

**POLICY: ELECTIONS AND OTHER CAMPAIGNS
INDIVIDUAL GRIEVANCES POLICIES AND
PROCEDURES**

CATEGORY: Governance, Management, Implementation

EFFECTIVE: January 19, 2011

LAST REVISED: January 19, 2011



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1. INTRODUCTION AND DEFINITIONS

1.1 Preamble

The Students' Association of Mount Royal University Elections Other Campaigns Individual Grievances Policies and Procedures regulate Elections, By-Elections, Annual and Special General Meetings, Plebiscites, and Referenda. The Election Appeal Review Board (EARB) reviews and delivers judgments on any appeals submitted with respect to the outcome of Elections, By-Elections, Referenda, Plebiscites, Annual General Meetings, Special General Meetings, complaints and other procedures or decisions as required by this document. As per Students' Association of Mount Royal University bylaws, Students' Council shall delegate all authority regarding the operation of Elections, By-Elections, Referenda, Plebiscites, Annual General Meetings, and Special General Meetings to the Chief Returning Officer and the EARB. The EARB has the authority to overturn decisions of the Chief Returning Officer as stipulated in this document as long as such EARB decisions fall within its jurisdiction.

The Students' Association of Mount Royal University Election Policies and Procedures does not pertain to the bylaws of the Students' Association of Mount Royal University per se; rather, it deals with issues regarding the regulation of Elections, By-Elections, Annual and Special General Meetings, Plebiscites, and Referenda.

1.2 Definitions

Active Member

Students currently registered for classes at Mount Royal University who paid Students' Association fees for the current academic semester.

All-Candidates Meeting

A meeting between the CRO and all Nominees, held after the close of nominations and before the commencement of the official campaign period.

Annual Election

The general Election held in the winter semester of each academic year to elect new executive and non-executive members of Students' Council.

Annual General Meeting (AGM)

A meeting of the Active Members of the Students' Association held at least once per year in accordance with the Students' Association's bylaws and any relevant provincial legislation.

Appellant

An appellant is any member of the Students' Association of Mount Royal University who wishes to appeal a decision(s) regarding violation of this elections policy, or the unofficial results of an election.

Authorization to Vote Form

The form issued by the Chief Returning Officer to an Elector whose name does not appear on the Official List of Electors but who is eligible to vote.

Banner

An advertisement larger than a poster advertising a single candidate or campaign.

Bribery

Attempting to influence an Elector by:

- (a) Lending or giving, or offering, agreeing or promising to lend or give money or valuable consideration other than allowable campaign materials to an Elector or to a person on behalf of an Elector; and/or
- (b) giving or procuring, or offering, agreeing or promising to give or procure, an office or place of employment to an Elector or to a person on behalf of an Elector.

By-Election

An Election other than the Annual Election.

Campaign Manager

An individual appointed by a Candidate to assist in conducting an Election campaign according to this document.

Campaign Materials

Any item giveaway, design, sound, symbol, or mark that is created or copied in any form in order to and/or likely to influence at least one voter to cast a ballot in favour or in opposition of a candidate. This includes, but is not limited to: posters; handbills/leaflets/brochures; buttons; electronic media (campaign related emails and websites); and clothing with campaign slogans and/or messages.

Campaigning

Includes both personal and public and electronic campaigning.

Candidate

Any individual (that meets the eligibility criteria) who has been successfully nominated, as deemed by the CRO, to run for any position in the annual election or by-election, starting at the end of the all-candidates meeting.

Campaign Team

May consist of an individual or a group of individuals campaigning for a specific candidate or OCG that have been endorsed by the candidate or OCG leader

Chief Returning Officer (CRO)

That individual appointed by Students' Council to oversee Elections, By-Elections, Referenda, Plebiscites, AGMs, and SGMs.

Close of Nomination Period

A specific date and time, set forth by Students' Council, at which all nomination forms for any person seeking nomination must be handed in to the SAMRU Reception.

Computer Lab

Any room designated by Mount Royal University as a computer lab, including the Library.

Deputy Returning Officer (DRO)

An individual appointed by the CRO to assist the CRO in overseeing Elections, By-Elections, Referenda, Plebiscites, AGMs, and/or SGMs.

Election Appeal Review Board (EARB)

The body that reviews and delivers judgment on appeals submitted with respect to the outcome of Elections, By-Elections, Referenda, Plebiscites, AGM's,

SGM's, complaints, and other procedures or decisions as required by this document.

Election Official

A person appointed to administer Elections, By-Elections, Referenda, Plebiscites, AGMs, or SGMs in the capacity of Chief Returning Officer, Deputy Returning Officer, Poll Clerk, or Ballot Counter.

Election Policies

Those guidelines governing the conduct of Elections, By-Elections, Referenda, Plebiscites, AGMs, and SGMs as outlined in this document.

Elector

An active member of the Students' Association of Mount Royal University (SAMRU) eligible to vote in Elections, By-Elections, Referenda, Plebiscites, AGMs, and SGMs.

Electronic Campaigning

Any attempt to persuade an eligible voter through use of campaign related website(s), email(s), or any other form of electronic communication to cast his/her ballot in favour of or against:

- (a) a Candidate;
- (b) a question being asked in a Referendum, Plebiscite, AGM, or SGM; or
- (c) proposed amendments to the SAMRU Bylaws.

Executive Committee

The elected or appointed body of officials convened as a standing committee of Students' Council, delegated by Students' Council as the body responsible for the executive governance functions of the Students' Association and the Students' Council.

Nomination Form

The form issued to a person seeking nomination for a position in an Election contest.

Nominee

A person who has submitted a nomination package for a position in an Election contest, but who is not yet confirmed by the CRO as a Candidate for that position.

Official List of Electors

The list of those members of SAMRU who are in good standing and therefore are eligible to vote in Elections, By-Elections, Referenda, Plebiscites, AGMs, and SGMs.

Online Voting

Voting conducted through the SAMRU Website.

Other Campaign

All activities pertaining to Other Campaigning commencing from when an OCG(s) is/are designated, to the close of voting.

Other Campaign Group (OCG)

A registered group of Active Members of SAMRU formed for the purpose of conducting an Other Campaign.

Other Campaign Group Leader (OCG Leader)

An individual elected by simple majority vote of an OCG's members at a meeting duly called for such a purpose. Quorum for said meeting shall be 60% of the total OCG membership on the date of the leadership vote. The OCG Leader is the officially recognized representative of an OCG.

Other Campaigning

An action or series of actions by an OCG aimed at:

- (a) calling a Referendum or Plebiscite, and/or campaigning for or against that question to be put forth in that Referendum or Plebiscite; or
- (b) asking to be permitted to put forth a question during an AGM, and/or campaigning for or against that question; or
- (c) proposing changes to the SAMRU Bylaws during an AGM, and/or campaigning for or against those proposed changes to be considered during that AGM; or
- (d) calling a SGM for the purpose of putting forth a question, and/or campaigning for or against that question; or
- (e) calling a SGM in order to consider proposed changes to the SAMRU Bylaws, and/or campaigning for or against those proposed changes to be considered during that SGM.

Penalization

A measure implemented at the discretion of the CRO or the EARB should a candidate disobey or violate either, or both of the EOCIGPP. This measure includes Candidate disqualification and may be implemented retro-actively.

Personal Campaigning

In-person communication, between a person seeking nomination and any other individual(s), concerning the circulation of nomination forms and other reasonable measures taken in order to fulfill the nomination requirements, and concerning the creation of a campaign team.

Petition

A written request addressed to Students' Council in the form of a document outlining a specific question or specific recommendation(s) affixed with the signatures of at least 10% of the Active Members of the Students' Association and their student identification numbers. A Petition requests that a specific question or that a specific recommendation or recommendations in the form of a question be put to a vote during a Referendum, Plebiscite, AGM, or SGM.

Plebiscite

A balloting of the Electors on a question, the results of which are not binding on Students' Council.

Post-Election Vacancy

Any seat that is vacant following the announcement of the official election results. This vacancy can be due to a failed "yes/no" ballot, a disqualified uncontested candidate, a position for which there were no Candidates, or a resignation of a member of Students' Council.

Poster

A piece or combination of pieces of paper that are collectively displayed advertising a single candidate or campaign to a maximum size of 11x17".

Public Campaigning

Any attempt to persuade an eligible voter to cast her/his ballot in favour of or against: a Candidate; a question being asked in a Referendum, Plebiscite, AGM, or SGM; or proposed amendments to the SAMRU Bylaws. This includes but is not limited to: engaging in discussion with people; classroom announcements; announcements on university-based listservs or websites or through SAMRU clubs; letters to the editor; articles written by or on behalf of the candidates; public speaking, especially when amplified; distributing campaign materials; distributing food or drink; mass mailings; electronic campaigning; and responding to inquiries from the media about election plans.

Referendum

A balloting of the Electors on a question, the results of which shall be acted upon by Students' Council, where the total number of votes cast is at least 5% of the total number of Active Members of the Association at the time of the Referendum. For the Referendum to pass in either the affirmative or the negative, a simple majority of those voting must vote in either the affirmative or the negative, respectively.

Residence

Any living accommodation for students (and associated administrative buildings) that is operated by Mount Royal University.

Sabotage

Defacing or removing, or attempting to deface or remove any campaign publicity material.

Scrutineer

That person appointed by a Candidate or OCG Leader to observe Voting Station conduct and/or the ballot counting process.

Special General Meeting (SGM)

A meeting of the Active Members of SAMRU called by Students' Council, or the President of the Students' Association acting either independently or upon receiving a Petition asking that a SGM be called.

Students' Council

The elected or appointed body of officials vested with the legislative authority of SAMRU, and which governs the business and affairs of SAMRU through its position as a policy making board.

