



Message from the Chief Returning Officer

On behalf of the 2019 Elections and Referenda Committee and members of the University of Toronto Graduate Students' Union (UTGSU), I would like to thank you for your interest the Union and congratulate you on your candidacy for an executive officer positions at one of the largest student unions at University of Toronto!

The UTGSU is one of the cornerstones for student advocacy at the University of Toronto. UTGSU Executives play a pivotal position in providing a voice for graduate students and actively engaging to provide solutions to student issues. As active contributors to student activism, executive members of the UTGSU have been the driving force behind essential reforms and have contributed to enhancing student life since the 1970s.

This Elections Package is your initial guide to participating in the election. It has been created with the purpose of providing you with a reference of the procedures and policies that govern the election and campaigning. As such, the policies found in the 2019 Election and Referenda Code are binding; deviation from these procedures and/or violation of the rules established within the code is strictly prohibited and will result in disciplinary actions. Candidates are responsible for ensuring that the election rules outlined in the package are followed. Any candidates that have just cause for a complaint shall refer to the procedures outlined in the 2019 Election and Referenda Code and submit a request to the Chief Returning Officer. This package is supplemented by the UTGSU Bylaws and Policies that can be found online (<https://www.utgsu.ca/by-law/>).

Please read and carefully note the deadlines set out in the election timeline, as well as your responsibilities as a candidate. The Elections and Referenda Committee seeks to ensure that a fair, transparent, and accessible election be held for all candidates.

While the Elections and Referenda Committee are here to oversee the electoral process, we are also here to provide equitable assistance to candidates' campaigns. We will fully inform all candidates and groups of any changes over the next few weeks and encourage student participation across the University of Toronto. If you have any questions or concerns, please do not hesitate to reach out to cro@utgsu.ca.

Sincerely,

Adrian Aziz
Chief Returning Officer
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2019 ELECTION AND REFERENDA CODE

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SECTION A: Election Information

*** Results of Elections can be appealed until March 8th at 8:00am. All the receipts associated with campaigning must be submitted by March 8th at 8:00 am.**

Available Seven Positions:

Academics and Funding Commissioner, Divisions 1 and 2

Academics and Funding Commissioner, Divisions 3 and 4

Civics and Environment Commissioner

External Commissioner

University Governance Commissioner

Finance Commissioner

Internal Commissioner

Election Timeline:

Nomination Period Opens	January 23rd (12:01 am)
Nomination Period Closes	February 15 th (8:00 am)
All-Candidates Meeting	February 16th (10:00am to 12:00 pm)
Campaign Period Starts	February 22 nd (12:01 am)
Campaigning Ends	March 5 th (11:59 pm)
Voting Begins	February 27 th (12:01am)
Voting Ends	March 5 th (11:59 pm)



SECTION B: General Rules

1. Candidates are responsible for obtaining and understanding the information provided at the mandatory All-Candidates Meeting, on Saturday February 16th at 10:00 am. If a candidate cannot attend this meeting, the candidate must inform the Chief Returning Officer at least twelve (12) hours before hand. This meeting is mandatory and failure to attend without permission for absence by the Chief Returning Officer will result in disqualification.
2. Candidates who wish to drop out of the race after declaring their intention to run have until 11:59 pm on Monday, February 18 to do so. After this time, all confirmed candidate names will be on the ballot. Candidates must submit written notice to the CRO declaring this intention.
3. Upon their validation as candidates, all candidates are responsible for the behaviour of their supporters in any campaign activity until the voting period is closed.
4. Candidates shall campaign in accordance with the rules of “fair play.” Breaking the rules of fair play includes, but is not limited to: breaching generally accepted community standards, libel, slander, general sabotage of the campaigns of other candidates, malicious and/or intentional breach of the Election and Referenda Code, interfering with GSU staff, attempting to undermine the electoral process including interference with polling station materials and/or poll clerks, and misrepresentation of fact.
5. Candidates are responsible for familiarizing themselves with the relevant University rules and Codes (e.g. Harassment, Student Conduct), and to ensure they and their supporters adhere to those rules.
6. No campaigning or distribution of campaign material shall take place before the campaign period officially begins (12:01am on Friday, February 22, 2019).
7. All campaign materials must be removed by 11:59 pm on Friday, March 8, 2018.
8. “Campaigning” is defined as any activity that, in and of itself, publicizes or promotes a candidate, organization, and candidate’s team in a UTGSU election or referendum. Furthermore, campaigning in physical spaces shall be confined to the three campuses of the University of Toronto, with the exceptions outlined in the Election and Referenda Code. Candidates may be free to campaign online using social media, websites, etc. as long as such promotions and interactions are conducted in a manner that does not violate University rules and Codes. Campaigning includes, but is not limited to, use of booked spaced on campus for public gatherings, public appearances, policy



statements, paid advertising in media, promotional materials and the distribution of candidate information, and online material including social media, websites, etc.

