

University of Toronto Students' Union
CHARTER FOR REFERENDA
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**UNIVERSITY OF TORONTO STUDENTS' UNION
CHARTER FOR REFERENDA**

1. PRINCIPLE

- a. In addition to Annual and General Meetings, the members of the Union may vote on resolutions concerning the business of the Union by means of a referendum.
- b. Referenda should only be held under the principle that any given referenda must benefit the entire membership and contribute to the development and growth of student experience on campus and / or student movements on campus.
- c. Referenda should reflect the general interest of the membership with the intention to improve the distribution of services by the Union, recognized campus group and / or external organizations.
- d. Failure to adhere to this Charter and its provisions shall invalidate the results of referenda.
- e. Where this code is in contradiction of any of the following Union governance documents or silent regarding process, in order of precedence, Union bylaws, the Elections Procedure Code and the Policy Book Manual shall prevail.

2. NOTICE

- a. The Board of Directors of the Union shall give no less than fourteen (14) calendar days notice of a referendum prior to the commencement of the campaign period. Sufficient notice shall be deemed to have been given by the posting of no less than one hundred and fifty (150) notices, each 27.9x43.2 centimetres (11x17 inches), across the St. George campus and fifty (50) notices, of the same size, across the Mississauga campus. In addition to a series of ads, no less than 10.2 by 15.2 centimetres (4x6 inches), shall be published appearing in every issue of a campus newspaper with distribution across both the St. George and UTM campuses that is published for a period of fourteen (14) calendar days, each of which shall include the following:
 - i. The time, date, and location of the referendum.
 - ii. The proposed resolution(s) for the referendum.
 - iii. Any special resolution(s) to be considered in the referendum.

Moreover series of ads shall be posted in as many college and/or faculty newspaper as possible.

- b. For referenda under Schedules B and C to be considered, question(s) must be submitted to the Elections and Referenda Committee in the Fall semester by 15 September and in the Winter semester by 15 January.

3. PETITIONS

- a. Petitions should be collected according to the guidelines set out in the Schedules and include the following:
 - i. Union Member name as it appears on ROSI.
 - ii. Union Member student number.
 - iii. Date of Birth.
 - iv. Signature.
 - v. The purpose of the petition.
 - vi. The referendum question(s).
 - vii. Other specifics that the Elections and Referenda Committee deem necessary.

- b. Prior to collecting petitions, the format must be approved by the Elections and Referenda Committee and submitted with three (3) weeks notice prior to the commencement of the campaign period.

4. VOTING

- a. The Elections and Referenda Committee has the power to determine whether any give referendum shall be conducted using either a paper or electronic ballot.
- b. Referenda shall be held in conjunction with the spring election period or the fall by-election period.

4.1. BALLOT BOXES / POLLING STATIONS

- a. The Elections and Referenda Committee shall determine whether to hold elections under faculty and / or college voting system.
- b. The double envelope system will be used whenever necessary.
- c. The Union is responsible for staffing the polling stations with volunteers or paid staff.
- d. The Elections and Referenda Committee shall declare the location and hours of each polling station, at least ten (10) business days in advance.

4.2. SCRUTINEERING

- a. Scrutineers shall be appointed by the Elections and Referenda Committee and must include a maximum of two representatives from each of the "yes" and "no" advocacy committee. The scrutineers from the advocating committees can be appointed by their own committee.
- b. The counting of paper ballots shall occur in one low traffic area (e.g. a lecture room) where no disruptions may occur.

4.3. MASTER VOTING LIST

- a. The Master Voting List must be obtained three to four weeks prior to the start of the voting period (if necessary).
- b. The Master Voting List shall provide the list of members eligible to vote.

5. THE QUESTION

- a. Each question must be positively worded, so that the vote of "yes" signifies agreement with the initiative proposed, and a vote of "no" signifies disagreement with it.
- b. After receiving a petition pursuant to section 3 and the Charter, the Elections and Referenda Committee shall convene to review the petition and question conforms to the policy set forth in this document.
- c. Questions falling under Schedule A referenda shall first receive assent from the Elections and Referenda Committee before authorization from the Board of Directors.

Within ten business days after convening the meeting and prior to the next Board of Directors meeting, the Election and Referenda committee must file a report to the Board as to whether the petition complies with section 3 and the Charter and was compiled in a fair and reasonable manner.

