

REFERENDUM RULES

Referendum on Continued Membership in the Canadian Federation of Students & Canadian Federation of Students-British Columbia (For a vote amongst members at Capilano University)

Oversight:

In addition to the Bylaws of the Canadian Federation of Students and the Canadian Federation of Students-British Columbia, the following rules shall govern a vote on the question of continued membership amongst the individual members of the Canadian Federation of Students and the Canadian Federation of Students-BC at Capilano University.

- a. The referendum shall be overseen by a Chief Returning Officer (CRO) in accordance with the bylaws of the Canadian Federation of Students and the Canadian Federation of Students-BC
- b. The CRO may appoint Deputy Returning Officers (DROs) to aid in administering the vote. The Deputy Returning Officers will report directly to the Chief Returning Officer.
- c. Instances arising during the referendum not covered by the terms of this protocol shall be ruled upon at the sole discretion of the CRO or DRO including but not limited to the creation of new rules.
- d. The Chief Returning officer may add to or alter the Referendum Rules prospectively and shall immediately post notice of the addition or alteration, and shall immediately notify any registered campaign directly.

Ballot Question:

Are you in favour of continued membership in the Canadian Federation of Students and the Canadian Federation of Students-British Columbia?

Materials Approval:

- a. The Chief Returning Officer or his designate shall approve all campaign-specific materials prior to distribution.
- b. Campaign materials will include all physical materials, as well as any websites, Facebook groups/events, and other forms of online mass-messaging developed for use in the campaign.
- c. The Chief Returning Officer or his designate will not approve materials that are defamatory, misleading or false. The Chief Returning Officer shall be the sole arbiter in determining whether materials are defamatory, misleading or false. Materials that have not received pre-approval cannot be distributed in any form.

- d. The Chief Returning Officer or his designate will not approve materials that: cannot be removed at the conclusion of the campaign; materials that are likely to damage property including stickers and paint applied to building surfaces; or cannot be monitored for compliance with all relevant Bylaws and referendum rules.
- e. Where the Chief Returning Officer or his designate determines that campaign materials which have not been pre-approved are being distributed, displayed or used by a campaign, then the Chief Returning Officer and/or his designate shall order the materials immediately withdrawn or removed and shall confiscate the materials from the campaign for a period of not less than 24 hours. The Chief Returning Officer may assign an additional penalty, which may include destruction of the material or a restriction on campaigning provided that the penalty is balanced against the volume of the materials distributed or its effect, and that no destruction shall take place until the appeal period is expired.
- f. Campaigners shall provide the Chief Returning Officer or his designate with a copy of the proposed campaign material. The Chief Returning Officer or his designate shall provide a written approval or refusal of campaign materials in a timely fashion.
- g. The Chief Returning Officer or his designate shall be provided with a copy of all materials prior to its distribution during the campaign. The Chief Returning Officer or his designate shall retain a copy of all materials distributed during the campaign.
- h. The Chief Returning Officer shall maintain a written record of the decisions made regarding the approval or rejection of campaign materials.

Campaigning:

- a. Campaigning shall begin at 09:00 Monday, March 10, 2014 and end at 18:00 Friday, March 28, 2014, unless otherwise established by the Chief Returning Officer.

- b. In order to participate in the referendum campaign, individuals must familiarise themselves with the referendum rules as outlined in this document. Any person who wishes to campaign in the referendum may request and shall receive an orientation to the referendum rules by the Chief Returning Officer or his designate.
- c. In order to participate in the referendum, individuals or campaign sides must register with the Chief Returning Officer. A registration form shall be available from the Chief Returning Officer or his designate.
- d. Each side shall provide to the Chief Returning Officer a list of those authorised by the campaign to speak on behalf of the campaign.
- e. Campaigners shall not disseminate information verbally or otherwise that is defamatory, potentially libellous or factually incorrect. Campaigners shall act reasonably, responsibly and in good faith. Further, each campaign shall:
 - i. ensure that all campaigners are aware of and understand all relevant Bylaws, referendum rules and rulings of the Chief Returning Officer or his designate;
 - ii. ensure that all campaigners comply with all relevant Bylaws, referendum rules and rulings of Chief Returning Officer or his designate.
- f. There shall be no campaigning at any time in a business or service owned or operated by the Students' Union, in University libraries, in areas or events where alcohol is served or in a classroom during a class period without first obtaining the permission of the professor responsible for the class.
- g. Campaign materials shall be removed immediately after the polls close on Friday, March 28. All materials must be removed by 17:00 Monday, March 31.
- h. There shall be no campaigning within ten (10) meters of the North Vancouver campus polling station on voting days. There shall be no campaigning within five (5) meters of the Squamish and Sechelt campus polling stations.

Polling Stations, Locations and Hours:

Polling stations and hours will be posted in a separate document following the publishing of these Rules.

