

# CESAX Elections Procedure Code

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### **Purpose of Elections Procedure Code**

The following Elections Code (the “Code”) is established and set by the Chief Returning Officer at the outset of an election for the Continuing Education Students' Association of X University. The purpose of the Code is to provide greater clarity on the way the Chief Returning Officer will adjudicate and run the elections cycle. The Code may be amended during the Elections should the need arise. Any changes to the Code will be reported to the CESAX Board of Directors.

Should a conflict exist between governing documents of CESAX contradict, the following hierarchy of authority exists:

1. Governing Law
2. CESAX Bylaws
3. CESAX Policy
4. Elections Procedure Code

CESAX Bylaws and Policy can be found on <https://mycesax.ca/bylaws>

## Elections Officials and Contact Information

As per the By-laws of the Continuing Education Students' Association of X University (CESAX), there will be a Chief Returning Officer who will be hired to oversee the general elections procedures as outlined in the CESAX bylaws. Only the CRO will have the power to make judgements and rulings on matters regarding the election process.

Inquiries to the CRO will be responded to promptly and no later than 24 hours during the campaign period.

### Contact Information

Name	Election Roll	Email
Salma Fakhry	Chief Returning Officer	elections@mycesax.ca
Zayd Ghunaim	Deputy Returning Officer / Privacy Officer	communications@mycesax.ca
Shahla Navai	Deputy Returning Officer / Privacy Officer	internal@mycesax.ca
Amanda Lin	Deputy Returning Officer / Privacy Officer	services@mycesax.ca
Lyndall Musselman	Deputy Returning Officer / Privacy Officer	studentrights@mycesax.ca
Jessie Whyte	Deputy Returning Officer / Privacy Officer	outreach@mycesax.ca
Poll Clerks	Deputy Returning Officer / Privacy Officer	Various

### Chief Returning Officer (CRO)

The Chief Returning Officer (CRO) is responsible for administering the CESAX General Elections. They are the primary decision making authority for ensuring the Bylaws, Policies and Code are followed and interpreted.

### Deputy Returning Officer (DRO)

The Deputy Returning Officers are the privacy officers of CESAX. The DRO's will be the

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only individuals to have access to the live look up system to verify student identification. They will be co-responsible for ensuring the accurate count of tokens but shall not engage with individual voters.

### **Poll Clerks**

Poll Clerks will be set up with a different Deputy Returning Officer each day. They will be responsible for ensuring members are run through the membership verification, voting process, privacy statement and receiving a vote link and token. They will be co-responsible for ensuring the accurate count of tokens.

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### Elections Timelines

Item	Date	Time
Nomination period opens	Monday, February 14, 2022	10AM
Nomination period closes	Wednesday, February 23, 2022	6PM
Verification period	Thursday, February 24, 2022	N/A
All-candidates meeting	February 25 to 27, 2022	N/A
Deadline for candidate declaration and statement	Sunday, February 27, 2022	8PM
Campaign period begins	Monday, February 28, 2022	10AM
Advanced voting - DAY 1	Monday, March 7, 2022	4PM-7PM
Advanced voting - DAY 2	Tuesday, March 8, 2022	11AM-2PM
Advanced voting - DAY 2	Tuesday, March 8, 2022	4PM-7PM
Advanced voting - DAY 3	Wednesday, March 9, 2022	4PM-7PM
Candidates Forum and General Meeting	Thursday, March 10, 2022	6PM-8PM
Campaign period ends	Thursday, March 10, 2022	8PM
Ballot counting	Thursday, March 10, 2022	8PM
Deadline for election appeals	Saturday, March 12, 2022	8PM
Submission of campaigns finances due	Monday, March 14, 2022	10AM
Ratification of Results: Board of Directors	Wednesday, March 23, 2022	7PM-8:30PM
Onboarding Period	April 2022	N/A
Outgoing/Incoming Board Meeting	Friday, April 29, 2022	5PM-8PM
Start Date	May 1, 2022	N/A

## **Nomination and Verification Period**

### **Nomination**

The nominations period will run from the days and times listed in the Election Schedule. Board of Director candidates will be required to collect five nominations. Nominations will be collected.

