Name:

1. This Document shall be referred to as the "Elections and Referenda Policy".

Interpretation:

2. The Returning Officer shall be responsible for the interpretation of this Policy.

Definitions:

3. The following terms are found throughout this policy:
   a. "Board" refers to the Board of Directors of the Graduate Students' Association ("GSA"),
   b. "Campaign Team" is a group of individuals registered to assist with the official "YES" or "NO" side of Referenda.
   c. "Campaigning" is any intentional act, planned or organized by or on the behalf of any candidate, intended to influence any voter in favour or in opposition of a candidate.
      i. "Active Campaigning" shall mean any campaign activity, whether planned or unplanned, that has been performed with the intention of influencing any voter by a candidate, potential candidate, GSA member, or member of a campaign team, both during and outside the election period,
      ii. "Passive Campaigning" shall mean any campaign activity that has been executed by an independent third party without relation to a registered candidate,
      iii. "Campaigning Endorsement" shall mean any intentional action implicit or explicit by a candidate, or campaign team member, which influences or motivates any voter to vote in a race other than their own
   d. "Campaign Expenses" are any expense incurred by a candidate related to the production or distribution of campaign material or promotion of candidacy,
   e. "Campaign Manager" refers to the leader of a campaign team of Referenda,
   f. "Campaign Materials" are any items, design, symbol, or mark that is created or copied in form to influence any voter to cast a ballot in favour or opposition of a candidate,
   g. "Campaign Period" is the period during which campaign activities are permitted.
   h. "Campaign Platform" is the stated goals, intentions, or values of an individual candidate used to influence any voter to cast a ballot in favour or in opposition of a candidate,
   i. "Campaign Speech" is any speech delivered by a candidate or member of a campaign team to a lecture, seminar, club, athletic team, social media platform, or any group or organization as it pertains to the electoral process,

j. "Campus" shall refer to all the grounds, buildings, and facilities owned by the University, or any space used to fulfil the mandate of the University, whether permanent, temporary, owned, or otherwise,
k. "Candidate" shall mean an individual who has been nominated and registered in accordance with the provisions of this policy,
l. "Committee" shall refer to the Election and Referenda Committee,
m. "Constituency" shall mean the group of graduate student voters who are entitled, by virtue of their membership, to vote to elect a representative
n. "Bylaw" refers to the Bylaw of the GSA,
o. "Early Campaigning" shall mean campaigning that occurs any time prior to the commencement of the Campaign Period,
p. "Election" represents all of the races being run during the duration of the same election period,
q. "Election period" shall include the period from the date an Election is called to the close of polling.
r. "Extenuating Circumstance" shall mean the mitigating factors which make an act appear to be less serious, less aggravated, or without malicious intent,
s. "Gift in Kind" shall mean any campaign material, whether a tangible good or otherwise, provided to a candidate without cost or below market value,
t. "Infraction" shall mean any act that contravenes the provisions of this or any other relevant policy set out by the GSA,
u. "Member" shall refer to a member of the GSA,
v. "Natural Justice" shall mean the principle of justice comprised of the right to a decision made in the absence of bias, the right to know the case against oneself and review related evidence, and the right to a fair opportunity to rebut said case,
w. "Nominee" shall refer to a member of the GSA who seeks candidacy in any race
x. "Non-academic activities" shall refer to campus or Brock student identified co-curricular activities.
y. "Officer" shall refer to an Officer of the Corporation of the GSA.
z. "Ombudsperson" shall refer to the Office of the Student Ombudsperson of Brock University, or representative thereof
aa. "Race" shall mean the group of candidates seeking election to an office by vote; also meaning election contest
bb. "Referenda" shall refer to Referenda questions posed to the student population during the same campaign period.
cc. "Referenda Questions" shall refer to specific Referenda questions posed to the student population in which "YES" and "NO" voting options are available.
dd. "Sanction" shall mean a punishment imposed upon a candidate for an infraction of this policy
ee. "University" shall refer to Brock University
ff. "Policy" shall refer to any policy approved by the Board.

4. Wherever a term not mentioned above appears in this policy, it is intended to have the meaning ordinarily attributed to it in the English language.
    a. All definitions included in the Bylaw of the GSA shall apply to this document. Where two terms have different definitions, the definition in the Bylaw shall apply.
    b. Anywhere the singular form is used, it includes the plural form and anywhere the plural form is used, it includes the singular form, unless explicitly specified in a provision.