Rules for Posting:

- a. Each campaign shall comply with any building regulations set out by the University.
- b. No individual may remove, destroy, damage or destroy campaign material.
- c. No poster may exceed 11 inches by 17 inches in size.

Poll Clerks:

- a. The Canadian Federation of Students, Canadian Federation of Students-British Columbia and the Capilano Students' Union shall each be required to provide one (1) poll clerk for each polling station.
- b. The Canadian Federation of Students, Canadian Federation of Students-British Columbia and the Capilano Students' Union must provide their respective list of poll clerks to the Chief Returning Officer by March 19, 2014.
- c. Eligible poll clerks may cast a vote in the referendum; however, they may not do so while staffing a polling station.
- d. Poll clerks shall, under no circumstances, influence the way in which an elector votes or provide information about the referendum other than informing the elector of the voting process and reading the voter the referendum question.
- e. Poll clerks shall not participate in the referendum campaign.
- f. The Chief Returning Officer or his designate shall hold a training session for all poll clerks prior to the end of business (17:00) on March 21, 2014. Attendance shall be mandatory for all poll ckerks.

Security of Ballot Boxes:

- a. Elections Canada ballot boxes and seals or equivalent shall be used for polling.
- b. All ballot boxes and ballots shall be secured in a location selected by the Chief Returning Officer.
- c. The ballot boxes shall be sealed upon the close of voting for each day and not opened until counting.

Voting Procedure:

- a. Each Member of the Capilano Students' Union shall be allowed to cast one (1) secret, non-transferable ballot.
- b. The voter must present a Capilano University student card. In addition, the most current University registration data shall be used to verify student status.
- c. In the event that a student does not appear on the voters' list or does not have a student card, their vote shall be double enveloped and the Chief Returning Officer or his designate will undertake to confirm the student's eligibility with the University Registrar.
- d. The poll clerks shall initial the back of the ballot before providing it to the voter.
- e. Voting shall be done by paper ballot.

Electorate:

- a. The electorate shall be comprised of all full-time and part-time students who are members of the Capilano Students' Union.
- b. On the question of membership in the Canadian Federation of Students, quorum shall be that of the student union or ten percent (10%) of the individual members of the local union whichever is higher.

- c. On the question of membership in the Canadian Federation of Students-British Columbia, quorum shall be that of the student union or five percent (5%) of the individual members of the local union whichever is higher.
- d. The result of the referendum shall be determined by a 50 percent plus one majority of the votes cast.
- e. Spoiled ballots shall count towards the establishment of total voter participation, but will not be considered in the calculation of a majority.
- f. Upon the completion of counting, the ballots shall be returned to their secure storage location until the expiration of the complaints and appeals process at which point they shall be destroyed.

Ballot Counting:

- a. During the counting process there shall be a maximum of two (2) scrutineers in the counting room, provided that once the scrutineers have entered the count room, they may not leave the facility until the completion of counting or with the consent of the CRO or his designate.
- b. The Chief Returning Officer or his designate may expel any scrutineer who attempts to disrupt the tabulation, who attempts to communicate preliminary results to a party outside of the counting room, or who attempts to destroy, deface, remove, or manipulate ballots during the tabulation process.
- c. The ballots shall be counted immediately following the conclusion of voting.
- d. Where the mark on the ballot clearly indicates a preference, as determined by the Chief Returning Officer, the ballot shall be valid and counted.

Violations and Complaints:

- a. All alleged violations of Bylaw I or referendum rules shall be considered and ruled upon by the Chief Returning Officer.

- b. A complaint must include the following:
 - the specific Bylaw or referendum rule that is alleged to have been violated;
 - the specific campaign or individual that is alleged to be in violation;
 - the specific facts which constitute the alleged violation;
 - the evidence of these facts; and
 - the name and contact information, including e-mail address and telephone number, for the complainant.
- c. No complaint will be considered by the Chief Returning Officer unless it is in writing and is received within 24 hours of the alleged violation.
- d. Where a complaint is received and found to be complete, the Chief Returning Officer shall investigate the facts, and shall rule on the complaint within 48 hours thereof.
- e. Where a violation has occurred, regardless of cause or intent of the parties involved, and that violation has provided an unfair advantage to a campaign, the Chief Returning Officer may assign a penalty that:
 - i. fully counterbalances any unfair advantage gained;
 - ii. penalises the campaign for committing a violation; and
 - iii. is of the same type or character as the advantage which was gained.
- f. Penalties available to the Chief Returning Officer include but are not limited to:
 - i. the confiscation or destruction of campaign materials;
 - ii. limitations, restrictions and prohibitions on any type of campaigning, for a specific period of time; and
 - iii. disqualification.

Appeals

Any appeals of the results or rulings by the CRO shall be adjudicated by an appeals committee (the "Appeals Committee") in accordance with the bylaws of the Federations.