratic deficit cannot continue.
In order to re-establish trust with CUSA Council, Council Elections should be conducted using a Single Transferable Vote System. What this means is that the composition of the council will stay the same, with council seats being distributed based on the size of a faculty. However, instead of just choosing one single candidate, students may now rank their candidates in order of preference. Councillors are elected when they receive a certain percentage of the vote. Candidates who finish last are then removed from the ballot and their second choice votes are then counted. This process continues until all council positions are filled. The number of votes required to win a council seat should be proportional to the number of seats there are in a faculty. Therefore, if there are 5 seats in a faculty, a candidate needs 20% of the vote to win.

Single Transferable Vote is a good system for CUSA. Given the current unrepresentative nature of council, Single Transferable Vote provides an avenue for candidates to properly reach out to their community and get true democratic legitimacy from the student body. This system will encourage council candidates to not only appeal to all students for both their top and down-ballot votes, but it will also discourage any political or personal attacks on candidates while encouraging respect and cooperation.
Recommendation 34: CUSA should implement a clause in employment contracts that bars employees, including executives, from participating in CUSA, RRRA, or CASG elections while employed by CUSA.

Recommendation 35: CUSA should make clear to candidates and third parties, however possible, that elections are to be decided among a student body free from undue influence by third parties.

Rationale
While CUSA cannot proscribe policy solutions outside of its purview, there is much CUSA can do internally to model the behaviour expected from third parties. In the same way it is a norm for CUSA’s full time staff not to endorse a candidate or assist in campaigning, the executive positions should now be treated the same way, with formal guidance on what is expected introduced in all staff contracts and training on these expectations as a part of the transitioning-in and onboarding processes of new CUSA staff and executives.

The rationale for baring participation in RRRA and CASG elections follows a similar codification of full time staff norms extending to executives, but also respects the ability of RRRA & CASG to manage their own affairs, free from CUSA influence. CUSA involvement in the management or elections of other governance bodies should be chilling. CUSA executives are bound to put the best interest of CUSA ahead of the interests of other groups. What may be best for RRRA or CASG and their position on campus may directly conflict with what is best for CUSA, and therefore the relationship between the entities should be collaborative when mutually agreeable, but have the selection of decision makers decided only by student constituents.
While CUSA cannot directly regulate the actions of third parties, more can be done to set the tone of an election and to use soft power to dissuade third parties from interacting with or influencing the election. Future all candidates meetings could include training on ethical decision making and the decision making process within CUSA, making them aware that third party influence in an election is not the best way to bring about change at CUSA, and instead preparing candidates to rebuff external support.

To the extent possible, CUSA Elections promotional materials and those managing the elections should embolden messaging that presidential and councillor voting are to be decided by student constituents, and other influence over the process will not only be a reputational liability to a third party, but is unlikely to achieve any outcome they are looking to achieve.
CANDIDATE CODE OF CONDUCT

Recommendation 36: Candidates should have to sign an official Code of Conduct.

Recommendation 37: The Code of Conduct should read:

I [Candidates Name], do solemnly swear that I shall:
1. Follow the rules of this election,
2. Treat my fellow competitors with respect and decency,
3. Act in good faith, with integrity and transparency and,
4. Not spread any lies or misinformation,

Rationale
Given the distrust that Students have in CUSA and CUSA Candidates, it is important to have some form of accountability for candidates running for office. As such, a formal and mandatory candidate code of conduct is an effective way to have candidates publicly state their intentions to act with respect and integrity. If at any point a candidate were to stray from the commitments outlined in the code, it would be a public show of dishonesty. This Code of Conduct is not meant to be a set of rules, it’s intention is to have a public commitment of a Candidate’s intention to behave appropriately.
ELECTIONS OVERSIGHT COMMITTEE

Recommendation 21 (Reiterated): The position of Deputy Electoral Officer should be abolished and replaced with an Elections Oversight Committee.

Recommendation 38: The Elections Oversight Committee should only be composed of CUSA Councillors who are not seeking re-election. Note, Executives, Board Members and Councillors who are running for re-election should not be allowed to sit on the Committee.

Recommendation 39: The Committee should be made up of five members, one of whom should be elected as chair by the committee members.

Recommendation 40: All members of the Elections Oversight Committee should fill out a disclosure form.

Recommendation 41: The Committee should meet one week before nominations start, once nominations have been completed, once midway through the campaign, once after all the votes have been counted and once two weeks after the campaign.

Recommendation 42: Any two committee members summon the committee upon written notice to the chair.

Recommendation 43: The CEO must appear before the committee if two or more members submit a written request to the chair.
Rationale

One of the most pressing issues that this committee wanted to address was that of public trust in our elections office. In past elections, many students found themselves without confidence in our elections office and as such our entire democratic process was in doubt.

The Provisions outlined in the Managing our Elections Section explains that the position of DEO should be replaced with an Elections Oversight Committee while also calling for an independent third party CEO to run our elections. While the importance of having an independent CEO has already been stressed, it is also important to consider the potential implications of having someone from outside the Carleton Community running our democratic process.

