

Electoral Code

X-01

LONG TITLE	A Policy Respecting the Election of Councillors and the President	DATE OF ENACTMENT	26 September 2022
		LAST AMENDED	31 August 2026
REFERENCE No.	X-01	NEXT REVIEW	May 2027
CATEGORY	Policy	COMPETENT CHAMBER	Bicameral

PREAMBLE

This policy shall govern the elections in this Association. It shall apply to any and all candidates, campaign members, staff, and all holding an office of the public trust in this Association.

INTERPRETATION AND REVIEW

1 In this Policy, the following definitions shall apply:

“annual meeting” means the meeting scheduled by the Board with all outgoing and incoming Councillors eligible to participate. It is held annually to satisfy the requirements of the Ontario Not-for-Profit Corporations Act, 2010;

“appeals committee” means the body of final appeal for the Association, which therefore serves as the final appeal authority for all election related matters. It is constituted according to established CUSA policies, and its decisions on election related matters are binding;

“accused” means an individual charged with an offence in this Code;

“actus reus” means an action or conduct which is a constituent element of a crime, as opposed to the mental state of the accused;

“authorized campaign material” means ads or postings require an indication that they are approved by the candidate;

“ballot” means a single election for an office or referendum question;

“ballot page” means a collection of all ballots for a specific election period;

“by-election” means an election other than a general election, including the October by-election;

“campaign” means any attempt to motivate or convince students to support or oppose any electoral outcome, be they financial, time-based, space based, or reputational methods;

“campaign expenses” means the expenses incurred in running and promoting the candidacy of any individual, whether incurred directly by the candidates, their

campaign team, volunteers, or any campaign team member, and includes the fair market value of in-kind goods and services received;

"campaign material" refers to any posts or messages of any sort, made of any substance, that are clearly marked so as to suggest support for one candidate or stance. This includes public and private communications, whether in-person or online;

"campaign team" means any individual(s) who is directly associated with a candidate. Each candidate must submit a list of campaign team members to the CRO. The list shall include all who are authorized to speak or post on behalf of the candidate. It also includes those who engage, under the reasonable foresight of the candidate, in campaigning, whether official or unofficial, above the level of a mere supporter or voter; Any changes to the team must be provided in writing to the CRO within 48 hours;

"candidate at an election" or **"candidate"** means a person seeking elected office;

"chamber" means either the Board or Council;

"Chief Returning Officer" or **"CRO"** means the person appointed to manage and administer all aspects of CUSA elections. The CRO is responsible for election oversight. The CRO will receive initial complaints and make decisions on whether to investigate;

"committee" means a subunit of either Council or the Board to which certain powers of the chamber may be delegated;

"commission" means a committee which is delegated some executive or investigatory powers by Executive order and/or Policy of a Chamber;

"competency" means the ability to exert jurisdiction over a committee;

"Councillor" has the same meaning as "member" in the *Bylaws*;

"constituency" means the division under which a Councillor is elected, whether by Faculty or in the Special Student constituency;

"counsel" in relation to the commission of an offence, means to procure, solicit or incite, one person to commit a certain action in relation to an electoral offence;

"elected office" means the position or seat of any elected official, whether filled or vacant;

"elected official" means a Councillor or Executive member, each as defined in the *Bylaws*;

"election" means a vote of students-at-large to choose the President and CUSA Councillors;

"election advisory committee" or **"electoral advisory committee"** means a committee appointed by the Board to assist the CRO in the decisions of the election, responsible for any hiring of Election Officials necessary to the election. The CRO will advise the Committee of the need for specific positions. The Election Advisory Committee will make decisions on extending the election period or on declaring the election or portions thereof invalid; and advise the CRO on penalties or the disqualification of candidates;

"election cycle" means an annual series of elections beginning each February and involving:

1. a General Election of the President and Council in the Winter term;
2. a by-election to fill any vacancies in the fall term;
3. Vice Presidential elections following the General Election; and
4. Any CUSA run recalls or referenda.

"elector" or **"eligible voter"** or **"student at large"** means any Carleton fee-paying undergraduate student enrolled in course(s) during the term in which the elections take place and thus eligible to vote in CUSA elections;

"electorate" or **"students at large"** means the collective group of all electors at the time of election;

"fair comment" means an opinion statement (excluding gossip), based on known and provable facts, that any person is capable of holding based on those facts, made without malice;

"general election" means an election in which all CUSA Council and Presidential positions are elected on a fixed date as prescribed by this Code;

"hare quota" forms the basis for filling Council Seats. The quota is determined by dividing the total number of votes by the number of seats;

"member" means someone who is a student-at-large in the constituency they represent at the time of their election or acclamation and must remain a Student-At-Large in that constituency for the duration of their term as a Member (President/CEO excepted);

"mens rea" refers to the guilty mind, the wrongful intention, of the accused;

"offence" means an offence prohibited by this Code, or prohibited by any other Policy of this Association in relation to Elections;

"preferential ballot" means a ballot which allows voters to rank the candidates in order of preference;

"prescribed" means ordered by the Chief Returning Officer;

"president" [as defined in ByLaw];

“prospective candidate” means a person who is considering becoming a candidate for election, or is taking active steps to become a candidate. Until a candidate’s nominations are verified as valid, they remain a prospective candidate;

“reopen nominations” means an option placed on the ballot for each election. If the electorate does not support any of the candidates they can vote for this option which means that new nominations and a new election will be held;

“standing committee” means a committee which is permanent without need to be constituted and shall be filled in accordance with this Policy;

“voting service provider” means the organization that runs all online elections. Selected by the Board. Appointed every November following any required fall by-elections. Can be renewed by board vote each year.