Undue Influence

Attempting to influence an Elector by:

- (a) making use of or threatening to make use of any force, violence, or restraint; and/or
- (b) inflicting or threatening the infliction of any injury, harm or loss to an Elector.

Voting Station

A place where an Elector casts his/her vote in an Election, By-Election, Referenda, or Plebiscite administered by the SAMRU, including:

- (a) The official, in-person, polling station location, designated as such by Students' Council; and/or
- (b) Any computer lab, as deemed as such by the university, this policy or the CRO;

Wyckham House

The Student Centre building occupied and administered by SAMRU according to the License of Occupation Agreement with the Mount Royal University (MRU) Board of Governors, and which, for purposes of this document, includes the walkway link between MRU and the Student Centre.

1.3 Specifications for Elections and Other Campaigns

1.3.1 There shall be an Annual Election for the following offices:

- (a) President
- (b) Vice-President, Academic
- (c) Vice-President, External
- (d) Vice-President, Student Life
- (e) Six (6) Students' Council representatives representing the following areas:
 - Arts
 - Business and Entrepreneurial Studies
 - Communication Studies
 - Health and Community Studies
 - Science and Technology
 - Conservatory and Education
- (f) Four (4) Students' Council diversity representatives:
 - Aboriginal Students' Representative
 - Women Students' Representative
 - Students with Disabilities Representative
 - Immigrant, International and Visible Minority Students' Representative

1.3.2 The Annual Election shall be completed by March 31st of each year.

1.3.3 With respect to the Annual Spring Election, Students' Council shall establish by resolution at a regular meeting by October 31 of each year and upon the recommendations of the Executive Committee:

- (a) The dates for filing nominations.
- (b) The dates and times for campaigning.
- (c) The dates and times for online voting.
- (d) The dates and times for in-person voting.
- (e) The official voting stations.
- (f) The maximum campaign expenditure a Candidate's Election campaign may incur.

1.4 Interpretation

This document, and all matters not specifically covered by this document shall be interpreted by the CRO upon, when deemed by her/him to be necessary, legal advice. In the event of any discrepancy between this document and the SAMRU bylaws, the SAMRU bylaws shall govern. Notwithstanding the foregoing, the Students' Council shall have no authority to interfere with the discretion exercised by the CRO and the EARB in the furtherance of their duties pursuant to this document.

2. ELECTORAL PROCEDURES

2.1 Appointments

2.1.1 There shall be appointed by Students' Council by simple majority of members present, upon the recommendation of Executive Committee by October 31 of each year, a CRO to administer any SAMRU Elections, By-Elections, or Other Campaigns that take place during that academic year.

- 2.1.2 The Chief Returning Officer shall be a mature person selected from the Business, Professional or Academic Community. Reasonable efforts will be made to ensure this person has experience in the legal profession and/or professional experience with elections.
- 2.1.3 Students' Council may, by a special resolution of membership present at a regular meeting or a meeting called for that purpose, remove the CRO for neglect of duty or misconduct and replace him/her with another person to act as CRO.
- 2.1.4 Deputy Returning Officers (DRO(s)), shall be appointed by the CRO, one of whom shall become Acting CRO in the event that the CRO resigns or is removed from office as per the decision of Students' Council, or is deputized by the CRO to act on behalf of the CRO on a temporary basis (such deputation occurs at the discretion of the CRO).
- 2.1.5 Elections official(s) shall not be a current Students' Councilor, or have served as a Students' Councilor within the previous academic year.
- 2.1.6 There shall be appointed by the CRO as many Poll Clerks as deemed necessary by the CRO to administer Elections, By-Elections, Referenda, Plebiscites, AGMs, and SGMs. These appointments must not include students who are affiliated with any candidate or OCG.
- 2.1.7 There shall be appointed by the CRO as many Ballot Counters as deemed necessary by the CRO to administer Elections, By-Elections, Referenda, Plebiscites, AGMs, and SGMs. These appointments may include students who are not affiliated with any candidate or OCG.
- 2.1.8 No person who has been appointed to be a CRO, DRO, Poll Clerk, or Ballot Counter may engage in campaign activity on behalf of a Candidate or OCG while s/he is so appointed.

2.2 Chief Returning Officer

- 2.2.1 As per SAMRU Bylaws, Students' Council shall delegate all authority regarding the operation of Elections, By-Elections, Referenda, Plebiscites, AGMs, and SGMs to the CRO and the EARB. The EARB has the authority to overturn decisions of the CRO as stipulated in this document.
- 2.2.2 The CRO shall:
 - (a) Receive an honorarium according to those duties required of her/him during the academic year.
 - (b) Enforce all policies and regulations governing Elections, By-Elections, Referenda, Plebiscites, AGMs, and SGMs as set out in this document.
 - (c) Give notice of Elections, By-Elections, Referenda, Plebiscites, AGMs, and SGMs.
 - (d) Provide advice to OCG Leaders regarding acceptable format of Petitions, and seek legal counsel if s/he deems such counsel is required to provide accurate advice.
 - (e) Accept or reject the validity of a Petition and inform the respective OCG Leader in writing of the acceptance or rejection.
 - (f) Be present at the AGM and SGM(s) to ensure that voting procedures are conducted properly, but not be allowed to participate actively nor vote during these meetings.
 - (g) Appoint DRO(s) to assist her/him in the administration of Elections, By-Elections, Referenda, Plebiscites, AGMs, and SGMs.
 - (h) Appoint as many Poll Clerks and Ballot Counters as s/he deems necessary.

- (i) Impart upon all other Election Officials knowledge of the importance of conducting their duties with impartiality and fairness.
- (j) Give notice of nominations.
- (k) Receive nominations as per Subsection 4 of this document.
- (l) Meet with Candidates and/or their Campaign Managers, and OCG Leaders to review this document.
- (m) Provide unbiased information, guidance and supervision regarding the conduct of all Election, By-Election, Referendum, Plebiscite, AGM, and SGM-related functions.
- (n) Arrange for a time, date, location, and for equipment set-up and a mediator for a public debate among executive Candidates, and among OCG Leaders.
- (o) Ensure the format below for the public debate among executive Candidates and OCG Leaders is followed:
 - i. Opening statements/Speech
 - ii. Question/answer period, where all Candidates will be given the opportunity to answer any question asked to any other Candidate(s)
 - iii. Closing remarks
- (p) Authorize locations for display of campaign materials as per Subsection 4.2 of this document, and within the parameters set forth by the university.
- (q) Collect and tally all expenditure receipts incurred from each campaign.
- (r) Organize the collection of all posters, and at least one copy of all pamphlets, and other printed campaigning materials at close of the campaigning period from Candidates, Campaign Managers and OCG Leaders. Reasonable efforts should be made to recycle all applicable materials.
- (s) Return any collected campaign materials upon receiving request within 1 week of the close of the appeal period from Candidate(s), Campaign Managers(s) and/or OCG Leader(s).
- (t) Establish Voting Stations.
- (u) Provide for the supply and delivery of ballots, ballot boxes, instructions to Poll Clerks and Electors, and other necessary supplies to all Polling Stations as per Subsection 5.3 of this document.
- (v) Ensure that an accurate Ballot Account is conducted as per Subsection 5.5 of this document.
- (w) Use her/his discretion in the disqualification of any Candidate, OCG Leader or Elector, or in the disallowance of campaigning of any OCG Member or OCG within the parameters set out in 6.0 of this document.
- (x) Use her/his discretion in delivering a penalty to a disqualified Elector, or OCG Leader, or OCG Member or OCG disallowed to campaign, as described in this document.
- (y) Use her/his discretion with regards to Penalization within the parameters set out in this document.
- (z) When deemed necessary, seek legal counsel on disqualifications prior to delivering notice of disqualification to an Elector, Candidate and/or Other Campaign Group Leader, and on disallowances of campaigning (see Subsection 6) prior to delivering of disallowance to an OCG Member or OCG.
- (aa) Inform in writing chief editors of the *Reflector* and *Calgary Journal* prior to the opening of the nomination period every year.

- (bb) Set office hours for DRO(s), which shall ensure that a DRO is reasonably available to individuals during the nomination and campaigning period.
- 2.2.3 The CRO, where s/he is of the opinion that an emergency exists, or presented with circumstances for which no adequate provisions are made in this document, may:
- (a) Increase the number of Election Officials.
 - (b) Remove from office any Election Official for misconduct or neglect of duty and order that Election Official to return all materials in her/his possession relating to that office.
 - (c) Extend the time specified for performing any Election-related function except:
 - i. The holding of the Election, By-Election, Referendum, Plebiscite, AGM, or SGM itself;
 - ii. The hours during which a Voting Station shall be kept open; or
 - iii. The time by which Nomination Forms must be filed.
- 2.2.4 In the event that the CRO suspends any provision, that falls under her/his purview, of this document:
- (a) S/he shall sign and visibly post in SAMRU Reception a notice explaining what provision(s) is/are being suspended, the duration of the suspension(s), and why that/those provision(s) is/are being suspended, and why for that/those duration(s);
 - (b) The suspension(s) of the provision(s) shall take effect only upon the posting of such notice(s);
 - (c) The suspension(s) of the provision(s) shall be circulated to all Candidates and OCG Leaders; and
 - (d) The suspension(s) shall be reported at the next meeting of Students' Council and may be overturned by that body.
- 2.2.5 The CRO shall, following Elections, By-Elections, Referenda, Plebiscites, AGMs, and SGMs, prepare and deliver to the Executive Director a report entitled *The Report of the Chief Returning Officer* which shall contain:
- (a) A summary of her/his conduct with respect to the Election, By-Election, Referendum, Plebiscite, AGM, or SGM.
 - (b) A Ballot Account for each Voting Station and an overall Ballot Account (when applicable).
 - (c) A summary of costs.
 - (d) An evaluation of any complaints made to the CRO concerning the conduct of any individual student, Candidate, or member of an OCG.
 - (e) A summary of her/his rationale for disqualifying any Elector, Candidate, OCG Leader, or Election Official, or for disallowing campaigning of an OCG Member or OCG.
- 2.2.6 *The Report of Chief Reporting Officer* shall be submitted within 60 days of posting of the unofficial results.
- 2.2.7 The Executive Director shall, following receipt of *The Report of the Chief Returning Officer* from the CRO, provide to Students' Council a copy of the *Report* that has any confidential information removed as per relevant privacy legislation.
- 2.2.8 The CRO may, at her/his discretion, delegate to a DRO, or DROs, any administrative, Election or campaign related function.

