

**A DIRECTIVE TO CREATE REGULATIONS REGARDING THE CONDUCT OF CANDIDATES DURING THE
ELECTION PROCESS**

WHEREAS the Chief Returning Officer deems it necessary for the proper functioning and good governance of the elections to create regulations regarding the good governance and proper functioning of the elections;

AND WHEREAS the Chief Returning Officer has consulted with the Elections Committee regarding the rules for the election and attained the Elections Committee advice and consent on the same.

AND WHEREAS

THE CHIEF RETURNING OFFICER BY AND WITH THE ADVICE AND CONSENT OF THE ELECTIONS COMMITTEE ENACTS AS FOLLOWS:

Campaign material

1. That the posters section of the campaign code is replaced with the following:
 - a. A limit on the quantity of posters shall be for Executive Candidates 300 and for all other candidates-100. If there is clear and convincing proof that one candidate's posters have been targeted, then the Chief Returning Officer may increase the total number of approved posters.
 - b. The following shall apply to all posters:
 - i. Posters shall not exceed 11"x17".
 - ii. No more than three banners shall be allowed, and shall not exceed 9'x3'.
 - iii. Each candidates posters shall not overlap another candidate's posers.
 - iv. All posters may only contain information that is relevant to the election.
 - v. All posters must be removed within 72 hours of the close of voting.
 - vi. All posters can be placed on brick, cinderblock, or painted drywall using masking tape or painters tape, and no other surfaces whatsoever.
 - vii. Materials may not be posted inside or on the doors of elevators, or egress (fire) stairwells.
 - c. Banners can be hung from ceilings but cannot obstruct views down hallways or corridors.
 - d. The candidate must ensure that their campaign materials are not damaging the property of George Brown College of Applied Arts and Technology. Candidates are responsible for any damage done to the college's property.
 - e. Campaign materials cannot overlap or obstruct a sign or other posters.
 - f. Campaign materials cannot be in classrooms.
 - g. No campaigning of any form is permitted in the Student Association offices, or any area that can be perceived to be under the jurisdiction of the Student Association. For the purposes of this section the jurisdiction of the Student Association means the administrative offices of the student association and their operations, but does not include areas which are opened to the public which the student association controls. The Chief Returning Officer shall list these places at the all candidates meeting.

- h. No campaigning of any form is permitted where alcohol is being served.
 - i. Campaigning within a classroom is forbidden without the expressed permission of its presiding faculty member(s). To campaign in a classroom, a candidate must obtain consent from the professor/lecturer before the start of class.
 - j. Campaigning is not allowed within the Student Residence, Library or computer labs. The entrance of these locations may be allowed based on the conversations with colleges.
2. Demerit points as outlined in the above section is assessed on, but not limited to, the following basis. The values listed below are a guide for issuing demerit points. Values may be increased or decreased at the discretion of the CRO.

The Chief Returning Officer shall use the following regarding elections discipline.

Type I infractions

- Poster violation
- Tape violations
- Campaigning in restricted areas

Level I infractions should be dealt with as much as possible as occasions for correction and not punishment. The following are guidelines for points:

1st offence warning or 5 points

2nd offence 5-7 points

3rd offence and future 7-10 points

Type II infractions

- Violation of online campaigning rules
- Fair play violations
- Improper distribution of materials
- Pre campaigning
- Distribution of unapproved materials
- Unsanctioned use of corporate resources

Level II infractions should be dealt with as much as possible with points to discourage future infractions of this nature. The following are guidelines for points:

1st offence 5-10 points

2nd offence 7-10 points

3rd offence 10-15 points

Type III infractions

- Abuse of status or position
- Gross misrepresentation of the facts, or defaming other candidates
- Interfering with other's campaigns
- Respectful workplace violations

Level III infractions are gross infractions which brings the integrity of the election into disrepute. Any of these offences should be dealt with at minimum with 20 points, but depending on the severity of the offence may lead to disqualification.

Type IV infractions

- Not attending all candidates meeting
- Overspending
- Not submitting expense report
- Attempting to have outside groups interfere with the election process
- Refusing to comply with directives of the Chief Returning Officer regarding expenses, or other procedures
- Obstruction of election officials while performing duties of office

Level IV infractions are infractions which brings the integrity of the elections and the electoral process into grave disrepute. These offences are worth a minimum of 30 points, but in most circumstances would lead to disqualification.