2 This policy applies to all campaign team members.

(1) This Policy shall be reviewed every May, following the submission of the written report of the CRO.

Part One — Administration of Elections

The Election

Scheduling

3

(1) There shall be at least one election in every governing year:

(a) A general election will occur in February of every year.

(b) If required, an October by-election will also occur.

(2) The timing rules of Election Timings (Schedule III) shall be followed for each election cycle, with specific decisions on timing to be made by the Elections Advisory Committee on recommendations from the CRO.

4

(1) In the event that “Re-open Nominations” is declared the winner on any ballot, the Chief Returning Officer, in consultation with relevant CUSA staff members, shall make arrangements for nominations to be re-opened, and for scheduling a new campaign and voting period.

(2) The Chief Returning Officer will schedule such a process in a way, such that:

(a) Nominations are re-opened no later than seven (7) days following the declaration of the result;

- (b) New nominations from prospective candidates are accepted for at least five (5) days;
 - (c) There is a three (3) day validation period for nominations to be verified and the Candidate Declaration (Schedule II) be signed;
 - (d) The campaign period lasts for a period of at least five (5) days;
 - (e) Voting is open for a period of at least forty-eight (48) hours.
- (3)** All other provisions of this Code apply equally to candidates and other individuals during elections that are extended due to the victory of "Re-open Nominations."

5

- (1)** The date for an election may be delayed, but not advanced. Any delay in the date of the election requires a resolution passed by two-thirds of Council, or simple majority of the Elections Advisory Committee.

Election Content

6

- (1)** The October by-election shall include the elections for:
- (a) all vacant Councillor seats for the same term;
 - (b) the Presidential seat if vacant for the same term;
 - (c) any referenda or recall elections proclaimed with proper notice before the date of the by-election.
- (2)** The February general election shall include the elections for:
- (a) all Councillor seats for the next term;
 - (b) the President for the next term;
 - (c) any referenda or recall elections proclaimed with proper notice before the date of the general election.

Third-party facilitation

- 7** The Board, acting on the advice of the Governance Manager will appoint the voting service provider in November of each year, following any required fall by-elections.

Candidates

- 8** All prospective candidates must submit a nomination form and signed Candidate Declaration (Schedule II). No one disqualified from an election is eligible to run for 11 months after the disqualification. Members of the Board of Directors are not eligible to run until a year has passed since their position on the Board ended. The following requirements applying to specific positions:

(a) *President:*

- (i) The incumbent is not eligible for re-election;
- (ii) Former Presidents are not eligible;
- (iii) For the general election, they must be a registered student at large in the current term as well as the preceding term;
- (iv) To run in any by-election, they must have been eligible to run in the General Election.

(b) *Vice President:*

- (i) Incumbents are not eligible for re-election.
- (ii) Former Presidents and Vice Presidents are not eligible.
- (iii) Those elected to Council in the general election for the same election cycle of the Vice Presidential election are not eligible.
- (iv) Candidates must be a registered student at large in the current term as well as the preceding academic term.

(c) *Council:*

- (i) Councillors may serve no more than four one year terms. Anyone who has served four terms is not eligible.
- (ii) For the general election, they must be an enrolled student at large registered in the Faculty for which they are seeking election.

Limitation for endorsements

9 Sitting Association Executives, Board members, and CUSA office staff shall:

- (a) Comply with their employment agreements while pursuing office;
- (b) Not volunteer with, run, or manage the campaign of any prospective or actual candidate, or endorse individuals running for elected office positions;
- (c) Subject to section 8 of this code, be 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 when the candidate is confirmed by the CRO.

10 Anybody who has, in any role, acquired or accessed student data in the course of their official duties cannot use it to advance or promote their candidacy, campaign, or personal interests, or those of any candidates.

Running for multiple offices

11 Individuals may only run for one office on any given ballot.

Council Constituency Seat Redistribution

- 12** Following any required fall term by-elections; the Governance Manager, and President will determine the number of positions for each Faculty constituency based on the available enrolment figures and inform the Speaker who will then notify Council. Thirty-one (31) Students-At-Large positions elected by Students-At-Large enrolled in their constituency are to be filled.
- 13** The allocation of position entitlements must be completed by December 1 or as soon as possible after the data is provided and will form the basis of the General Election and any subsequent elections in the cycle. Each Faculty will have at least one representative, and the remaining positions shall be distributed to each Faculty in as close a proportion as possible to the enrolment statistics. In addition, 1 Student at large will be elected to represent Special Students.
- 14** In each General Election, all Council positions are on the ballot. By-elections are based on vacancies at the time the nomination process opens.

Chief Returning Officer

Administration

15

- (1)** There shall be a Chief Returning Officer, who has never held office or paid positions within CUSA, who will oversee elections.
- (a)** Notwithstanding this section, previous Chief Returning Officers are eligible for reappointment or renewal.
- (2)** The term of the Chief Returning Officer shall be from the date they are hired until the next April 30th or until such time as the Chief Returning Officer resigns or is removed from office by the Board for cause.