Candidates will be required to apply for a nomination through the following form:

<http://mycesax.ca/nomination/>

Candidates can then ask nominators to complete the following form:

<http://mycesax.ca/nominator>

Candidates cannot campaign during the nomination period.

While this system is not ideal and can create additional hurdles, it balances the importance of collecting nominators without having to ask members to submit their student number and email digitally to the candidate.

Nominators student numbers and names will be verified through the Internal Coordinator and communicated to the Chief Returning Officer.

### **Verification Period**

The CRO will work with the Internal Coordinator to verify the eligibility of all potential candidates and their nominators. It is encouraged to collect more nominations than necessary, in the case that a nomination was entered incorrectly or the student is not a member.

### **All Candidates Meeting**

The All Candidate's check-in will run from Thursday, February 24, 2022 to Sunday, February 27, 2022.

The Chief Returning Officer will verify a candidate's eligibility via email. The CRO will then request a thirty minute phone meeting to overview the elections procedures and candidate guidelines. The candidate is required to participate in this phone meeting prior to the beginning of the campaign period. The CRO will attempt to schedule multiple calls at the same time.

Candidates will be required to read and sign the Candidate Declaration Form required by the Chief Returning Officer, and any other documents they deem necessary.



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### **Candidate Statements**

Candidates are expected to submit a photo and 100-250 word candidate statement. Candidate statements are due in accordance with the Election Schedule.

## **Campaign Guidelines**

Campaigning may only begin at the time period listed in the election timeline.

Campaigning includes posters, banners, classroom talks, websites and events. The bylaws outline acceptable forms of campaigning and failure to observe these regulations can result in sanctions, demerit points and potentially disqualification. Further clarity is provided in Appendix B.

All printed campaign materials must first be approved and stamped by the CRO or their designate prior to their copying and distribution. Posting material that is not approved is a violation of the campaign rules. Candidates should account for a 24 hour turn-around for the materials approvals and are encouraged to plan ahead. Materials are encouraged to be submitted for approval before the campaign period begins.

### **Slates/Teams**

Candidates may choose to run with other candidates as a slate. This decision must be made prior to the start of campaigning and communicated to the CRO in writing. Material production costs will be divided among the members of the slate whose names appear on the material. Campaign materials must include the name of at least one candidate.

### **Campaign-Free Spaces - CESAX**

Aside from CRO-designated spaces, all CESAX spaces should be free of campaign material or campaigning. This includes, but is not limited to physical and digital spaces such as:

- CESAX office
- CESAX events and workshops
- CESAX social media posts
- Within eight-meters of any physical advanced voting location or CESAX event space
- Any digital voting location

For clarity, a member bringing a leaflet to these spaces does not constitute campaigning, however such leaflet cannot be distributed in the space by the candidate, volunteer or member.

### **Campaign-Free Spaces - University**

Campaigning is prohibited from academic spaces such as libraries, computer labs and study rooms. Physical campaign materials must adhere to X University guidelines and any building specific guidelines. Additional guidelines are provided in Appendix C.

### **Video/Audio taping and Photos**

Candidates, media and community members can all play a role in ensuring that an electoral process is carried out in a transparent and democratic fashion. Increasingly, media devices such as cameras are being used to document the campaign process. Community members, elections officials and candidates also have the right (upheld both in law, X University Regulations and the CESAX Bylaws) to feel safe and to participate in the electoral process free of harassment.

To balance these interests, the use of cameras (video or photo) and other recording devices (phone, video, digital camera etc.) must first be registered with the CRO. All requests will be granted as long as participants agree to comply with the regulations outlined for filming, taking of photos and seeking consent. All candidates, by virtue of their participation in the electoral process, give their consent to any such documentation that complies with the regulations.