3. Solicitation of George Brown College Administration to interfere in the Election Process. Solicitation of Interference includes, but is not limited to, actions that encourage the George Brown Administration to apply pressure on the CRO or Elections Officials to make or change specific decisions, interference in the voting or ballot counting process, withholding vital election document such as voters' list and ballot boxes, and withholding Student Association funds.
4. All candidates must abide by the social media rules, and other rulings of the Chief Returning Officer. The social media rules are attached as appendix I.
5. All candidates are to familiar themselves with the elections by-law (appendix II).

DATED AT TORONTO, ONTARIO THIS SECOND DAY OF OCTOBER, 2017.

Chief Returning Officer

Appendix I

Revised Social Media Rules for Candidates and their Campaigners in the 2017 GBC By-Election

What's the point of these rules?

These rules are to ensure this is a fair and respectful experience for everyone. Some of these are a little different than previous rules. Nobody wants to be telling you what to do all the time and dealing with controversy, so give these a good read, share them with all your colleagues helping you and let us know if anything doesn't make sense or you have any doubts about whether something you are doing is a-okay. Nobody wants to lose points for something silly. So, there are no silly questions! We look forward to seeing your ideas up online and wish everyone luck with their online campaigning.

Official Rules for the 2017 By-Election

1. If you are campaigning with a "slate" the slate must start fresh this election. This means you can't use social media groups or pages from the past, like old Facebook groups or pages of old slates. The social media account must clearly indicate all the candidates on the slate somewhere in the description for the slate. The title of the group/summary of Twitter or Instagram page or elsewhere prominently when it is not reasonable in a handle etc should include the year of the election. On the start day of campaigning everyone should start the day with zero likes, members etc. In order for the CRO/DRO to easily monitor this process, please send a photo or screen shot of your group at zero followers (minus you) prior to launching so we can ensure everyone is truly and fairly starting fresh.
2. Social media/online individual campaign pages and groups should also be new and include the year of the election in the title or main description in the case of long handles. On the start day of campaigning everyone should start the day with zero likes, members etc. We wish you luck building support online from that moment onwards! The title of the group/summary of twitter or Instagram page or elsewhere prominently in cases where it is not reasonable in a handle should include the year of the election. . In order for the CRO/DRO to easily monitor this process, please send a photo or screen shot of your group at zero followers (minus you) prior to launching so we can ensure everyone is truly and fairly starting fresh.
3. Candidates must also add the CRO account as a friend and tag the CRO account in all elections posts.
4. Social media must add the CRO/DRO to their account, and where applicable as admins.

They are as follows:

Facebook: www.facebook.com/sagbc.cro

Twitter: @sagbc_cro

Snapchat: sagbccro

Instagram: sagbccro

5. To be fair to candidates campaigning for the first time and to ensure everyone truly has the same budget, you can't have old posters displayed. You can't use old buttons or other campaign swag.
6. Every eligible GB voter gets to vote their own way through a private ballot. That's the point of a private ballot. A candidate can agree with other candidates in other categories to vote for each other if they want, but ultimately everyone votes in private. You are allowed to endorse each other online.
7. If a candidate or group wishes to use old slogans or previous names of alliances or slates they can.
8. Candidates or slates can only speak about other candidates online if they are saying good things, eg. I'm voting for this guy for the position of ___ and encourage everyone to vote for him too!
9. Candidates or slates are not allowed to speak negatively about other candidates, criticize other candidates/their campaign. For example, framing arguments saying things like "Unlike this candidate I will be doing this..." are not appropriate. Stick to what you will do and don't refer to your competitors.
10. Social media cannot contain profanities or sexual, transphobic, homophobic, ableist, sexist, or racist or other discriminatory or unkind content and the addition of this type of content will result in demerit points.
11. Staff are not allowed to endorse any particular candidate or slate. No posts should imply such an endorsement.
12. The Chief Returning Officer may order a post or page be deleted from a social media site and that post shall be deleted within two hours of such order.
13. The Chief Returning Officer may at any time request a social media activity log (where one is available) to perform audit function. Hiding material on social media is similar to producing unauthorised campaign posters and will be dealt with as such. Basically, don't do or say things privately or secretly re the campaign you wouldn't be okay with having exposed at some point down the line. In short, be a respectful, rule-abiding person.
14. The Chief Returning Officer may make regulations during the course of election to further these goals at any time. These regulation will go into effect at the time specified in the order.
15. If you are unsure if something is okay or are confused, just ask the CRO/DRO to avoid something becoming an issue.

