

Faculty of Music Undergraduate Association

Bylaw 2 (Elections Code)

Section 1 - Definitions.....	2
1.01 Definitions.....	2
1.02 Interpretation.....	4
Section 2 - General (Powers of the Elections Code).....	5
2.01 Jurisdiction.....	5
2.02 Administration of Elections Code.....	5
2.03 Amendments to Elections Code.....	5
Section 3 - Administration of Elections.....	5
3.01 Elections and Referenda Committee (ERC).....	5
3.02 Chief Returning Officer (CRO).....	5
Section 4 - Nominations.....	7
4.01 Nomination Package.....	7
4.02 Eligibility.....	7
4.03 Conflict of Interest.....	7
4.04 Limit on Position Sought.....	8
4.05 Nomination Period.....	8
4.06 Verification of Nomination Forms.....	8
Section 5 - All-Candidates' Meeting.....	9
5.01 Holding the All-Candidates' Meeting.....	9
5.02 Candidate Attendance.....	9
5.03 Candidate Ratification.....	9
5.04 Meeting Process.....	10
Section 6 - Campaigning.....	10
6.01 Campaign Period.....	10
6.02 Responsibility of Candidates.....	10
6.03 Fair Play.....	10
6.04 Adherence to Existing Policy.....	11
6.05 Campaign Materials.....	11
6.06 Campaign Restrictions and Prohibitions.....	13
6.07 Cross Campaigning.....	13
6.08 Benefits Acquired by Virtue of Office.....	13
6.09 Endorsement by Current Officers and Directors of the Association.....	13
6.10 Unauthorized Campaigners.....	13
6.11 Campaign Expenses.....	13

Section 7 - Violation of Rules.....	14
7.01 CRO and ERC Authority.....	14
7.02 Allegations Process.....	14
7.03 Evidence for Rulings.....	14
7.04 CRO's Ruling.....	15
7.05 Appeals of CRO's Ruling.....	15
7.06 Candidate's Responsibility of Knowledge of Decisions.....	15
7.07 Penalties for Violations.....	15
7.08 Demerit Points.....	16
7.09 Disqualification.....	17
Section 8 - Voting Procedures.....	17
8.01 General Procedures.....	17
8.02 Election of the Candidates.....	17
8.03 Polling Stations.....	17
8.04 Counting and Tabulation of Ballots.....	18
Section 9 - Election Results.....	19
9.01 Election Results.....	19
Section 10 - Appeals.....	19
10.01 Appeals Regulation.....	19

Section 1 - Definitions

1.01 Definitions

- 1.01.01 The Chief Returning Officer and the Elections and Referenda Committee make all interpretations to this Code. For the purposes of this code:
- Arms'-Length Party** means any individual or group who is not a "non-arm's length party";
 - Association** means the University of Toronto Music Society, operating under the name Faculty of Music Undergraduate Association;
 - Board** means the Board of Directors of the Association;
 - Campaign Material** refers to any item, design, sound, symbol, file, or mark that is created or copied in any form in order to influence at least one voter to cast a ballot or not to cast a ballot, in favour or in opposition to a Candidate.
 - Campaign Period** refers to the period of time in the election schedule ratified by the Board during which Campaigning is authorised.
 - Campaigning** refers to any attempt to solicit votes for or against a candidate. Campaigning can occur even in the absence of Campaign

Materials.