9. No campaigning of any form is permitted in the Union offices, or any area that can be perceived to be under Union jurisdiction, including but not limited to the UTGSU Pub and UTGSU General Council meetings, unless otherwise stated by the Chief Returning Officer.
10. Candidates may not campaign in any classroom without the express permission of the instructor in charge of the class. Such permission must be obtained before the beginning of the class. Campaigning may not interrupt or interfere with classroom activity.
11. Candidates and their campaign materials are not allowed within six metres of a designated polling station that the candidate was aware of, or ought reasonably to have known about, except to vote on election days.
12. Candidates may not form and run as "slates" or with a group party affiliation, nor can candidates have the appearance of "slates" in the election process as this is in accordance with the UTGSU Elections Policy G2.
13. Candidates may not use in their campaign any service or tangible benefit conferred on them by virtue of their holding any position in any organization on campus. This includes: office supplies, equipment, advertising space, administrative services, privileged email lists (i.e. listservs), staff time, and funding.
14. Candidates and members of their organizations must make all elections and referendum related requests through the Chief Returning Officer or his/ her designate. UTGSU Staff are not to be contacted or approached for the purpose of providing administrative or support services to candidates during the election.
15. "Campaign materials" are defined as any physical or online materials and/ or publications that, in and of themselves, serve to promote a candidate, a candidate's organization, or an organization's position. All campaign materials are to be approved by the Chief Returning Officer or his/ her designate before distribution.
16. Materials deemed to be offensive, derogatory, and/ or in violation of the rules of fair play are strictly prohibited.
17. Candidates shall not use or place promotional stickers during their campaign.
18. All campaign tactics, material and/ or advertisements need approval by the Chief Returning Officer or his/ her designate in advance of posting or distribution.



19. No candidate shall speak to a class without the prior permission of the instructor of that class. The Chief Returning Officer may request at any time that a candidate provide proof of having had permission to speak to a class. This proof may be in the form of prior written permission or a follow-up note from the instructor.
20. Campaign or election related materials or advertisements that seek to oppose the election of one or more candidates (e.g. naming them, showing their likeness, identifying them by their political affiliations etc.) will not be approved.
21. Campaign or election related materials or advertisements that are discriminatory based on gender, ethnicity, race, class, ability, religion, spiritual beliefs, sexuality, sexual orientation, nationality, or age will not be approved.
22. Candidates are allowed to utilize public listservs (where anyone can have access and/or place a request to include their materials). Texts and images of all campaigning material requires prior approval from Chief Returning Officer. If submitting request to campaign via listserv, the CRO needs to be cc'd as proof that the managing department liaison was emailed as opposed to having an unfair advantage in accessing listservs.
23. The limit for election related expenses for each candidate is \$100.00 (subject to final election budget) as determined by reasonable market value. Candidates must keep track of their expenses and save receipts, and submit these to the Chief Returning Officer by 11:59 p.m. one business day after the close of the election. Expenses incurred by candidates for the purpose of campaigning will be reimbursed by the Union up to the \$100.00 limit.
24. Unless stated otherwise, all rules in this Code also apply to third party advertisers, defined as people not affiliated with or working with any particular candidate in the election.
25. Third party campaigners cannot be associated with large corporations to give a candidate an unfair advantage over other candidates through the access of corporate affiliated resources and strategies.

SECTION C: Posters

1. The UTGSU will make paper and photocopy machines available to candidates for the purpose of creating posters and/or leaflets. Candidates must use the Union's photocopy machine for creating posters, i.e. photocopying is not a valid expense for which candidates will be reimbursed.



2. Each candidate is allowed a **maximum** of:
 - a. 300 posters on 8 1/2 x11 sized paper; **and**
 - b. 25 posters on 11x17 sized paper
3. Within the above limits, a maximum of 75 posters may be in colour, regardless of size.
4. Posters may be divided into smaller leaflets from either sized sheets.
5. No glossy or laminated posters are allowed.
6. All text in other languages on campaign materials must have an accurate English translation that appears in equal stature and size.
7. Posters and leaflets must contain the following phrase somewhere in plain sight on the material: "Please recycle after the election."
8. Distribution and display of campaign materials shall not be placed on trees or utility poles off campus and must be in accordance with the regulations of Facilities & Services (please refer to the *Procedure on Distribution of Publications, Posters, and Banners* available online) and the rules governing posting within each building.
9. All posters may only contain information that is relevant to the election.
10. Campaign materials may not overlap or be attached to any campaign materials (including one's own) already affixed to an object or surface. This rule is inclusive of UTGSU elections and all other current campus elections (e.g. Governing Council etc.).
11. Campaign materials may **not** be affixed to surfaces in classrooms or seminar rooms.
12. Candidates may **not** remove from any location, whether materials are posted legally or illegally, the materials of other candidates or third parties without the express authorization of the Chief Returning Officer.
13. Posters containing the logo of the UTGSU or any of its affiliated groups (i.e., levy groups, caucuses, committees or course unions) will not be approved.