### **Volunteers**

As per previous elections, candidates are not limited in whom they can have assisting them in their pursuit of a CESAX position. Nonetheless, all volunteers are expected to comply with the Election Bylaws and candidates are responsible for the actions of their volunteers. Therefore, misconduct of volunteers may not only have repercussions for the individual involved, but may also result in demerit points or disqualification for the candidate or slate represented.

### **Logos and Crests on Campaign Materials**

No candidate or slate will be permitted the use of either the Ryerson University logo/crest or the logo of CESAX. Non-adherence will result in the immediate removal of materials plus demerits points or disqualification.

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### **Electronic Media**

Electronic media may be used for campaigning.

#### Email:

Campaigning via email is not permitted to those that have not consented to receiving communications from the candidate in question. Candidates may campaign through email IF they have obtained a member's consent (ex. When compiling an email listserv, candidates must include and read out a disclaimer that states that upon signing up, a member agrees that they may be sent emails from time to time regarding a candidate's campaign). Members that signed up must have the option to opt out of the listserv at any point. Therefore, campaigning is prohibited on compulsory email listserv from the university.

#### Website:

Candidates will be allowed to set up a campaign website whose content must be approved by the CRO or their designate prior to becoming publicly visible. Candidates are responsible for any and all dynamic material posted on the site and will be held responsible should the material contravene any of these procedures.

#### Social Media

Candidates will be allowed to set up social media accounts (such as Facebook, Twitter, Instagram, LinkedIn, etc) whose content must be approved by the CRO or their designate prior to becoming publicly visible. The CRO Facebook account must also be added to each social media account created by candidates and aimed at the electorate. Candidates are responsible for any and all dynamic material posted on these groups and will be held responsible should the material contravene any of these procedures. Messages sent to members of the group are considered a violation of the electronic media bylaw.

Content for social media posts are approved in principle if the language mirrors language used in other campaign materials. For greater clarity, the CRO does not need to approve the exact wording but only the scope of the content.

#### University Spaces

Candidates are not permitted to campaign in spaces that other candidates do not have

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reasonable access to. This includes, but it is not limited to, posting campaign material on course shells (D2L) or using compulsory university created listservs.

Candidates may post information on how to vote and where to access candidate profiles. Candidates are encouraged to contact the CRO if there is ambiguity on whether they can campaign or post in electronic spaces.

### **Endorsements**

Candidates may receive endorsements from campus and community groups within reason. An endorsement will not come with financial or human resource benefits, nor will it include access to a preconstructed compulsory university listserv.

Any campus or community group endorsement must be provided first to the CRO with a description of what the endorsement entails and a confirmation that the endorsement is authorized via the organization's decision-making processes.

Student societies and sister students' students' unions are not permitted to endorse a candidate.

## **Elections Complaints and Appeals**

It is within the rights of all candidates and community members to lodge complaints for perceived violations to elections by-laws and these guidelines.

### **Election Complaint**

All election related complaints regarding the conduct of another candidate or the person acting on behalf of a candidate must be filed formally, in written format to the Chief Returning Officer. Once received, the CRO will conduct an investigation and make a ruling regarding the matter.

Scrutineers will have until Monday, November 30 at 10:00am to submit an appeal of the process to the Chief Returning Officer.

### **CRO Decision**

The Chief Returning Officer will have 24 hours to provide a written ruling.

Decisions impacting all candidates will be posted publicly on the CESAX website, while decisions only impacting the individual making an inquiry will not. All complaints will be reported in the Chief Returning Officer provided to the Board of Directors.

### **Appeal Process**

Should the CRO's ruling be dissatisfactory to the respondent, an appeal can be made to the CESAX Board of Directors within 24 hours of the ruling. In such cases, the Board will deliberate and provide a written response within 48 hours of the appeal. All decisions by the Board of Directors will be posted publicly on the CESAX website; however, the Board will strive to protect confidentiality when feasible.

