

# **General Electoral By-laws**

*of the*



## **Nursing Undergraduate Society of McGill University**

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## **ARTICLE 1 - DEFINITIONS**

- 1.1. “NUS” shall refer to the Nursing Undergraduate Society of McGill University
- 1.2. “The Society” shall refer to all members of the NUS, as defined by the Constitution.
- 1.3. “Council” shall refer to the Council of the NUS.
- 1.4. “Members-at-Large” shall refer to undergraduate students enrolled in the ISON paying the Nursing Undergraduate Society (NSUG) student fee.
- 1.5. “CRO” shall refer to the Chief Returning Officer of the NUS.
- 1.6. “DRO” shall refer to a Deputy Returning Officer of the NUS.
- 1.7. “Elections NUS” shall refer to the office of the Chief Returning Officer established by the NUS Constitution.
- 1.8. “Working day” shall refer to any scheduled day of classes as defined by McGill University.
- 1.9. “Slate” shall refer to any group of candidates who are voluntarily running in support of one another. Communications shall be considered “unsolicited” if the recipient does not normally receive communications from the sender. The determination of whether communications are solicited or unsolicited shall be made using the standard of the reasonable person.



## **ARTICLE 2 - ELECTIONS NUS**

- 2.1. There shall be an impartial body charged by the Society with overseeing NUS elections and referenda, hereinafter referred to as "Elections NUS".
- 2.2. Elections NUS shall administer all elections and referenda as provided for in the NUS Constitution and By-laws, as well as any election that may be assigned to them from time to time by Council.
  - 2.2.1. The NUS elector's list must be received by the CRO before October 1.
- 2.3. Elections NUS shall be composed of the Chief Returning Officer (CRO) and two Deputy Returning Officers (DRO).
- 2.4. The CRO and DRO shall be appointed by self-nomination, and ratified by Council no later than October 1.
  - 2.4.1. The CRO must be a graduating student.
  - 2.4.2. The President shall fulfill the role of one DRO as an ex-officio member.
- 2.5. The CRO shall be responsible for the general conduct and execution of elections and referenda and shall fulfill this duty with impartiality. The DROs shall assist the CRO to the extent designated by the CRO.
- 2.6. Elections NUS shall submit for the approval of Council the following dates at the first Council meeting in the winter semester: the nomination period, the campaign period, and the polling period for the Winter elections. The calendar shall respect the following:
  - 2.6.1. Must be initiated during the month of March and concluded prior to or on the day of the examination period in April.
- 2.7. Elections NUS officers may be removed from office for impropriety, violation of the NUS Constitution or By-laws, delinquency of duties or misappropriation of funds by a two-thirds (2/3) vote of Council.
  - 2.7.1. In the event a CRO or DRO is removed from their position, the position must be immediately filled during the same Council meeting.

## **ARTICLE 3 - NOMINATIONS**

- 3.1. All members-at-large of the NUS shall be eligible to submit a nomination and subsequently run for a position on the NUS Council.



- 3.2.1. All elected individuals must remain members of the NUS throughout their mandate. Should an elected individual withdraw from the Ingram School of Nursing, they are automatically removed from their position.
- 3.3. The nomination period shall be a minimum of five (5) working days.
  - 3.3.1. The nomination period for any elected position shall be extended by a minimum of two (2) days if fewer than two (2) candidates are nominated for that position, which shall overlap with the campaigning period.
- 3.4. The procedure for nomination shall be established by Elections NUS and shall be announced to the members of the Society through the elections listserv, social media, and all other communication platforms.
- 3.5. All members running for a Board of Directors, SSMU Representative, or Senator position shall be required to meet with the relevant incumbent before the end of the extended nomination period and have the incumbent sign their nomination form.
  - 3.5.1. Those running for Board of Director positions shall have at least one additional signature from a current Board of Directors member in addition to the relevant incumbent on their nomination form.
  - 3.5.2. The nomination form shall be signed only if the candidate is deemed to be qualified for the position and has demonstrated so.
- 3.6. Where no students declare themselves as candidate for an elected position, the Council shall fill said position by appointment as stipulated in Article 5 - Appointments.
- 3.7. Candidates shall not be permitted to collect signatures before the opening of the nomination period.
- 3.8. The following number of valid Society Member-at-Large signatures are required for a successful nomination bid:
  - 3.8.1. Thirty (30) signatures for Board of Director positions.
  - 3.8.2. Twenty (20) for General Council positions.
    - 3.8.2.1. Class Representative candidates must only collect signatures from their cohort. BScN U0 Class Representative candidates do not require signatures.