Visions and Principles:

5. The GSA electoral process is governed by the following principles:
    a. Fairness:
        i. Where each candidate is treated equally by the Returning Officer, Elections and Referenda Committee, and the interpretation of this and related policies;
        ii. where every candidate should be treated in a manner consistent with both the spirit and the language of this and related policies;
        iii. where conflicts of interest of those involved in the administration of the election are fully declared prior to the commencement of the election period
    b. Equality:
        i. where each candidate will have an equal opportunity to access the student body during the campaign period to communicate their campaign platform;
        ii. where no candidate may exploit a current or recently held position to gain unequal access to any part of the student body;
        iii. where each graduate student will have an equal opportunity to become a candidate, subject only to the qualifications necessary to be eligible to hold office;
        iv. where no candidate's financial resources will create a bias for or against their campaign;
        v. where every graduate student shall have the opportunity to question and engage every candidate;
        vi. where any candidate can appeal a decision made by either the Returning Officer or the Elections and Referenda Committee in a manner consistent with natural justice;
        vii. where all members can participate in the electoral process notwithstanding any distance, barrier, or obstacle such as, but not limited to, on co-op leave, studying abroad, or on the University's Satellite Campuses.
    c. Transparency
        i. where every member has the right to know how the election is to be administered prior to the start of the election period;

ii. where the rules and processes of the election, and the roles and responsibilities of each position, should be clearly laid out prior to the commencement of the nomination process;
iii. where every graduate student has the right to know the infractions of any candidate once all appeal avenues have been exhausted.

d. Student Interest
   i. Where the interest of the graduate student body shall be held in the highest possible regard
   ii. Where it is understood that no aspect of the elections process or a candidate's activities should unduly interfere with or disrupt the academic pursuits and non-academic pursuits of the student body.
   iii. Where it is understood that every graduate student will be encouraged to participate and become engaged in the election process.

General Administration:

6. The Returning Officer must administer the elections process through this policy and respect its visions and principles.
   a. The Returning Officer will be assisted by the Deputy Returning Officer to whom they may delegate responsibilities.
   b. The Elections and Referenda Committee is an oversight body to the elections process and will ensure the respect of the vision and principles of this policy by the election staff.

Composition of the Election and Referenda Committee:

7. The Election and Referenda Committee shall be composed of:
   a. A Returning Officer
   b. A Deputy Returning Officer
   c. Three (3) Committee members, including at least one Director of the Board
8. The composition of the committee shall be approved by Board before the start of the election period.
9. No member of the Election and Referenda Committee may run or campaign while being a member of the Committee.
10. No member of the Election and Referenda Committee, including the Returning Officer and Deputy Returning Officer, may stand as a Nominator.

Schedule of Elections:

11. Executive and Brock Graduate Student Senator elections shall be held annually , normally in the Winter term. The date for this election must be approved by Board. By-elections may be called as required.

Candidate Eligibility:

Executive candidate eligibility shall be determined by the GSA Bylaw (Document 001) as well as Document 046 – The Graduate Students' Association Executive Eligibility Policy. Section II: 5.7 and 5.8 of the Faculty Handbook sets out the necessary qualifications for graduate student members of Senate

Nomination and Campaigning Process:

12. The GSA must advertise the opening and closing of the nomination period a minimum of four (4) weeks prior to the election date.
    a. Nominations must be open for three (3 weeks and close a minimum of two (2) weeks prior to the election date.
    b. Nominees must submit a completed Nomination Package prior to the closure of the nomination period.
    c. Nomination package must include 5 current graduate student signatures.
    d. During the nomination process, potential candidates may communicate their platform only on a one-to-one verbal basis with potential nominators.
    e. All candidates must attend a mandatory All-Candidates Meeting which will take place the day following the close of the Nomination Period. If the candidate cannot attend the meeting, arrangements must be made with the Returning Officer prior to the meeting to attend a one-on-one meeting.
    f. Should a candidate not attend the All-Candidates Meeting, or a one-on-one Candidate meeting with the Returning Officer, the candidate will be disqualified and removed from the corresponding ballot.
    g. Each candidate may only submit one (1) nomination package.
    h. Any candidate wishing to run for both an Executive and Senator position must submit separate nomination packages.
    i. All candidates must sign a statement that they meet the qualifications and a waiver allowing the Returning Officer to access the information necessary to verify this statement.
    j. Nominees will be disqualified if during the Election period they are employed by Brock University (other than in the capacity of a graduate student Teaching or Research Assistant); or a current member, director, employee or serving in any capacity of authority on another student association.
    k. An uncontested Executive position at the close of the nomination period will be acclaimed by an affirmation vote. A simple majority will be required to affirm the candidate.
    l. Should an approved candidate(s) not attend all scheduled Candidate Election Events, including the All-Candidates Q&A Forum(s), both in-person and/or virtual, will be disqualified and removed from the corresponding ballot.
    m. In the event that there are not sufficient graduate students nominated or willing to stand for election to the two graduate student positions on Senate, the Graduate Students' Association, through its Board, shall appoint the number of

graduate students required to fill the vacancies until such time as an election can conveniently be held

Referenda Initiation:

13. Referenda are questions that required the approval of the membership. All Referenda shall be held on matters of Brock University property
    a. The Board may initiate the Referenda process by a majority vote at any regularly scheduled Board meeting which has reached quorum. A General Meeting which has reached quorum may direct the Board to initiate the Referenda process.
    b. In GSA-initiated Referenda, the Board shall task the GSA Governance, Elections and Nominating Committee to draft the Referenda questions and associated Terms of Reference or Memorandum of Understanding to be forwarded to Board for debate, amendments, and approval.
    c. Two-thirds (2/3^{rds}) majority of the Board is required to approve any Referenda that seeks to amend the Bylaw.
    d. The Board shall pass a motion by three-quarters (3/4) majority vote to allow the GSA to run either a "YES" or "NO" Campaign Team which could be chaired by a GSA Executive.
    e. Referenda will take place no later than two (2) months after the approval of the Referenda questions by the Board. Campaigning shall begin at least two (2) weeks after the approval of the Referenda questions by the Board. Referenda may occur during any GSA approved election/campaign period.
    f. GSA members interested in leading a campaign team for one of the sides must apply before the end of the team formation period.
    g. A Referenda may be held during an election so long as the timelines are respected.
    h. The GSA must consult, pursuant to the Brock-GSA Omnibus Agreement, on any proposed Referenda that may impact the university.

Referenda Question:

14. The Referenda question presented to one or more of the GSA memberships must be situated at the top of the Memorandum of Understanding (MOU) and must be presented in bolded text.
15. The Referenda question must be framed in the affirmative and include the following:
    a. Fee or Referenda Title
    b. Fee amount (if any)
    c. Fee schedule (per term, per credit, per year, etc.)
    d. Date the Referenda results will take effect,
    e. Mechanisms by which the fee can increase
16. If there is a Referenda that is not monetary in its proposed question and impact, then any and all components of the previous section 17 may be waved by the Board when

the question and supporting documentation are approved to be sent to the membership for a vote.

17. The Referenda question shall not be used as a means of promotion for a specific side of the Referenda (Yes/No).

Referenda Memoranda:

18. Any Referenda question presented to one or more of the GSA memberships for approval must be accompanied by a Memorandum of Understanding (MOU), which shall be considered binding alongside Referenda questions once the membership impacted as successfully voted in favour.
19. Any modifications to Referenda questions or Memorandum of Understand that have been approved by one or more of the GSA memberships shall be returned to those same members for approval of those modifications, through voting process associated with a Referenda.
20. Shall not be used as a means of promotion to further a specific side (Yes/No) of the Referenda.

Referenda Approval:

21. The Governance, Elections, and Nominating Committee shall be responsible for drafting Referenda questions, and associated documentation, in conjunction with those initiating the Referenda.
22. Once Referenda questions and associated documentation has been developed, they will be recommended to the Board for approval to be sent to Referenda.
23. Approval from the Board must be received no later than the final meeting of the Board held during the nomination period of an Election/Referenda cycle.
24. Any referenda to be proposed to the membership must have a nomination package completed, which must have equivalent requirements to those found in a candidate nomination package, including nomination signatures/student numbers.

