



Election Regulations

Adopted: January 31st, 2024

Version	Description	Author(s)	Adoption
1	Initial Version	Alex Stodja (VP Internal), Anojan Kanagalingam (Chief Elections Officer)	March 28th, 2019
2	Acronym fixes, Amendments to CEO duties, nomination paper, official representative, candidate withdrawal, direct control, campaign materials, furnished materials, name not on list, and recording board	Alex Stodja (President), Fabrien Francione (Chief Elections Officer)	February 17th, 2020
3	Addition of Definitions, Purpose, and Simply Voting Platform, Removal of General Provisions, any reference to poll clerks, and any reference to in person polling stations, Amendments to Electoral Officers, Nomination Period, Campaign Period, Polling Period, Declaration of Election, Appeals and Complaints, Election Expenses, and Final Election Report, Formatting, Grammatical fixes	Sierra Campbell (Advisory Representative), Khyati Vyas (Chief Elections Officer)	January 31st, 2024

Preamble

The ECA is an accredited student association and non-profit organization. In accordance with its bylaws and the Quebec Companies Act, elections must be held to elect members of its BOD and pass referendum questions. Election regulations exist to govern the execution of annual general elections and by-elections.

Section A: Definitions

1. The following terms will be used throughout this document and are hereby defined:
 - 1.1. AEO - Shall mean the Assistant Elections Officer who assists the CEO in the execution of elections;
 - 1.2. BOD - Shall mean the ECA Board of Directors;
 - 1.3. Bylaws - Shall mean the bylaws of the ECA;
 - 1.4. By-Elections - Shall mean the by-elections held in October, if applicable, for vacant positions as well as applicable referenda;
 - 1.5. Campaign Period - Shall mean the designated period of time determined by the CEO and ratified by the BOD when candidates and referendum committees campaign publicly to regular members of the ECA;
 - 1.6. Candidate - Shall mean any Regular Member of the ECA who meets eligibility requirements for the applicable office in the ECA;
 - 1.7. CEO - shall mean the Chief Elections Officer who holds and presides authority over elections of the ECA;
 - 1.8. ECA - Shall mean the Engineering and Computer Science Student Association of Concordia University;
 - 1.9. Election Expenses - Shall mean the cost of any goods or services during an election period to promote or oppose, directly or indirectly, the election of a candidate, or a particular option in a referendum;
 - 1.10. GCS - Shall mean the Gina Cody School of Engineering and Computer Science of Concordia University;
 - 1.11. Nomination Period - Shall mean the designated period of time determined by the CEO and ratified by the BOD when potential candidates confirm their intentions to run for office and collect support for their nomination;
 - 1.12. Polling Period - Shall mean the designated period of time determined by the CEO and ratified by the BOD when regular members of the ECA cast their ballots online;
 - 1.13. Referendum Committee - Shall be the person, or group of person(s) who have petitioned and intend to campaign on behalf of a referendum question, there must be a designated chairperson who acts as the chief spokesperson and representative;
 - 1.14. Regular Elections - Shall mean the annual general elections held in February and/or March for all positions that must be elected in accordance with the bylaws as well as applicable referenda.

Section B: Purpose

1. Election officers who meet eligibility requirements as defined in the bylaws are to preside over the general elections and by-elections in accordance with this policy for purposes of hosting fair and transparent elections for all parties involved.
2. Candidates and referendum committees are to abide by the requirements of this policy for fair election to their position or passing of their referendum question.
3. All eligible voters in ECA elections deserve accountability of election officers and the ECA for honest and respectable execution of election procedures.