- g) **Candidate** refers to any individual who has met the requirements of Section 3 and 4 of this Code.
- h) **Code** means the Bylaw 2 (Elections Code) of the Faculty of Music Undergraduate Association.
- i) **CRO** means Chief Returning Officer.
- j) **Cross Campaigning** refers to the sharing of campaign materials, slogans, tactics, identifying marks or names, other materials or joint Campaigning with the intent of associating two or more Candidates in the mind of a voter.
- k) **Director Candidate** refers to any Candidate that is not an Officer Candidate.
- l) **Endorsing/Endorsement** refers to supporting a Candidate, through either verbal or non-verbal communication, through the provision of materials, advertisements or non-financial donations.
- m) **ERC** refers to the Elections and Referenda Committee.
- n) **Fall Election** refers to the election held between the first and sixth week of the Fall Semester for the purpose of electing Members to fill the first year representative positions and any other vacant positions.
- o) **FMUA** means the Faculty of Music Undergraduate Association.
- p) **Harassment** means engaging in a course of vexatious comments or conduct that is known or ought reasonably to be known to be unwelcome.
- q) **Member** refers to any individual who is a current member of the Association as defined in the Association Bylaws.
- r) **Nominee** refers to any individual who obtains a nomination form intending to seek nomination from the membership and/or Constituency for a position on the FMUA Board of Directors.
- s) **Nomination Period** refers to the period of time in the election schedule ratified by the Board during which Members may seek nomination from the membership.
- t) **Non-Arm's-Length Party** means an individual or groups that can be show to have:
 - (i) Publically campaigned with a Candidate;
 - (ii) Campaigned using a Candidate's approved physical materials;
 - (iii) Performed Campaign-related tasks that are not Campaigning on behalf of the Candidate; or
 - (iv) Had their actions which are deemed in violation of the Code publically defended by the candidate.
 - (v) This does not apply if the Candidate has publically stated that they do not desire or condone the party performing such tasks.

- u) **Officer Candidate** refers to Candidates running for the position of President, Vice-President Internal, Vice-President Communications, Vice-President Academic, Vice-President External, and Vice-President Student Life.
- v) **Polling Station** means any Association-sanctioned ballot box or computer with voting provisions during the election period.
- w) **Poster** shall refer to print media to be affixed to a surface, or displayed for viewing.
- x) **Social Media** means websites and applications that enable users to create and share content or to participate in social networking.
- y) **Spoiled Vote** means any ballot cast that meets the definition of an invalid ballot as described in Section 7.05.04.
- z) **Spring Election** refers to the election held between the sixth and twelfth week of the Spring Semester for the purpose of electing Members to fill all positions on the Board of Directors.
- aa) **Valid Identification** means a valid University of Toronto student identification card (i.e. T-Card).
- bb) **Valid Vote** means any ballot cast that is not a spoiled vote.
- cc) **Votes Cast** refers to the total number of Valid Votes and the total number of Spoiled Votes.
- dd) **Voting Period** refers to the period of time in the election schedule, as defined in Section 8, during which Members may cast their vote(s).

1.02 Interpretation

1.02.01 In this code, unless a contrary intention appears:

- a) Words importing the singular include the plural and vice versa;
- b) Words importing one gender include all genders; and
- c) All capitalized terms found herein but not defined have the meaning ascribed to them are found in the Faculty of Music Undergraduate Association constitution.

Section 2 - General (Powers of the Elections Code)

- 2.01 Jurisdiction
 - 2.01.01 The provisions of this Code shall apply to those elections conducted by the Association, the Candidates within those elections, and any Non-Arms' Length Parties.
 - 2.01.02 Where this Code is in contradiction with the Association's constitution (Bylaw 1), the Association's constitution will prevail.
- 2.02 Administration of Elections Code
 - 2.02.01 It is the duty of the Chief Returning Officer and the Elections and Referenda Committee to administer this code and to uphold its spirit and principles.
- 2.03 Amendments to Elections Code
 - 2.03.01 The Association's Elections and Referenda Committee may amend the Code and recommend changes to elections policies to the Board of Directors.
 - 2.03.02 Amendments to the Code must be ratified through the process described in Article 17.03 of the Association's constitution (Bylaw 1).
 - 2.03.03 The Association cannot adopt amendments to the Code between the commencement of the Nomination Period(s) and the announcement of results of each election period.