Appendix II

Article 13: Elections

13.1 Administration of Elections

The Student Association of George Brown College is committed to an elected leadership, chosen from and by its student membership. The Student Association, by way of these By-laws, seeks to ensure that the election process is conducted in a fair, consistent and accessible manner. The students of George Brown College are entitled to full representation at all levels of the Student Association. The Student Association is strongly committed to the ideals of safety, equity and accessibility and encourages students of diverse backgrounds and from traditionally underrepresented groups to run in elections.

The Student Association shall govern all the elections of the Student Association. Procedures for elections shall be found in the By-Laws of the Student Association. An Operations Manual for the Elections Committee (OMEC) will be maintained by the elections committee to ensure consistency in annual elections and codify practices that enhance the transparency and strength of the Elections Process. In circumstances where there is no contradiction between the By-Laws and the OMEC, the By-laws shall supersede the OMEC. A fact sheet, based upon the OMEC, will be drafted in accessible language to assist students' understanding of the Elections Processes.

13.2 Election Committee and the Chief Returning Officer

a. The Elections Committee will be as follows: --General Manager (or designated manager) -Two Members of the Board, as determined through a nomination and vote taken by the Board of Directors, requiring a two-thirds majority vote. -Chief Returning Officer (CRO) of the Elections.

i. The General Manager shall be the Chair of the committee until a Chief Returning Officer is appointed.

ii. Upon the appointment of a Chief Returning Officer, the Chief Returning Officer shall be the chair of the committee; and

iii. The General Manager shall ensure that administrative practices and procedures of the student association is carried out by the Chief Returning Officer, and shall be the principal contact and supervisor of the Chief Returning Officer.

b. The Elections Committee will be empowered to:

a. Hire the Chief Returning Officer (CRO).

b. Recommend election dates to the Board.

c. Publicise important election dates and information.

d. Oversee logistics of the elections.

e. Solicit feedback from members regarding the Elections Process in each year.

f. To study the recommendations of the CRO and ensure they are fully considered; review good practices from previous elections and be responsible for implementing any recommendations approved by the Board.

- g. Maintaining and updating the BPM;
 - h. Secure office space for the CRO to work.
 - i. Members of the Elections Committee are not permitted to seek office with the Federation and must remain neutral during the election process.
- c. The CRO is responsible for the overall administration of the Student Association Elections. The CRO's responsibilities will include the following:
- a. The hiring and training of Deputy Returning Officers (DROs).
 - b. The hiring and training of polling clerks.
 - c. Obtaining a voters list from the George Brown College Administration in order to verify a voter's identity as well as the voter's Faculty and College.
 - d. Securing voting spaces on campus to set up polling stations as well as obtain tables and chairs.
 - e. Prepare and maintain the voter registration database.
 - f. Obtain all materials for the elections.
 - g. Promoting the elections.
 - h. Organize and run the All Candidates Meeting(s).
 - i. Approval of all campaigning material
 - j. Adjudicate and provide rulings on complaints filed by candidates during the electoral process.
 - k. Overseeing the ballot counting process.
 - l. Publishing voting results.
 - i. Prepare the CRO's report to be presented to the Board of Directors for ratification.
 - m. All other elections materials and communications.

13.3 Eligibility of Candidates

All members who meet the qualifications as outlined in By-law 1.1. shall be eligible to run.

An individual member may hold a position on the executive for a maximum of two terms within a five-year period to commence upon the last day of their second term.

No candidate shall run for more than one position during the same election.

Voting Positions on the Board shall be filled as follows:

- a. Five (5) Executive Members who shall be elected by the members.
- b. Each of the four (4) Campus Directors shall be elected by the members registered in an academic program in their respective campuses.
- c. Each of the seven (7) Educational Centre Representatives shall be elected by the members registered in an academic program in their respective educational centres.
- d. Each of the six (6) Constituency Representatives shall be elected by the members of the constituency from among all campuses.
- f. The sole Non-voting Position on the Board shall be filled as follows the Board of Governor's position shall be elected by the members among all campuses.