Section C: Election Officers

1. A written contract between the BOD and the CEO shall be signed at the time of their hiring. A similar contract shall be signed by the AEO at the time of their hiring.
2. The CEO may also prescribe the text of any forms and documents that serve for the administration of these regulations.
3. Responsibilities of the CEO
 - 3.1. Select dates for the nomination, campaign, and polling periods with respect to conditions of these regulations and the bylaws, and have these dates ratified by the BOD;
 - 3.2. Receive nominations from potential candidates and verify their eligibility as well as their supporters with the list of ECA regular members;
 - 3.3. Host information sessions, office hours, and poster stamping periods for candidates and referendum committees;
 - 3.4. Manage the Simply Voting platform by inputting all questions to appear on the ballot, the list of eligible voters, and distributing mass emails for the polling period;
 - 3.5. Promote distribution of election information for voters by way of posters and online social media accounts;
 - 3.6. Sign off on all eligible election expenses;
 - 3.7. Submit the final election results to candidates, referendum committees, the BOD, and ensure the results are published publicly for all members to view;
 - 3.8. Draft a final election report to be submitted to the BOD;
 - 3.9. Accept the role to provide sufficient training to the upcoming CEO as the predecessor.
 - 3.10. Maintain an impartial relationship with the BOD and oversee all electoral issues as within the scope of the bylaws.
 - 3.11. Respond to all questions, concerns and complaints during the election process in a reasonable manner.
4. Responsibilities of the AEO
 - 4.1. Assist the CEO in verifying eligibility of candidates and their supporters;
 - 4.2. Assist the CEO in hosting information sessions and office hours for candidates and referendum committees;

- 4.3. Assist the CEO in promoting distribution of election information for voters by way of posters and online social media accounts;
- 4.4. Assist the CEO in drafting a final election report to be submitted to the BOD;
- 4.5. Bring any and all suspected infractions of the CEO to the immediate attention of the BOD;
- 4.6. Maintain an impartial relationship with the BOD and assist the CEO with all electoral issues as within the scope of the bylaws;
- 4.7. Respond to all questions, concerns and complaints during the election process in a reasonable manner;
- 4.8. Any other tasks assigned by the CEO for purposes of executing the election.
5. In respect of public information, the CEO and AEO shall, in particular,
 - 5.1. Provide any person applying and therefore with advice and information regarding the administration of these regulations;
 - 5.2. Give the public access to the information, reports, returns or documents relating to these regulations;
 - 5.3. Hold information meetings for the benefit of the candidates, referendum committees, and electors.
6. If during the election period, it comes to the attention of the CEO that, subsequent to an error, emergency or exceptional circumstances, a provision of these regulations does not meet the demands of the resultant situation, they may adopt such provision in order to achieve its objective.
 - 6.1. They shall first inform the BOD, the candidates, and the electors concerned of the decision they intend to make. Such a decision is subject to approval by the BOD.
 - 6.2. Any decisions the CEO has made pursuant to this section will be included in their final report to the BOD.
7. The CEO may refuse to make or to pursue an inquiry where they consider the request frivolous, vexatious or made in bad faith, or unnecessary in the circumstances.
 - 7.1. Each time the CEO refuses to make or to pursue an inquiry at the request of a person, they shall inform that person of his/her refusal and give the reasons therefore in writing.
8. The CEO may dismiss the AEO if they neglect to perform their duties, engage in partisan work, or are not qualified for the office.
 - 8.1. An AEO who has been dismissed shall return all the official documents in their possession to the CEO.
 - 8.2. Appointment and removal of the AEO by the CEO is subject to ratification by the BOD.
9. Rates of remuneration of the CEO and AEO shall be fixed by the BOD and appear in the respective contracts.
10. The CEO and AEO shall only be remunerated for their services after the final election report is approved by the BOD and conditions as outlined in their respective contracts are fulfilled.
11. The BOD may dismiss any election officer without remuneration for failure to fulfill the responsibilities of their respective offices.

Section D: Notice of Election

1. Not later than 28 days before the first polling day, the CEO shall give the public notice setting forth the following the particulars:
 - 1.1. The positions open for election and/or the question on a referendum;
 - 1.2. The place, dates, and hours for obtaining and filing the nomination papers;
 - 1.3. The place, dates, and hours of the polling period;
 - 1.4. The e-mail address of the CEO and the AEO.
2. Notices must be posted in any and all areas frequented by undergraduate students as well as online platforms operated by the ECA.