Conflict of Interest:

25. The Returning Officer, the Deputy Returning Officer, and all members of the Election Committee must disclose any potential conflict of interest prior to the start of the nomination period. Board must approve any potential conflict and has the right to remove an Election Committee member if a conflict is deemed serious enough.
26. GSA Executives and Directors are not allowed to campaign during their duties or while acting as a representative of the GSA, and are forbidden to use GSA resources (emails, spaces, promotional material, etc.) for campaigning.
27. All persons involved with the elections/referenda process shall follow the GSA Procedures surrounding conflict of interest.
28. GSA Executives and Staff are not permitted to endorse a candidate.

Campaign Financing:

29. Campaign expenses, for eligible GSA Executive Election Candidates only, are limited to $100 per candidate for the purchase, production, or procurement of any campaign materials. A limit of $75 shall be placed on the campaign expenses of both sides of a Referenda, individually. Expenses include gifts in-kind and campaign material carried over from previous elections.
    a. Candidates and campaign teams must submit to the Returning Officer a complete itemized list of all their campaign expenses accompanied by receipts by 12:00 p.m. (noon) on the final day of polling.
    b. Candidates and campaign teams will be reimbursed for one hundred percent (100%) of their expenses, subject to any limits, fines, or sanctions imposed. Any campaign expense incurred by a candidate that is not accompanied by a receipt shall not be reimbursed.
    c. Emergency Loan for purchasing campaign materials will be available at the discretion of the GSA Executive Director and the Returning Officer.
    d. Candidate overspending will be fined $5.00 for every whole dollar overspent. This amount will be deducted from their reimbursement. Candidate overspending by more than 50% will be assigned a Level "A" infraction.

Campaigning Rules:

30. No person may run in an election that would give them more than one voting position on the Board.
31. During any Referenda, only one (1) "YES" campaign team and one (1) "NO" campaign team will be allowed.
32. Candidates and campaign teams are responsible for familiarizing themselves with all material relevant to the electoral process, including, but not limited to, relevant policies, the GSA Bylaw, GSA political and administrative policies and any other material distributed by the Returning Officer.
    a. Executive candidates cannot promise to donate any portion of their compensation.
    b. The candidates and campaign managers are responsible for their campaign and their campaign team members abiding by the rules of the election. The Returning Officer will ensure that all campaigners abide by the rules set out in this policy.
    c. Candidate information will be available on the Election page of the GSA website.
    d. To deliver campaign speeches to groups of students, organizations, or classrooms, Candidates must have received written permission and forwarded it to the Returning Officer.
        i. Candidates may not seek permission to speak from themselves.

e. All campaign materials must be approved by the Returning Officer prior to their use.
f. All campaign posters shall adhere to the following conditions:
    i. Candidates may only display the maximum number of posters stipulated by the Returning Officer.
    ii. Campaign posters shall be no larger than eleven (11) inches by seventeen (17) inches.
    iii. Campaign posters shall be affixed with painter's tape only.
    iv. Campaign posters shall not be placed on or affixed to any surface that the University deems inappropriate.
    v. All physical campaign materials must stay on campus
    vi. All campaign posters must be approved and stamped with a seal of the Returning Officer.
    vii. Each candidate, or designate, must remove their campaign materials from their locations before 4:00 P.M. on the day following the close of polling.
g. No candidate may seek, accept, appear to be, or otherwise allow endorsement of their campaign by a third party.
h. Social media and websites may be used as an aspect of a candidate's campaign and shall adhere to the following conditions:
    i. Each candidate or campaign manager must inform the Returning Officer of all social media or electronic components of their campaign and grant access to view such accounts prior to the start of the campaign period.
        1. All social media accounts and websites can only be made public or active once campaign period has started.
        2. During the campaign period, candidates may post freely and openly from their social media accounts without necessitating permission from the Returning Officer, so long as they adhere to the provisions of this Policy. Any material that could be considered Campaign Material, outside of simple text must be approved by the Returning Officer like physical posters would.
        3. Personal social media accounts used for campaigning must be followed by the Returning Officer.
    ii. Prior to the start of campaigning, Candidates may announce their candidacy through a generic post approved by the Returning Officer.
    iii. A candidate who wishes to post outside of their personal or campaign page must obtain permission from the Returning Officer prior to posting. The following will be required:
        1. Written permission from the administrator of the group, thread, or forum;
        2. In the event an administrator cannot be contacted, the Returning Officer will grant permission only if the group is not

academic based or focused on an area which is also prohibited in this policy;

3. In a group where the candidate is the administrator, they will seek permission from the Returning Officer to post in the group. This does not include any groups directly related to the candidates' campaign.

iv. Regardless of the GSA being tasked to run the YES or NO side of a Referenda, they are not permitted to advertise either side on their social media channels. All GSA posts regarding elections must remain impartial.