### Disqualification

All candidates and their representatives are strongly cautioned against committing any of the following as these will result in disqualification:

#### Harassment of candidates, volunteers, community members or CESAX staff

It is the responsibility of all involved in the election process to ensure civil conduct and to not participate in actions that are deemed as threatening and possibly unlawful. Candidates and their representatives are expected to show respect to all candidates, volunteers, community members and CESAX staff.

Alleged misconduct should not and cannot be dealt with by the candidate or representative. Instead, complaints should be immediately directed to the Chief Returning Officer or, depending on the misconduct, to Campus Security or Police.

#### Racist, Sexist, Homophobic or Offensive Language

Any campaigning by candidates, their representatives or any third parties (whether through verbal or written communication) deemed to be racist, sexist, homophobic or offensive is explicitly prohibited and will be dealt with severely up to and including the involvement of X University officials and Police.

#### Libel, Slander and Gross Misrepresentation

Candidates, their representatives and third parties are explicitly barred from libel, slander or gross misrepresentation of a candidate or their representative. This does not bar a candidate from voicing an opinion on a matter, however matters represented as substantive or factual must have a basis in fact and must be in accordance with the general spirit of the code of conduct.

Candidates are strongly encouraged to engage their campaigning in a clean, positive and in good faith manner. Demerit points will be issued at the discretion of the CRO with consideration to severity and frequency of infractions upon their investigation and verification. *Appendix B* provides a guideline for permissible and non-permissible campaigning practices, however these examples should not be taken to be a complete and final list. Candidates are encouraged to contact the CRO about a practice they are unsure about.

## Campaign Materials & Financing

### Campaign Financing

Each candidate is allotted an expense of \$100.00. All materials and in-kind donations will be assessed against these expense limits.

There will be no reimbursement for services such as design, webpage creation or campaign management. Only purchases with receipt are eligible for reimbursement.

### CESAX Printing

Candidates can have materials printed and cut at the CESAX office at cost to the organization through fee-per-use below. Candidates shall respectfully provide digital copies of their materials to the Internal Coordinator and provide at least two hours for printing. Candidates will be expected to cut their own materials in CESAX or Copyrite.

The CESAX Internal Coordinator can provide an updated balance with two-hours notice. Such balance must be included in the financial report at the end of the elections.

Paper	B/W 1-Side	B/W 2-Side	Colour 1-Side	Colour 2-Side
8.5 x 11	\$0.005	\$0.05	\$0.05	\$0.10
11 x 17	\$0.05	\$0.10	\$0.10	\$0.20

### Limit to Campaign Materials

Candidates may not campaign by distributing goods that cost more than \$0.50 CAD per unit according to Fair Market Value as assessed by the Chief Returning Officer.

### Campaign Finance Report

Legitimate expenses will be 100% reimbursed upon presentation of campaign expenses by the deadline listed in the Election Timeline. The report must include expense receipts and description of expenses. CESAX printing fees should be calculated in the report but no receipt is required.

No report is required if the candidate does not incur expenses or only uses CESAX



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printing services.

### **Slates**

Candidates may pool their expense limit together and only need to submit one report. Slates are responsible and absorb the responsibility of all their candidates.

### Voting Process

The CESAX Bylaws state that voting shall be conducted at a General Meeting and at least three designated buildings for Advanced Polls. For the purpose of this election, voting shall be conducted:

- **Physical:** There will be no in-person voting stations due to the ongoing pandemic
- **Digital:** There will be three days of advanced voting periods as well as the General Meeting.

### Ballots

There will be three separate ballots based on the student's enrollment status: Part-time Degree, Certificate, Non-PT/Certificate. These ballots will indicate the different board positions they are eligible to vote for as well as the executive candidates seeking election.

If there is a no-contest position, the vote will be a Yes/No question.

### Line-ups

Should a line-up of voters occur at the end of a voting period, such votes will be processed as long as the line-up occurred before the scheduled close of the poll.

### Procedures for Digital Voting

CESAX has established a process for digital voting that adheres closely to in-person voting. This process may be used for hybrid elections for distance education learners and accommodations. Digital voting should not be used as a primary voter outreach tool.