13.4 Nomination of Directors

Candidates for the Executives, Campus Directors, Educational Centre Representatives, Constituency Representatives, and Board of Governor's Student Representative positions shall be nominated pursuant to a nomination form found in the BPM, and submitted to the CRO. Candidates for the Campus Directors and Educational Centre Representatives must obtain signatures from individuals in their faculty, from their campus or their constituency respectively, who are also members of the corporation (e.g. Waterfront Campus Director Candidates can only be nominated by Waterfront Campus students, Business Representative Candidates can only be nominated by Business students, etc.). The Executives, Constituency Representatives and Board of Governor's Student Representative positions may obtain signatures from any of the members of the corporation. To the extent possible, candidates will be notified if their nomination form is deficient or incomplete to permit re-submission before the nominations deadline. It is the responsibility of the candidates to submit a bona fide nomination or application form.

Candidates are required to obtain the following valid signatures:

- a. Executive Members – 100 valid signatures
- b. Campus Directors – forty (40) valid signatures
- c. Educational Centre Representatives – Thirty (30) valid signatures
- d. Constituency Representatives – Three (3) valid signatures
- e. Board of Governor's Representative – One (1) valid signature

13.5 Withdrawals of Candidates

A candidate may withdraw from the Student Association elections so long as their withdrawal is in writing via a completed withdrawal form, which can be obtained from any Student Association office front desk, and is submitted to and accepted by the Chief Returning Officer at any time before 2:00 p.m. local time on the the business day following the All Candidates Meeting. Any campaign expenses incurred by the candidate will not be reimbursed upon withdrawal. Upon withdrawal, if the candidate's name cannot be removed from the ballot, the CRO must post a notice around the polling station to inform voters of the candidate's withdrawal. The Poll Clerks must also verbally inform the voters of the withdrawal.

13.6 All-Candidates meeting

- a. All nominees, or an authorized representative of each nominee, must attend the All-Candidates Meeting in its entirety or arrange to meet with the CRO in person within twenty-four (24) hours of the meeting.
- b. For an authorized representative to be valid, they must possess a signed statement from the nominee that the representative has the authority to act on their behalf for the duration of the meeting.
- c. Any candidate who fails to attend or send an authorized representative to the All-Candidates meeting, or fails to meet with the CRO, shall be disqualified from the election.
- d. A candidate's eligibility is not official until the CRO has verified the entire set of applicable nomination forms and posted an "Official Candidates List" on which the potential candidate's name appears. The Official Candidates List must, at a minimum, be posted on the doors of all Student Association offices.

- e. The topics at the all-candidates meeting shall include, but not limited to:
 - I. The elections process established in By-law 4;
 - II. The Election schedule;
 - IV. The duties and functions of the Election officials.
- f. Each candidate, or authorized representative, will sign a statement before leaving the meeting that indicates s/he understands the rules and regulations governing the Election.
- g. It is the responsibility of each candidate to understand all information provided at the All-Candidates meeting.

13.7 Nomination Period

The nomination period will be at least five (5) business days and will be advertised on all Student Association bulletin boards and in the campus newspaper.

There shall be no campaigning during the nomination period. Candidates may only tell individual students that they intend to run in the election for the purpose of being nominated.

13.8 Campaigning

All candidates must abide by the following rules relating to conduct and behavior of candidates during campaigning and assume responsibility for those campaigning on behalf of candidates. Campaigners are bound by the same rules as candidates. Those acting on behalf of candidates are subject to all elections rules as the candidate. Before anyone is working on behalf of a candidate, the CRO shall be notified.

Campaigning is any action designed to influence the elector, this includes verbal and non verbal ways designed to get the elector to vote in a certain way. The definition of campaigning includes:

- Verbally soliciting a students' vote
- Handing out materials soliciting a student's vote
- Making announcements concerning an individual's candidacy in an election, including in hallways or classrooms.

The CRO shall have the authority to determine the rules of the election and in doing so the CRO shall consult with the Elections Committee.