Section 3 - Administration of Elections

- 3.01 Elections and Referenda Committee (ERC)
 - 3.01.01 As stated in the Association's bylaws, the ERC oversees the elections and referenda of the Association.
 - 3.01.02 The ERC serves as the CRO hiring committee.
 - 3.01.03 The ERC reserves the right to overrule decisions made by the CRO.
 - 3.01.04 All ERC members shall act impartially during the election period. Failure to act impartially may result in removal from the ERC.
 - 3.01.05 The ERC Chair issues the official election and referenda results to Candidates, the membership and the media, as appropriate.
 - 3.01.06 If an ERC member resigns, the Board of Directors may elect another Director to fill the vacancy.
 - 3.01.07 The ERC shall recommend schedules for the Fall Elections and Spring Elections to the Board for ratification.
- 3.02 Chief Returning Officer (CRO)
 - 3.02.01 The CRO shall be selected by the ERC in accordance with the Association's bylaws and policies. Should the election only contain First Year Classical and First Year Jazz Directors, the Board may decide, by supermajority, to appoint the Vice-President Internal as CRO for that election.
 - 3.02.02 Duties of the CRO
 - a) The CRO shall report to the ERC and ERC Chair.
 - b) The CRO shall oversee and be responsible for all proceedings of the elections and referenda of the Association.

- c) The CRO shall ensure that elections and referenda are conducted in accordance with the requirements outlined in the Association's Elections Code and constituting documents.
- d) The CRO shall ensure fairness and impartiality in the conduct of the election.
- e) The CRO shall adhere to the Association's Code of Conduct, bylaws, and policies.
- f) The CRO shall post and maintain regular office hours during the elections period.
- g) The CRO shall organize and conduct the All-Candidates Meeting.
- h) The CRO shall authorize all election notices, publicity and campaign materials regulated by the Elections Code.
- i) The CRO shall write a final qualitative report immediately following the end of the elections period for the Board.
- j) The CRO shall serve on any such bodies as required by virtue of the position.
- k) The CRO shall set-up, supervise, and tear-down election polling stations.
- l) The CRO shall assume other duties assigned or deemed necessary by the ERC Chair and the ERC.

Section 4 - Nominations

4.01 Nomination Package

- 4.01.01 The ERC shall prepare a nomination package containing a list and description of all the positions available, the elections period schedule, the nomination form, brief instructions on the nomination process, and a copy of the Elections Code to the Association prior to the Nomination Period.
- 4.01.02 Hard copies of the nomination form shall be made available in the FMUA Office, and a digital file of the nomination form shall be made available for download from the FMUA website.
- 4.01.03 Officer nomination forms must be signed by at least thirty (30) Members.
- 4.01.04 Director nomination forms must be signed by at least twenty (20) Members.

4.02 Eligibility

- 4.02.01 All Candidates must be full-time or part-time Members of the Association during the entire term of the position they are running.
- 4.02.02 All Candidates must complete and submit the nomination form within the designated nomination period.
- 4.02.03 The completeness, accuracy, and delivery of the nomination form is the responsibility of the Member seeking nomination.
- 4.02.04 Any person who fails to submit a valid nomination form before the end of the Nomination Period is treated as if they submitted no nomination form.
- 4.02.05 The CRO shall be obligated to refuse an application if the Nominee:
 - a) Has previously had their Membership in the Association terminated under section 3.03 (“Disciplinary Act or Termination of Membership for Cause”) of the bylaws; or
 - b) Has previously been removed from office under section 5.10 (“Investigations and Removal from Office”) of the bylaws.
- 4.02.06 The validity of any nomination may be disputed by submitting a “request to review” to the ERC no later than twenty-four (24) hours following the release of the names of eligible Candidates.

4.03 Conflict of Interest

- 4.03.01 Any current member of the Board of Directors or staff, volunteers and committee members of the Association seeking election must remove themselves from all involvement relating to the elections at the start of the Nomination Period.
- 4.03.02 Withdrawal from the Elections and Referenda Committee:
 - a) In the event of conflict of interest between Candidates and members of the ERC, the committee members shall ensure the member in conflict withdraw themselves from the committee when such a conflict is apparent.
 - b) If the member in conflict refuses to withdraw voluntarily, the other committee members may, by a two-thirds vote, force an individual to withdraw from the committee when such a conflict is apparent.