Section E: Nomination Period

1. The nomination period shall begin 10 days before the first day of the campaign period and end 3 days before the first day of the campaign period.
2. Nomination Form
 - 2.1. The CEO shall create a nomination form available online for any persons wishing to be a candidate.
 - 2.2. The nomination form must collect the name, student ID, telephone number, email address, department, and position of the potential candidate.
 - 2.3. The nomination form must also contain a statement to be digitally verified by the candidate to the effect that they consent to the nomination.
 - 2.4. Once the person submits the nomination form, the CEO will verify their eligibility to run for the applicable position.
 - 2.5. The candidate will be notified of their eligibility confirmation by the CEO prior to collecting signatures.
3. Supporters
 - 3.1. The nomination form of each candidate shall be supported by electors who are eligible to vote for the office for which the candidate is being nominated. Particularly a minimum of:
 - 3.1.1. 50 supporters for ECA executive officers;
 - 3.1.2. 25 supporters for ECA representatives;
 - 3.1.3. 15 supporters or the number of eligible voters, whichever is less, for society offices.
 - 3.2. Support Form
 - 3.2.1. The CEO shall create a support form for each candidate that serves to collect information of their supporters.
 - 3.2.2. The support form shall collect the name, student ID, email address, and department of the supporter.
 - 3.2.3. The CEO shall have the sole authority to verify the validity of each supporter and may designate the AEO to assist in verification.

- 3.2.4. During the nomination period and upon request from the candidate, the CEO and/or the AEO shall notify the candidate of the current number of valid signatures they have obtained.
4. Nomination Package
 - 4.1. Following completion of the nomination period, the CEO shall provide candidates who have obtained sufficient support with a nomination package consisting of:
 - 4.1.1. the dates, times, and locations of all information sessions and public debates organized by the CEO in accordance with these by-laws;
 - 4.1.2. a form to be used for reimbursement request of election expenses and applicable reimbursement procedures;
 - 4.1.3. any other information or materials that the CEO deems appropriate.
5. Withdrawal of a Candidate
 - 5.1. A candidate may withdraw their candidacy by emailing the CEO and AEO a declaration to that effect.
 - 5.2. Deadline to withdraw is before the end of the nomination period.
 - 5.3. If the candidate wishes to withdraw after the nomination period, they may submit a formal request and the CEO will come to a verdict given the seriousness of the issue.
 - 5.4. The death of a candidate has the same effect as a withdrawal.
 - 5.5. The name of a candidate who has withdrawn shall not appear on the ballot.
6. Candidates who fail to comply with these regulations may be disqualified, subject to appeal as provided by Part I of these regulations.
7. The CEO shall provide a complete list of all candidates, in alphabetical order, to the BOD, including disqualified candidates.
8. Disqualified candidates will be notified by the CEO within 72 hours following the close of nominations.
 - 8.1. The notice shall include a statement of the reasons for disqualification and their right to appeal as provided for by Part I of these regulations.
9. The CEO shall post a complete alphabetical list of all qualified candidates in areas frequented by ECA members. The list shall not include the names of disqualified candidates.

Section F: Campaign Period

1. The campaign period shall begin 14 days before the first day of the polling period and end at midnight the day before the first day of the polling period.
2. Campaign Materials
 - 2.1. Campaign materials may be posted, published, broadcast, or otherwise disseminated only during the campaign period by candidates and referendum committees.