The CRO, at her/his discretion, may request from the Executive Director the support of a staff person of the Students' Association to undertake any administrative function on her/his behalf. If requested, the Executive

Director will act as the key liaison between the CRO and any staff member as so requested.

The CRO shall, under no circumstances, delegate or request any person to perform:

- (a) Interpretation of the EOCIGPP (Subsection 1.4)
- (b) The exercise of discretion (Subsection 2.2.3)
- (c) The preparation and delivery of "The Report of the Chief Returning Officer" (Subsection 2.2.5)
- (d) The determination of the validity of nomination papers (Subsection 4.1)
- (e) Detailed Election or campaigning information (Subsections 4.2 & 4.3)
- (f) Determination of the proper expenditure of campaign expenses (Subsection 4.2.4)
- (g) Responsibility for the supervision of balloting (Subsection 5)
- (h) Any disqualification or disallowance of campaigning (Subsection 6)
- (i) Handling of complaints (Subsection 7)
- (j) Appearing before and responding to the needs of the EARB (Subsection 8.3.2).

2.3 Deputy Returning Officer(s)

2.3.1 The DRO(s) are expected to:

- (a) Be self-motivated;
- (b) Have a flexible work-schedule;
- (c) Commit to holding office hours during annual election as necessary;
- (d) Be familiar with and demonstrate understanding of these policies and of the relevant By-laws when communicating with nominees and candidates; and
- (e) Receive questions, concerns and, if needed, direct any concerns to the CRO.
- (f) Be able to work for the entire duration of the in-person voting period, evening voting station reconciliation and final vote count.

2.3.2 The DRO(s) shall:

- (a) Perform such duties as may be assigned to her/him/them by the CRO.
- (b) Represent the CRO at any meeting of the Students' Council, AGM or SGM at which the CRO cannot be present.
- (c) Adhere to any additional policies set down by the CRO.

2.4 Poll Clerks

2.4.1 The Poll Clerk(s) at each Voting Station shall:

- (a) Place and maintain the ballot box on a desk, table or other similar place so that it is raised above the floor and constantly in the view of all persons present.
- (b) Keep the ballot box sealed.
- (c) Maintain the voters list in the manner prescribed by the CRO.
- (d) Instruct the voters only in the manner in which the ballots are to be marked in order to be valid.
- (e) Issue ballots only to eligible voters.
- (f) Permit eligible voters to vote only once.
- (g) Initial each ballot prior to it being cast.
- (h) Remain at their Voting Station unless relieved by the CRO, a DRO, or another Poll Clerk.

- (i) Prevent any materials other than ballots legally cast from entering the ballot box.
- (j) Cast their votes while off-duty as a Poll Clerk.
- (k) Adhere to any additional policies set down by the CRO.

2.5 Ballot Counters

2.5.1 Ballot Counters shall:

- (a) Be appointed by the CRO to carry out the counting of ballots. If MRU students are appointed as Ballot Counters, these students must be non-affiliated with any candidate or OCG nor be currently serving on Students' Council nor have served on Students' within the last year ;
- (b) Examine and write "rejected" on every paper and/or ballot according to Subsection 4.5.
- (c) Conduct an accurate tally of ballots as per the CRO's instructions.
- (d) Adhere to any additional policies set down by the CRO.

3. OTHER CAMPAIGN PROCEDURES

3.1 Establishment of Other Campaign(s)

- 3.1.1 In the event that Students' Council calls a Referendum or Plebiscite or, pursuant to a Petition calls a Referendum, Plebiscite, SGM, or allows a question to be put forth during an AGM, notice of that Referendum, Plebiscite, SGM, or question to be put forth during the AGM, whichever the case may be, shall be promulgated by the SAMRU at least 21 days in advance of the day on which the Referendum, Plebiscite, SGM, or AGM is to be held.
- 3.1.2 Students' Council shall establish by resolution, at least 21 days in advance of a Referendum or Plebiscite:
 - (a) The dates and times for campaigning.
 - (b) The dates and times for online voting.
 - (c) The dates and times for in-person voting.
 - (d) The official voting station locations
 - (e) The maximum campaign expenditure an OCG may incur.
- 3.1.3 There shall be one OCG Leader elected by simple majority vote of the OCG members at a meeting duly called for such a purpose. Quorum for said meeting shall be 60% of the total OCG membership on the date of the leadership vote.
- 3.1.4 To be the officially registered OCG representing one side of an Other Campaign, the OCG shall be the first OCG representing that one side to file with the CRO a valid registration. That registration must include:
 - (a) The signatures of those comprising the OCG and their student identification numbers.
 - (b) An address to which documents respecting the OCG may be delivered.
 - (c) The name, address, student identification number, and consent by signature of the OCG Leader.
 - (d) For which side of the Petition, Plebiscite or Referendum question the OCG seeks to campaign, or whether the OCG is for or against proposed changes to SAMRU Bylaws.
- 3.1.5 There shall be only one officially recognized OCG representing each side of a Petition, Plebiscite or Referendum question, and only one for and one against proposed changes to SAMRU Bylaws.
- 3.1.6 Should a Petition be required by an OCG to achieve its objectives (i.e., that OCG is attempting to invoke the calling of a Referendum, Plebiscite

or SGM), following registration with the CRO, an OCG shall provide the CRO prior to soliciting signatures from SAMRU membership in support of the Petition, a detailed written outline of the text of the Petition, including the proposed question to be put to the Electors and the justification for the Petition's goal.

- 3.1.7 The CRO shall approve or reject the text of the Petition.
- 3.1.8 In the event that the CRO rejects the text of the Petition, s/he will advise the OCG Leader how the Petition can be altered in order to make it acceptable. The CRO may or may not seek legal counsel in the matter. The OCG may or may not seek legal counsel in the matter but at its sole expense.
- 3.1.9 In the event that the CRO accepts the text of the Petition, the OCG may proceed to solicit signatures from SAMRU membership in support of the Petition.
- 3.1.10 Upon receipt of the Petition affixed with the signatures of at least 10% of the Active Members of the Association, and upon verification of the validity of these signatures, the CRO shall immediately present the Petition to the President of SAMRU.
- 3.1.11 Upon receipt of the Petition from the CRO the President of SAMRU shall, depending on the request of the Petition, call a Referendum, Plebiscite, SGM, or make provisions for the content of the Petition to be dealt with during an AGM if appropriate.
- 3.1.12 In the case of Petitions received by the CRO that cannot reasonably be resolved by the election, referendum or plebiscite process, the CRO may approve Petitions to be included during the next scheduled AGM, SGM or election.
- 3.1.13 In the case of an Other Campaign pertaining to proposed changes to SAMRU bylaws, following registration with the CRO and, if applicable, approval of the CRO of the Petition and the validity of signatures on that Petition, the OCG shall provide detailed notice to SAMRU membership of the proposed SAMRU bylaw changes, the Group's justification for, or denunciation of said changes, and the date, time and location of the AGM or SGM at which the proposed bylaw changes shall be voted upon.

4. NOMINATIONS AND CAMPAIGNING

- 4.1 Candidate Nominations
 - 4.1.1 To be eligible for nomination as a Candidate in an Election or By-Election, a person must:
 - (a) Be an Active Member of SAMRU in good standing.
 - (b) Be in good academic standing at Mount Royal University and have a cumulative GPA of at least 2.0.
 - (c) Not have accepted an appointment to serve as an Election Official in that Election or By-Election.
 - (d) Be a full-time student unless the candidate is a current member of the Executive Committee or is recognized by Mount Royal University as a full-time student despite taking fewer than 9 credits.
 - (e) Be either a full-time or part-time student if running for a Students' Councilor position.
 - (f) Not have been terminated from a Students' Association operated business or service (as reported to the CRO by the SAMRU Executive Director or his/her designate), and/or
 - (g) Not have been otherwise sanctioned by the Students' Association for endangering students, vandalising or stealing SAMRU property, or neglecting his/her fiduciary responsibility to