- a. No campaigning shall take place before the nomination period and before the start of the campaigning period.
- b. The campaign period shall last for a period of a minimum of ten (10) business days including a five (5) business day overlap with the voting period.
- c. Any members of the board, staff, volunteers, or committee members shall take a leave of absence from the day designated as the start of campaigning period until the end of voting should

they decided to run for a position in the elections. For the greater certainty, members may perform duties of their office during the campaign period, if those duties are essential for the continued operations and governance of the student association (including: signing cheques, promissory notes, contracts, and other documents; meeting with the general manger and other staff on important and essential matters; and anything else incidental to the continued operations of the student association). Should the candidate be acclaimed, then the leave shall end on the day which the Chief Returning Officer certifies the acclimation.

d. All campaign material and/or advertisement need approval by the CRO in advance of posting or distribution. All submissions made to the CRO shall be returned with or without approval within two (2) business days.

e. Restrictions regulating campaigning, that are unique to the following, shall be followed. It is the responsibility of the candidates to familiarize themselves with the different rules that govern each of the aforementioned entities such as:

I. No campaigning of any form is permitted in the Student Association offices, or any area that can be perceived to be under the jurisdiction of the Student Association unless otherwise stated by the CRO.

II. Campaigning within a classroom is forbidden without the expressed permission of its presiding faculty member(s). To campaign in a classroom, a candidate must obtain consent from the professor/lecturer before the start of class.

III. Campaigning is not allowed within Student Residence, except for any area agreed upon by the Chief Returning Officer and the College.

IV. Campaigning is not allowed within the Library except for any area agreed upon by the Chief Returning Officer and the College.

III. Campaigning is not allowed within computer labs.

f. Candidates are not entitled to use in their campaign, any service or monies, conferred onto them by virtue of holding any position in any campus organization unless such services would still be available to them otherwise. This includes, but is not limited to, office supplies, equipment, advertising space and staff.

g. Campaigning during voting period will be permitted.

13.9 Campaign Expenses and Campaign Financing

a. The spending limit for all positions shall be as follows:

Executive positions \$300.00

All other positions \$100.00

The spending limits shall increase by the CPI index annual with a base calculation for CPI increases being January 1, 2017. The spending limits shall be rounded to the nearest increment of twenty-five dollars, as determined by the Chief Returning Officer.

b. All candidates shall submit to the CRO original receipts of all campaign expenditures within seventy-two (72) hours of the close of voting. The CRO may at any time request from any of the candidates original receipts for expenditures prior to the close of voting.

c. All campaign donations must be brought to the attention of the CRO and included in the campaign expense report to be submitted by each candidate. Donated materials shall be assigned a dollar value based on fair market value by the CRO and shall be calculated as campaign expenses but will not be considered in the calculation of a refund against election campaign expenditures.

d. Candidates are not entitled to use in their campaign, any service or monies, conferred onto them by virtue of holding any position in any campus organization unless such services would still be available to them otherwise. This includes, but is not limited to, office supplies, equipment, advertising space and staff.

e. Funds for the purpose of elections shall be provided for in the operating budget of the Student Association.

f. Failure by a candidate to submit a campaign expense form and original receipts by the deadline may result in disqualification upon decision of the CRO. Any candidate who exceeds the campaign limit shall be disqualified by the CRO. Disqualification may be appealed only to the Election Appeals Committee whose decision shall be considered final and binding as per By-Law 10.22(e).

g. Each candidate, except those who are declared ineligible for refund or disqualified by the CRO, shall receive a full refund from the Student Association against election campaign expenditures as prescribed herein.

h. A sample budget form shall be provided in the BPM for all candidates to review.

i. Any candidate who does not submit the required documents by the deadline imposed or misrepresent campaign expense is disqualified and the said election is null and void.

13.10 Violation of Campaign Rules

a. CRO shall have the sole authority to administer the provisions of these By-laws and the elections regulations made under this by-law by the CRO, Board, or Elections Committee. The CRO may for violations of these by-laws:

- i) assign demerit points, including assign multiple demit points for where violations encompasses more than one offence;
- ii) disqualify the candidate from running in the election; and
- ii) declare the election of a candidate null and void.

When a candidate for executive office is assigned more than 35 demerit points the candidate shall be disqualified.