- 3.8.3. Signatures shall be valid only if accompanied by a corresponding name, student email, degree (BScN or BNI), and program year.
- 3.9. Members of the Society may nominate more than one (1) candidate for a given position.
- 3.10. Members of the Society may present themselves as candidates for only one (1) elected NUS position at any given time.
- 3.11. The following criteria must be adhered to for candidates of the following positions:
  - 3.11.1. The President must 1) have at least one calendar year's previous experience on the NUS Council and 2) be a graduating student.
  - 3.11.2. The Director of Academics must be at least entering into their second year of nursing courses.
  - 3.11.3. Class Representatives shall be elected by members of their classes.
  - 3.11.4. The Indigenous Awareness Representative candidates must self-identify as Indigenous and present valid Canadian Indigenous ancestry proof to the Office of Social Accountability (OSAN) of the ISoN to be reviewed and approved, at their discretion.
    - 3.11.4.1. For their nomination to be valid, the candidate must ensure the OSAN communicates their approval to Elections NUS.
    - 3.11.4.2. In the event that the Indigenous Representative or the Black Student Representative position(s) remains unfilled, it must remain unfilled unless a student self-identifying as Indigenous or Black provides an application.

## **ARTICLE 4 - REFERENDA**

- 4.1. Any fee imposed by a referendum shall be brought to subsequent referenda per its stipulated term limit for cyclical review.
- 4.2. Referenda may be initiated by a two-thirds (2/3) vote of Council or by a petition signed by at least ten (10) percent of Members-at-Large and filed with Elections NUS a minimum of fifteen (15) days prior to polling.



- 4.3. In the case of a Council-initiated question, Council must ratify the wording of the question prior to polling. Approved fee-related questions must also be forwarded to and approved by the Office of the Deputy Provost (Student Life and Learning).
- 4.4. In the case of a petition-based question, signatures shall be valid only if accompanied by a corresponding name, student identification number, degree (BScN or BNI), and program year.
- 4.5. Referendum periods shall be announced to the members of the Society through the elections listserv, and social media platforms prior to the opening of the campaign period.

## **ARTICLE 5 - APPOINTMENTS**

- 5.1. An unfilled position may be filled by appointment of a Member-at-Large or by a current Council member at the discretion of the Council.
  - 5.2.1. Applications for Members-at-Large must be made readily available to the entire Society as determined by the Council, and applicants must provide a written application as determined by the Council.
  - 5.2.2. If a Council member is appointed, the member shall only have one vote, and must vote on behalf of both positions.
- 5.3. Appointments shall be decided by a simple majority vote of the Council.
- 5.4. Positions with appointed Council members prior to the Fall By-elections shall hold an interim role until the end of Fall By-elections.
  - 5.4.1. Positions filled by interim positions shall be open to all Members-at-Large during the Fall By-elections.
- 5.5. If the position remains vacant after the Fall By-elections, the appointed Council member shall assume the role under the same conditions as an elected member.

## **ARTICLE 6 - CAMPAIGNS**

- 6.1. Elections NUS shall arrange an information meeting for all candidates of Council positions, and members of the referendum committees to be held before the beginning of the campaign period.
- 6.2. The campaign period shall last no less than five (5) working days.



