



UWSA Referendum Policy

Approved September 17th, 2015

10.01 DEFINITIONS

In this Referendum Policy, capitalized words have the meanings given to them in the By-laws unless otherwise defined below. Unless the context requires otherwise:

- a) “Act” means the Corporations Act (Ontario) or any similar legislation under which the UWSA may be governed in the future;
- b) “Board” means the UWSA Board of Directors;
- c) “Bylaws” means the by-laws of the UWSA
- d) “Committee” means a committee of the Board;
- e) “CRO” means the Chief Returning Officer of the UWSA;
- f) “Days” means calendar days;
- g) “DRO” means a Deputy Returning Officer as appointed in accordance with the Elections Policy;
- h) “EC” means the Election Committee established in accordance with the By-laws;
- i) “Election” means a General Election or By-election, as the context requires;
- j) “Referendum Officials” means the CRO, DROs, and clerks;
- k) “Referendum Policy” means this policy, as may be amended, supplemented or replaced from time to time in accordance with the provisions of the By-laws;
- l) “Executive” means the President or Vice Presidents of the UWSA;
- m) “Member” means an individual who is admitted as a UWSA Member according to the criteria as set out in the By-laws;
- n) “President” means the President of the UWSA;
- o) “Simple Majority” means a vote supported by fifty (50) percent plus one of those voting;
- p) “University” means the University of Windsor, in the City of Windsor, in the Province of Ontario;
- aa) “University of Windsor Student Code of Conduct” means the student code of conduct approved by the Senate of the University;
- r) “UWSA” means the University of Windsor Students’ Alliance; and
- s) “Vice President” means a Vice President of the UWSA.

T) “Recognized Group” refers to a ratified club or society in good standing

10.02 GENDER AND CASE

- a) Words importing the singular number include the plural and vice versa; and
- b) Words importing gender include all genders;

10.03 COMPUTATION OF TIME

- a) Where a given number of days’ notice is required to be given, the day of posting of the notice shall not, unless it is otherwise provided, be counted in such number of days.

SECTION 20. INTRODUCTION

20.01 PURPOSE OF THE REFERENDUM POLICY

- a) This policy exists to outline the procedures that apply to all member and Board initiated referendum through the UWSA, ensuring the fair and unbiased administration of these events.

20.02 POLICY AMENDMENT

- a) The Governance and Policy Committee of the UWSA Board of Directors shall conduct an annual review of this policy if directed by Board.
- b) Amendments may be proposed by the Governance and Policy Committee to the Board for consideration.
- c) The Board may, at any time, follow the procedure outlined in the bylaws to amend this policy.
- d) Amendments shall not be retroactive (unless otherwise required by law).
- e) Any amendments to this Referendum Policy that is made less than six (6) months prior to a referendum will take effect only after such referendum.

20.03 STUDENT CODE OF CONDUCT

- a) All UWSA Members are bound by the University of Windsor Student Code of Conduct, including with respect to all matters pertaining to referendum. In the event of an inconsistency between standards set out in the University of Windsor Student Code of Conduct and this Referendum Policy, the more rigorous standard will apply.

20.04 FORCE MAJEURE

- a) In the event of unforeseen, extraordinary circumstances beyond the control of the UWSA, including but not limited to “acts of God”, riots, strikes, campus closures and consequences from such events, that impair the ability to the UWSA to conduct an referendum in accordance with this Referendum Policy, the CRO will make a recommendation to the Electoral Committee as to how (if at all) a fair and democratic referendum may be run in the circumstances, and the Electoral Committee may accept, accept with modifications, or reject such recommendation, provided in all cases that any deviations from this Referendum Policy must be justifiably in the best interests of the UWSA Members.

SECTION 25. REFERENDUM QUALIFICATIONS

25.01 OTHER QUALIFICATIONS OF REFERENDUMS

- a) The full question or proposed change must be presented on each of the pages of the petition in a legible fashion or in a way that would be reasonable for the signer to see it such as attached
- b) The member must place their full name (first and last), student number, and date of signing for the petition signature to be valid
- c) Online petitions will not be valid nor accepted
- d) The referendum question must be worded in the affirmative where a vote “yes” signifies agreement with the question and a vote “no” signifies disagreement with it
- e) Proposals brought forward by members which involve organizations external to UWSA should be authenticated with that external organization by the UWSA CRO prior to going to vote by the Board and/or members
 - I. If the proposal proves to be false it is invalidated automatically
- f) To affect membership in an external organization the UWSA must abide by the external organizations policy
- g) A petition signature expires six months from the date of the signing
- h) All referendums must be within scope and be reasonably possible to be done by the UWSA
- i) Referendums campaign and voting periods can only take place be during the academic year
- j) Referendums regarding ancillary fees must be completed by the halfway point in March
- k) All questions must meet a legal standard and be consistent with applicable laws such as the Act
 - I. If the question does not meet a legal standard or is not consistent with applicable law it is invalidated automatically

25.02 QUESTIONS CALLED BY BOARD

- a) The Board by 2/3rds majority may defer a decision to the Member when the Board would like to determine the opinion of the membership with respect to one or more issues relating to the UWSA which may include questions relating to fees
- b) The Board will set the dates for the campaign period as long as it is at least 7 days and not more than 30 days in length with realization that the voting period comes directly after the campaign period.