When a candidate for any officer other than executive office is assigned more than 20 demerit points the candidate shall be disqualified.

b. The CRO reserves the right to make rulings on issues and events not otherwise covered in this code, or to add in such rulings to supplement existing sections.

c. Allegations of violations of these By-laws shall be submitted to the CRO in writing. Such allegations must be made within 48 hours after the incident occurred.

d. The CRO may lay charges of violations of campaign rules at her/his own initiative.

e. The CRO shall render a decision within 48 hours in writing to the candidates in questions and the complainant, unless the complaint is time sensitive, in which case the CRO shall render a decision within one business day. A complaint shall be deemed time-sensitive when the activity outlined in the complaint are ongoing. All rulings of CRO shall be done in a fair and consistent manner.

f. Where the CRO finds there has been a violation of these By-laws, the CRO must publish the details of the violation in a designated elections space in the Student Association office. Published notification of violations will only take place once all appeals have been exhausted.

g. In the event a winning candidate in any election is disqualified, the runner-up will take the place of the disqualified winner.

13.11 Voting, Counting, and the elections of Candidates

a. The Board shall determine the method of election.

b. The Chief Returning Officer shall determine places for polling stations and limits on campaigning near those polling station.

c. The Chief Returning Officer shall appoint, train, and oversee poll officials.

- d. Each candidate shall have the right to appoint a candidates representative at the polls to witness the operations of the polls and to ensure compliance with the standards as established by the Chief Returning Officer.
- e. The counting of the ballots shall occur in such ways as the Chief Returning Officer shall direct, with the consent of the Elections Committee.
- f. Candidates may appoint a representative to witness the count.
- g. An official validation shall take place the next business day after counting. The Chief Returning Officer may delay the validation for sufficient cause.
- h. The Chief Returning Officer shall publish invalidated results at the earliest opportunity but until the results have been validated the results are considered invalidated official.
- i. When validation has taken place the Chief Returning Officer shall forthwith certify the results and forward the results to the board.
- j. Once the board has accepted the results, the Chief Returning Officer shall swear an affidavit of Election before a Commissioner of Affidavit, duly licensed in the province of Ontario. The Chair of the Elections Committee shall keep a copy of the Affidavit for the official records of the corporation.
- k. If by the close of nominations, the number of certified candidates for an office is the same as or less than the number to be elected, the Chief Returning Officer shall immediately declare the candidate or candidates elected by acclamation.
- l. The Chief Returning Officer shall, as soon as possible after the counting of the ballots, declare the candidate or candidates, as the case may be, who received the highest number of votes to be elected.

13.12 Equality of Votes

In the event of a tie, the winner will be decided in a run-off election held two-weeks (14 days) after the closing of the voting period.

13.13 Elections Appeals Committee

The Elections Appeals Committee will be as follows

- The chair of the Board (or designate)
- Two (2) general members not elected to the Student Association or hired employed by the Student Association.

13.14 Methodology for appointing the Elections Appeals Committee

The request for applications for the Elections Appeals Committee will be publicized on the Student Association website. The request will include the Elections Appeals committee duties and the necessary qualifications. The Elections Committee will review applications appoint members of the committee without the CRO present.

13.15 Appeals of Election Results

- a. Any candidate may challenge the validity of the his/her election result in a written submission containing his/her reasons to the Elections Appeals Committee no later than 72 hours after the close of the voting period.
- b. The Elections Appeals Committee shall investigate any appeal and make a recommendation to the Board on the appropriate action.
- c. The Board, at its discretion, may refuse to ratify any singular Director or Executive office election, upon the recommendation of the Elections Appeals Committee. The Board may not amend rulings of the CRO or Elections Appeals Committee.

13.16 Recounting Ballots

If there is a difference of 5 per cent or less between candidates an automatic recount shall take place. The CRO at their discretion reserves the right to call a recount.

13.17 Ratification

- a. Candidates shall not be deemed elected until they have:
 - i. Been ratified by the Student Association's Board at the subsequent meeting following the election results with the condition that there are no outstanding appeals involving a candidate.
 - ii. Attained the age of majority of eighteen (18) years of age.
- b. Upon ratification by the Board all ballots will be destroyed.