- the Students' Association (as reported to the CRO by the SAMRU Executive Director or his/her designate).
- 4.1.2 Any person whom Subsection 4.1.1 (f) or (g) applies to will not be eligible for nomination in any Students' Association Election for a period of 5 years from when such disciplinary action was ratified.
 - 4.1.3 Each person seeking nomination must file her/his Nomination Form with the CRO prior to the close of nominations. Proof of academic standing in the form of a marks release form signed by the Registrar's office and an unofficial transcript proving that the candidate is a full time student must accompany the Nomination Form.
 - 4.1.4 A Nomination Form is not valid unless, prior to it being filed:
 - (a) It states the name and student identification number of the individual seeking nomination.
 - (b) It states the position for which the person seeking nomination intends to run for.
 - (c) The signature of the person seeking nomination appears in full on the Nomination Form.
 - (d) It contains an electronic copy of the platform for the person seeking nomination.
 - (e) It is complete and on the form issued by the CRO.
 - (f) For Students' Council positions, it contains ten valid signatures, accompanied by student identification numbers, of Active Members of SAMRU.
 - (g) For Executive Committee positions, it contains twenty valid signatures, accompanied by student identification numbers, of Active Members of SAMRU.
 - (h) It contains any other information or documentation required by Students' Council or the CRO explicitly stated on the Nomination Form
 - 4.1.5 A person signing a Nomination Form may sign any number of Nomination Forms, but only give one signature per nominee.
 - 4.1.6 A person can be nominated for only one position.
 - 4.1.7 The CRO shall ensure that a copy of the Nomination Form, SAMRU bylaws, and this document are made available to any person requesting such information at least one (1) week prior to the close of nominations. It is the responsibility of the person seeking nomination to ensure that she/he complies with the SAMRU Bylaws and this document.
 - 4.1.8 The CRO shall immediately upon close of nominations, review the Nomination Forms received and ascertain, to the extent possible, which are valid. The CRO may designate a period following the close of nominations in which he/she may permit those candidates with incomplete or inaccurate nomination packages to submit corrected nomination packages. This additional review period is designed solely to encourage additional participation in elections by providing potential candidates with an opportunity to remedy any technical problems with their nominations so they can be included in the elections process.
 - 4.1.9 There shall be an All-Candidates Meeting of all Nominees and/or their Campaign Manager(s) at a time and place specified on the Nomination Form. At the All-Candidates Meeting the CRO shall:
 - (a) Inform all persons present of those who have been properly nominated, as per Subsections 4.1.3 & 4.1.4, as Candidates for the Election.
 - (b) Explain the reasons why Nomination Forms, if any, were not valid nominations.
 - (c) Announce the time and date of public Election debates.

- (d) Decide on order of Candidate positions to speak at the public debate.
 - 4.1.10 A Nominee may, by filing with the CRO a signed, written notice, withdraw her/his nomination anytime between the time the nomination is filed and 48 hours prior to the opening of voting.
 - 4.1.11 If a Candidate(s) wishes to withdraw during the voting period, they may do so by filing signed, written notice with the CRO. The Candidate(s) name(s) may remain on the ballot, however a notice of removal will be posted at all polling stations and on the SAMRU website.
 - 4.1.12 The CRO, or designate, shall inform Students' Council at its next general meeting following close of nominations or at a special meeting called for that purpose of any position for which no Candidate has been successfully nominated.
- 4.2 Campaigning
- 4.2.1 Personal campaigning may occur at any point throughout the year. Public campaigning, including electronic campaigning, may only be done during the official campaigning times, as determined by Students' Council (see subsection 1.4).
 - 4.2.2 No campaigning (with the exception of posters displayed in the allowed areas) shall take place within 10 meters of officially designated voting stations.
 - 4.2.3 Each Candidate and/or Campaign Manager, and OCG Leader must arrange for the collection of all posters and any additional campaign materials prior to the designated time on the last day of voting. Once collected, these materials must be given to the CRO if requested as stipulated in section 2.2.2(r). The CRO may request a printed copy of any electronic materials used by the candidate.
 - 4.2.4 Each Candidate and OCG must pay for their own expenses up to a maximum to be determined by Students' Council. This amount includes all donations of materials and materials previously paid for, for the purpose of being used during their campaign.
 - 4.2.5 Each Candidate and/or her/his Campaign Manager, and OCG Leader must submit all receipts from campaign expenses to the CRO, or designate prior to designated time on last day of in-person voting.
 - 4.2.6 There shall be no campaigning or advertising by Candidates and/or their Campaign Manager(s), or OCG Members in any newspapers found on campus. This includes writing letters-to-the-editor, "three lines for free," or a newspaper story by or about a Candidate or Other Campaign initiated by a Candidate and/or his/her Campaign Manager, or an OCG member.
 - 4.2.7 There shall be absolutely no off-campus advertising by any Candidates or their Campaign Manager(s), or by any OCG members. This does not include electronic campaigning.
 - 4.2.8 Websites are allowed only during the Official Public Campaigning period, and are required to be cited in a Candidate(s) or Other Campaign(s) expense report. Any website initiated by a Candidate(s), their Campaign Manager(s), or by members of OCGs must adhere to Subsection 4.2 and 4.3.
 - 4.2.9 There shall be absolutely no campaigning by members of a campaign team of any sort permitted in the Library, the Liberty Lounge, or at any functions at which alcohol is served in Wyckham House, by any Candidate(s) or their Campaign Manager(s), or by members of OCGs with the exception of the display previously affixed campaign materials in the Wyckham House food court during times that the Wyckham House food court is used for the service of alcohol.

- 4.2.10 Candidates should refrain from approaching electors who are working at fixed computer stations for the purposes of public campaigning.
 - 4.2.11 There shall be no use of job or volunteer privileges with MRU or SAMRU for campaigning and/or advertising purposes.
 - 4.2.12 The CRO, upon seeking legal counsel in the matter, shall not permit the posting of any campaign materials or the conducting of any campaign activity deemed by her/him to be inflammatory, in bad taste, or in any way violating the thirteen grounds of discrimination as defined by the Alberta Human Rights and Citizenship Commission.
 - 4.2.13 Campaign materials shall promote only the Candidate or OCG for whom/which the materials were produced and may not jointly promote more than one candidate.
 - 4.2.14 A violation of any of Subsection 4.2.1 to 4.2.13 inclusive by a Candidate, Campaign Manager or OCG Leader may result in penalization, as outlined in Subsection 6.3.
- 4.3 Display of Campaign Materials
- 4.3.1 Campaign materials can be produced, displayed, and distributed by candidates for Students' Council up to a predetermined spending limit as put forth by Students' Council. Students' Councilor Candidates' campaign platforms will also be included in the ThInk Elections Supplement unless otherwise stated by the CRO.
 - 4.3.2 Campaign materials displayed in Wyckham House, including the walkway link (except those which are produced by the Students' Association) must:
 - (a) Not exceed eleven by seventeen (11x17) inches with the exception of one poster which may be of any size;
 - (b) Only be on the following surfaces:
 - (i) Red brick pillars; and/or
 - (ii) Horizontal brick surfaces between brick pillars; and/or
 - (iii) Painted or unpainted brick or concrete;
 - (c) Be applied using masking tape only
 - 4.3.3 Campaign materials in Mount Royal University (except those which are produced by the Students' Association) may be displayed:
 - (a) In designated areas at the West Gate entrance, East Gate entrance, Recreation Wing, EA Building, and on the main floor across from Tim Hortons;
 - (b) In Residence building, as per guidelines set out by Residence Administration;
 - (c) On public bulletin boards, with a maximum of one (1) poster per board not exceeding eleven by seventeen inches (11x17) inches;
 - (d) At any other location that may be explicitly approved by the CRO from time to time.
 - 4.3.4 For the designated areas mentioned in Subsection 4.3.3 (a), the available area for Candidates will be divided up equally in a grid-like fashion to ensure an equal area for all Candidates. The divided areas will be available on a first-come first-serve basis. A Candidate will be allowed to fill up his/her area with any campaign materials, so long as they adhere to Subsections 4.2, and Subsection 4.3. The CRO will inform Candidates of the area available for them at the All-Candidates meeting. The SAMRU Communications Department will be responsible for taping off the area for Candidates prior to the campaigning period.
 - 4.3.5 With the exception of Students' Association produced materials, posters shall not be displayed or affixed:
 - (a) In the Liberty Lounge in Wyckham House;

- (b) Between the food kiosks in Wyckham House, including around the washrooms;
- (c) Along or on anything suspended from second floor railings in Wyckham House;
- (d) As stipulated by MRU Policies;
- (e) In any area of the university other than the East Gate entrance, the West Gate entrance, Recreation wing, Wyckham House and the main floor across from Tim Horton's, or any other area that may be explicitly approved from time to time;
- (f) On doors, lockers, glass, woodwork, cloth, metal (painted or unpainted), drywall (painted or unpainted), floor, ceiling, or furniture surfaces;
- (g) In any computer lab, as deemed as such by the university or the CRO;
- (h) In the Library.

The CRO will exercise discretion in consideration that campaign materials may be carried into these areas by students unaffiliated with a Candidate or OCG.

- 4.3.6 A violation of Section 4.3.1 to 4.3.5 inclusive by a Candidate, Campaign Manager(s), Campaign Group and/or Campaign Group Leader may result in penalization, as outlined in Subsection 6.3.4.

5. VOTING AND VOTE COUNTING

5.1 Ballots

- 5.1.1 In the case of an Annual Election, By-Election, Plebiscite, and Referendum each position being contested or question being asked shall be on a printed ballot or an official online form.
- 5.1.2 There shall be printed on the ballot brief instructions to the Elector as may be necessary to inform her/him of the manner in which the ballot is to be marked.
- 5.1.3 In the case of a ballot for a position where there has been more than one Candidate nominated, there shall be:
 - (a) The given names (including nickname if requested in writing by the Candidate that it be included) of all Candidates arranged in alphabetical order by surname; and
 - (b) A space to the right of each Candidate's name for the indication of a choice of that Candidate.
- 5.1.4 In the case of the ballot where there has been only one Candidate nominated, there shall be:
 - (a) The given names of the Candidate (including nickname if requested in writing by the Candidate that it be included); and
 - (b) The words "yes" and "no" located to the right of the Candidate's name.
- 5.1.5 In the case of a Referendum or Plebiscite initiated by a Petition or by a motion of Students' Council, the question to be put to the Electors on the ballot shall be the same question called for in the Petition with the words "yes" and "no" located to the right of the question being asked.

5.2 Voting

- 5.2.1 The Executive Director of SAMRU or his/her designate, on behalf of the Students' Council, shall obtain from the Registrar's Office a list of members of SAMRU in good standing, to be used to determine the Official List of Electors.

