

ELECTIONS, APPOINTMENTS & REFERENDA

Effective Date	November 2025	Review Date	November 2026
DEPARTMENT RESPONSIBLE	Governance & Advocacy	ADOPTED BY	Board of Directors

1. INTENT

1.1. The intent of this policy is to define how the MSA conducts elections, appointments, and referenda in a manner that is fair, transparent, impartial, and accessible, in accordance with the MSA Bylaws and applicable legislation

1.2. This policy:

1.2.1. Clarifies which positions are elected by general ballot and which are elected at a Members Meeting.

1.2.2. Establishes the authority and responsibilities of the Chief Returning Officer (CRO) and Returning Officers (ROs).

1.2.3. Safeguards the integrity, neutrality, and non-partisanship of all MSA democratic processes.

1.2.4. Provides a consistent framework for referenda on significant issues affecting the membership

2. DEFINITIONS

2.1. **Executive Positions:** Executive roles filled through recruitment, interview, and election by the Full Members at a Meeting of Members or through general election, in accordance with Bylaw 4.04, serving as Ex-Officio members of the Board (non-voting).

2.1.1. President

2.1.2. Vice President, College Affairs

2.1.3. Vice President, External Affairs

2.1.4. Vice President, International Affairs

2.1.5. Vice President, Equity & Inclusion

- 2.2. **Board Directors (Directors at Large):** Voting members of the Board of Directors, recruited and interviewed through a structured process and then elected by the Full Members at a Meeting of Members in accordance with Bylaw 4.04.
- 2.3. **Chief Returning Officer (CRO):** An independent officer appointed by the Board to oversee and enforce all election and referendum rules, with the authority described in this policy and Bylaw 4.04(c).
- 2.4. **Deputy Returning Officer (DRO):** An individual designated to carry out operational election and referendum activities under the direction of the CRO and the Manager, Governance & Advocacy (GA).
- 2.5. **Full Members:** Voting members of the Association as defined in MSA Bylaws Article VIII, eligible to vote in elections and referenda.
- 2.6. **Referendum:** A binding vote of the Full Members on a specific question pursuant to their interests, held in accordance with MSA Bylaw Article XIV and Privileges of Membership Policy. Such question(s) may impact fees, services, supports, or stances, as determined by membership.

3. CHIEF RETURNING OFFICER

- 3.1. The Board shall appoint a CRO each year, no later than one (1) month prior to the opening of the nomination period.
- 3.2. The CRO must be impartial and cannot be:
 - 3.2.1. A current MSA Board Member or Executive;
 - 3.2.2. A candidate in the current election; or
 - 3.2.3. An individual with a direct or perceived vested interest in the election outcome.

3.3. Responsibilities

- 3.3.1. The CRO shall:
 - 3.3.1.1. Administer and oversee all election and referendum processes;
 - 3.3.1.2. Approve the election and referendum timelines;
 - 3.3.1.3. Provide or oversee candidate training, including conduct

expectations and rules;

- 3.3.1.4. Ensure compliance with this policy and the Candidate Information & Enforcements Handbook;
- 3.3.1.5. Confirm candidate eligibility in partnership with GA and the Nominations Committee;
- 3.3.1.6. Oversee voting, confirm results, and declare winners;
- 3.3.1.7. Receive, investigate, and decide on complaints and alleged violations;
- 3.3.1.8. Submit a CRO Final Report to the Board within two (2) weeks of the close of elections.

3.4. **Authority**

3.4.1. The CRO has authority to:

- 3.4.1.1. Issue verbal and written warnings;
- 3.4.1.2. Impose sanctions including restrictions on campaigning;
- 3.4.1.3. Disqualify candidates for serious or repeated violations;
- 3.4.1.4. Recommend rerunning a vote (or portion of a vote) in cases of significant irregularities or breaches of integrity;
- 3.4.1.5. Suspend or alter campaigning or voting in emergencies to protect the integrity of the process.

3.5. **Postponement of Elections or Referenda**

- 3.5.1. In the event of extraneous or unforeseen circumstances, including but not limited to, campus closures, public safety incidents, natural disasters, system failures, or other events that may compromise the fairness, accessibility, or integrity of the election or referendum, the CRO retains the right to determine that the process must be postponed, suspended, or rescheduled.
- 3.5.2. Such determination must be made in consultation with Manager, GA and with direction and oversight from the Board.

3.5.3. The CRO shall provide a written rationale outlining:

3.5.3.1. The circumstance leading to the postponement;

3.5.3.2. The proposed revised schedule or next steps; and

3.5.3.3. Confirmation that fairness, accessibility, and compliance were considered.

3.5.4. The revised election or referendum timeline must be communication to all members, candidates, stakeholders as soon as reasonably possible through official MSA communication channels.