#### Digital Voting Principles

1. The voter has access to election information;
2. The voter is voting off of their own free will;
3. The voter is the person they are claiming to be;
4. The voter is eligible to vote on this particular vote.

#### Token-based Voting

The Chief Returning Officer and Communications & Campaigns Coordinator will be the

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sole people able to create and distribute tokens. Tokens will be assigned in batches by the CRO. DROs are required to assign information of members to the associated token in a live google sheet. DROs will periodically check to ensure that tokens that have been allocated have been cast by checking in with the CRO and Communications & Campaigns Coordinator.

Tokens will automatically expire at the end of each day but can be withdrawn if not cast while the member is in the voting room.

### Voting Process

1. The member schedules or sets a walk-in appointment from Calendly link on CESAX website.
2. The member gets access to the main Zoom Room
3. The CRO or designate moves the member into an independent room with poll clerk and DRO
4. The Poll Clerk begins the logistics process
  - a. Reads Privacy Statement
  - b. Asks for membership information (name, student number, email) - ideally to be typed in chat but can be read aloud
  - c. Asks for identification through on or off-camera methods
  - d. Asks questions to verify they are not coerced and that they have access to candidate information
  - e. Provides appropriate voting link at advice of DRO
5. The DRO begins the verification process
  - a. shahla.navailnputs information on the live lookup first
  - b. Verifies membership ballot type
  - c. Inputs information on the google sheet
  - d. Coordinates double ballot as necessary
6. The Poll Clerk will provide the token
7. The member will vote while in the room
8. The DRO will confirm that the vote has been completed and message the CRO for the next member to join the room.
9. The Poll Clerk will thank the student and remove them from the room.

### Membership/Identity Verification

Students will be asked to provide the following information:

- Name
- Email

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- Student Number

The Poll Clerk will ask for identity verification through the two possible avenues:

- On Camera: Provide a piece of photo identification that identifies their name and photo
- Off-Camera: Poll clerk will send an email with a password to read back.

### Live Look-Up

Only CESAX Privacy Officers/Deputy Returning Officers will have access to the X University Live Look-up to verify student membership. The DRO will then verify what ballot they will receive.

### Privacy Statement

The poll clerks are required to read a privacy statement at the beginning of each new member voting. This statement will state that the information being collected is only recorded by the CESAX Privacy Officers and will be deleted after the elections, and that the room is not being recorded.

### Double Ballot

Should the student not appear on the membership list, they will be sent to the main room to cast a double ballot with the appropriate breakout room.

### Ballot Boxes

Individual electronic ballot boxes will be used for each zoom room for each day. There will be one ballot box for double ballots.

### Vote Day Scrutineer

Due to the privacy of information, scrutineers will not be allowed in the voting room but may be allowed in the main zoom room with the CRO.

## **Procedures for In-Person Voting**

Not in place this election

## **Post-Elections Period**

### **Ballot Counting**

The CRO and the Communications & Campaigns Coordinator, along with any scrutineers, will open physical and digital ballot boxes at the conclusion of the General Meeting. Poll Clerks and additional DROs may be invited to count multiple boxes at a given time.

### **Election Results**

The CRO will post the Unofficial Election Results on the CESAX website within 24 hours of the close of elections. The election results become official with the ratification of the CRO Report at the Board of Directors.

### **Ballot Counting Scrutineer**

A candidate may opt to have one scrutineer. Scrutineer's must be registered 24 hours before the close of elections.

#### Physical Scrutineer

One registered scrutineer per candidate will be granted to be in the room while physical ballot boxes are opened. Scrutineers may not touch boxes or ballots and shall not directly engage with poll clerks. Scrutineers may exam boxes and ballots visually to ensure processes are followed. Scrutineers may challenge ballots solely to the CRO or their designated DRO.