- 5.2.2 This list shall be presented to the CRO at least five business days prior to opening of the Online voting.
 - 5.2.3 The CRO maintains final responsibility for ascertaining which of those members on the list are active members in good standing of the Association and therefore are eligible to vote.
 - 5.2.4 Any eligible voter shall be permitted to vote:
 - (a) Upon producing her/his validated student identification card; or
 - (b) Upon producing an Authorization to Vote Form signed by the CRO or (one of) the DRO(s).
 - 5.2.5 The Authorization to Vote Form shall be signed by the CRO or (one of the DRO(s)) and issued to any individual who can produce the following documentation:
 - (a) An original MRU timetable issued from the Registrar's Office showing status of this student; and
 - (b) A receipt proving that this student has paid all fees charged at the time of registration for the semester during which the Election, By-Election, Referendum, or Plebiscite is being held.
 - 5.2.6 An Advance Poll (or Online Voting) shall be established by the CRO to enable Electors to vote who require special assistance to vote or who believe they may be absent from MRU on regular Election voting days.
 - 5.2.7 All policies applying to the operation of a Voting Station during the regular voting period shall apply to the operation of the Advance Poll (or Online Voting).
- 5.3 Polling Station Operation
- 5.3.1 Immediately before the opening of the Polling Station on each day of voting, the CRO, DRO(s) or Poll Clerk shall, in view of persons present, show the ballot box so that persons present may see that it is empty, and then seal the box so it cannot be opened without breaking the seal.
 - 5.3.2 The Poll Clerk shall post, in a conspicuous location at the Polling Station, information regarding the secrecy of voting, directions for voting, and offenses that could lead to Elector disqualification.
 - 5.3.3 Each Polling Station shall be provided with tables, desks, or shelves, and suitable writing instruments for use by the Electors in marking their ballots.
 - 5.3.4 The CRO shall make available at each Polling Station a copy of the Official List of Electors, which shall be open for inspection by any eligible Elector.
 - 5.3.5 The name of each Elector shall be crossed off the List of Electors as s/he votes. Each ballot must be initialed by a Poll Clerk prior to it being issued to an Elector.
 - 5.3.6 The CRO or a DRO shall provide each Polling Clerk with a sufficient number of ballots and ballot boxes to conduct the Election at her/his Polling Station.
 - 5.3.7 The ballot boxes shall:
 - (a) Be made of a durable material;
 - (b) Be accompanied by seals to protect the contents of the ballot box against tampering;
 - (c) Be designed so that ballots, once deposited, cannot be tampered with; and
 - (d) Remain sealed and stored in a room designated for that purpose until the official counting of ballots begins.
 - 5.3.8 The ballot box shall have written on or affixed to it the following information:
 - (a) The Polling Station at which it was used;
 - (b) The date or dates for which it was used;

- (c) The signature(s) of the Polling Clerk(s) who oversaw the use of the ballot box; and
 - (d) The signature of the CRO.
- 5.3.9 If an Elector has dealt with a ballot in such a manner that it cannot be properly used, s/he shall obtain another ballot upon returning the previous ballot to the Poll Clerk. The Poll Clerk shall immediately write the word "spoiled" on the front of the previous ballot, sign the ballot, and place it in an envelope to be delivered to the CRO as per Subsection 5.3.13.
- 5.3.10 A "rejected" ballot constitutes any ballot which, at the time of official counting of the ballots:
- (a) Is not a ballot issued by the CRO;
 - (b) Does not indicate a vote for any Candidate or an answer to a "yes/no" question;
 - (c) Contains votes for more Candidates than the number of Candidates to be elected;
 - (d) Contains conflicting responses to a "yes/no" question;
 - (e) Contains votes for a Candidate who has officially withdrawn their candidacy as per section 4.1.10 and 4.1.11 or who has been disqualified by the CRO and who has either failed to file an appeal of her/his disqualification or whose disqualification has been upheld by the EARB; and/or
 - (f) Is in any other way so marked that it is uncertain what the choice of the Elector was in the discretion of the CRO.
- 5.3.11 No person shall:
- (a) Interfere or attempt to interfere with an Elector who is attempting to mark her/his ballot;
 - (b) Attempt to obtain any information at a Polling Station regarding which Candidate, or which answer to a Referendum, Plebiscite, AGM, or SGM question an Elector has voted for, is voting for, or is about to vote for;
 - (c) Prevent or attempt to prevent a person from exercising her/his right to vote; or
 - (d) Communicate any information obtained at a Polling Station regarding which Candidate an Elector has voted for, is voting for, or is about to vote for.
- 5.3.12 A violation of any provision listed in Subsection 5.3.11 above is grounds for Elector disqualification.
- 5.3.13 Upon closure of a Polling Station:
- (a) Any eligible Elector waiting in line to vote at the time of poll closure shall be permitted to vote;
 - (b) The slot of the ballot box shall be sealed and signed by the Poll Clerk, or the CRO, or a DRO so that no ballots may be deposited or removed without breaking this seal;
 - (c) The Poll Clerk shall immediately count and record the number of spoiled ballots and seal the spoiled ballots in an envelope to be returned to the CRO;
 - (d) The Poll Clerk shall deliver to the CRO all Election materials and ballot boxes immediately following Voting Station closure; and
 - (e) The CRO shall deliver the ballot boxes to the official storage area, where they shall remain undisturbed until counting begins.

5.4 Online Voting Procedure

- 5.4.1 Voting information regarding the secrecy of voting, directions for voting and online voting forms shall be posted on the SAMRU website during the online voting period.

- 5.4.2 Online voting forms shall contain the same candidate information as is present on the printed ballots.
 - 5.4.3 A voter must enter her/his name and student identification number on the online form. These will be removed from the ballot after voter eligibility is verified by the CRO or her/his designate.
 - 5.4.4 Online ballots will be printed daily, verified and sealed in an envelope where they will remain undisturbed until counting begins.
- 5.5 Ballot Count
- 5.5.1 Each Candidate or OCG may appoint one person to act as a Scrutineer.
 - 5.5.2 Each candidate shall notify the CRO of their chosen Scrutineer at least one (1) hour before the close of polling.
 - 5.5.3 If the Scrutineer is deemed by the CRO as causing a disturbance or interfering with the count, they must leave the counting room if asked to do so by the CRO.
 - 5.5.4 Ballots shall be counted at least two times immediately following the close of polling in a room designated by and authorized by the CRO.
 - 5.5.5 Ballot Counters shall return to the CRO any rejected ballots, and the CRO shall in the view of Scrutineers present, review each ballot to ascertain that it is indeed to be rejected, then initial the rejected ballot, and place it in an envelope reserved for that purpose.
 - 5.5.6 A Ballot Count shall be conducted separately for each Voting Station and the results tallied separately for each Voting Station in the prescribed form with the following information:
 - (a) The name and/or number of the Voting Station;
 - (b) The date(s) of the voting;
 - (c) In the case of an Election or By-Election, the name of each Candidate and the number of valid ballots marked for each;
 - (d) In the case of a Referendum or Plebiscite, the number of valid ballots marked in the affirmative and the number of valid ballots marked in the negative;
 - (e) The number of ballots supplied to the Voting Station;
 - (f) The number of spoiled ballots;
 - (g) The number of rejected ballots;
 - (h) The number of unused ballots; and
 - (i) The number of ballots not accounted for
 - 5.5.7 The CRO shall, upon receiving the twice verified results from each Voting Station, total the results for all Voting Stations and online ballots, thereby arriving at the unofficial Election, By-Election, Referendum, Plebiscite, AGM, or SGM results.
 - 5.5.8 The winning Candidate of each Election shall be the Candidate who receives the greatest total number of valid votes cast.
 - 5.5.9 In the case where only one Candidate has been nominated, the Nominee will be declared elected upon receiving a majority of "yes" votes.
 - 5.5.10 In the case where at least a majority of "yes" or "no" votes were received in response to a Referendum, AGM, or SGM question, this response is binding on Students' Council.
 - 5.5.11 Appointed Scrutineer(s) who have witnessed the ballot counting shall remain sequestered until after the unofficial Election, By-Election, Referendum, Plebiscite, AGM, or SGM results have been made public.
 - 5.5.12 Upon completion of the counting, the CRO shall inform the Candidates and/or their respective Campaign Managers, or OCG Leaders of the unofficial Election, By-Election, Referendum, Plebiscite, AGM, or SGM results.
 - 5.5.13 The CRO shall retain all Election, By-Election, Referendum, Plebiscite, AGM, or SGM materials, including all lists of Electors, spoiled and

rejected ballots, Authorization to Vote Forms, Petitions, and any other papers, correspondence, etc. pertaining to the operation of the Election, By-Election, Referendum, Plebiscite, AGM, or SGM until such time as any appeals can be heard or, in any event, up to 28 days following the last day of voting.

5.6 Tie Vote

5.6.1 If it appears on the second counting of the ballots that two or more Candidates for any position, or both affirmative and negative responses to an Referenda or Plebiscite question, received the same number of votes, the CRO shall:

- (a) Write the names of those Candidates or those two responses separately on blank sheets of paper of equal size, same colour and texture;
- (b) Fold the sheets of paper in a uniform manner so that the names or responses are concealed;
- (c) Deposit them in a receptacle and direct a ballot counter to withdraw one of the sheets; and
- (d) Declare the Candidate whose name or the response which appears on this withdrawn sheet to have one more vote and therefore to be the winner.

5.7 Post-Election Vacancies

5.7.1 In the event that the President of SAMRU vacates or resigns her/his office in the Fall semester, or should an office of any Vice-President become vacant and Students' Council rejects that replacement named by the President, a By-Election shall be held as per the SAMRU Bylaws.