- (i) If this course of action is taken, the Chair must submit a report to the Code of Conduct Committee.
 - c) The Executive Committee shall appoint a replacement member from amongst themselves or the Board of Directors.
- 4.04 Limit on Position Sought
 - 4.04.01 A Member is limited to seek nomination for one position on the Board of Directors per election cycle. Should a Member be found to be seeking nominations for multiple positions, that Member will be treated as having not registered as a Nominee and will not be considered for candidacy for any position.
- 4.05 Nomination Period
 - 4.05.01 The Nomination Period shall be designated as five (5) academic school days during which Members of the Association may submit their nomination form.
 - 4.05.02 For Fall Elections, the Nominations Period is designated to begin within the first week of the Fall Term, as determined by the ERC.
 - 4.05.03 For Spring Elections, the Nominations Period is designated to begin within the eighth week of the Spring Term, as determined by the ERC.
 - 4.05.04 During the Nomination Period, the nomination forms must be made available through both the FMUA Office and online media.
 - 4.05.05 No nomination forms are to be accepted following the end of the Nomination Period.
- 4.06 Verification of Nomination Forms
 - 4.06.01 A Candidate's Nomination Form shall be considered valid only when the CRO has verified that:
 - a) At least 30 supporters for Officer Candidates and 20 supporters for Director Candidates are Members; and
 - b) All fields in the nomination form have been filled completely.

Section 5 - All-Candidates' Meeting

5.01 Holding the All-Candidates' Meeting

- 5.01.01 No later than twenty-four (24) hours of the close of the Nomination Period, the CRO shall contact all nominees who have completed and submitted their nomination forms and inform them of whether their nominations were successful (i.e. verified as valid), and provide the date, time, and location of the All-Candidates' Meeting.
- 5.01.02 The All-Candidates' Meeting shall be held within one (1) week from the last day of Nomination Period.

5.02 Candidate Attendance

- 5.02.01 All Nominees, or a proxy (i.e. authorized representative) of each Nominee, must attend the All-Candidates Meeting in its entirety. If this is not possible, the Nominee must contact the CRO within twenty-four (24) hours of the All-Candidates Meeting to arrange a meeting.
- 5.02.02 Any Nominee who fails to attend or send a proxy to the All-Candidates Meeting, or fails to meet with the CRO, shall not be considered a Candidate and shall be deemed ineligible to run in the election.
- 5.02.03 A proxy shall only be considered valid if the CRO is informed by the Nominee prior to the start of the All-Candidates' Meeting by e-mail of the proxy's name and authority to act on their behalf for the duration of the meeting.
- 5.02.04 A proxy may not represent more than one Nominee.
- 5.02.05 A prospective Candidate, or their proxy, whose nomination form is pending a "request for review," as per Article 3.02.06, shall be permitted to attend the All-Candidates' Meeting.

5.03 Candidate Ratification

- 5.03.01 In the event that there are vacant positions after the nomination process, the CRO will motion to allow any interested Candidates to shift their candidacy to those vacant positions.
- 5.03.02 Candidates interested in shifting their position of choice may only shift to available vacant positions within the division they originally nominated themselves for.
 - a) Candidates who applied for a Director position may only shift to another Director position.
 - b) Candidates who applied for an Officer position may only shift to another Officer position.

- 5.03.03 Candidates may not shift to any positions that will cause competition with other candidate(s) running for those positions.
- 5.03.04 Once the revised list of Candidates has been made, a motion must be made to finalize and ratify the list. The vote requires a supermajority of two-thirds to pass.
- 5.03.05 Any vacant positions following the meeting shall remain vacant until the next election.
- 5.04 Meeting Process
 - 5.04.01 All-Candidates' Meeting topics to be covered:
 - a) The Elections Code;
 - b) The election schedule;
 - c) The structure and function of the Association;
 - d) The duties and functions of the election officials; and
 - e) Other relevant topics at the discretion of the CRO.
 - 5.04.02 Each Candidate or proxy must sign a statement before leaving the All-Candidates' Meeting that indicates that they understand the rules and regulations governing the election, including the Code.
 - 5.04.03 It is the responsibility of each Candidate to understand the information provided at the All-Candidates Meeting.