SECTION D: Electronic Materials

1. Candidates may use electronic fora (e.g. websites, email etc.) in their campaigns so long as the materials are public, adhere to all the rules contained in this Code, and have received explicit approval from the Chief Returning Officer.



2. Prior approval for major changes to electronic fora must also be sought from the Chief Returning Officer.
3. Electronic fora that are normally considered “free” (e.g. Facebook, email accounts, University of Toronto personal web space etc.) shall be allowed and considered as costing \$0.
4. In addition to adhering to the rules contained in this Code, electronic campaign materials must be in accordance with the University’s policies regarding information and communication technology, and must respect the privacy of students, faculty and staff. Any postings or material that infringes on these policies or those outlined in the Election and Referenda Code shall be removed by Chief Returning Officer.
5. Each candidate will be limited to one (1) website and one (1) page per social media site during the campaign.
6. With regard to electronic listservs, you may only post campaign materials to "open" lists, that is, lists that are either un-moderated and to which anyone can post, or else moderated but open to submissions from everyone regardless of affiliation.

Please note: it is possible that a moderator of a particular list may choose to post the materials of one candidate but not another. So long as this is an editorial decision of the moderator (i.e. in general, membership or affiliation is not required in order to post), this shall be considered an "open list" and is therefore allowed.

7. Candidates must have the text of any electronic listserv postings approved in advance by the Chief Returning Officer. Candidates will also provide a list of where this material is posted. The CRO reserves the right to reject postings or order their removal if he/ she finds that the postings and/ or their locations violate the rules outlined in the Election and Referenda Code.

SECTION E: Violation of Rules

1. The Chief Returning Officer has authority to enforce the provisions of this Code. The Election and Referenda Committee may enforce this Code where no ruling is given by the CRO.
2. The Chief Returning Officer and the Elections and Referenda Committee both have the discretionary power to make decisions about issues and events not otherwise covered by this Code.



3. Candidates may appeal a ruling of the Chief Returning Officer to the Election and Referenda Committee, which reserves the right to modify any ruling of the CRO.
4. Appeals to the rulings of the Chief Returning Officer shall be dealt in a timely fashion no longer than one (1) week. Decisions rendered by the Elections and Referenda Committee shall be made without the involvement of the Chief Returning Officer.
5. Appeals to the decisions of the Elections and Referenda Committee shall be made no later than seventy-two (72) hours from the ERC ruling and sent in writing to the UTGSU Board of Appeals. Candidates may file an appeal of the election results up until 8:00am on Friday March 8th 2019.
6. Allegations of violations of the Election and Referenda Code must be submitted in writing by email to the Chief Returning Officer (cro@utgsu.ca). Allegations must be made within twenty-four (24) hours of the closing of the voting period. Allegations will only be accepted until 8:00am on Friday March 8th 2019.
7. Where the Chief Returning Officer or the Committee find evidence of a violation, the CRO and/or Committee may charge a candidate with a violation without having received a third-party allegation.
8. The Chief Returning Officer will render a decision within seventy-two (72) hours to the complainant and the candidates in question; if the activity outlined in the complaint is ongoing, the complaint will be deemed "time sensitive," in which case the CRO will render a decision within twenty-four (24) hours.
9. Rulings of the Chief Returning Officer and the Committee will be posted on the Elections webpage and distributed by email to the complainant and candidates in question.
10. It is the responsibility of each candidate to be aware of every decision made by the Chief Returning Officer or Elections and Referenda Committee, especially decisions regarding violations committed by that candidate.
11. Where the Chief Returning Officer and/ or Elections and Referenda Committee finds there has been a violation of the Election and Referenda Code by a candidate or a supporter of the candidate, the CRO and/or the Committee may assign a penalty and demerit points.
12. The Chief Returning Officer and/ or Elections and Referenda Committee reserve the right to assign an amount of demerit points for a given penalty sufficient to disqualify a candidate should they feel that the severity of the penalty warrants such action.