Eligibility

16

- (1)** The Chief Returning Officer may not hold any other position within the Association.
- (2)** A person may not be appointed Chief Returning Officer if they currently hold a paid position with the Association, Carleton University, or a student ancillary fee group, or are eligible to vote in the election.

Legal Disputes

17

- (1) The Chief Returning Officer may not be involved in a legal dispute with the Association during their time as Chief Returning Officer.
- (2) The Chief Returning Officer may not hold any responsibility to or position within an entity that is involved in a legal dispute with the Association.
- (3) At any time during the term of their appointment, the Chief Returning Officer shall immediately notify the sitting President and the Board of any potential conflict of interest that could compromise their ability to discharge the duties of the office.

18

- (1) The Board controls the contract of the CRO and may remove the CRO for cause, including conflict of interest, in accordance with the *Conflict of Interest Policy*.
- (2) The term of the Chief Returning Officer may be renewed by the CUSA Board.

19

- (1) If the Chief Returning Officer is removed from office, resigns, or becomes otherwise incapacitated during an Electoral period, the Board shall appoint a new Chief Returning Officer to the position for the duration of the Election, recall or referendum, in a process consistent with the previous Chief Returning Officer selection.
- (2) If the Board cannot appoint a replacement within three days, they may delegate the electoral responsibilities as they see fit.

Terms Of Reference

20 The Chief Returning Officer shall:

- (a) report to the CUSA Board and be managed by the Governance Manager, except in cases where a conflict or perceived conflict of interest exists with, or there is a vacancy in the role of, the Governance Manager, in which cases the Chief Returning Officer may report to the personnel responsible for handling human resources as recommended by the Board;
- (b) be afforded a level of independence and not be placed under undue influence by the CUSA Governance Manager, or any other CUSA staff or executives and feel empowered to utilize CUSA policy to achieve such ends;

- (c) be responsible for officiating the electoral process and ensuring fair elections in conjunction with policies and offices within CUSA and Carleton as necessary;
- (d) themselves comply with CUSA Inc Letters Patent, ByLaws, Policies, Codes, and Procedures and ensure compliance of any instrument of elections;
- (e) oversee at least three (3) elections per year, including an election in October where the student body shall vote to fill any vacancies and on any referendum questions, an election in February where the student body shall vote in the general election and on any referendum questions, and an election in March where the incoming and outgoing CUSA Councillors shall vote for Vice Presidents in accordance with the current CUSA ByLaws, and Policies;
- (f) make regulations/procedures within policy for the good administration of the election;
- (g) seek legal advice, within reason, from CUSA's lawyers in extreme circumstances before solely determining matters of consequence, ensuring decisions are advisable, beyond reproach, and of sound mind;
- (h) submit themselves to both the CUSA Conflict of Interest declaration process and to any reviews of actions or decisions procedurally launched by CUSA's governing bodies;
- (i) exercise general direction and supervision over the conduct of elections, recalls and CUSA run referenda;
- (j) ensure that any election officials act with fairness and impartiality and in compliance with this Code;
- (k) issue to Election officials, Candidates, CUSA staff, and any relevant persons, the instructions that the Chief Returning Officer considers necessary for the administration of this Code;
- (l) exercise their powers and perform the duties and functions that are necessary for the administration of this Code;
- (m) ensure that appropriate steps are taken to notify the University Community of any election, by-election, recall or referenda;
- (n) ensure that any directives from CUSA Council are incorporated into the Electoral process;

- (o) ensure that they be made available to Election Officials and Candidates on official business only;
- (p) make appropriate accommodations for students with disabilities, including through the assistance of the Paul Menton Centre and Carleton Disability Awareness Centre;
- (q) facilitate a complaint web form, have access to submissions, and acknowledge receipt of complaints within 48 (forty-eight) hours of receiving a complaint.
 - (i) Investigate complaints, ensuring that candidates and complainants alike are adequately heard and that all requests regarding evidence and facts are satisfactorily answered.

Reserved powers

- 21** The Chief Returning Officer shall have all powers necessary to discharge the duties set out in the Code and is empowered to:
- (a) contract for any good or service needed to discharge the duties of the office, including, with the consent of the Election Advisory Committee, hiring such additional employees, as are deemed necessary to conduct the affairs of the Election's office; and
 - (b) grant reimbursements to Candidates.

Staff Support

- 22** The Governance Manager and Student Experience Manager will jointly oversee and delegate the duties for communications as appropriate.

Elections Communications

- 23** CUSA shall create a public website called the CUSA Elections website.
- 24** CUSA shall ensure that there is adequate awareness and presentation of all Candidates on this website, both:
- (a) during the Campaigning period; and
 - (b) during voting days.
- 25** CUSA shall publish on the CUSA Elections website the expected dates of:
- (a) the Nomination Period;
 - (b) the Campaign Period; and
 - (c) the voting period.
- 26** CUSA will oversee and manage an Elections account on all relevant social media, including Instagram, including responding to messages and posting updates.

Voter turnout campaign

- 27** The Vice President Internal shall create and manage a neutral “Get Out To Vote” campaign at their discretion, with insight from the Chief Returning Officer and other appropriate CUSA staff.