Section 6 - Campaigning

- 6.01 Campaign Period
 - 6.01.01 The Campaign Period shall be ten (10) days following the All-Candidates' Meeting as determined by the ERC.
 - 6.01.02 No Candidate may campaign outside the Campaign Period. This includes, but is not limited to, posting or distributing Campaign Materials, online Campaigning, social media statements, classroom Campaign talks and Campaigning at social events.
- 6.02 Responsibility of Candidates
 - 6.02.01 Candidates are responsible for actions and violations of any Non-Arm's Length Party. The CRO reserves the right to investigate and make rulings in exceptional cases.
 - 6.02.02 Candidates are to keep a positive, professional, and respectful attitude for the duration of the Elections.
 - 6.02.03 Candidates shall uphold the spirit and principles of the elections for the entire duration of the elections.
- 6.03 Fair Play
 - 6.03.01 Candidates shall campaign in accordance with the rules of Fair Play. Breaking the rules of fair play include, but are not limited to:
 - a) Breaching generally accepted community standards;
 - b) Defamation, slander, and/or libel;
 - c) Harassment;
 - d) General sabotage or disruption of the Campaigns of other Candidates;

- e) Malicious or intentional breach of elections policy;
 - f) Persistent attempts to undermine the ability of the CRO or the ERC to carry out their responsibilities; and
 - g) Any attempt to undermine the electoral process including:
 - (i) Interference with the Polling Station materials;
 - (ii) Interference with Poll Clerks; and
 - (iii) Misrepresentation of facts.
- 6.03.02 Breaking the rules of fair play may result in punishment ranging from demerit points to disqualification, as the CRO or ERC sees fit.
- 6.04 Adherence to Existing Policy
 - 6.04.01 It is the responsibility of the Candidates to ensure that all campaign tactics, materials and advertisements conform to all policies and regulations of the Association and the University, and with all municipal, provincial and federal laws.
 - 6.04.02 Campaign displays and distribution of literature on campus are also subject to the individual rules and regulations of Libraries, Buildings on Campus and campuses.
- 6.05 Campaign Materials
 - 6.05.01 All campaign material and advertisements, whether print or digital, must be approved by the CRO in advance. Materials must be processed by the CRO within twelve (12) hours of receipt from candidates. This does not apply to Candidate statements on social media platforms.
 - a) Campaign Materials containing text in any language other than English must have an accurate English translation that appears in equal stature and size.
 - b) Candidates are not permitted to refer to or make statements about another Candidate in their campaign materials, unless they are cross-campaigning.
 - 6.05.02 Campaign Materials may only be distributed or posted within the Campaign Period.
 - 6.05.03 All print Campaign Materials must be removed within seventy-two (72) hours after the close of the Voting Period.
 - 6.05.04 All web and social media pages must be removed within forty-eight (48) hours after the close of the Voting Period.
 - a) For any web or social media pages that take more than forty-eight (48) hours to remove, Candidates must submit proof of request for removal, as determined by the CRO.
 - 6.05.05 Physical Campaign Materials may not:
 - a) Be affixed in classrooms or elevators;
 - b) Be affixed on the FMUA office door or bulletin board;
 - c) Be affixed on the Edward Johnson Building's glass doors or glass rotunda on the 3rd floor;

- d) Be affixed in any locations other than the Faculty of Music (i.e. Edward Johnson Building and 90 Wellesley);
- e) Be removed from any posted location without the authorization of the CRO during the Campaign Period. This does not apply to Candidates removing their own material.

6.05.06 Candidate Posters

- a) No Candidate's Poster may overlap another Candidate's poster, or any other poster.
- b) No Candidate may post one of their Posters within 30 cm of another one of their own Posters. This does not apply if posted on lockers; however, permission to post a poster must be granted from the locker owner.
- c) Candidates are not permitted to post more than 35 posters.