3.5.5. The CRO's decision, once endorsed by the Board, shall be final and binding unless overturned by the Board due to procedural error or misconduct.

4. RETURNING OFFICERS

4.1. The Manager, GA serves as the Deputy Returning Officer.

4.2. Additional ROs may be appointed by GA, in consultation with the CRO, to support multi-campus or high-volume elections.

4.3. ROs must be neutral and not be current Board Members or candidates.

4.4. *Responsibilities*

4.4.1. ROs shall:

4.4.1.1. Support implementation of election and referendum timelines;

4.4.1.2. Coordinate logistics (online platform, information sessions, candidate communications);

4.4.1.3. Approve campaign materials in line with policy and CRO guidance;

4.4.1.4. Monitor campaign activity and voting locations;

4.4.1.5. Receive and document complaints, forwarding them to the CRO;

4.4.1.6. Provide operational updates and a summary to the CRO.

4.5. **Authority**

4.5.1. ROs may:

4.5.1.1. Issue informal or formal warnings for minor first-time violations;

4.5.1.2. Temporarily pause campaigning or materials pending CRO review;

4.5.1.3. Recommend sanctions or disqualification to the CRO.

5. **GENERAL BALLOT ELECTIONS**

5.1. Positions that are elected by general ballot of the Full Membership are:

5.1.1. President

5.1.2. Vice President, College Affairs (VPCA)

5.1.3. Vice President, External Affairs (VPEA)

5.2. All applicants must meet eligibility criteria under Bylaw 4.03.

5.3. **Election Timeline (Standard Cycle)**

5.3.1. Notice of Election:

5.3.1.1. Minimum eight (8) weeks prior to the first voting day.

5.3.2. Nomination Period:

5.3.2.1. Minimum two (2) calendar weeks.

5.3.3. Vetting and Interview Period:

5.3.3.1. Minimum two (2) weeks, led by Nominations Committee.

5.3.4. Campaign Period:

5.3.4.1. Two (2) weeks for approved candidates.

5.3.5. Voting Period:

5.3.5.1. Three (3) consecutive days.

5.3.5.2. Conducted via electronic ballots sent to Full Members Mohawk College emails.

5.3.5.3. Ballots open at 12:01 a.m. on Day 1 and close at 4:00 p.m. on Day 3.

5.3.6. Conclusion:

5.3.6.1. Under ideal circumstances, elections must be completed by March 31 each year to comply with Bylaw 4.04(b).

5.4. Nominations & Vetting

5.4.1. GA ensures posting of nomination packages to relevant MSA channels.

5.4.1.1. Candidates must submit a letter of intent, résumé, and complete nomination package to the MSA elections email during the nomination period.

5.4.2. GA conducts initial eligibility screening (Bylaw and academic standing).

5.4.2.1. Eligible candidates are interviewed by the Nominations Committee, a standing sub-committee of the Board's Governance & Strategy Committee, to evaluate role readiness, understanding of governance, and alignment with MSA values.

5.4.3. The Nominations Committee recommends which candidates proceed to the ballot; the Governance & Strategy Committee approves the final list.

5.5. Campaigning

5.5.1. Candidates and any individual deemed to be acting on behalf of a candidate will follow all rules and procedures outlined in the Candidate Information & Enforcements Handbook.

5.5.2. The official campaign period begins upon the CRO's formal announcement of approved candidates and ends at 3:59 p.m. on the final day of voting.

5.5.2.1. All candidates must receive written confirmation from the CRO prior to launching any campaign activity.

5.5.2.2. Campaigning before or after this period is prohibited.

5.5.2.3. All campaign activities, materials, and communications must be consistent with MSA's mission, values, and Bylaws, along with relevant Mohawk College policies.

5.5.3. CRO and DRO are responsible for oversight and may remove, modify, or restrict materials or conduct that violate this policy or the Candidate Information & Enforcements Handbook.

5.5.4. Campaign Materials

5.5.4.1. All campaign materials must be approved, in advance, by the ROs with oversight by CRO.

5.5.4.2. Candidates must adhere to Mohawk College posting policies, MSA brand integrity, and application legislation (e.g., accessibility, copyright).

5.5.4.3. Campaign materials must:

5.5.4.3.1. Clearly identify the candidates name and position sought;

5.5.4.3.2. Avoid offensive, defamatory, or discriminatory content;
and

5.5.4.3.3. Avoid misuse of MSA or Mohawk College logos, trademarks, or likeness.

5.5.4.3.4. Materials may include posters, digital graphics, short videos, or social media posts as approved.

5.5.5. Campaign Events

5.5.5.1. All campaign events (virtual or in-person) must be pre-approved by the CRO.

5.5.5.2. Events must not interfere with academic activities or violate Mohawk College safety and facility-use policies.

5.5.5.3. Alcohol or cannabis use is strictly prohibited at any campaign event.

5.5.5.4. Events must promote a positive and inclusive education atmosphere; disruptions or aggressive solicitation are not permitted.