5.7.2 As prerequisites for a By-Election, Students' Council shall establish by resolution, within fourteen (14) days of the creation of the vacancy or within five (5) days of rejecting the President's proposed replacement, and upon the recommendations of the CRO:

- (a) The dates for filing nominations.
- (b) The dates and times for campaigning.
- (c) The dates and times for online voting.
- (d) The dates and times for in-person voting.
- (e) The official voting stations
- (e) The maximum campaign expenditure a Candidate's campaign may incur.

5.7.3 In the event that the President and/or any one of the Vice-Presidents resign his/her office during the Winter, Spring or Summer Semesters, the remaining members of the Executive Committee shall fill that/those vacant position(s) as per the SAMRU Bylaws.

5.7.4 In the event that any of the non-executive positions on Students' Council are not filled or become vacant, Students' Council shall appoint eligible students to fill the position(s) in the Fall Semester based on the recommendation(s) of the Student Council Nomination Committee.

5.7.5 In the event that in an Election or By-Election, no winner is declared by the CRO for an Executive Committee or Students' Council position as a result of no nomination being received, a Candidate receiving a majority of "no" votes on a "yes/no" ballot, or an only Candidate being disqualified by the CRO, the outgoing Executive Committee will appoint an Active Member of SAMRU to fill the position other than a losing or disqualified Candidate (who would be ineligible for an appointment to that Executive Committee position for the remainder of the current academic year) with the exception of those individuals disqualified for reasons reasonably determined to be technicalities.

- 5.8 Official Results
 - 5.8.1 Should no appeal contesting the behaviour of an Elector, Candidate, OCG Leader, and/or contesting the Election, By-Election, Referendum, Plebiscite, AGM, or SGM unofficial results, the unofficial results shall be declared to be the official results by the CRO seven days following the posting of the unofficial results.
 - 5.8.2 In the case where appeal(s) have been launched, the official results shall not be declared until the EARB has delivered decision(s) on each appeal.
 - 5.8.3 In either case, the official results must normally be delivered no later than April 30 in the case of the Annual Election.
 - 5.8.4 The unofficial Election, By-Election, Referendum, Plebiscite, SGM, or AGM results shall be posted in the SAMRU Reception within 24 hours of the announcement of results.

6. PENALIZATION AND DISALLOWANCE OF CAMPAIGNING

- 6.1 Nominee Disqualification
 - 6.1.1 A Nominee shall be disqualified by the CRO for any of the following infractions:
 - (a) Failing to meet eligibility criteria as set out in Subsection 4.1.1 of these policies;
 - (b) Failing to meet Nomination requirements, due to a technicality as set out in Subsections 4.1.3 to 4.1.4; and/or
 - (c) Seeking nomination for more than one position.
 - 6.1.2 A Nominee shall be verbally informed of his or her disqualification by the CRO, after which the nominee shall be served her/his notice of disqualification by the CRO in the form of a letter prior to the All Candidates Meeting, delivered in person or via email, which details the nature of her/his offense as defined by the CRO, and the date and time the offense occurred (if applicable). This letter shall also outline the appeal process available to the nominee should s/he wish to appeal the disqualification.
 - 6.1.3 If a Nominee served with a disqualification notice does not file an appeal with the Chairperson of the EARB within three business days following receipt of disqualification notice, that Nominee shall be removed immediately from the Election proceedings.
 - 6.1.4 If a Nominee served with a disqualification notice files an appeal within three business days of receipt of disqualification notice, s/he shall remain in the Election proceedings pending the results of the appeal (See Subsection 7).
 - 6.1.5 If a Nominee is disqualified:
 - (a) Under Subsection 6.1.1 (b), then they will be ineligible to run in the current election contest, but will still be eligible to be considered for any post-election vacancy as per the Nomination Committee terms of reference. This does not guarantee any appointment; it only entitles a disqualified Nominee to apply;
 - (b) For any other reason outlined in 6.1.1 (b), then they will be ineligible to run in an election or be available for any post-election vacancy for the remainder of the academic year.
- 6.2 Elector Disqualification
 - 6.2.1 An Elector shall be disqualified at the discretion of the CRO for committing any one of the following infractions:
 - (a) Interfering with or attempting to interfere with an Elector's right to vote;

- (b) Causing a willful disturbance at a Polling Station;
 - (c) Causing a willful disturbance at a public debate;
 - (d) Attempting to vote more than once;
 - (e) Bribery;
 - (f) Undue Influence; and/or
 - (g) Sabotage.
- 6.2.2 In the event that the CRO and/or other Election Officials witness an action by an Elector in breach of these policies and liable to disqualification, that Elector shall be notified verbally that a disqualification may be implemented, and when such disqualification may take effect.
- 6.2.3 An Elector shall be served her/his notice of disqualification by the CRO in the form of a letter, delivered in person or via email, which details the nature of her/his offense as defined by the CRO, the date and time the offense occurred, and the appeal procedure available.
- 6.2.4 An Elector served with a disqualification notice, depending on the nature of the infraction, may:
- (a) Be liable to have her/his right to vote in any SAMRU Election, By-Election, Referendum, Plebiscite, AGM, or SGM suspended for up to one year; and/or
 - (b) Be subject to less or more severe penalty as determined by the CRO.
- 6.2.5 If an Elector disqualified during the campaigning period does not file an appeal with the Chairperson of the EARB within three business days following receipt of disqualification notice:
- (a) S/he shall be removed immediately from participating in any campaigning on behalf of a Candidate; and
 - (b) S/he must serve the penalty as delivered by the CRO.
- 6.3 Candidate or OCG Leader Penalization
- 6.3.1 A Candidate or OCG Leader shall be penalized at the discretion of the CRO or EARB for committing Bribery, Undue Influence, Sabotage, and/or any of the following infractions:
- (a) With respect to campaigning
 - i. any violation of all points under section 4.2, and/or
 - ii. any violation of all points under section 4.3; and/or
 - (b) With respect to voting
 - i. interfering with or attempting to interfere with an Elector's right to vote, and/or
 - ii. causing a willful disturbance at a Voting Station; and/or
 - iii. attempting to vote more than once.
- 6.3.2 A Candidate or OCG Leader may also be held accountable or penalized for the actions of his/her Campaign Team at the discretion of the CRO or EARB.
- 6.3.3 A Candidate or OCG Leader shall be verbally informed of his or her penalization by the CRO or EARB. The CRO must provide within 72 hours to the Candidate or OCG Leader a memorandum of decision with written reasons for the penalization, delivered by hand or email by the CRO, the date and time the offense occurred, and any penalties that will be incurred for the offense. This letter shall also outline the appeal process available to the offender should s/he wish to appeal the penalization
- 6.3.4 In the event that the CRO and/or other Election Officials witness an action by a Candidate or OCG Leader in breach of these policies, that Candidate or OCG Leader shall be notified verbally or by email that a penalty may be assessed, and when such penalty may take effect.

- 6.3.5 The CRO may, at his/her discretion, issue a written warning rather than imposing a penalty for lesser offenses, especially in the case of a first offense.
- 6.3.6 A Candidate or OCG Leader served with a penalization notice may receive a sanction from the list below, at the discretion of the CRO or EARB and depending on the nature of the infraction:
- (a) A minor sanction, including but not limited to:
 - i. A monetary fine; and/or
 - ii. Disallowance of campaigning for a specified period of time; and/or
 - iii. Not be eligible to vote in the current Election, By-Election, Referendum, Plebiscite, AGM, or SGM if s/he has not already voted.
 - (b) A major sanction, including but not limited to:
 - i. Any minor sanction listed above; and/or
 - ii. Being liable to have her/his right to vote in any SAMRU Election, By-Election, Referendum, Plebiscite, AGM, or SGM suspended for up to one year; and/or
 - iii. Disqualification, and/or
 - iv. Any other sanction felt appropriate by the CRO
- 6.3.7 A minor sanction is most often appropriate where there has been no previous finding of misconduct and the misconduct is not grievous. A major sanction is most often appropriate where the misconduct is grievous or repeated.
- 6.3.8 A Candidate or OCG Leader may receive a maximum of three sanctions per campaign period (not including a written warning, if given) before they are automatically disqualified and removed from the Election proceedings.
- 6.3.9 In the event that a Candidate or OCG Leader fails to appeal their penalization or the penalization is upheld by the EARB, there shall be posted at voting stations and in several prominent locations in Wyckham House, including the SAMRU Reception, the SAMRU website and on SAMRU display boards throughout MRU, a penalization notice stating:
- (a) Name and position Candidate was in running for; and
 - (b) The reason for the penalization;
- 6.3.10 If a Candidate who is penalized during the campaigning period files an appeal with the Chairperson of the EARB within three business days following receipt of penalization notice, s/he shall be permitted to continue campaigning according to this document, pending the results of the appeal.
- 6.3.11 If a Candidate who is penalized during the campaigning period does not file an appeal with the Chairperson of the EARB within three business days following receipt of disqualification notice, s/he shall be required to serve the penalty as delivered by the CRO
- 6.3.12 If a Candidate is disqualified and does not file an appeal with the Chairperson of the EARB within three business days following the receipt of disqualification notice, then s/he must remove all campaign materials, including posters, from Wyckham House, the university, and any other location where campaign materials may be within 24 hours.
- 6.3.13 In the event that an OCG Leader is penalized by the CRO, and s/he files an appeal of her/his penalization with the Chairperson of the EARB within three business days following receipt of penalization notice, s/he shall be permitted to continue campaigning according to this document, pending the results of the appeal.
- 6.3.14 In the event that a OCG Leader is disqualified by the CRO, and s/he does not file an appeal of her/his disqualification with the Chairperson of

the EARB within three business days following receipt of disqualification notice, s/he forfeits her/his right to act as OCG Leader and the OCG must appoint a new OCG Leader to represent the Campaign during the period that the former OCG Leader is disqualified. Furthermore, the former OCG Leader may not actively campaign during the campaigning period, nor vote in the Plebiscite, Referendum, AGM, or SGM, nor actively participate in the Plebiscite, Referendum, AGM, or SGM.