Elections Governance

- 28** The Vice President Internal, President, Student Experience Manager and Governance Manager or staff designated by them shall:
- (a) ensure the Chief Returning Officer has the resources necessary to complete their duties;
 - (b) have the university validate the currently enrolled undergraduate status by faculty of the nominators of all candidates;
 - (c) validate the eligibility of prospective candidates and report on eligibility to the Chief Returning Officer; and
 - (d) facilitate any neutral CUSA elections events.

Referral to the Chief Returning Officer

- 29** All Association staff will instruct students to reach out to the Chief Returning Officer over e-mail or to use formalized processes established by the Chief Returning Officer as appropriate.

Nominations

Nominations for President

- 30** Prospective candidates for President must at least 100 nominations and no more than 200 from eligible electors.

Nominations for Councillor

- 31**
- (a) Prospective candidates for faculty-based Councillor positions must receive at least 20 nominations and no more than 40 from eligible electors in the Faculty for which they are seeking election.
 - (i) students enrolled in double-majors that cross constituencies may only collect nominations from the constituency in which they intend on being a candidate;
 - (b) Prospective candidates for the Special Students seat on CUSA Council need only submit an application to become a candidate.

Nominations for Vice President

- 32** Prospective candidates for Vice President must receive at least 30 nominations and no more than 60 from students-at-large.

Requirements for nominators

- 33** In order to be a nominator, an eligible voter must provide a prospective candidate their name, Carleton e-mail address, and student number.

Exception

- 34** Carleton University undergraduate students are permitted to serve as nominators for multiple candidates for the same office, as a nomination is not an endorsement or permission to use a nominator's data for campaign purposes.

Limitation

- 35** It is the candidate's responsibility to ensure all names, e-mail addresses, and student numbers submitted as nominators intend to nominate the candidate.
- 36** It is the candidate's sole responsibility to ensure they are collecting valid nominators and receiving the informed consent of the nominator for their information to be used.
- 37** No nominator may withdraw their nomination of a prospective candidate after they have nominated the prospective candidate.
- (1)** Upon verification of nominators, and when informed of nomination by the Chief Returning Officer, a prospective candidate must sign the Candidate Declaration (Schedule II).
 - (2)** Nominators who are unable to be verified will not count towards a candidate's minimum number of required nominations, which could result in their candidacy being rejected. Furthermore, upon investigation, if the Chief Returning Officer finds that a candidate has used the personal information of a nominator without their consent, the candidate's potential candidacy may be rejected.

Campaigning

- 38**
- (1)** All candidates must use their name as presented on the ballot when interacting or campaigning online.

- (2) All candidates and the Chief Returning Officer shall treat digital spaces, typed messages, and posts the same as they would for in-person occurrences of the same or similar events and conduct.
- (3) Presidential candidates and their campaign team members shall be allowed to distribute paper-based campaign materials only, and utilize digital platforms. Excessive distribution of campaign materials, as determined by the CRO, shall result in disciplinary action as outlined in Electoral Offences, Demerits, and Disqualifications (Schedule IV).
- (4) Only Presidential candidates shall be allowed to put up paper posters in designated areas.
- (5) Once an election is underway, there shall be no further changes to the rules until after the election is complete.

Campaign Finances

39

- (1) Presidential candidates shall be allowed to incur campaign expenses up to and including \$800.00.
- (2) Councillor candidates shall be allowed to incur campaign expenses up to and including \$100.00.
- (3) Council and Board shall review the amount of allocated campaign expenses every 2 years.

40

- (1) Each candidate shall account for all of their campaign expenses.
- (2) All actual election expenses shall be accounted for in Canadian dollars.
- (3) All in-kind gifts of goods received by a candidate must be recorded as campaign expenses at the fair market value of the goods that was received.
- (4) The campaign expense limit prescribed in S.39 shall be inclusive of all applicable taxes.
- (5) A final, complete, and accurate report of all campaign expenses, including all receipts and other evidence of expenditures shall be presented to the Chief Returning Officer by each candidate for any office no later than seventy-two (72) hours after the end of the voting period.
- (6) If a candidate has not incurred expenses, they must inform the Chief Returning Officer who is empowered to seek this information from candidates if they have failed to submit an appropriate report of expenses.

41

(1) The Chief Returning Officer shall be empowered to grant reimbursements to former candidates for their actual election expenses, following receipt of all financial documents from the former candidates and the declaration of election results.

- (a) Presidential Candidates shall receive a 95% (ninety-five percent) reimbursement of the candidate's actual expenses, provided the candidate received over 10% (ten percent) of the first ballot vote.
- (b) Presidential Candidates shall receive a 50% (fifty-percent) reimbursement of the candidate's actual expenses, provided the candidate received between 5% (five percent) and 10% (ten percent) of the first ballot vote.
- (c) Presidential Candidates who receive less than 5% of the first ballot vote shall not be reimbursed for any campaign expenses.
- (d) Council Candidates shall receive an 80% (eighty percent) reimbursement of the candidate's actual expenses provided the candidate received 5% (five percent) or more of the first ballot vote.
- (e) CUSA Council Candidates who receive less than 5% of the first ballot vote shall not be reimbursed for any campaign expenses.
- (f) Candidates who are disqualified are not eligible for expense reimbursement.
- (g) Candidates who receive 6-9 demerit points will have their reimbursement reduced by 50%.
- (h) Candidates who receive 1-5 demerit points will have their reimbursement reduced by 25%

Electors

42 Electors enrolled in double-major programs shall be eligible to vote only for one CUSA Council constituency representative ballot, which will be the faculty which appears first alphabetically unless corrected by the third party elections provider in advance, with the notice and consent of the elector

Ballots & Ballot Page Layout

43 All ballots shall be electronic and compliant with the *Accessibility for Ontarians with Disabilities Act*.

44 Ballots must be clearly presented so that the voter can rank Candidates running for the Presidential office and/or CUSA Councillor offices in order of the preference of the voter following the format in Layout of Ballot (Schedule I).