- 2.2. The list of approved campaign materials & mediums can be subject to change based on the current nomination package provided by the CEO. Any changes to the package must be sent to all candidates in writing.
- 2.3. All e-mailing lists affiliated with Concordia University, including but not limited to student societies, clubs and departments within the GCS faculty are deemed prohibited campaigning material and thus grounds for disqualification of the candidate.
- 2.4. Posters
 - 2.4.1. A maximum of fifty (50) posters may be used for the purpose of campaigning.
 - 2.4.2. All posters must bear the stamp of the ECA with the final date of polling as the expiration date.
 - 2.4.3. Candidates are responsible for removing their posters at the end of the polling period, in accordance with the Concordia Policy on posterings.
3. Space and Facilities
 - 3.1. No candidate or referendum committee may use space or facilities used or maintained by the associations and its societies for campaign purposes unless it is equally available to all other candidates for the same office.
 - 3.2. Notwithstanding the foregoing, in the case of a referendum, the associations may use space and facilities that it normally maintains if it is a referendum committee in favour or against an option.
4. Form and Content
 - 4.1. All candidates and referendum committees are personally responsible for the form and content of all campaign materials and must ensure that these are not offensive, obscene or profane.
 - 4.2. These materials must not contain derogatory or libellous remarks.
 - 4.3. All campaign material must be approved and stamped by the CEO.
5. Materials used by candidates and their agents shall not be employed in such a manner as to deprive or deny other candidates or agents equal opportunity to conduct their campaigns.
6. Social Media
 - 6.1. All social networks where content can be viewed publicly, meaning without authentication, may be used as campaigning mediums. Such networks shall include, without limitation, Facebook and Instagram.
 - 6.2. Candidates and referendum committees are required to notify the CEO of any social networks they plan to use. The CEO shall ensure that content on such mediums is publicly viewable and is appropriate.
 - 6.3. Candidates and referendum committees shall provide to the CEO, administrative access, upon request and within 24 hours, to any social media page/account used to distribute campaign content.
 - 6.3.1. The personal social media account of a candidate or member of a referendum committee shall not be used to create content. However, such accounts may be used to share content from official campaign accounts/pages.

- 6.3.2. The CEO shall maintain, when possible, a social media account on any major social media platform used for campaigning purposes.
 - 6.4. Any content created on social media must have the CEO's account "tagged" or otherwise linked to the post. If such "tagging" is not possible on a given platform, a publicly accessible link to such content must be sent via email to the CEO.
 - 6.5. Candidates and referendum committees shall not block or otherwise restrict access to their content without explicit written permission from the CEO
 - 6.6. Identifying features of a campaign social media account(s) including, without limitation, profile photo and cover photo, shall be subject to approval by the CEO.
 - 6.6.1. Content created as part of the campaign and shared on social media shall not be subject to the aforementioned approval process. However, the CEO shall reserve the right to request, within reason, modifications and/or the removal of content in accordance with these regulations.
 - 6.7. At the closure of the campaign period, all social media campaign accounts, and subsequent content created directly by such accounts, shall be unpublished and/or deleted, such that content created and or shared by such accounts are no longer visible.
 - 6.7.1. Any campaign content shared by the personal accounts of the candidate and members of a referendum committee must also be removed at the conclusion of the polling period.
 - 6.7.2. The candidate and referendum committee shall not be liable for any content created/shared by accounts not in their direct control after the end of the campaign period, pursuant to Section 2(b) of the Canadian Charter of Rights and Freedoms.
 - 6.7.2.1. Direct control of a social media account is the ability of a person to post content on that account. The CEO may adjust this definition as they see fit, provided such adjustments are made known to all candidates, in writing, and within a reasonable time period.
7. Debate
 - 7.1. In the event of several contested positions, the CEO may decide to host a debate for candidates and referendum committees.
 - 7.2. It shall be hosted at any time during the campaign period with sufficient time given to notify candidates and referendum committee members of the date, time and place.
 - 7.3. If sufficient space is not available for regular members of the ECA to be in attendance, the CEO will facilitate a broadcast available online for viewing.
 - 7.4. Timing and format of the event shall allow each candidate sufficient time to answer relevant questions proposed by the election officers hosting the debate and/or regular members of the ECA in attendance.