Voting:

33. Voting will be conducted by means of an online vote accessible only by those students eligible to cast a vote.
    a. If online voting is not available, the Election and Referenda Committee shall ensure that an alternative voting system is made available.
    b. Students must be a current registered member of the GSA to be eligible to vote.
    c. The Faculty of Graduate Studies and Post Doctoral Affairs of Brock University shall provide the list of eligible GSA members to be based on the enrollment status.
    d. Students may only vote once in any given race.
    e. Online voting shall commence no earlier 12:00 a.m. of the first day of polling and close no later than 4:00 p.m. of the final day of polling.

Online Ballots:

34. The position being contested along with the number of available positions in a race shall be clearly indicated on the ballot.
    a. Names of candidates on a ballot shall appear as presented in their Nomination Package submitted to the Returning Officer, unless a candidate has indicated they wish to use an alternate name, as approved by the Returning Officer.
    b. The name of candidates on a ballot shall indicate their surname first, given name second.
    c. The order in which candidates appear on a ballot shall be randomized, grouped by position.
    d. Referenda ballots must clearly indicate the title of the Referenda, the Referenda questions, and shall provide a link to or include in its entirety the associated Terms of Reference or Memorandum of Understanding.
    e. Referenda ballots shall include "YES", "NO", and "Abstain" options for voting.

i. Affirmation vote for uncontested Executive position shall be conducted as a Referendum, including "YES", "NO", and "Abstain" options for voting.

f. Referenda ballots shall include the affirmative position of the Referenda as the first voting option.

Tie Ballots:

35. In case of a tie in the GSA Executive election, tie-breaking race shall be held within one (1) week after the announcement of the tie.
    a. The Returning Officer, with the approval of a simple majority of the GSA Executives, shall choose and announce the date of the tie-breaking election.
    b. Only those candidates who have tied may participate in a tie-breaking election.
    c. Candidates and campaign teams can campaign up to, and including, the day of the tie-breaking vote.
        i. Candidates and campaign teams shall be given a budget of half of their expense limit for the original race, to be filed as a separate itemized budget. Candidates are allowed to reuse any material kept from the election in which they tied.
    d. There shall be no quorum requirement for a tie-breaking election.
    e. No change to the eligible voters list will be made.
36. In the case of a tie in the Graduate Student Senator election, a tiebreaker draw by lot will be conducted by the Returning Officer, in the presence of the Elections & Referenda Committee.

Quorum:

37. Quorum for:
    a. Executive and Senator elections and for referenda shall be 10% of the electorate.
    b. Quorum for an uncontested affirmation vote shall be 5%.
38. An election where quorum is required and not met after the closure of polling shall be considered invalid and no action shall be taken upon that election.
    a. The results of an election that does not meet quorum shall not be released to any person.
    b. The total ballots cast in the race that has not met quorum shall be made public through a posting on the GSA website.
    c. It is the responsibility of the Returning Officer with the approval of the Board to reschedule any election that has not reached quorum.

General Prohibitions:

39. Without limitation, during an election period, no candidate, potential candidate, GSA member, or campaign team may:
    a. Interfere with or disrupt the normal operations of the university including, but not limited to, any business or departments which normally operate on the university campus;
    b. Disrupt any academic setting on campus or the academic pursuits of the student body;
    c. Actively campaign in the Students' Alumni Centre, off campus, any residence, faculty or staff lounges, graduate student lounges or offices, computer labs, the James A. Gibson Library, in areas where commercial operations are underway, or by using Brock University's interoffice mail system; the University may revoke access to campaign spaces at any time.
    d. Remove, reposition, cover, overlap or deface another candidate or campaign teams material;
    e. Use campaign material that has not been approved by the Returning Officer;
    f. Campaign on campus outside of the hours predetermined by the Returning Officer;
    g. Campaign on campus during a non-business day;
    h. Campaign prior to the commencement of the campaign period;
    i. Campaign outside the election period;
    j. Offer a student a means by which to vote electronically;
    k. Combine, coalesce, or share any campaign material with a candidate in a race other than their own held during the same election period;
    l. Campaign in conjunction with a candidate in a race other than their own held during the same election period;
    m. Exceed the spending limit for campaign expenses determined prior to the campaign period;
    n. Advertise the distribution of alcohol in any campaign material, allow for the consumption of alcohol at campaign-related events, or use alcohol to influence votes or Referenda in one way or another;
    o. Endorse a candidate in a race other than their own; or
    p. Fail to abide any provision specified in this policy.