45

- (1) The voter may rank as many, or as few, candidates as they prefer.
- (2) The ballot page shall include an explanation that voters do not have to select any options, if they so choose, which would amount to an abstention.

46 The ballot shall be laid out on a single web page with all questions included.

47

- (1) The order of questions on the ballot shall be laid out in such a manner that questions for offices and referenda of the entire electorate are placed at the top of the ballot respectively, followed by offices and referenda for specific subsets or constituency groups of the electorate respectively.
- (2) Ballots for the positions of CUSA President & CUSA Councillor shall list candidates in alphabetical order by last name, in the form "Lastname, Firstname" as their name is on file with Carleton University.
 - (a) the use of commonly used middle, shortened given, or other parental surnames shall be allowed at the discretion of the Chief Returning Officer;
 - (b) names different from given names or surnames shall be allowed for clarity because of cultural reasons or gender identity or expression at the discretion of the Chief Returning Officer;
 - (c) acronyms shall not be allowed as names. Acronyms of given names may be appended in parenthesis after the given name on the ballot at the discretion of the Chief Returning Officer.
- (3) 'Re-Open Nominations' shall be the final sequential option, below all candidates for any office and may only be selected as a first preference.
- (4) Candidates may voluntarily withdraw from the ballot until 72 (seventy-two) hours before balloting begins by sending an e-mail to the Chief Returning Officer.
- (5) The ballot shall clearly indicate how many positions are up for election.

Voting Process

48 All tabulations of Presidential and Council election results shall be carried out at the discretion of, and under the supervision of the voting service provider.

- 49** The Governance Manager or designate shall ensure the election process for President and Councillors is conducted by the voting service provider
- 50** The Governance Manager or designate shall ensure the election process for Vice Presidents is conducted by the Speaker of Council and Chief Returning Officer during the Annual Members' Meeting.

Presidential Election

51

- (1)** The election for the offices of President shall be conducted using a preferential vote. If no candidate receives an overall majority on the first ballot the last place candidate is eliminated and their ballots are redistributed on the basis of ranked preferences, with all of their first preference votes discarded and second preference votes counted. This process continues until a majority is secured..
- (2)** Voters can only pick "Re-Open Nominations" in the first round, but may select remaining candidates at their will, and if "Re-Open Nominations" does not win in the first round, it shall be eliminated, with all of its first preference votes discarded and second preference votes counted.
- (3)** In the case of a tie during any round of voting for the office or offices available on any ballot, the candidate who received the greater number of votes in the previous round shall be the candidate that advances to the next round of voting, if the tie occurs in determining the lowest candidate to be eliminated. If such a tie occurs in the final round of voting, the candidate who had received the greater number of votes in the previous round shall be declared the winner.

Vice Presidential Elections

52

- (1)** The elections for the offices of Vice Presidents, other than Vice President Finance, shall be conducted using a preferential vote of Council at the annual meeting. If no candidate receives an overall majority on the first ballot the last place candidate is eliminated and their ballots are redistributed on the basis of ranked preferences, with all of their first preference votes discarded and second preference votes counted. This process continues until a majority is secured. Voting will be in-person at the annual meeting using a secret ballot.

- (2) In the case of a tie during any round of voting for the office or offices available on any ballot, the candidate who received the greater number of votes in the previous round shall be the candidate that advances to the next round of voting, if the tie occurs in determining the lowest candidate to be eliminated. If such a tie occurs in the final round of voting, the candidate who had received the greater number of votes in the previous round shall be declared the winner.
- (3) If the Annual Members Meeting adjourns without decisions, the Speaker will immediately schedule a new meeting of the incoming and outgoing Council members, at which Vice Presidential elections will be the only agenda item.
- (4) Each candidate shall be allotted five (5) minutes to address the Council, followed by a group-formatted question period or debate for all candidates competing for any given Vice Presidential position. The Chief Returning Officer will set the format for the question period or debate, following reasonable input from the candidates and Council. The question period for each position will last no longer than 15 minutes per candidate in the given position's race, up to a maximum of 90 minutes per position.
- (5) No member may vote by proxy or in absentia for Vice Presidential Elections.
 - (a) Voting online may still occur, facilitated by the Chief Returning Officer, only for members attending the Annual Members Meeting remotely.

Council Elections

53

- (1) The elections for Councillors shall be conducted using a Single Transferable Vote (STV) method utilizing the Hare quota and Fractional Transfers when necessary.
- (2) All candidates who exceed the quota are elected.
 - (a) In Council elections, Re-Open Nominations must receive a simple majority vote in order to instigate a re-opening of nominations. Voters may only pick "Re-Open Nominations" in the first round, but may select remaining candidates at their will, and if "Re-Open Nominations" does not win in the first round, it shall be eliminated, with all of its first preference votes discarded and second preference votes counted. When "Re-Open Nominations" receives a simple majority vote in a councillor election, no councillor candidates shall be declared winners of the election. Even councillor candidates who

reach the Hare quota in the first round of counting in an election where “Re-Open Nominations” receives a simple majority vote shall not be elected.