The main role of the elections oversight committee should be to make sure that the CEO is performing their duties in such a way that is fair and transparent. It is the role of the Committee to review any rulings from the CEO as well as keep up to date on any affairs regarding the current political climate. The role of the Elections Oversight Committee should be clearly understood as oversight. What this means is that it is not the job of the Elections Oversight Committee to create election policy or help in the practical execution of the election.
Given the need for transparency and trust, the Elections Oversight Committee should only be composed of members with no stake in the current election. As such, committee members are only allowed to be CUSA Councillors who have publicly agreed to not seek re-election. Additionally, to pre-empt any potential conflicts of interest on the committee, all committee members should have to complete a CUSA Conflict of Interest form that should be accessible to the Public.

Some may wonder how we arrived at the decision to advise this committee be composed of CUSA councillors rather than the students-at-large positions which currently compose the electoral committee. Frankly, the committee was ineffective in previous years, with the group rarely meeting quorum and often not responding when the CEO or Ombudsperson attempted to schedule a meeting to adjudicate on complex and important electoral matters. It is important to chart a new path going forward for the pivotal oversight of the CEO.
1. OBJECTIVE
   a. To fill four (4) of the Vice Presidential roles of CUSA in a transparent, fair, and well-informed way.

2. How does a prospective candidate get Nominated?
   a. Nominations for the Vice-Presidential candidates shall be open no later than January 31st and shall close no later than ten (10) days prior to the second-half of the Annual Members Meeting.
   b. Nomination forms shall include fields for prospective candidates to provide the following information:
      i. Full, legal name
      ii. Student number and Carleton e-mail (for purposes of verifying eligibility)
      iii. Alternate e-mail (if preferred email is not Carleton e-mail)
      iv. Phone number
      v. Mailing address
      vi. Position the individual intends to run for
      vii. Signatures, student numbers, and emails of twenty-five (25) Carleton undergraduate students acting as nominators
   c. Nomination forms shall contain the following agreements for the individual to fill out and sign:
      i. An agreement to have the individual’s name placed on the ballot and for the individual to abide by the electoral rules and procedures.
      ii. An agreement to allow candidate information as it appears on the form to be released by CUSA for the purposes of elections
   d. Nomination forms shall include any pertinent information relating to campaigning dates, voting dates, and candidate advisory meetings (“all candidate meetings”) that any prospective candidates would need to attend or be aware of
e. The Chief Electoral Officer (CEO) shall make nomination forms available to the student body in advance of the opening of the nomination period and work with CUSA Communications to develop a strategy for advertising the availability of nomination forms to the public.

f. Nomination forms submitted to the CEO in paper, via e-mail, or other accepted method by the nomination deadline shall be accepted by the CEO for candidate verification.

3. How is a Candidate verified?
   a. The CEO shall work with the University to verify student status and eligibility
   b. Where there is reasonable suspicion that a prospective candidate does not meet the “two semesters” criterion contained, the CEO shall ask the Registrar’s Office to verify that the individual (by e-mail or student number) appears on the Ministry of Training, Colleges, and Universities list prepared the previous semester.
   c. The CEO shall contact all prospective candidates prior to the start of the campaign to inform them that their nomination form has been verified. Should the form not be verified the CEO shall inform the prospective candidate of this fact and the reasoning why the form cannot be verified.

4. Who receives the Final Candidates List?
   a. The CEO shall provide a list of verified candidates to the following persons and/or groups:
      i. The current and incoming Members of CUSA
      ii. Campus media outlets
      iii. The CUSA Board

5. When is the Campaign Period?
   a. The campaign period for the Vice Presidential candidates shall begin not more than two (2) days following the close of nominations and continue up to and including the day preceding balloting at the Annual Members Meeting.

6. Who is eligible to run?
   a. An individual is eligible to be a candidate if at the time of their candidacy they have been registered as a full or part-time undergraduate student at the University for two (2) consecutive semesters (i.e. Fall semester, Winter semester) including the one in which the election is to take place as determined by the records of the University.
   b. Candidates shall be planning to remain registered as a full-time or part-time undergraduate student at the University for the duration of the term of office.
   c. Any student who is a sitting President, Vice President, or who is otherwise employed by CUSA is eligible to be a candidate, however they shall be deemed ineligible unless they take an unpaid leave of absence from their duties starting on the day the campaign period begins until the end of the voting period.
   d. Candidates shall be declared ineligible if they fail to attend the All-Candidates Meeting and the candidate fails to send a proxy to the All-Candidates Meeting.

7. Who is responsible for understanding all the information in the all candidates meeting?
a. The candidate, whether present in person or not, is entirely responsible for understanding and abiding by all information provided at the All-Candidates Meeting.