- d. Upon receiving a report from the Election and Referenda Committee, approving a petition received by the Union pursuant to section 3 and the Charter, the Board shall authorize the referendum to be conducted as provided herein.

6. QUORUM

- a. Quorum required for a referendum of the Union shall be no less than five percent (5%) of the membership affected by the referendum question.

7. CAMPAIGNING

- a. The Elections and Referenda Committee of the Union shall oversee the campaign and logistics of all referenda. The Chief Returning Officer of the Union shall oversee the referenda and campaigning.
- b. All sides must register and declare their position.
- c. All sides must register before collecting petitions; failure to do so will invalidate the petitions and render the referenda null and void.
- d. No active campaigning or distribution of campaigning material shall take place prior to the campaigning period.
- e. All involved in campaigning are responsible for their actions and violations stemming from such actions.
- f. All campaigning shall be in accordance with the rules of fair play. Breaking the rules of fair play include, but are not limited to, breaching generally accepted community standards, libel, slander, general sabotage of the campaigns of other sides, malicious and / or intentional breach of elections policies, any attempt to undermine the referenda process and / or misrepresent facts.
- g. It is the responsibility of the advocating committee(s) to ensure that all campaign tactics, materials, and / or advertisements conform to all policies and regulations of the Union, as well as municipal, provincial and federal laws. Campaign displays and the distribution of literature are also subject to the rules and regulations of the University of Toronto publication *Procedure on Distribution of publications, posters and banners at the University of Toronto. Revised September 1998* as well as individual campuses and residences.
- h. During voting period, campaigning is not allowed within six (6) metres of a student residence, library, computer lab, polling station(s), and / or anything that can be considered a polling station. "Campaigning" includes the act of campaigning as well as campaign material which includes but is not limited to posters and banners.
- i. The Elections and Referenda Committee will set the distribution of demerit points for campaigning for the referendum in question prior to the commencement of the campaign period. The committee has the right to remove members from the advocating committees and disqualify an advocating committee. Appeals can be made to the Elections and Referenda Appeals Committee. The membership of this committee is defined and set out in the Union Elections Procedure Code.

- j. Campaign expense limits are set by the Elections and Referenda Committee, subject to the approval by the Board of Directors, and limits must be the same for both advocating committees. The Union shall reimburse both advocating committees for the expenses up to 50% of the spending limit provided the committee requesting reimbursement meets the provisions below. No type of reimbursement shall be provided to external organizations falling under Schedule C referenda; this includes monetary and resource allocations. All advocating committees must submit records of all campaign expenditures within twenty-four (24) hours of the closing of voting. Original receipts must be submitted whenever possible. Sources and amounts of campaign donations must be disclosed and will not be reimbursed. The Union reserves the right to withhold the results of any given referendum if receipts and expense records are not submitted. Where receipts are unavailable, a fair market value will be provided for the product and shall be the lowest price, without discount or special concession.
- k. Campaigning is not allowed within six (6) metres of Union sanctioned polling stations that the advocating committee knew, or out to have reasonably known of, except to vote on polling days. While voting, no form of campaigning or marketing shall take place.
- l. Campaign posters cannot be placed within six (6) metres of a Union sanctioned polling station. Campaign banners may not be placed within six (6) metres or within sight of the polling station.

7.1. ADVOCATING COMMITTEES

- a. The Elections and Referenda Committee may register no more than one committee authorized to promote the “yes” side to a referenda question, and one committee authorized to promote the “no” side, provided that at least three-quarters of the members of each committee are members of the Union.
- b. An advocating committee must register with the Chair of the Elections and Referenda Committee and the Chief Returning Officer and submit:
 - i. The full name of the advocating committee.
 - ii. The name, address and telephone number of the chief agent of the committee.
 - iii. The names, addresses, telephone number and title of each officer of the committee.
- c. No advocating committee shall invest resources in any aspect of a particular referendum more than the limit allowed by the Elections and Referenda Committee.
- d. Membership of an advocating committee will be public information and posted on the Union’s website.