- (3) If a candidate exceeds the quota, their surplus is redistributed on a fractional basis to remaining candidates. Fractional Transfers shall be used for any surplus votes a candidate receives beyond the quota
 - (4) If no candidate has reached the quota in any round of voting, the candidate with the fewest votes will have their votes reallocated to candidates remaining in the running.
 - (5) This process of fractional transfer and redistribution will be continued until all vacant positions are filled.
 - (6) In the case of a tie during any round of voting for the office or offices available on any ballot, the candidate who received the greater number of votes in the previous round shall be the candidate that advances to the next round of voting, if the tie occurs in determining the lowest candidate to be eliminated. If such a tie occurs in the final round of voting, the candidate who had received the greater number of votes in the previous round shall be declared the winner.
- 54** Turnout shall be determined by the percentage of the student body that took the action of submitting from the ballot page any or no ballot on the ballot page, regardless of the turnout on any specific question or ballot.

Declaration of Results

- 55** The Chief Returning Officer will not release the results of an election before all appeals deadlines have passed, and appeals cases have been ruled upon.
- 56** The Chief Returning Officer shall provide the CUSA President and CUSA Governance Manager with the results, which they must keep confidential until the results have been published.
- 57** The official results shall be posted in writing on the CUSA Elections website within 24 hours of official declaration.

Part Two — Electoral Offences

General Principles

- 58** The burden of proof for electoral offences in this Policy shall be the balance of probabilities.

- (1) As per the principles of natural justice, the rules of double jeopardy apply, thus:
- (a) No one shall be penalized twice with the same offence under the same facts, unless so ordered by an appellate body on review of new facts or legal misapplication;
 - (b) No one shall be penalized for an offence for which they have under the same facts have been given no penalty.
- (2) Double jeopardy shall also be found to exist when a person is penalized on two or more offences that subsume each other, on the same facts.

Reporting Of Complaint

- 60** Every elector may submit to the Chief Returning Officer a complaint regarding an electoral offence that has allegedly been committed. In the event that the offence goes to the Appeals Committee, the complainant's name must be released confidentially to the committee.
- (1) The complainant's name may be released to the candidate by consent of the complainant, or by a two-thirds decision of the Appeals Committee.
 - (2) Complainants may withdraw their complaint at any time before the Appeals Committee meets.
- 61** An online form shall be available for this purpose on the CUSA website(s) and social media.
- 62** Every elector shall comply with the reasonable requests of the Chief Returning Officer to provide proof to accompany the alleged offence, and must respond to the Chief Returning Officer's requests and questions in a timely manner.
- 63** Every elector alleging an offence shall provide proof of their name, student email, and student number, which shall remain known to the Chief Returning Officer only, unless voluntarily given in testimony to them or the Appeals Committee, or requested by the Chair of the Appeals Committee.
- 64** All reports of alleged offences must be submitted to the Chief Returning Officer no later than seventy-two (72) hours following the end of the voting period.

Penalties

- 65** The Chief Returning Officer may penalize, including through the issuance of demerit points, an individual or campaign with an offence under this *Code*.

Consultation with the Election Advisory Committee must take place before demerit points are issued.

- 66** Decisions of the Chief Returning Officer not to penalize are not appealable.
- (a) The public report for any decision not to penalize must not imply guilt;
 - (b) The rationale for the decision not to penalize must be applied consistently.
- 67** All declarations and penalties given by the Chief Returning Officer shall be in writing and must be published and posted on the CUSA Elections website within 48 hours.
- (a) The public report must contain the offence, the penalty given, and a brief summary of the complaint and rationale;
 - (b) A full report, containing the complaint and all rationale, must be submitted to the candidate and the Electoral Advisory Committee at least 24 hours before the public report.

Organization of Offences

- 68** Electoral offences may be, as defined in Electoral Offences, Demerits, and Disqualifications (Schedule IV) either:
- (a) minor offences;
 - (b) major offences, requiring both *mens rea* and *actus reus* of the offence to be proven beyond a reasonable doubt; or
 - (c) disqualifiable offences, requiring both *mens rea* and *actus reus* of the offence to be proven beyond a reasonable doubt.

Demerit System

- 69** There shall be a demerit point system for electoral offences in this *Code*. The commission of offences, if penalized, will be counted as a demerit point(s), and/or any other sanction as prescribed in this *Code* and its Schedules.
- 70** Demerit points shall be counted against a candidate when that candidate, or any member of the campaign team, is found responsible for an offence.
- 71** Ten demerit points shall be the threshold for disqualification of a candidate.

Exception, Referendum Committees

- 72** If a referendum committee is disqualified, the option for which they campaign shall not be taken off the ballot upon disqualification, but every person at any time

registered under that referendum committee is prohibited from campaigning in any way for their preferred referendum answer after disqualification.

- 73** Any campaigning conducted by members of a disqualified referendum committee shall be grounds for the removal of their answer from the referendum ballot.