- 6.06 Campaign Restrictions and Prohibitions
 - 6.06.01 To campaign in a classroom, a Candidate must obtain permission from the lecturer before the start of class.
 - 6.06.02 No campaigning of any form is permitted in the FMUA office.
 - 6.06.03 No campaign materials may be disseminated through Faculty of Music administration or platforms, including but not limited to newsletters from the Registrar's office and the Edward Johnson Building lobby TVs.
 - 6.06.04 Candidates may not campaign by distributing goods, including but not limited to food and paraphernalia. This does not apply to flyers, pamphlets, or other print campaign materials.
 - 6.06.05 Banners and other oversized physical Campaign Materials with dimensions larger than 57.2cm x 72.4cm are not permitted.
- 6.07 Cross Campaigning
 - 6.07.01 Cross Campaigning is allowed between Candidates in the elections governed by this Elections Code.
- 6.08 Benefits Acquired by Virtue of Office
 - 6.08.01 Candidates cannot use services or funds that they acquired through holding a position in a campus organization unless the same services are available to all other Candidates. This includes the use of office supplies, equipment, advertising space and staff.
- 6.09 Endorsement by Current Officers and Directors of the Association
 - 6.09.01 Current Officers and Directors are prohibited from endorsing any Candidates running in the elections.
 - 6.09.02 If a current Officer or Director is found to have endorsed a Candidate, they shall be penalized with a monetary fine of \$5.00 for the first allegation of endorsement, \$10.00 for the second allegation of endorsement, and \$15.00 for the third allegation of endorsement.
 - 6.09.03 If a current Officer or Director is found guilty of forth allegation of endorsement, the CRO must submit a report to the Code of Conduct Committee. The Officer or Director in question shall be subject to review by the Code of Conduct Committee, which may result in removal from office in accordance with section 5.10 of the By-laws.
 - 6.09.04 Current Officers and Directors are barred from running in any subsequent elections until fines are paid in full.
- 6.10 Unauthorized Campaigners
 - 6.10.01 Only members of the Association may engage in Campaigning. Any individual who has, at any point, engaged in Campaigning must provide proof of membership to the CRO and/or ERC upon request.
 - 6.10.02 All employees of the Association are prohibited from Campaigning in any way, and cannot be affiliated with Candidates.
- 6.11 Campaign Expenses
 - 6.11.01 Candidates may not incur more than \$40 in campaign expenditures.

- 6.11.02 The Association shall reimburse up to \$20 Candidates' campaign expenses provided that valid documentation is submitted to the CRO within seventy-two (72) hours of the close of voting.
 - a) Valid documentation consists of the original receipt(s) or other proof of purchase of all campaign expenditures and a list itemizing and explaining each receipt.
- 6.11.03 The CRO may at any time request from any of the Candidates original receipts for expenditures prior to the close of voting.
- 6.11.04 Candidates are prohibited from accepting campaign donations and/or sponsorship.

Section 7 - Violation of Rules

- 7.01 CRO and ERC Authority
 - 7.01.01 The CRO has the sole authority to enforce the provisions of this code.
 - 7.01.02 The ERC may enforce this Code where no ruling is given by the CRO.
 - 7.01.03 The ERC reserves the right to modify any ruling of the CRO.
 - 7.01.04 The CRO and ERC both have the power to make decisions about issues and events not otherwise covered by this code.
- 7.02 Allegations Process
 - 7.02.01 Any allegations of violations of this Code must be submitted to the CRO accompanied by evidence within forty-eight (48) hours of the violation, and within forty-eight (48) hours of the close of the Voting Period.
 - 7.02.02 Where the CRO or a member of the ERC finds evidence of a violation, the CRO or ERC may charge a Candidate with a violation of the Code.
- 7.03 Evidence for Rulings
 - 7.03.01 For a ruling to find a Candidate in violation of the Code, there must be evidence which gives due cause to believe that the violation has occurred.
 - 7.03.02 If this evidence is personal testimony, then it must be submitted to the CRO in writing, and the CRO must know the identity of the person giving the testimony.
 - a) The CRO must withhold the identity of the person giving testimony from any other party, including the ERC, and must withhold that person's identity if requested.
 - b) Any Candidate that a ruling finds in violation of the Code may request to have the evidence used in making said ruling available to them. If such a request is made, evidence must be provided within twenty-four (24) hours of the request. The evidence must be provided in a form that balances confidentiality of the complaint with the Candidate's right to knowledge of the evidence.