5.5.6. Digital and Social Media Conduct

- 5.5.6.1. Candidates may use personal and campaign-specific social media accounts for election purposes, provided they are pre-approved by the CRO.
- 5.5.6.2. The following actions are prohibited:
 - 5.5.6.2.1. Harassment, bullying, or targeted negative campaigning;
 - 5.5.6.2.2. Creation of fake accounts or impersonation;
 - 5.5.6.2.3. Paid advertising, boosting, or sponsorship using external funds; and
 - 5.5.6.2.4. Tagging or pressuring individuals to vote publicly.
- 5.5.6.3. Campaigning in online class channels, academic discussion boards, or institutional systems without permission is prohibited.
- 5.5.6.4. Candidates are responsible for monitoring and moderating comments on their posts to maintain respectful dialogue.

5.5.7. Prohibited Activities

- 5.5.7.1. The following activities are explicitly prohibited and may result in sanctions or disqualifications:
 - 5.5.7.2. Bribery, intimidation, or vote-buying;
 - 5.5.7.3. Destruction, defacement, or removal of other candidates' material;
 - 5.5.7.4. Unauthorized access to MSA systems or confidential election data;
 - 5.5.7.5. Coordinating with external organizations, companies, or political parties;
 - 5.5.7.6. Campaigning within designated "no-campaign zones", such as candidate directed campaign activities within 10 metres of MSA-branded service areas.

5.5.8. Penalties for Misconduct

- 5.5.8.1. Minor violations will result in official verbal warnings from the DRO and/or written warnings from the CRO.
- 5.5.8.2. Serious or repeated violations, including but not limited to, bribery, harassment, or behaviour that violates the fairness, integrity, or transparency of the electoral process, may result in immediate disqualification by the CRO.

5.5.9. Enforcements and Appeals

- 5.5.9.1. The CRO is responsible for enforcing and upholding this policy and any rules found within the Candidate Information & Enforcements Handbook.
- 5.5.9.2. All complaints regarding election violates or disputes must be submitted in writing (electronic) to the CRO within 24-hours of the alleged incident using the MSA Elections Complaint Form.
- 5.5.9.3. Should a complaint be submitted outside of the 24-hour critical window, individuals can provide reason for a late submission which the CRO will consider.
- 5.5.9.4. All complaints will be investigated within two (2) business days of submission and issue a decision.
- 5.5.9.5. All decisions will be sent to relevant parties via electronic communication by the CRO.

5.5.10. Appeals of Misconduct

- 5.5.10.1. Candidates must be afforded the right to appeal any sanctions, penalties, or decisions imposed on them throughout the election process, ensuring procedural fairness, providing an avenue for review, and upholding the principles of natural justice.
- 5.5.10.2. Candidates wanting to appeal any sanction must do so within two (2) business days of the initial determination given by the DRO/CRO submitted in writing (electronic) to the MSA elections email.
- 5.5.10.3. Appeals must be based on factual or procedural grounds, such as an error in process, interpretation, or evidence. Appeals submitted solely on the basis of disagreement with the decision or sanction

imposed will not be considered.

5.5.10.4. The Appeals Committee, a standing sub-committee of the Board's Finance & Human Resources Committee, will review the complainant and respondent information, along with the determination from the DRO/CRO, and will deliver a determination on the matter to either:

5.5.10.4.1. Uphold the decision

5.5.10.4.2. Overturn the decision

5.5.10.4.3. Reduce the severity of the decision

5.5.10.4.4. Increase the severity of the decision

5.5.10.5. All decisions on appeals are final.

5.6. Voting & Results

5.6.1. Voting is conducted via secure third-party electronic software.

5.6.2. Only Full Members in good standing may vote.

5.6.3. The candidate with the highest number of votes for each position is elected.

5.6.4. If running uncontested, the candidate must receive 50% + 1 of votes cast (Vote of Confidence).

5.6.5. In the event of a tie, a run-off election between tied candidates shall be held within five (5) business days.

6. MEMBERS MEETING ELECTIONS

6.1. Positions that are elected by the Full Membership at a Members Meeting are:

6.1.1. Vice President, International Affairs (VPIA)

6.1.2. Vice President, Equity & Inclusion (VPEI)

6.1.3. Directors-at-Large (Board of Directors)

6.2. All applicants must meet eligibility criteria under Bylaw 4.03.

6.3. Election Timeline (Standard Cycle)

6.3.1. The election cycle for positions filled through a Members meeting shall occur following the conclusion of the General Ballot Election (as seen below) but not later than March 31, except in special circumstances as determined under Section 5.4 Postponement of Election and Referenda.