- 6.3. All campaign material shall be made available to Elections NUS. The CRO shall have the right to prohibit use if the content or distribution contravenes these By-laws.
  - 6.3.1. All candidates and referenda committees must send all campaign social media groups and pages, including, but not limited to Facebook, Twitter, and Instagram, to Elections NUS by email before the end of the campaigning period.
- 6.4. Campaigning shall not be permitted before the opening of the campaign period.
- 6.5. The following activities are permitted during the campaign period:
  - 6.5.1. Speeches not exceeding one minute in length in any course where the professor or instructor consents to the speech.
  - 6.5.2. Creating social media, websites, and blogs to support your campaign and disseminate information.
  - 6.5.3. Making posts on such above social media, so long as they do not violate any other campaign rule.
  - 6.5.4. Encouraging voter participation.
- 6.6. The following is not allowed at any point during the election period:
  - 6.6.1. No candidate shall be allowed to post campaign posters anywhere in the 680 building.
  - 6.6.2. No candidate may distribute food or any other gifts in kind for the purpose of campaigning.
  - 6.6.3. No candidate may use a position of power, such as an NUS Council position, to gain an unfair advantage in the election.
  - 6.6.4. No candidate may run in alliance with another candidate, including, but not limited to, encouraging voters to vote for a candidate, or promoting another candidate on social media.
  - 6.6.5. No campaign material may be slanderous, sabotaging, libel and/or discriminatory toward a candidate or their position. No campaign material may be unequivocally degrading to any person, organization or department of the University or to any outside group.





- 6.6.6. No candidate, member of a campaign committee, or member of a referendum committee shall send unsolicited communications (including e-mail, direct messages, texts and letters) for the purpose of campaigning.
- 6.6.7. No candidate, member of a campaign committee, or member of a referendum committee shall have editorial, programming or reporting duties with any student-funded publication at McGill University for the duration of the campaign period, nor shall they use the means of their position in any other campus group to aid in a campaign.
- 6.7. The NUS and NUS Council members shall:
  - 6.7.1. Refrain from sending out endorsements to its official listserv, through NUS-affiliated or personal social media pages.
  - 6.7.2. Remain publicly impartial during all elections.

## **ARTICLE 7 - POLLING**

- 7.1. The quorum for NUS referendum shall be ten percent (10%) of all NUS Members-at-Large eligible to vote.
- 7.2. The polling period shall last no less than five (5) working days and shall open when the campaign period closes.
- 7.3. The polling period and polling website shall be announced to all registered voters at appropriate times, as determined by Elections NUS.
- 7.4. All ballots shall be cast through an online voting system, which shall use the highest security encryption that is reasonably available to Elections NUS.
- 7.5. All users of the online voting system must provide a valid McGill email address.
- 7.6. Should the online voting system become faulty or unreliable mid-way through the polling period, Elections NUS may indicate a new, fair, method of voting, which may include holding a separate emergency polling period or extending the polling period.
- 7.7. If any problems with the online voting system are detected that may have affected the outcome of the election, Elections NUS may call for a new election as soon as logistically possible.



- 7.8. Should a candidate or member of a candidate's campaign committee be found to be involved in any form of tampering with the online voting system, the candidate shall immediately be disqualified and permanently barred from holding elected or appointed office in the NUS. Should a member of a referendum committee be found to be involved in any form of tampering with the online voting system, a new polling period for the referendum shall be called, and that member shall be barred from participating in the referendum campaign.
- 7.9. Once the official results are announced by Elections NUS, neither appeals of the final tally nor any recounts may be made.
- 7.10. Elections NUS shall have the power to enforce any additional rules or regulations to run the online voting system, provided they do not contradict the NUS Constitution or these Electoral By-laws.
- 7.11. The CRO shall announce publicly the official results of the elections and referenda within 24 hours of Elections NUS witnessing the online polling results.
  - 7.11.1. If two or more leading candidates have received an equal number of votes, a run-off election shall take place between the tied leading candidates no later than two (2) working days after the end of the regular polling period for that election. If two or more leading candidates have received an equal number of votes, they may jointly petition the CRO to waive the run-off election and hold a random sample of the vote to determine which of the tied candidates wins the election. The sampling shall take place no later than five (5) working days after the end of the regular polling period for that election, in the presence of the CRO, the tied candidates, and one (1) witness per candidate.

## **ARTICLE 8 - RULINGS**

- 8.1. In the event of a tied vote, the CRO shall announce publicly the official results of the elections and referenda as soon as the tied vote is resolved per Article 7.11.1.
- 8.2. Official decisions by Elections NUS shall require the support of a majority of Elections NUS officers. Should Elections NUS not be able to come to a majority decision, the tie-breaking vote shall reside with the CRO.
- 8.3. A decision made by the CRO and DROs concerning the interpretation of articles in the Constitution and By-laws regarding elections and referenda shall be considered binding.