- 7.04 CRO's Ruling
 - 7.04.01 The CRO shall make a ruling on a violation, within twenty-four (24) hours of receiving the complaint, in writing.
 - 7.04.02 Upon receiving the complaint, the CRO must immediately contact any candidates for which the complaint applies with notice of the complaint.
 - 7.04.03 The candidate for which the complaint applies may submit a written statement to the CRO contesting the complaint.
 - 7.04.04 Upon making a ruling, the CRO must immediately contact any candidates for which the ruling applies with notice of the ruling and any punishments, and publish the details of the appeal on a designated website within forty-eight (48) hours of the ruling being made. Any decisions shall indicate the time posted.
- 7.05 Appeals of CRO's Ruling
 - 7.05.01 All CRO rulings may be appealed to the ERC. Appeals must be made in writing and submitted to the CRO.
 - 7.05.02 Any appeal of a CRO ruling decision must be submitted in writing within forty-eight (48) hours of the CRO ruling being published.
 - 7.05.03 Candidates may attend the ERC meeting at which their appeal will be considered. The Candidate may make oral statements and/or deliver a written statement to present their case.
 - 7.05.04 Upon making a ruling, the ERC must immediately contact any candidates for which the ruling applies with notice of the ruling and any punishments, and publish the details of the appeal on a designated website within forty-eight (48) hours of the ruling being made. Any decisions shall indicate the time posted.
- 7.06 Candidate's Responsibility of Knowledge of Decisions
 - 7.06.01 It is the responsibility of each Candidate to be aware of every decision made by the CRO and ERC, especially decisions regarding violations committed by that Candidate.
 - 7.06.02 Candidates are deemed to be informed of a CRO or ERC decision six (6) hours after the decision is published on a designated website, or six (6) hours after being sent notice of the decision to their preferred email address, whichever is later. Any decisions shall indicate the time posted.
- 7.07 Penalties for Violations
 - 7.07.01 Where the CRO or ERC finds there has been a violation of the Election Code by a Candidate or a Non-Arm's-Length Party of the Candidate, the CRO or ERC may, depending on the nature of the violation:
 - a) Assign a demerit point penalty resulting in a fine against a Candidate.
 - b) Disqualify a Candidate.
 - c) Declare that an election in a particular Constituency be ruled void.

7.07.02 A violation encompassing more than one offence may result in multiple penalties.

7.08 Demerit Points

7.08.01 The values listed below are the maximum that may be issued for a given violation.

7.08.02 Campaigning

Violation	Maximum Demerit Points
Misrepresentation of facts	3
Intentional misrepresentation of facts	10
Campaigning in an unauthorized area	10
Multiple violations in the same location/building	3
Campaigning within five (5) meters of a polling station	15
Pre-Campaigning	20
Post-Campaigning	3
Campaigning to a student while they are voting	15
Unauthorized campaigners	10
Breaking University, municipal, provincial, and/or federal law/regulation while Campaigning	30

7.08.03 Campaign Materials

Violation	Maximum Demerit Points
Misrepresentation of facts	3
Intentional misrepresentation of facts	10
Displayed in an unauthorized area	5
Improper distribution of Campaign Materials	7
Multiple violations in the same location/building	3
Unapproved Material	15
Pre-Campaign Material	20
Post-Campaign Material	3

7.08.04 Fair Play

Violation	Maximum Demerit Points
Unsanctioned use of Association resources	10
Malicious or intentional violation of Elections Code	20
Failure to comply with the spirit/purpose of elections	20
Repeated frivolous complaints and/or appeals	3
Spending over the prescribed limit, as per Section 6.09, to a maximum of five dollars (\$5)	2 per \$1

- 7.09 Disqualification
- 7.09.01 Violations of the following nature will result in an automatic disqualification of a Candidate:
- a) Being ineligible as per Section 3 and 4;
 - b) Spending more than five dollars (\$5) over the maximum spending limit as per Section 5.11;
 - c) Intentional misrepresentation of campaign expenditures;
 - d) Accruing greater than 100 percent (100%) of the allowable demerit point limit of 30 points.
- 7.09.02 In the event that a winning Candidate in any election is disqualified, the runner-up will become the winner.
- a) If there is no runner up, the position shall remain vacant and the vacancy shall be filled according to the Association's bylaws and policies.