Parties to an Offence

74

- (1) Every one is a fully responsible party to an offence who:
- (a) actually commits it;
 - (b) does or omits to do anything for the purpose of aiding any person to commit it, or is willfully blind to the actions of another person to the same;
 - (c) abets any person in committing it; or
 - (d) counsels another person to be a party to an offence.
- (2) Every party enumerated in paragraphs (b) through (d) of Section 74(1) above shall incur one-half the demerit value, rounded up.

Part Three — Appeals

General Principles

- 75** The Appeals Committee shall follow the *Appeals Policy* (G-03).

Administration

- 76** If a candidate, or other individual, disagrees with the decision of the Chief Returning Officer to penalize them under the *Code*, they may appeal the decision to the Appeals Committee.
- (a) In informing an individual of a penalty laid, the Chief Returning Officer shall inform them of their right to appeal.
 - (b) An appeal must be submitted within 72 hours of receiving the notice of the penalty one is appealing.
- 77** The Appeals Committee shall be the body of appeal for all elections matters.

Procedural Rights of Parties

- 78** Every person has the right to be heard by the Appeals Committee separately from other individuals that they would not like to be physically present within the same space.

SCHEDULE OF AMENDMENTS

DATE AMENDED	MOVED	SECONDED	SUMMARY
31 August 2026	J. Proulx	N. Hurrydass	(C-30) Reviewed by Policy Review Committee; adopted changes recommended by the Governance Manager, including those originating from the annual review of the CRO's report.
24 November 2025	M. Heroux	M. El Fitori	(C-92) Reviewed by Bylaw Reform Ad-hoc Subcommittee; new definition of "electoral advisory committee" for additional oversight on elections; stricter timelines; addition of a schedule for offences and timeline to simplify the explanation of the rules; remove outdated language, references and other inaccuracies; made electoral offences follow a simpler minor, major, and instant disqualification system; expanded definitions of double jeopardy; added Vice Presidential Elections; streamlined nomination requirements; specified candidate eligibility.
25 September 2023	R. Awad	M. Huynh	(C-33) New definition of "eligible voter"; changes to campaign postering and material distribution rules; added the expectation for timely responses from candidates to the CRO's inquiries; clarified that CUSA student staff must take a leave of absence to run for office; and new provisions in cases where the Executive Director position is vacant.

28 November 2022	F. Lepore	J. Vecchio	(C-72) Provisions for a re-open nominations election; time limits placed on initiating complaints and appeals; provisions for how ties are handled in vote counting; streamlining appeals process; and other various clerical amendments.
26 September 2022	F. Lepore	J. Vecchio	(C-46) Nearly complete re-write to align with Democratic Reform Committee recommendations and to provide clarity to offences, defences, and procedures for charging and trial.

Schedule I - Layout of Ballot

X-01-I

1 The ballot for President shall resemble:

Candidates & RON	First Choice	Second Choice	Third Choice	Forth Choice	Fifth Choice	Sixth Choice	Seventh Choice
Alpha, Name							
Beta, Name							
Charlie, Name							
Delta, Name							
Echo, Name							
Foxtrot, Name							
Re-open Nominations							

2 The ballot for Councillor in any given faculty shall resemble:

Candidates & RON	First Choice	Second Choice	Third Choice	Forth Choice	Fifth Choice	Sixth Choice
Golf, Name						
Hotel, Name						
India, Name						
Juliet, Name						
Kilo, Name						
Re-open Nominations						

Schedule II - Candidate *Declaration*

X-01-II

- 1 The Candidate Declaration should read, as amended by the Chief Returning Officer from time to time:

"I [Candidate Name], do solemnly swear that I have read and understand the;

1. Electoral Code;
2. Nomination and Campaign Guidelines, if any, issued by the CRO;
3. Applicable CUSA Policies;
4. Application University Policies; and
5. Applicable Laws of the Land
6. The ability to hold office will be confirmed by the Student Affairs office

I [Candidate Name], do solemnly swear that I;

1. Will accept and abide by the decisions of the Student Affairs office, Chief Returning Officer and Appeals Committee of CUSA;
2. Will first and foremost seek relief for decisions through the Appeals Committee;
3. Have met all eligibility requirements laid out in the Electoral Code section 8;

I [Candidate 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
5. Ensure individuals associated with my campaign do the same.

X _____"

Schedule III - Election Timing

X-01-III

- 1 All timings follow the Elections Timeline table laid out in this Schedule.
 - a. The Election Advisory Committee can alter the timeline based on university scheduled holidays or delays with verification. The revised timeline must be forwarded to the Speaker of Council within 24 hours of decision.