25.03 QUESTIONS CALLED BY MEMBERS OR RECOGNIZED GROUPS WITH BOARD APPROVAL

- a) The Members of the UWSA may initiate a referendum question by a petition signed by at least 10% valid members of the UWSA, which is to be submitted to the UWSA.
- b) After validation by the UWSA the question will be brought to the UWSA Board at the next board meeting to be voted on with acceptance being by simple majority.
- c) The petition submitter may set the dates for the campaign period as long as it is at least 7 days and not more than 30 days in length with realization that the voting period comes directly after the campaign period.
- d) Campaign period can begin the next full day after acceptance by the Board but the question must be voted on within that academic year

25.04 QUESTIONS CALLED BY MEMBERS OR RECOGNIZED GROUPS INDEPENDENT OF BOARD APPROVAL

- a) The members of the UWSA may initiate a referendum question independent of Board approval by a petition submitted and validated signed by at least 20% valid members of the UWSA.
- b) Validation of the petition shall be by the UWSA and if requested by the submitter a third party within fourteen (14) days
 - I. If validation is requested to be done by a third party the submitter shall pay any fees incurred to do so unless the variance between the UWSA count and third party count is more than 5% in which then the UWSA shall pay the fees
- c) Within 72 hours of the UWSA coming to the knowledge that the signatures are valid and meet threshold the UWSA will contact the petition submitter and the petition submitter may set the dates for the campaign period as long as it lasts at least 7 days and not more than 30 days with realization that the voting period comes directly after the campaign period.
- d) In the event that the petition submitter does not set the dates for the campaign period within 72 hours of notification, voting period shall start to take place ten days after the 72 hours has expired with the 9 days in-between constituting the campaign period.
- e) The campaign period can begin any full day after validation and the question must be voted on within the academic year that validation occurred

25.05 Quorum

- a) Quorum for all referendum questions called by members and approved by the UWSA Board or deferred by Board shall be ten percent (10%) of valid members
- b) Quorum for all referendum questions called by members independent of Board approval shall be twenty percent (20%) of valid members
- c) All "Decline to Vote" selections are treated like abstentions and do not count towards quorum

30.00 BOARD STANCE

30.01 QUESTIONS CALLED BY BOARD

A) If the Board submits a referendum question to the membership the Board will automatically be in a neutral stance unless there is a 2/3rd majority vote to take a stance supporting “yes” or “no”.

30.02 QUESTIONS CALLED BY MEMBERS OR RECOGNIZED GROUPS WITH BOARD APPROVAL

A) If the Board approves a referendum question submitted by member petition the Board may make a separate motion to adopt a stance supporting “yes”, “no” by a 2/3rd majority and will be “neutral” by default

30.03 QUESTIONS CALLED BY MEMBERS OR RECOGNIZED GROUPS INDEPENDENT OF BOARD APPROVAL

A) If a referendum question is called independent of Board approval the Board may make a motion to adopt a stance supporting “yes”, “no” with a 2/3rd majority or “neutral” by default

40.01 QUESTION LIST

The EC will cause the UWSA to post a list of all valid referendum questions on the first day of campaign period:

- a) on the UWSA website;
- b) on UWSA social media platforms;
- c) in the UWSA head office; and
- d) when possible, through other campus media including The Lance & CJAM.

40.02 CAMPAIGN PERIOD

- a) Shall be established by either the board or the petition submitter as per aforementioned requirements
- b) Shall not be less than 7 days
- c) Shall not be more than 30 days

40.03 VOTING PERIOD

- a) Must take place over two consecutive days
- b) Shall take place the two days after the campaign period
- c) Voting shall occur online

50.01

- a) Shall be the same as the Elections Policy or similar documents
- b) May create guidelines consistent with this policy to help further guide the referenda that must be passed by the Electoral Committee and then the UWSA Board.

60.01 ELIGIBLE VOTERS

- a) Subject to the By-laws, all Members eligible to vote in UWSA Elections are also permitted to vote for the referendum questions.

60.02 BALLOTS

Each ballot will:

- a) Identify each of the referendum question being proposed with the wording submitted by the petitioner or approved by the board;
- b) contain the options of yes and no or the list for choices
- c) for each question, include a designated marking area or check box permitting the voter to “Decline to vote” for any of the sides for the question.

60.03 ALLOCATED VOTES

- a) Each Member is entitled to one (1) vote for each question;

60.04 VOTING SYSTEM

- a) Subject to Section b), voting shall take place through a secure University of Windsor online voting system;
- b) Where a Member who is eligible to vote faces an issue that prevents them from voting using the online voting system, or where a secure online voting system is not available, the CRO may authorize a paper ballot for that Member upon presentation of their student identification card; and
- c) Paper ballots must be sealed and stored securely by the CRO.

60.05 VOTING IRREGULARITIES

- a) The CRO, in consultation with the EC, shall determine the best course of action in the event of an online voting system failure for any duration of time during the voting period.

SECTION 70. REFERENDUM QUESTION RESULTS

70.01 UNOFFICIAL RESULTS

- a) Unofficial referendum results will be released within twenty-four (48) hours of the close of the voting period.

70.02 OFFICIAL RESULTS

- a) Official referendum results will be released within fourteen (14) days of the close of the voting period.

70.03 RECOUNT

- a) A one-time automatic verification will occur in the event that a difference of less than one percent (1%) of the total votes cast for the position occurs between the majority side and the runner up.

70.04 TIES

- a) In the event of a tie, the question is lost.