Section G: Polling Period

1. The polling period shall last 3 consecutive days.
2. Notice of Poll
 - 2.1. Not later than 14 days before the polling period, the CEO shall announce that a poll will be held by publishing a notice indicating:
 - 2.1.1. the name of each candidate and the office the candidate is seeking, in alphabetical order of the candidates' surnames;
 - 2.1.2. the wording of each referendum question;
 - 2.1.3. the dates and time when polling will be hosted on Simply Voting and applicable information to access the platform.
 - 2.2. The particulars relating to the office and to the name must correspond to those appearing on the nomination form.
 - 2.3. The CEO shall post up the notice of poll in each department office and areas frequented by undergraduate students.
3. Simply Voting Platform
 - 3.1. The ECA shall acquire an annual subscription for Simply Voting that encompasses the regular elections and by-elections. This may be entered into under a contractual agreement between the ECA and other Concordia student associations.
 - 3.2. The CEO shall be granted access to the Simply Voting platform where they are to input the voting list and manage the election IDs of eligible voters as well as create the ballot with all candidates running for each position and referenda questions as put forth by referendum committees.
 - 3.3. At the commencement of the polling period, the CEO shall distribute a mass email to all voters granting personalized access to cast their ballot.
 - 3.4. Should any voter have an issue with successfully casting their ballot on the Simply Voting platform, the CEO shall ensure the issue is resolved.

Section H: Declaration of Election

1. Not later than 24 hours following the receipt of election results from Simply Voting, the CEO shall submit the results to the BOD for publication at their discretion. The results shall include:
 - 1.1. A list of the candidates for each office with the number of votes each candidate has received;
 - 1.2. A list of candidates who have been declared elected;
 - 1.3. A list of referendum questions with the number of votes cast in favour of each option.
2. Upon the request of the BOD, the CEO shall issue, without undue delay, a public notice stating the given name and surname of every elected candidate and the office to which they were elected.

Part I: Appeals and Complaints

1. At any time during the election period, a candidate who is disqualified may appeal the decision in writing within 24 hours after being notified of his/her disqualification by the CEO.
2. A candidate or chairperson of a referendum committee who has a legitimate complaint may appeal any decision in writing to the CEO within 24 hours after the decision was made. Complaints may only originate from the opposing party(ies) within a contested race.
3. All appeals and complaints shall be dealt with by the CEO after consulting with the BOD and prior to proceeding with the next step of the election procedures.

Part J: Election Expenses

1. Only a candidate or the chairperson of a referendum committee, as the case may be, may incur election expenses.
2. The maximum total amount of election expenses that may be incurred by a candidate or a referendum committee, as the case may be, shall be \$50.
3. Reimbursement Request
 - 3.1. Every payment of election expenses must be justified by an invoice showing the name and address of the supplier, the date the goods or services were supplied, and the amount of the expense.
 - 3.2. All requests for reimbursement of election expenses shall be made in accordance with the ECA's Finance Policy and require the signature of the CEO.
 - 3.3. Eligible reimbursements as determined by signing of the CEO, President, and VP Finance will be reimbursed in accordance with the ECA Finance Policy.
 - 3.4. No reimbursement shall be made unless a reimbursement request of election expenses has been filed before the deadline as set by these regulations.
 - 3.5. Deadline for submitting a reimbursement request to the CEO shall be 5 days after the close of the polling period.
4. Candidates may choose to have their posters printed at the ECA office. Candidates will be charged at a rate set by the VP Finance of the ECA. This rate shall not be less than the costs incurred by the ECA to produce said posters.
5. As required in the final election report, the CEO shall include a summary of every reimbursement request received within the prescribed time.

Part K: Final Election Report

1. The CEO shall, not later than 14 days after the close of the poll, submit a final election report to the BOD.
2. The final election report shall contain, but is not limited to:
 - 2.1. A list of the candidates for each office with the number of votes each candidate has received;
 - 2.2. A list of candidates who have been declared elected;

- 2.3. A list of referendum question with the number of votes cast in favour of each option;
- 2.4. A summary of every return of expense filed by a candidate within the prescribed time;
- 2.5. A list of all candidates who have failed to file a return of expense within the prescribed time;
- 2.6. A summary of expenses incurred by each referendum committee;
- 2.7. A general report on the proceedings of the election and referenda and any recommendations the CEO deems appropriate.