Elections Timeline

	General Election	By-election	Vice Presidential
Nominations	From 9AM on the first day of the Winter Academic term as dictated by the Carleton University Academic calendar until 5 PM on the Monday 15 days before the first Tuesday in February	From 9AM on the final Tuesday in September until 5PM on the first Monday in October	No later than the second Monday in February at 5PM and close no later than the fourth Monday in February at 5PM
Validation	From 5:01 PM on the Monday 15 days before the first Tuesday in February until 5PM on the Friday following the Monday 15 days before the first Tuesday in February	From 5:01 PM on the first Monday in October until 5PM the Friday before the second Monday in October	48 hours after the close of Nominations
Campaign	From the Monday 8 days before the Tuesday in February until 5PM on the Thursday following the first Tuesday in February	From the Tuesday before the third Monday in October until 5PM on the Wednesday following the third Monday in October	From the first Monday of March until the start of the Annual Members Meeting

Voting	From 9AM on the first Tuesday in February until 5PM on the Thursday following the first Tuesday in February	From 9AM on the third Monday in October until 5PM on the Wednesday following the third Monday in October	In person or remotely at Annual Members Meeting Includes incoming and outgoing councilors
Results	Released upon the resolution of all outstanding complaints, appeals, or other actions which could realistically affect the results	Released upon the resolution of all outstanding complaints, appeals, or other actions which could realistically affect the results	Announced by Speaker after ballots are destroyed

Schedule IV - Electoral Offences, Demerits, and Disqualifications

X-01-IV

- 1** The following activities are specifically prohibited and subject to penalty (pursuant to the Disqualification and Penalties table laid out in this Schedule):
 - (a)** Actions which could reasonably be expected to interfere with the conduct of free and fair elections;
 - (b)** Failure to co-operate with CRO in conduct of investigation;
 - (c)** Campaigning prior to beginning of campaign period;
 - (d)** Posting of campaign materials in prohibited areas;
 - (i)** Prohibited areas may be defined by the Chief Returning Officer, the university, or any student group with jurisdiction over a space.
 - (e)** Distribution in any form of prohibited material;
 - (f)** Campaigning in CUSA offices, CUSA property or university libraries;
 - (g)** Damaging or obstructing CUSA or Carleton University property;
 - (h)** Use of CUSA logo or insignia;
 - (i)** Utilizing CUSA employees as part of campaign team;
 - (i)** Pursuant to section 9 of this code.
 - (j)** Offering benefits or inducements in exchange for support;
 - (k)** Use of the personal information of CUSA employees or students at large;
 - (i)** Pursuant to section 10 of this code.
 - (l)** Use of force or intimidation to influence support;
 - (m)** Absence of full disclosure of Campaign Team;
 - (i)** Any changes to the team must be provided in writing to the CRO within 48 hours;
 - (n)** Publishing or communicating false or maliciously misleading information;
 - (o)** Publishing or communicating false and defamatory information;
 - (p)** Harassment of election officials, other candidates or students at large;
 - (q)** Using non-electors as part of campaign;
 - (r)** Interfering with the actions of the CRO, Election Committee or other election officials;
 - (s)** Involvement with false or vexatious complaints to the CRO;
 - (i)** Anyone who alleges through complaint that another candidate or campaign team has committed an offence, where such allegation is demonstrably false, frivolous, vexatious, or made in bad faith.

- (t) Violation of CUSA bylaws or posted policies:
 - (i) Can range in penalty from a minor to major offence at discretion of the Chief Returning Officer.
- (u) Violation of Carleton Student Rights and Responsibilities policy:
 - (i) Can range in penalty from a minor to major offence at discretion of the Chief Returning Officer.
- (v) Violation of municipal, provincial or federal laws:
 - (i) Can range in penalty from a minor to major offence at discretion of the Chief Returning Officer.

Disqualification and Demerits

Automatic Disqualification	Major 3 Demerit points	Minor 1 Demerit points
Violence or intimidation	Publishing false information	Late expense filing
Harassment	Defamation	Exceed expense limit by up to 10%
Data Exploitation	Property damage	Use of prohibited CUSA materials
Impersonation	False or vexatious accusations	Campaigning in off limit areas
Bribery	Slate participation	Use of graphic or obscene material
Voter Fraud	Failure to supply complete list of campaign team	Excessive distribution of material
False Expense Report	Exceed expense limit by more than 10%	Failure to get CRO approval of campaign material
Undermining the electoral process		Use of Loudspeakers
Ballot tampering		All other violations

Failure to attend candidate meeting with CRO		
Failure to cooperate with CRO investigations		

- 2 Decisions on disqualifications will automatically go to the Appeals Committee for review and decision.
 - (a) Decisions of the Appeal Committee are based on their sole and unfettered jurisdiction and are final within the organization.
- 3 In making their decisions, the Committee will weigh mitigating factors such as:
 - (a) mental disorder
 - (i) No person is responsible for an act committed or an omission made while suffering from a mental disorder that rendered the person incapable of appreciating the nature and quality of the act or omission or of knowing that it was wrong.
 - (b) compulsion by threat
 - (i) A person who commits an offence under compulsion by threats of potentially significant harm from another person who is present when the offence is committed is to be exempt from responsibility for committing the offence if the person reasonably believes that the threats will be carried out.
 - (c) advice from election officials
 - (i) A person who commits an offence wherein advice of the Chief Returning Officer led them to believe they were acting in a lawful manner is exempt from responsibility for committing that offence.
 - (d) validity of material shared;
 - (e) inability to reasonably foresee and prevent violations and the absence of acceptable alternative courses of action.
- 4 Intoxication or any physical impairment resulting from the voluntary consumption of intoxicating substances shall not be a diminishing or negating factor regarding the commission of and responsibility for an offence.
- 5 Ignorance of the provisions of this Code or any other applicable Policy by a person who commits an offence is not an excuse for committing that offence.

- 6 A final meeting of the Appeals Committee will be scheduled for 10 days after a General Election to decide on issues that have arisen as a result of complaints submitted.