#### Digital Scrutineer

One registered scrutineer per candidate will be granted access to a voter list the day following the General meeting that will include:

- polling station of each vote
- time of each vote
- IP address of each vote
- Total vote count

### **Submission of Finances**

Please read section on finances

## **Appeals Deadline**

Please read the section on Election complaints and Appeals.

## **Chief Returning Officer Report**

The CRO will compile a report for ratification by the Board of Directors

## **Onboarding Period**

Elected candidates will be contacted by the Executive Director in late March to establish an onboarding process for new executives.

## **Appendix A: Interpretation**

CRO shall mean the Chief Returning Officer.

DRO shall mean the Chief Returning Officer.

Endorsement shall mean supporting a candidate, through either verbal or non-verbal communication, through the provision of materials, advertisements or non-financial donations.

Harassment shall refer to the definition set out in the Unions' Operation Policy

Non-Arm's-Length Party means an individual or group that a candidate knew, or reasonably ought to have known, would assist that candidate in his / her campaign. Publicly campaigned with a Candidate. Knowingly distributing more than one of the same types of campaign material to an individual shall result in that individual being deemed a non-arm's-length party.

Poster shall refer to print media to be affixed to a surface, or displayed for viewing.

Student Society shall refer to any student groups on campus that collect a compulsory student fee.

Sister Students' Union shall refer to the Ryerson Students' Union and X University Graduate Students' Union.

## Appendix B: Campaign Practices

### Permissible and Non-Permissible Campaigning Practices

Permissible	Not Permissible
Speaking to students	Interrupting other candidates while they are speaking to students
Asking questions of CESAX staff or election staff	Disrespecting or mistreating CESAX or election staff
Documenting (videotaping, photos etc.) of yourself, your candidates or anything within the regulations specified upon registration with the CRO	Taking photos, video, audio of anyone without their consent or in non-compliance with the regulations
Removing, modifying or replacing your own approved election materials	Removing, modifying or replacing another candidates approved election materials
Making editorial comments or giving opinions about issues and events, positions and actions of other candidates	Accusing candidates of actions or views that are not proven; maligning the character of other candidates, CESAX or election staff
Beginning to campaign immediately upon the start of the campaign period	Campaigning prior to the commencement of the campaign period
Persuading members for their vote	Remunerating someone for their vote
Creative campaigning	Spending more than the permitted amount or involving alcohol in your campaign
Responding to emails sent regarding your campaign	Sending out unsolicited emails or electronic messages of any type or through any medium
Asserting your rights as a candidate and file complaints as necessary	Repeated and frivolous complaints against another candidate
Campaigning during voting	Campaigning or displaying campaign materials within 8m of voting stations



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Campaigning in open and accessible spaces	Campaigning in digital platforms, such as classrooms and D2L, where not all candidates have access to campaign
Speaking to media about your campaign	Bringing unverified election complaints to media

## **Appendix C: Campaign Materials Specifications**

### *Postering Regulations:*

1. Poster size shall not exceed 11" x 17" (tabloid size)
2. Candidates for Executive Positions will be allowed no more than three (3) banners not to exceed 3ft (0.92) x 9ft (2.75m), and all other positions one such banner
3. High-gloss posters are not permitted
4. Laminated posters are not permitted
5. Any form of non-recyclable poster material is not permitted
6. ONLY masking/painters tape or tacks must be used to affix posters
7. Posters can not be placed on glass or on divisions between glass that are less than 6 inches (153mm) in the shortest dimension
8. All text in other languages on campaign materials must have an accurate English translation of readable size (as determined by the CRO) that appears on the poster
9. Candidates poster may not overlap another candidates' poster
10. Each candidate may not poster within 6 inches (153mm) of another one of their own posters
11. Campaign material CANNOT:
  - a. be placed on or in offices of the CESAX
  - b. overlap or be attached to campaigning materials already affixed to other objects or surfaces
  - c. be affixed to surfaces in classrooms, seminar rooms, in the library or other university-designated non-postering areas, especially where they might obstruct view on a doorway
  - d. be removed from any posted location
  - e. be within 8 metres of a polling station on election days