13. A total of thirty-five (35) or more demerit points will result in disqualification from the election.
14. Demerit points can be given, and candidates therefore disqualified, up to one week following the close of polls (i.e. 11:59 pm on Wednesday, March 12, 2019). This includes demerit points for failing to remove posters once the election has been completed (as indicated in Section B)
15. Appendix 1 contains a chart of demerit points to act as a guideline for issuance. Demerit points may be changed at the discretion of the Chief Returning Officer and the Elections and Referenda Committee and made known to candidates by email within twelve (12) hours of amendments.

SECTION G: Voting Procedures and Policy for Executive Elections

1. A candidate running for the position of an executive officer shall be elected using an online voting system according to UTGSU Policy G2.
2. In the event of online voting, a third-party online voting system unaffiliated with the University of Toronto will be administered by the Chief Returning Officer and the Deputy Returning Officer. **Simply Voting** will be hired for the online voting.
3. The Chief Returning Officer and Deputy Returning Officer will sign any relevant confidentiality forms associated with the online system.
4. All Union members may vote for all positions. The Chief Returning Officer shall only vote twenty-four (24) hours in advance of an election and referenda and place the ballot in a sealed envelope. This envelope shall be opened, and the vote cast only in the event of a tie. Should there be more than two candidates for a position, the Chief Returning Officer will indicate the order of preference on the ballot.
5. Ballots shall be clearly marked according to the instructions on the ballot. Any ballot in which a voter has clearly indicated their order of preference or approval/disapproval of a candidate shall be considered valid.
6. Paper ballots shall be placed in a ballot box that shall be sealed by a Poll Clerk once polls are closed for the day.
7. In the case of online elections, each voter using a paper ballot will seal their ballot inside a blank envelope, and then seal that envelope inside another envelope on



which the voter will legibly write their name.

8. The Chief Returning Officer, the Deputy Returning Officer, and Poll Clerks shall oversee the voting process according to UTGSU Policy G2 and “The Protocol for ballot Boxes and Vote Counts.”
9. In the event that a position has only one (1) candidate, voters will be invited to participate in a vote of confidence via a YES/ NO ballot. In the case of a vote of confidence, the question to appear on the ballot will be one of the form: “Do you have confidence that (candidate) can fulfill the duties of (position)?” A candidate shall be declared elected if the vote is positive.
10. In the event that a position has two (2) candidates, voters shall be invited to indicate their preferred candidate. If a candidate receives a majority of the votes, that candidate shall be declared elected.
11. In the event that a position has three (3) or more candidates, voters will be invited to rank their top three choices for any given position to enable “instant runoff voting”. In this system, the top choice votes are counted first. If no one candidate reaches 50% of the vote after the first count, votes for the candidate coming in last place are discarded and the second choice on their ballots are added to the vote tally. This procedure continues until one candidate passes the 50% threshold.

SECTION H: Voting Procedures and Policy for UTGSU Referenda

1. Voting on referendum questions shall be conducted through an online voting system.
2. The online system will be administered by the Chief Returning Officer and the Deputy Returning Officer.
3. The Chief Returning Officer and Deputy Returning Officer will sign any relevant confidentiality forms associated with the online system.
4. Students will be provided with notice within a timely fashion of the referendum being conducted through an online system.
5. The referendum question shall be clearly outlined on the ballot and participants will be invited to indicate YES, NO, or ABSTAIN on the ballot.
6. Only the Chief Returning Officer and Deputy Returning Officer will be involved in the vote count.

7. In the event that the online system fails, the Chief Returning Officer shall be entitled to authorize a paper ballot vote according to the policies of the UTGSU.

APPENDIX 1: Demerit Points Chart

Campaign Materials Violation	
Unintentional misrepresentation of facts	3
Multiple violations in the same location/building	4
Unapproved material	15
Displayed in an unauthorized area	5
Pre/post campaign materials	6
Multiple violations within ten-metres of each other	8
Intentional misrepresentation of facts	10
The creation of more than one (1) website or one (1) page on a social media site	5
Failure to include "Please recycle..." on materials	3

Campaigning Violation	
Unintentional misrepresentation of the facts	3
Distribution of campaign material within six metres of a polling station	15
Unsolicited campaigning	5
Improper distribution of campaign materials	8
Multiple violations within ten metres	8
Intentional misrepresentation of facts	10
Campaigning in an unauthorized area	10
Pre/post campaigning	10
Exceeding the spending limits of the election	10



Conducting class talks without the permission of a course instructor	10
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Fair Play Violation	
Unsanctioned use of Union resources	15
Gross misrepresentation of facts	20
Malicious or intentional violation of Election and Referenda Code	20
Intentional violation of University rules, Codes, and Student Code of Conduct	25
Harassment, violence, or intimidation by a candidate or their organization against another candidate, their organization	35
Abuse of position or status	20
Failure to comply with the spirit and purpose of the election	35
Note: A total of 35 Demerit points qualifies for disqualification	