8. Who is eligible to vote?
   a. Current and incoming Members of the Corporation

9. What are the rules for the Vice Presidential Elections?
   a. The positions of Vice President Internal, Vice President Student Issues, Vice President Student Life, and Vice President Community Engagement
   b. Each candidate shall be allotted five (5) minutes to address Council, followed by a group-formatted question period for all candidates competing for a Vice Presidential position. The Speaker of Council shall set the length of time for the question period.
   c. Balloting Rules:
      i. Balloting for the Vice Presidential elections shall occur during the second-half of the Annual Members Meeting.
      ii. All balloting shall be done in paper when possible.
      iii. Voting shall take place by secret ballot.
      iv. Each Voting Member, including the incoming and outgoing Council Voting Members, shall be entitled to one (1) vote per ballot for each Vice Presidential position.
         1. Individuals who are both incoming and outgoing Council Voting Members shall be entitled to one (1) vote.
      v. Advanced Polling: The CEO shall designate a time and place the week prior to the second-half of the Annual Members Meeting.
         1. Voting in the advanced poll shall take place the week prior to the second-half of the Annual Members Meeting.
         2. The option to vote in the advanced poll shall not be available for more than three (3) days.
         3. The votes cast in the advanced poll shall be received by the CEO.
         4. All votes must be cast either virtually through a secure voting system determined by the CEO or in person.
         5. A vote cast in the advanced poll shall be placed in a sealed envelope and shall be counted at the same time as the votes that are cast at the second-half of the Annual Members Meeting.
         6. A vote cast in an advanced poll is final. Once a Voting Member has cast their vote the vote shall not be altered or cancelled.
      vi. Vote of Confidence
         1. If only one candidate stands to be elected for a Vice Presidential position, the Speaker of Council shall initiate a vote of confidence in place of balloting during the second-half of the Annual Members Meeting.
         2. Any candidate receiving the confidence of 50% +1 of council shall be elected

10. What are the rules for voting?
a. Vice Presidential elections with more than two (2) candidates will be administered using a preferential ranked ballot.
   i. Each candidate may designate an agent to act as their scrutineer during the counting of the ballots.
   ii. Electors shall mark their choices in order of preference.
   iii. The system for counting ballots shall be as follows:
        1. All first-choice votes shall be counted and separated by candidate.
        2. If no candidate receives a majority of the total vote, the candidate with the least votes shall be declared “out of the race” and the first-choice ballots of that candidate shall be recounted in accordance with the second choice indicated on the ballot.
        3. This system of dropping off the lowest candidate and redistributing ballots according to the next choice of remaining candidates shall continue until one (1) candidate achieves a majority (50% + 1).
        4. If a candidate is disqualified or chooses to withdraw after polling has taken place, the disqualified or withdrawn candidate shall be declared “out of the race” and their first-choice ballots recounted in accordance with the second choice indicated on the ballot.
        5. 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.
        6. Abstentions, declined, and spoiled ballots shall not count in the calculation of majority.
   iv. Managing ties:
        1. In the event of a tie, whenever possible, ties shall be resolved in favour of the candidate with the most first place votes. If this is not possible, the election shall be resolved by a re-vote between the tied candidates to take place at the next Duly Constituted Meeting. The re-vote shall be subject to the following procedures:
           a. The tied candidates shall be permitted to campaign following the end of the meeting in which the Election was held until the start of the next Duly Constituted Meeting.
           b. All Voting Members who were eligible to vote at the meeting in which the initial vote was held shall be permitted to vote.
           c. The CEO shall designate a time and place for advanced polling in accordance with the procedures set out in section 9. c. iv.
           d. The votes shall be counted in accordance with rules as set out above in section 10. a.
           e. Should the re-vote result in a tie between two candidates, the election shall be resolved by way of coin toss.
BOARD NOMINATING COMMITTEE
TERMS OF REFERENCE

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<td>Next Review Date: February 2023</td>
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1) Objective
To better allocate nominating and selections between Council and the Board by spreading the workload between highly specialized committees. To create checks and balances so that the appropriate bodies still have final say on the membership of each nominated position.

2) Board Nominating Committee

A. Mandate
   a. Coordinate promotion of Director postings.
   b. Develop interview questions, conduct interviews, and select a list of recommended candidates
   c. Provide a detailed recommendation of new Directors to Council for ratification, outlining specific skill-sets, experience, and education that qualify recommended candidates for the position.

B. Composition
   a. Voting members
      i. Board Chair;
      ii. One (1) CUSA Director;
      iii. One (1) CUSA Councillor.
   b. Resource
      i. (1) CUSA Director Of Human Resources
VICE PRESIDENT FINANCE/SECURITY SECRETARY TREASURER NOMINATING COMMITTEE TERMS OF REFERENCE

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<td>Previous Amendments: N/A</td>
<td>Date Review: November 2021</td>
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<td>Next Review Date: February 2023</td>
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<td>Review Committees:</td>
<td>Delegates:</td>
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1) Objective
To better allocate nominating and selections between Council and the Board by spreading the workload between highly specialized committees. To create checks and balances so that the appropriate bodies still have final say on the membership of each nominated position.

2) VPF Selection Committee
A. Mandate
   a. The (VPF) Selection Committee is responsible for coordinating promotion of the position, developing interview questions, conducting interviews, and selecting the (VPF).

B. Composition
   a. Voting members
      i. Incoming President;
      ii. One (1) CUSA Director; and
      iii. One (1) CUSA Councillor.
   b. Resource
      i. Outgoing President
      ii. Outgoing (VPF)
      iii. Director of Human Resources.