6.3.2. This process ensures continuity between the general ballot election and members meeting election processes and allows sufficient time for onboarding and transitioning of all incoming leaders before the May 1 governance year begins. Detailed account found in Appendix (A).

6.4. Recruitment & Shortlisting

6.4.1. GA ensures application packages are posted to relevant MSA channels.

6.4.2. Applicants must submit a letter of intent, résumé, and complete application package to the MSA elections email during the nomination period.

6.4.3. A role relevant Selection Panel, struck by the Board, reviews applications, conducts interviews, and recommends preferred candidates.

6.5. Voting & Results

6.5.1. Recommended candidates are presented at a Special Members Meeting called under Bylaw 9.02.

6.5.2. Candidate bios and role expectations are shared with Members in advance.

6.5.3. Full Members vote by Ordinary Resolution to elect each candidate for a one-year term, in accordance with Bylaw 4.05.

7. VACANCIES

7.1. A vacancy may occur due to resignation, removal, ineligibility, incapacity, or other unforeseen circumstances.

7.2. All vacancies must be addressed promptly to maintain stability in leadership and preserve the effectiveness of the Board and Executive.

7.3. All processes must follow the MSA Bylaws, policies, and applicable legislation.

7.4. Vacancies of the Executive

7.4.1. Temporary Vacancy

7.4.1.1. In the event of a temporary vacancy, interim coverage will be determined by the Board brought forth by remaining Executive for consideration.

7.4.1.2. The Board may, by resolution, appoint an existing Executive member to fulfill interim duties for the duration of the vacancy.

7.4.1.3. Interim appointments must not exceed 60 days.

8. REFERENDA

8.1. Authority to Call a Referendum

8.1.1. An MSA wide referendum may be initiated in accordance with Article XIV of the Bylaws and may be called through either of the following mechanisms:

8.1.1.1. Ordinary Resolution of the Board of Directors, passed at a duly constituted Board meeting with at least seventy-five percent (75%) of voting Board Members present; or

8.1.1.2. By petition submitted by Full Members, bearing the names, student numbers, and signatures of at least fifteen percent (15%) of the Full Membership.

8.1.2. Referenda conducted under this policy are binding, unless it is clearly stipulated and communicated to Full Members in advance that the vote is being conducted as a non-binding survey.

8.2. Scope of Referenda

8.2.1. Referenda may be held on matters significant interest to the Full Membership, including but not limited to:

8.2.1.1. Changes impacting student fees, services, or supports;

8.2.1.2. Major governance, policies, or strategic decisions delegated to the membership under the Bylaws; and

8.2.1.3. Other matters deemed appropriate by the Board or initiated by a valid member petition.

8.3. Oversight and Administration

8.3.1. The Chief Returning Officer (CRO) is responsible for the administration, conduct, and integrity of all referenda conducted under this policy, in accordance with the MSA Bylaws.

8.3.2. The CRO shall:

8.3.2.1. Approve and publish the referendum timeline;

8.3.2.2. Review and approve referendum question wording for clarity and neutrality;

8.3.2.3. Oversee voting procedures and official communications;

8.3.2.4. Ensure fairness, accessibility, transparency, and non-partisanship throughout the process; and

8.3.2.5. Certify and declare the official referendum results.

8.3.3. The Deputy Returning Officer (DRO) will be responsible for the operational delivery of a referendum and may appoint other Returning Officers (RO) for support.

8.4. Notice and Vetting Period

8.4.1. A minimum of two (2) weeks' notice must be provided to Full Members prior to the opening of a referendum.

8.4.2. A referendum shall remain open for no fewer than three (3) full business days.

8.4.3. Voting shall be conducted using a secure electronic voting platform approved by the CRO.

8.4.4. Only eligible Full Members may cast a ballot in a referendum.

8.5. Quorum, Validity, and Results

8.5.1. A referendum shall be considered valid only if at least ten percent (10%) of eligible voting members participate.

8.5.2. Where quorum is not met, the Board of Directors shall determine the outcome of the referendum matter on behalf of the Full Membership.

8.5.3. A referendum shall pass with an Ordinary Resolution (50% + 1 of votes cast in favour).

8.6. *Restrictions on Repetition*

8.6.1. A referendum question is accepted or defeated, the same question, or a substantially similar question directly pertaining to the original matter, shall not be introduced by referenda for a period of eleven (11) months following the conclusion of the original referendum.

8.7. *Complaints and Irregularities*

8.7.1. Any concerns regarding procedural irregularities, accessibility barriers, or alleged breaches of referendum integrity must be submitted in writing to the CRO within timelines established by the CRO.

8.7.2. Where fairness, accessibility, or integrity has been materially compromised, the CRO may recommend corrective action, including partial or full re-running of a referendum, subject to Board oversight.