6.3.15 If in the opinion of the CRO, the reasons for disqualifying an OCG Leader are sufficiently serious, the CRO may disallow the entire OCG from campaigning. In such a case, no Member of the OCG may campaign during the campaigning period. As well, the CRO reserves the right to impose additional penalties upon the OCG at her/his discretion.

6.4 OCG Member or OCG Disallowance of Campaigning

6.4.1 In the event that the CRO decides that an OCG Member has violated a provision of this document, that OCG Member can be disallowed from campaigning for the entirety of that Other Campaign, and/or disallowed from voting or actively participating in the Referendum, Plebiscite, AGM, or SGM.

6.4.2 An OCG Leader on behalf of the OCG and/or OCG Member shall be served written notice of disallowance to campaign by the CRO in the form of a letter, delivered by hand or email, which details the reasons leading to his/her decision. This letter shall also outline the appeal process available to the OCG or OCG Member should s/he/it wish to appeal the CRO's disallowance of campaigning.

6.4.3 Should, in the opinion of the CRO the reasons for disqualifying an OCG Member be sufficiently serious, the CRO may disallow the entire OCG from campaigning. In such a case, no Member of the OCG may campaign during the campaigning period. As well, the OCG may be fined.

6.4.4 The decision to disallow an OCG Member or OCG from campaigning lies with the CRO.

6.4.5 An OCG Member or OCG disallowed from campaigning may be subject to less or more severe penalty as determined by the CRO.

6.4.6 In the event that an OCG Member or OCG is served with a disallowance of campaigning notice during the campaigning period, there shall be posted in several prominent locations in Wyckham House, including the SAMRU Reception, and on SAMRU display boards throughout MRU, an announcement indicating that this OCG Member or OCG has been served with a disallowance to campaign notice, the reason for the disallowance, and the appeal procedure available to the OCG Member or OCG.

6.4.7 If an OCG Member or OCG disallowed from campaigning files an appeal within three (3) business days following receipt of disallowance of campaigning notice, s/he/it shall be permitted to continue campaigning according to this document, pending the results of the appeal.

7. COMPLAINTS AND APPEALS

7.1 Complaints

7.1.1 A complaint regarding the conduct of any Active Member of SAMRU with respect to the operation of an Election or Other Campaign may be brought to the attention of the CRO.

- 7.1.2 Such complaints must be presented in writing or through email. Upon reviewing the complaint, the CRO will decide if some further action is required.
 - 7.1.3 The CRO will provide a written response to the complainant regarding the complaint, detailing what action, if any, was taken. Should the complainant disagree with the decision of the CRO not to act upon the complaint or should the complainant believe that the CRO has not adequately acted upon the complaint, he/she may present his/her complaint in writing to the Chairperson of the EARB.
 - 7.1.4 The CRO shall be at the disposal of the EARB to provide his/her reasoning for not acting upon the complaint or for the manner in which s/he acted upon the complaint.
 - 7.1.5 The CRO shall not defend their decision but instead present to the EARB the evidence upon which their decision was based.
 - 7.1.6 A complaint regarding the conduct of the CRO, and/or DRO(s) and/or Polling Clerk(s) must be presented in writing to the Chairperson of the EARB within three (3) business days of the incident.
- 7.2 Appeals
- 7.2.1 Any Active Member of SAMRU wishing to contest the unofficial results of an Election, By-Election, Referendum, or Plebiscite must submit an appeal in writing to the Chairperson of the EARB within seven days of the posting of the unofficial Election results.
 - 7.2.2 Any Nominee, Elector, Candidate, OCG Leader, OCG Member or OCG wishing to have her/his/its penalization overturned must submit an appeal in writing to the Chairperson of the EARB within three business days of receipt of notice of penalization.
 - 7.2.3 The written submissions of all appellants shall:
 - (a) Be a signed and dated by the appellant;
 - (b) Clearly outline the appellant's justifications for launching the appeal, with specific reference to any alleged violations of SAMRU Election Policies;
 - (c) Be accompanied by any written statements from individuals having knowledge pertinent to the proceedings of the appeal; and
 - (d) Contain the appellant's proposal for resolving the dispute.

7.3 ELECTIONS APPEAL REVIEW BOARD (EARB)

- 7.3.1 The EARB shall review and deliver judgment on any appeals submitted with respect to the outcome of Elections or Other Campaigns, complaints and other procedures or decisions as required by these Election Policies.
- 7.3.2 As per SAMRU ByLaws, Students' Council shall delegate all authority regarding the operation of Elections, By-Elections, Referenda, Plebiscites, AGMs, and SGMs to the CRO and the EARB.
- 7.3.3 The EARB has the authority to overturn decisions of the CRO as stipulated in these Election Policies.
- 7.3.4 The EARB shall be a non-judicial independent investigatory body which will set out to review the decision(s) of the CRO when an appeal is brought forward in regards to the decision.
 - (a) The EARB has the ability to call witnesses and request the submission of evidence for the purposes of their review;
 - (b) The EARB has the ability to reverse, remove, replace, or alter a sanction imposed upon a candidate, elector, or OCG leader.

- 7.3.5 All members of the EARB are voting members except for the minute-taker, and the Chair. The EARB shall be comprised of the following members:
- (a) a Chair appointed by Students' Council from the members of the Students' Association Advisory Board;
 - (b) two (2) Students-at-Large who are Active Members of the Association in good standing and are appointed and ratified by Students' Council according to the ByLaws of SAMRU;
 - (c) an appropriate staff member of SAMRU for the sole purpose of recording minutes of its meetings, who shall act in a non-voting capacity.
- 7.3.6 The Chair is in charge of every aspect of an investigation from deciding upon pre-investigation logistics, conducting the investigation itself, presiding over the deliberations of the board, and issuing the report and decision on behalf of the board.
- 7.3.7 In the event that a member of the EARB becomes nominated as a Candidate or OCG Leader, publicly supports and/or assists any Candidate, acts as an Election Official, becomes a member of an OCG in any capacity, or becomes involved in a partisan way in any Other Campaign, s/he is required to relinquish her/his position on the EARB.
- 7.3.7.1 Such vacancies shall be filled by an appointment from Students' Council.
- 7.3.8 In the event of a dispute concerning eligibility for membership of the EARB, the decision of the Students' Council of SAMRU shall be final.
- 7.3.9 No person who is deemed by Students' Council to have taken deliberate actions to reflect poorly on Students' Council, or on Election, By-Election, Referendum, or Plebiscite proceedings, or the EARB itself shall be eligible for membership on the EARB.
- 7.3.10 An Active Member who is not satisfied with the decision of the CRO or considers that the conduct of the election has been improper may appeal the matter to the EARB.
- (i) An appeal shall be made in writing setting out the reasons for the appeal.
 - (ii) Upon receipt of a written appeal, the EARB may refuse to consider the appeal on grounds that the appeal is frivolous, unwarranted or not a matter to be handled by the EARB.
 - (iii) The members of the EARB must meet within a reasonable period of time following receipt of notice of appeal depending upon the nature of the appeal (normally 48 hours). Appeals shall be dealt with in the order in which they were received. The EARB must promulgate its written decision(s) within seven business days of the Chairperson receiving an appeal. A matter under appeal may be confirmed, reversed, or varied.
- 7.3.11 Quorum for the EARB shall be three (3) voting members of the EARB including the chair.
- 7.3.12 The EARB has the right to request Students' Council to appoint legal counsel on its behalf. That legal counsel shall normally be that lawyer with whom SAMRU usually works and who is familiar with the operations of SAMRU.

- 7.3.13 The EARB shall post in several prominent locations in Wyckham House, including the Executive Offices, and on SAMRU display boards throughout MRU an announcement of an appeal.
- 7.3.14 The EARB shall take written statements from whomever it deems able to assist in determining a fair ruling through the provision of information that is relevant to its deliberations,
- 7.3.14.1 These statements are to be signed and dated by the submitter.
- 7.3.14.2 Those who provide statements will be open to questioning by all parties.
- 7.3.15 Decisions of the EARB are arrived at by means of a simple majority vote and all decisions of the EARB are final.

7.4. DECISIONS OF THE ELECTIONS APPEAL BOARD ON THE DISQUALIFICATION OR DISALLOWANCE OF CAMPAIGNING.

- 7.4.1 In the event that a decision of the CRO to disqualify a Nominee is overturned by the EARB:
- (a) the Nominee shall be reinstated immediately to the Election contest; and
 - (b) the Nominee shall adhere to all campaigning policies and deadlines irrespective of any lost campaigning time s/he may have incurred due to the nomination disqualification and subsequent reinstatement.
- 7.4.2 In the event that the decision of the CRO to disqualify a Nominee is upheld by the EARB, the Candidate shall be removed immediately from the campaigning and/or Election proceedings.
- 7.4.3 In the event that the decision of the CRO to disqualify an Elector is overturned by the EARB:
- (a) the Elector shall be eligible to vote only if Voting Stations remain open at the time the decision is delivered and provided that s/he has not already voted;
 - (b) if prior to disqualification of the elector the elector has not voted, upon submitting their appeal request and be granted the right to cast their ballot, which will held in a sealed envelope and may be counted pending the decision of the EARB
 - (c) may replace the existing penalty with an alternate sanction or penalty as per section 7.4.4
- 7.4.4 In the event that the decision of the CRO to disqualify an Elector is upheld by the EARB, the Elector shall be required to serve the penalty as delivered by the CRO or another more or less severe penalty as determined by the EARB.
- 7.4.5 In the event that the decision of the CRO to disqualify a Candidate is overturned by the EARB:
- (a) the Candidate shall be officially reinstated immediately to the campaigning and/or Election proceedings;
 - (b) there shall be posted in several prominent locations in Wyckham House including the Executive offices, and all Voting Stations and SAMRU display boards throughout MRU, an announcement indicating that this Candidate's disqualification has been overturned by the EARB, and therefore any ballot cast in her/his favour shall be a valid ballot;