- e. No party, individual or group, other than the registered advocating committee, shall advertise in any medium or post or distribute any material, for the purpose of supporting or opposing a referendum question.
- f. No registered advocating committee shall advertise in any medium, or post or distribute any material, unless the advertisement or other material:
 - i. Identifies that committee and indicates that the advertisement is authorized and approved by the union.
 - ii. Indicated that it has been approved by the Chair of the Elections and Referenda Committee and the Chief Returning Officer.
- g. During the referendum period, the Elections and Referenda Committee shall, at its discretion, arrange public forums for the advocating committees to make oral presentation to the membership, whether in a form of debate or "Question and Answer" session. Such a session shall be mandatory if both advocating committees have registered and are considered active.
- h. Only one party may campaign for or against any question. In the event that more than one party provides notice of their intent to run a "yes" or "no" campaign either in favor or against the same question, the CRO shall request that these parties merge into a single campaign. If the parties are unable to reach agreement, the CRO shall determine which party shall run the campaign.
- i. No one, whether a member of a registered advocating committee or otherwise, shall make any statement of fact either in support or opposition to a referendum question, without evidence substantiating that statement of fact to the satisfaction of the chief returning officer; or discuss any aspect of the referendum in a manner that the chief returning officer; or discuss any aspect of the referendum in a manner that the chief returning officer considers to constitute harassment.

8. Plebiscites

- a. Referenda questions that are put forth with the understanding that their results are to be considered non-binding upon the membership shall be termed "plebiscites". Plebiscites shall be campaigned for and voted on in the same way as referenda.
- b. The Policy on Referenda shall apply to plebiscite questions, only substituting the word "plebiscite" where "referenda" appears.
- c. Plebiscites shall be so indicated on the ballot with "Plebiscite" appearing before the specific question.

8. REQUIREMENTS OF REFERENDA

SCHEDULE A **Union Referenda**

Schedule A outlines the referenda guidelines for whenever the Board of Directors of the Union wishes to determine the opinion of the membership with respect to one or more issues relating to the Union, which may or may not include issues relating to fees.

To call a referendum under schedule A, a question must be submitted to the Board of Directors from the Executive Committee. The question(s) must have received a majority vote of fifty percent plus one (50% plus 1).

- a. The question is submitted to the Board of Directors, where a majority vote (50% plus 1) must be obtained to approve the question.
- b. A Board of Directors' approval of the question automatically places the Union in support of the question.
- c. No signatures need to be collected for Schedule A referenda.
- d. The Elections and Referenda Committee oversees the referendum once the question is determined and approved by the Board of Directors.
- e. Referenda can be held any time between the first day of school and before Fall session exams, to the first day back from the Winter holidays and before Winter session exams.

SCHEDULE B **University of Toronto Recognized Groups**

Schedule B outlines the referenda policy for whenever a recognized campus group wishes to determine the opinion of the membership with respect to one or more issues relating to the Union. The question may or may not relate to fees.

- a. To call a referendum under Schedule B, a question must be submitted to the Elections and Referenda Committee with the following supporting documentation:
 - i. Complete petitions from Divisions I, II and III, collecting ten percent (10%) of the members from each of the divisions.
 - ii. The petition used must conform to the criteria outlined in this Charter.
 - iii. Completed 'Referenda Application' set out by the Elections and Referenda Committee.

- iv. Materials for the campaign, ready for approval.
 - v. List of participants involved in the campaign.
- b. The Elections and Referenda Committee shall decide whether to recommend the support or opposition of the question to the Board of Directors, who must either adopt a "yes" or "no" stance.
- c. Referenda for Schedule B can only occur in conjunction with Fall and Spring elections.

SCHEDULE C

External Organizations

Schedule C outlines the referenda for whenever an external organization wishes to determine the opinion of the membership with respect to one or more issues relating to the Union. The question may or may not relate to fees.

- a. To call a referendum under Schedule C, a question must be submitted to the Elections and Referenda Committee with the following supporting documentation:
 - i. Complete petitions from Divisions I, II and III, collecting twenty percent (20%) of the members from each of the divisions.
 - ii. The petition used must conform to the criteria outlined in this charter.
 - iii. Completed 'Referenda Application' set out by the Elections and Referenda Committee.
 - iv. Materials for the campaign, ready for approval.
 - v. List of participants involved in the campaign.
- b. The Elections and Referenda Committee shall decided whether to recommend the support or opposition of the question to the Board of Directors, who must either adopt a "yes" or "no" stance.
- c. Referenda for Schedule C can only occur in conjunction with Fall and Spring elections.
- d. Referenda dealing with external organizations must respect the bylaws and rules of both the Union and the external organization.