Section 8 - Voting Procedures

- 8.01 General Procedures
- 8.01.01 Voting may take place by paper ballot, online voting, or a combination of the two methods.
- 8.01.02 Valid Identification (i.e. T-Card) is required for voting by paper ballot.
- 8.02 Voting Period
- 8.02.01 The Voting Period shall be the last five (5) days of the Campaign Period, as determined by the ERC.
- 8.03 Election of the Candidates
- 8.03.01 Winners shall be elected by the first-past-the-post electoral system.
- 8.03.02 If there is only one candidate for any position, there will be a confirmation vote put to the membership. The ballot will contain the Candidate's name and an option of "Yes" or "No" for the Candidate. In the event that there are more "No" votes than "Yes" votes, the position is declared vacant.
- 8.04 Polling Stations
- 8.04.01 Locations of Polling Stations
- a) Locations of polling stations shall be determined by the Elections and Referenda Committee in consultation with the CRO.
 - b) In allocating polling stations, the ERC will consider factors including, but not limited to, cost, logistics, proximity to other polling stations, accessibility, traffic, and polling locations in previous elections.
 - c) The ERC shall have the power to ratify a new polling location should a previously chosen location become unavailable or prove impractical for election needs.
 - d) In the event that the ERC ratifies new polling locations, the CRO must inform Candidates of the change within twelve (12) hours or before the next opening of polling stations, whichever is sooner.

- 8.04.02 Polling stations shall be publicized before the start of the Campaign Period.
- 8.05 Counting and Tabulation of Ballots
- 8.05.01 This section applies only if paper ballots are used during the election period.
- 8.05.02 Immediately after the Voting Period closes, the CRO and scrutineers chosen by each candidate (one [1] representative per candidate) shall collect the ballot box(es) and proceed to a room that will be designated as the counting room.
- 8.05.03 No person shall leave the counting room until the final results have been tabulated and ratified or unless authorized by the CRO.
- 8.05.04 Invalid ballots (“spoiled ballots”) shall be those fulfilling the following descriptions:
- a) Ballots with more x markings than the number of Candidate positions available;
 - b) Ballots with no markings;
 - c) Ballots with markings, but none clearly indicating a vote for a candidate;
 - d) Ballots where the voter’s intention cannot clearly be ascertained;
 - e) Ballots which are improperly printed or distributed; or
 - f) Ballots which are ripped or otherwise destroyed.

- 8.05.05 Invalid ballots shall be tallied as a spoiled vote.
- 8.05.06 An automatic recount will take place if the vote margin on the paper ballots is within the five (5) votes.
- 8.05.07 Complaints raised by any scrutineers regarding the validity of any ballot will be discussed among those present and the CRO will make the final decision regarding the validity of the ballot.
- 8.05.08 Upon completion of counting, the CRO and the scrutineers present shall ratify the tabulation of the results.

Section 9 - Election Results

9.01 Election Results

- 9.01.01 In the event of a tie, the winner(s) are decided in a run-off election commencing within two weeks of the release of unofficial results.
- 9.01.02 The CRO shall inform all of the candidates of the unofficial results within twenty-four (24) hours of their tabulation. This should include a complete report on the statistics of total votes and spoiled votes for each Candidate.
- 9.01.03 After the appeals period is over, the CRO shall announce the unofficial results to the Members of the Association within twenty-four (24) hours. This should include a complete report on the statistics of total votes and spoiled votes for each candidate, a list of any appeals that have been made, and a list of vacant positions that remain, if any.
- 9.01.04 Candidates will not be deemed officially elected until they have been ratified by the Association's Board of Directors at the subsequent meeting following the election results with the condition that there are no outstanding appeals involving the Candidate.

Section 10 - Appeals

10.01 Appeals Regulation

- 10.01.01 Any Candidate may challenge the validity of their election result in a written submission containing their reasons to the CRO within forty-eight (48) hours of the close of the Voting Period.
- 10.01.02 The CRO shall investigate any appeal and make a recommendation to the Board of Directors via the ERC on the appropriate action.
- 10.01.03 Upon the recommendation of the ERC, the Board of Directors may refuse to ratify any single election. The Board of Directors may not amend rulings of the CRO or ERC.

Amended August 31st, 2016

Ratified September 10th, 2016

Amended July 3rd, 2024



University of Toronto Faculty of Music
Edward Johnson Building
Room 312

20

Ratified August 16th, 2024

Amended November 23rd, 2024