- (c) s/he shall be declared the winner as per Section IV if s/he has received the majority of votes in her/his favour;
 - (d) may replace the existing penalty with an alternate sanction or penalty as per section 7.4.4
- 7.4.6 In the event that the decision of the CRO to disqualify a Candidate is upheld by the EARB, or if the disqualified candidate fails to submit an appeal within three days, as per section 6.3.10 to 6.3.15:
- (a) s/he shall be removed immediately from the campaigning and Election proceedings;
 - (b) her/his name shall be removed from the Election ballots, time permitting;
 - (c) there shall be posted in several prominent locations in Wyckham House including the Executive offices, and all Voting Stations and SAMRU display boards throughout MRU, an announcement indicating that this Candidate's disqualification has been upheld by the EARB, and thus any ballot cast in her/his favour shall be declared a rejected ballot;
 - (d) s/he shall not be eligible to be declared a winner in the Election; and
 - (e) s/he shall be required to serve the penalty as delivered by the CRO or another more or less severe penalty as determined by the EARB.
- 7.4.7 In the event that the decision of the CRO to disqualify an OCG Leader is overturned by the EARB:
- (a) the OCG Leader shall be officially reinstated and therefore shall be allowed to represent her/his OCG and campaign on its behalf;
 - (b) there shall be posted in several prominent locations in Wyckham House including the Executive offices, and all Voting Stations and SAMRU display boards throughout MRU, an announcement indicating that this OCG Leader's disqualification has been overturned by the EARB; and
 - (c) s/he shall be required to serve the penalty as delivered by the CRO or another more or less severe penalty as determined by the EARB.
- 7.4.8 In the event that the decision of the CRO to disqualify an OCG Leader is upheld by the EARB or if the disqualified OCG leader fails to submit an appeal within three days, as per section 6.3.10 to 6.3.15:
- (a) s/he shall be disallowed from campaigning during the entirety of that Other Campaign;
 - (b) there shall be posted in several prominent locations in Wyckham House including the Executive offices, and all Voting Stations and SAMRU display boards throughout MRU, an announcement indicating that this OCG Leader's disqualification has been upheld by the EARB; and
 - (c) s/he shall be required to serve the penalty as delivered by the CRO or another more or less severe penalty as determined by the EARB.
- 7.4.9 In the event that the decision of the CRO to disallow an OCG Member or OCG from campaigning is overturned by the EARB:
- (a) the OCG Member or OCG shall be officially reinstated and therefore shall be allowed to campaign;
 - (b) there shall be posted in several prominent locations in Wyckham House including the Executive offices, and all Voting Stations and SAMRU display boards throughout MRU, an announcement

- indicating that this OCG Member or OCG's disallowance of campaigning has been overturned by the EARB; and
- (c) no s/he shall be required to serve the penalty as delivered by the CRO or another more or less severe penalty as determined by the EARB.
- 7.4.10 In the event that the decision of the CRO to disallow an OCG Member or OCG from campaigning is upheld by the EARB:
- (a) s/he/it shall be disallowed from campaigning during the entirety of that Other Campaign;
 - (b) there shall be posted in several prominent locations in Wyckham House including the Executive offices, and all Voting Stations and SAMRU display boards throughout MRU, an announcement indicating that this OCG Member or OCG's disallowance of campaigning has been upheld by the EARB and, if applicable, that the CRO will accept the next duly formed replacement OCG; and
 - (c) s/he/it shall be required to serve the penalty as delivered by the CRO or another more or less severe penalty as determined by the EARB.

7.5 DECISIONS OF THE ELECTIONS APPEAL REVIEW BOARD ON CONTESTED ELECTION RESULTS

- 7.5.1 Immediately upon receipt of an appeal of Election results from a Candidate in the case of an Election or By-Election, or an OCG Leader in the case of an Other Campaign, the Chairperson of the EARB shall order a recount of the ballots, if deemed necessary.
- 7.5.2 In the event that the EARB finds there is just cause to believe that the Election, By-Election, Referendum, Plebiscite, SGM, or AGM results may have been affected by misconduct or neglect of duty on the part of any or all Election Official(s), the outcome may be declared null and void.
- 7.5.3 In the event that part or all of an Election, By-Election, Referendum, Plebiscite, SGM, or AGM results is/are declared null and void by the EARB as the result of a successful appeal, the Student Council may, where applicable:
- (a) call a By-Election immediately, the exact date of which shall be decided by Students' Council in order to fill the vacant position(s); or
 - (b) appoint an Active Member of SAMRU to fill the position; as per SAMRU bylaw 10.4
 - (c) call another Plebiscite, Referendum or SGM (when the null and void vote occurred during an AGM, an SGM will be called); or
 - (d) make any other suitable arrangements necessary to ensure that it upholds its duty to the membership of the Association.

7.6 THE JURISDICTION OF THE EARB

- 7.6.1 The EARB is responsible for reviewing the application and interpretation of the SAMRU's policies or bylaws, as they relate to elections.
- 7.6.2 Where the interpretation of a policy or bylaw is ambiguous, the appeal board may overturn an original decision and/or impose an alternative sanction.
- 7.6.3 Where the interpretation of a policy or bylaw is unambiguous the EARB may determine an alternative sanction.

7.7 EARB PROCEDURES

7.7.1 REVIEW PROCESS

7.7.1.2 Where sanctions are being appealed and are not prescribed in policy, the EARB has the authority to develop and impose alternate sanctions with written explanation which it considers commensurate with:

- the gravity of the offence,
- the likelihood of the member or members committing a repeat offence,
- any extenuating circumstances surrounding the offence,
- the existence of prior discipline against the member or members by any campus authority,
- the laws, legislation, bylaws, or policy requirements for the situation, and
- risk and liability issues surrounding the offence.
- the level of harm or benefit to the appellant,
- the level of harm or benefit to the process or parties,
- the level of harm or benefit to other parties related directly or indirectly to the incident,
- the ability to contain or repair any real or potential damage resulting from the offence, and
- the ability to balance or compensate for any real or potential benefits resulting from the offence.

7.7.1.2 In certain circumstances where alternate sanctions are imposed the EARB must explain why the listed sanctions were inappropriate and why the alternate sanction was substituted for the original.

7.7.1.3 Where decisions other than sanctions are being appealed and when such decisions are not clearly supported in policy, the EARB has the authority to review the decision(s) and may reverse the decision(s) based on a review of the following criteria:

- whether the decision was objectively made,
- the reasonableness of the decision based on past decisions of a similar nature,
- the severity of the impact of the decision in relation to the bylaw or policy violation,
- the impact of any potential or requested outcomes on current SAMRU operations including elections processes, and future SAMRU operations.
- the laws, legislation, bylaws, or policy requirements for the situation,
- the level of harm or benefit to the appellant of both the original decision(s) under appeal and the potential or requested outcomes of the appeal,
- the level of harm or benefit to the parties involved of both the decision(s) under appeal and the potential or requested outcomes,
- the level of harm or benefit to other parties related directly or indirectly to the incident of both the decision(s) under appeal and the potential or requested outcomes

The EARB must also consider the following in its decision-making:

- the safety and security of other members using the facilities,
- the safety and security of staff and student representatives working in the facilities,
- the issue of precedents for future decision-making on similar incidents,
- the implications of its decision-making, and
- the integrity, credibility and predictability of organizational processes into the future.

7.7.1.4 In order to conduct its reviews, the EARB, or its designate, will interview the appellant and may interview witnesses to obtain as much information as possible about the incident and its circumstances.

7.8 RENDERING THE DECISION

7.8.1 Deliberating on the Case

It is essential that the EARB deliberate on the case once all evidence has been gathered. Always begin by recapitulating the facts. Only consider the evidence and arguments which have been gathered. Consider counter-arguments and differing interpretation of facts in the case. Once the facts have been confirmed to the satisfaction of the board members, proceed to the issue and consider what interpretation is best supported by the facts.

7.8.2 Deciding the Issue

In some cases, the decision will emerge quite quickly and unequivocally from the facts. In other cases, however, the evidence may be less conclusive. In these cases, boards must exercise judgment in arriving at their decisions. They do this by considering all the facts and arguments and then concluding, on the *balance of probabilities*, that one party's argument is more compelling than the other's.

Board members should consider the seriousness of the allegation and of the consequences(s) when deciding upon the basis of the balance of probabilities. The more serious the issue and outcomes the greater the need to establish the probability or likelihood of the act having been committed. If, in the opinion of the board, the evidence supports each party equally, then the board must rule in favour of the appellant.

7.8.3 Documenting the Process

The EARB shall maintain a record of deliberations, including when and how long the board met before arriving at a decision. This documentation should include:

- The process including a list of participants and meeting times, and the date the decision was rendered.
- An explanation of the issue under consideration by the board.
- A summary of the evidence presented by the parties, including witnesses' statements. Where evidence provided is contradictory, the record should indicate which evidence was excluded and why.
- Itemization of submissions received by the board.

- A summary of the outcome, including any sanctions the board feels are appropriate. The board should indicate any recommendations they have for referring cases to the Mount Royal University Office of Student Conduct.

7.8.4 Communicating the Decision

All relevant parties will be notified of the appeal board's decision within one (1) working day of the decision being rendered. A report of the decision must be circulated within seven business days of the Chair's receipt of an appeal. The report should include signatures of all board members and indicate whether the decision is unanimous, or if there are dissenting votes.