Enforcement Procedures:

40. The Returning Officer must ensure compliance with the rules and regulations stipulated by this or any other applicable policy. The Elections Committee is empowered to sanction, penalize, and disqualify candidates for contraventions of this policy in accordance with the Visions and Principles contained within this policy**.**
41. Should notice of alleged infractions be reported or infractions occur outside the election period, and the Returning Officer, Deputy Returning Officer, and/or the Elections and Referenda Committee not be in place, the Board must ensure

compliance with the rules and regulations stipulated by this or any other applicable policy.

42. Infractions of this policy shall be classified as:
    a. "Level A" infractions shall be considered a contravention of the provisions of this policy that are deemed seriously detrimental to either the elections process or the public perception thereof. Level A infractions include any action performed by a candidate or Referenda campaign team, that confers upon them an unfair or irreparable advantage over their competitors.
    b. "Level B" infractions shall be considered a contravention of the provisions of this policy that are not deemed seriously detrimental to the election process.
43. Infractions will be investigated and enforced following the following procedures:
    a. The Returning Officer will communicate notice of alleged infraction within twelve (12) hours of commencing the investigation. The notice will include the statute that has been allegedly contravened, a description of the event or action at fault, and a description of the investigation procedures and timelines. The notice will be delivered by electronic mail.
    b. The investigation will include a meeting of the Election and Referenda Committee with the accused along with other people as required by the Committee to determine whether there has been contravention of this policy or not. After the investigation, the Committee will determine if a contravention of election procedures has taken place and if so, what level the infraction was.
        i. Level A infraction will result in immediate disqualification from the race.
        ii. Level B infraction will result in sanction equal to the severity of the infraction. The sanction shall have a rational connection to the effect of the infraction committed and shall serve to rectify any favour, position or advantage gained by a candidate. The Returning Officer may choose to impose a monetary sanction that cannot exceed 25% of the candidate's total reimbursement for their campaign expenses. The sanction shall be effective immediately.
        iii. Three Level B infractions will result in immediate disqualification from the race.
    c. Candidate can appeal any infraction or sanction/disqualification made by Committee by giving notice in writing to both the GSA Executive Director and the Returning Officer with in 24 hours of the Committee's decision being made public.
    d. If an appeal is not made within the allotted time, the decision of the Committee is final and binding.
    e. In the absence of a Returning Officer and/or an Election and Referenda Committee, all matters will be dealt with by the Board.
44. Infraction Hearing in which a Candidate or representative wishes to participate shall proceed as follows:

a. Opening Statements by Returning Officer as to the nature of the meeting
b. Report of the Returning Officer
c. Rebuttal of report by the Candidate or campaign manager
d. Questions of Committee members
e. Closing Statements
f. All non-committee members are excused, and the Committee deliberates and drafts a notice of finding.