- 8.4. Candidates and members of referendum committees who violate these By-laws or the NUS Constitution shall be subject to the penalties listed in Appendix A.
  - 8.4.1. Upon handing down a penalty listed in Appendix A, Elections NUS is to provide the penalized student(s) with instructions on how to appeal decisions to the NUS Council.
- 8.5. Candidates and members of referendum committees may be disqualified upon a first or second infraction should the violation be so serious as to have significantly and irreparably advantaged the candidate or referendum committee, such that a fair result at the ballot would be unattainable.
- 8.6. Elections NUS shall invalidate an election or referendum if, in its opinion, a violation of the Constitution and By-laws has adversely affected the outcome of that election or referendum. In making this decision, Elections NUS will consider the conduct of the parties and the seriousness of the violations.
- 8.7. In the event of an invalidated election, a new election will be held with only the names of those candidates appearing on the initial ballot, excluding any disqualified candidates, for only the race(s) that were invalidated. This repeat election shall be held within ten (10) working days of the final decision of invalidation, before the end of the final examinations period.
- 8.8. Candidates bear ultimate responsibility for the actions of their supporters, and are required to inform those posting on their behalf of the NUS Elections rules.
  - 8.8.1. Candidates may receive Official Warnings, Sanctions, and Disqualification resulting from the actions of their supporters, as stated within this by-law.
- 8.9. The CEO must act on any violations of NUS By-laws by a candidate for NUS General General Council or the Board of Directors.
  - 8.9.1. The CEO must:
    - 8.9.1.1. Disseminate these rules to all candidates by the beginning of the campaigning period.
    - 8.9.1.2. Administer these rules to all candidates without prejudice.
    - 8.9.1.3. Investigate all petitions of alleged infractions of these rules made by any NUS member at large.



8.9.1.4. Consult with the DEOs on all sanctions.

8.9.1.4.1. If there is a disagreement, the Elections Office must vote.

8.9.1.5. Decide unanimously with the DEOs on all disqualifications.

8.10. In the event of a By-Law violation, the CEO may:

8.10.1. Provide the candidate with an Official Warning of the infraction, after which further offenses may lead to sanction or disqualification.

8.10.2. Sanction the candidate and disseminate notice of the sanction via NUS Listserv and on the ballot.

8.10.3. Disqualify the candidate and remove their name from the ballot.

8.10.3.1. Examples of actions leading directly to a Disqualification include:

8.10.3.1.1. Engaging in bribery, vote-buying, voter intimidation, coercion, slander, bullying, or interfering with another's campaign materials.



## APPENDIX A

### Sanctions & Demerit System (Appendix A)

Infraction	Minimum Sanctions	Maximum Sanctions	Demerits
Posting over another candidate's campaign material.	N/A		4-5
Misuse of an elected or appointed position* (incl. moderator positions of social media groups)	Public Announcement	Disqualification	12-18
Posting in a restricted area /unauthorized posting	N/A		2-4
Unauthorized Campaigning* (incl. without Professor's permission / unauthorized publicity thru emails, social media, etc. / falsification of endorsement / campaigning in unauthorized and restricted areas )	Demerit Points	Disqualification	6-18
Pre-Campaigning*	Demerit Points	Public Announcement	4-12
Negative Campaigning*	Campaign Suspension	Disqualification	13-18
Inhibiting their candidates (preventing other candidates from running a campaign including but is not limited to engaging in deception or misinformation)	Public Announcement	Disqualification	12-18
Engaging External Support*	Campaign Suspension	Disqualification	13-18
Spending over given budget	Public Announcement	Disqualification	12-18
Deception of election authorities	Campaign Suspension	Disqualification	13-18
Bribery (attempted or successful)	Campaign Suspension	Disqualification	13-18

\*Up to discretion of Elections NUS, may result in public censure through Listserv, Facebook, or any other public communication means if the above, prove to be unavailable.

These sanctions and demerit points are to be interpreted as a guideline only. Elections NUS has the sole authority to interpret the sanctions and demerit system. Appeals may be made to the NUS Council.