45. Disqualification Hearing shall proceed as follows:
    a. Call to Order by Chair of the Disqualification Panel
    b. Case for disqualification presented by the Returning Officer
    c. Rebuttal of case for Disqualification presented by the Candidate or campaign manager
    d. Case against Disqualification presented by the Candidate or campaign manager
    e. Rebuttal of case again Disqualification presented by the Returning Officer
    f. Closing statements presented by the Returning Officer
    g. Closing statements presented by the Candidate or campaign manager
    h. Questions from members of the Disqualification Panel
    i. Panel Deliberation
    j. Adjournment
46. Disqualification Hearing shall be held in accordance with the following provisions:
    a. The purpose of a Disqualification Hearing will be to determine:
        i. Whether the alleged activities did in fact occur;
        ii. Whether the activity indeed constitutes a contravention of the policy and, thus, is an infraction;
        iii. Whether the candidate or campaign manager was responsible for the activity; and
        iv. Whether the infraction:
            1. Is seriously detrimental to the election process;
            2. Is seriously detrimental to the public perception of the election process; or
            3. Has gained a candidate or campaign manager an unfair and irreparable advantage over their competitors.
    b. Should the hearing fail to establish at least one of the criteria specified above, the disqualification shall be considered invalid.
    c. The Disqualification Panel will be chaired by the Chair of the Board (non-voting member) and be composed of (5) voting members:
        i. One (1) member of the GSA Executive committee,
        ii. Four (4) non-Executive members of the Board
    d. Members of the Disqualification Panel cannot have been candidate in any election or part of a campaign team.
    e. If the Chair of the Board was running in the election, another Executive will be designated as Chair of the Disqualification Panel.

f. The Returning Officer shall prosecute the infraction. The burden of proof shall be on the Returning Officer.
g. The Returning Officer shall contact the members of the Disqualification Panel within twelve (12) hours of receiving the request from a candidate or campaign manager to schedule the date, time, and location of the hearing, being within two (2) business days after the request for the hearing is made by the candidate or campaign manager.
h. The Panel shall meet at their own convenience to discuss and review the hearing procedures in addition to relevant legislation.
i. The Returning Officer shall provide disclosure to the candidate twenty-four (24) hours prior to the commencement of the Disqualification hearing.
j. The Chair of the Disqualification Panel shall make the decision of the Panel public immediately after a decision has been made.
k. Should the Panel choose to validate the disqualification of a candidate or campaign manager/referendum, that candidate shall be permanently disqualified and removed from their corresponding ballot. Should the Panel choose to invalidate the disqualification of a candidate, the Panel can decide to assign a Level B infraction to the candidate which could be appealed following the provisions included in this policy.

Appeals Process:

47. Should a candidate or campaign manager wish to appeal any administrative, procedural, or interpretative decisions made by the Returning Officer, they may do so in writing to the Elections and Referenda Committee and may make representation to the Committee.
    a. Level A and Level B infractions must be appealed following the provisions of this policy.
    b. Decisions of the Disqualification Panel shall only be overturned if there is a demonstrable lack of due process, or the hearing was not held in accordance with the provisions of this policy.
    c. Upon receiving an appeal, the Board shall decide within seventy-two (72) hours of receiving the appeal.

Student Ombudsperson and Conflict Resolution:

48. If, during the duration of an election period, a nominee, candidate, or member of a campaign team feels that the Visions and Principles contained within this policy have been contravened, they shall have the right to seek assistance, support, or advice from or issue a complaint to the Office of the Student Ombudsperson of Brock University without fear of reprisal.
    a. In the event a candidate may wish to seek advice from the Ombudsperson, they may do so according to the policies and procedures of the Office of the Student Ombudsperson of Brock University.

b. In the event a candidate or campaign manager may wish to submit a formal complaint or grievance, they must do so in writing to the Ombudsperson and include the following:
    i. Their name, contact information, and position for which they are a candidate.
    ii. Their explanation of the alleged contravention of this policy by the Returning Officer, or Deputy Returning Officer
    iii. An indication of the Visions and Principles of this policy alleged to have been contravened.
    iv. Upon receipt of a formal complaint or grievance, the Ombudsperson may choose to refer the complaint to the Chair of the Board, if the Chair was not running in the election.
    v. Should a nominee, candidate, or member of a campaign team contact the Ombudsperson for assistance during the duration of an election, the Returning Officer, or Deputy Returning Officer, shall be compelled to participate in any meeting, discussion, or Alternative Dispute Resolution mechanism recommended by the Ombudsperson to affect a settlement of dispute.
    vi. The provisions of this section shall not be construed to impose upon the Returning Officer an obligation to uphold any decision or recommendation made by the Ombudsperson that would otherwise be made by the Returning Officer.

Severability:

49. The provisions and part-provisions of this policy are hereby declared to be severable such that if any provision or part-provision or application thereof to any person or circumstance is declared invalid for any reason, such a declaration shall not affect the validity of the remaining provisions and part-provisions.