For questions about the referendum bylaws, please email the Chief Electoral Officer, Charles Choi, at elections.licm@mail.mcgill.ca.

Legal Information Clinic at McGill (LICM) Winter 2019

Referendum Bylaws

A. Referendum
   1. The LICM shall call and conduct a referendum in accordance with these bylaws and LICM policy.
   2. All undergraduate and graduate students registered at McGill University at the time of the referendum (except for students in the School of Continuing Studies, exchange students, students enrolled in the summer sessions, Macdonald Campus students, residents registered in Postgraduate Medical Education and post-doctoral fellows) and who have paid their LICM membership fee to the LICM are student members of the LICM with voting rights in the referendum (“Student Members”).

B. Procedure
   1. The referendum question may contain a preamble consisting of a set of factual statements, followed by a clear and concise statement, to be voted on as either “YES,” “NO,” or “ABSTAIN.”
   2. Any referendum question must be approved by the Office of Student Life and Learning and Student Accounts.
   3. The referendum shall be overseen by the Chief Electoral Officer (CEO), Charles Choi. Where these bylaws are silent, the CEO shall make decisions so as to make this referendum possible.
   4. The LICM will submit its referendum question to the CEO by 5:00 PM on Monday, February 11, 2019.
   5. For the benefit of opening the nomination period, only the referendum question must be submitted by February 11, 2019 as mentioned in paragraph 4 above. The preamble will be submitted to the CEO prior to the voting period.
   6. Starting at 9:00 AM on Monday, February 25, 2019, the CEO will call for the creation of referendum committees for the referendum question by way of an email to the Student Members explaining the process, deadlines and questions. The nomination period for referendum committees and Chairpersons will be from 9:00 AM on Monday, February 25, 2019 to 11:59 PM on Wednesday, March 6, 2019.
7. If no person comes forward to run the ‘No’ referendum committee, no No ballot statement shall be submitted.

8. The statements, if any, submitted by the ‘Yes’ and ‘No’ referendum committees will be available to any committee member prior to it forming a part of the referendum ballot. The CEO shall ensure that the statements uphold the democratic value of the process. In case of an objection raised to the wording of the statement, the CEO will expeditiously hold an open hearing and give an opportunity to chairs of both of the committees to put forth their arguments. Upon the conclusion of the hearing the CEO’s decision shall be final and binding on the LICM as well as the ‘No’ Committee.

9. Rules of conduct during the Official Campaign Period shall be determined and made available on the referendum website no later than 48 hours before the start of the Official Campaign Period. The CEO will hold an information meeting on Monday, March 11 at 18h00. It is mandatory that the Committee Chairpersons attend the information meeting.

10. The Official Campaign Period shall begin at 9:00 AM on Wednesday, March 13, 2019. It shall end at 11:59 PM on Sunday, March 24, 2019.

11. Active campaigning must cease at 11:59 PM on Sunday, March 24, 2019. Committees, however, can remind Student Members to vote in the referendum. Such reminders must not promote a given referendum option or lead a voter to a campaign material (website, poster, etc). Committees may inform voters that ballot statements are available via the online voting system.

12. The voting period will last from 9:00 AM on Monday, March 25, 2019 to 5:00 PM on Friday, March 29, 2019. Voting will be by way of the Omnivox online voting system.

C. Campaigning

1. Campaign material includes any material intended to affect the ballot choice of a student. It does not include materials existing prior to the campaign that was not created with the intent to campaign; it also does not include external materials that were not created with the intent to campaign, such as professional pages (LinkedIn, McGill, etc.).

2. Campaign materials used in support of the election campaign of a candidate or referendum committee, including all gifts and contributions, shall not exceed a retail market value of five hundred (500) dollars, including taxes.

3. An itemized account of all expenditures (along with the receipts) must be submitted to the CEO within five days of the opening of polls. Duly submitted, authorized campaign expenses will be reimbursed by LICM in accordance with its financial and accounting policies.

D. Quorum

1. Quorum for this referendum shall be reached if the number of undergraduate and graduate Student Member votes cast by the last day of voting is equal to or greater than
five (5) percent of all the undergraduate and graduate Student Members of the LICM, respectively.

E. Results of the referendum
1. The CEO shall confirm in writing the results of the referendum, specifying:
   1. Number of Student Member votes cast.
   2. Number for quorum, and whether quorum was reached.
   3. Number of votes cast for “Yes,” “No,” “Abstain,” and the number of votes invalidated.
2. A referendum passes if the number of ‘Yes’ votes is more than the number of ‘No’ votes. Abstention votes and invalidated votes have no value.
3. The LICM shall confirm the electoral results, and make the results public on the LICM website, no later than five (5) calendar days from the end of the voting.
4. LICM will ensure that the referendum results are duly submitted to McGill and that an official copy of the communication is sent to the CEO for his records.

Winter 2019 Referendum Campaign Rules

Introduction
In order to fund operations of a benefit to the student body, McGill affiliated associations are permitted to charge fee levies to student members under specific circumstances. These fee levies are subject to student approval. The regulation of fee levy referendums are governed, firstly, by the law, secondly by MELS directives, thirdly, by a Memorandum of Agreement between LICM and McGill, and, lastly, by internal policy. LICM has also adopted Referendum Bylaws. Please familiarise yourself with these documents. Note that the elections regulations of other on-campus groups do not affect the rules of LICM in the scope of a LICM referendum. As such, officials from the LICM and other associations are subject exclusively to LICM referendum rules in their running of a LICM referendum. External groups may have rules for their elected officers that preclude participation. Elections LICM does not have jurisdiction over such regulations, and, as such, will not address or enforce external rules.

Dates of Note:
Campaigning: March 13th (9h00) - 24nd (23h59)
Voting: March 25th (9h00) to 29th (17h00)
Results Dissemination: March 29th
Receipt Submission Deadline (expenses): March 27th (9h00)
Contestation Period End Date: April 5 (23h59)

Committee Makeup:
Only committee members may campaign. Eligible persons may join a committee by having the Committee Chairperson email the CEO. Authorisation is not required – simply alerting the CEO of the person’s name and status (graduate, undergraduate, community) is sufficient. Committee members may include any graduate or undergraduate LICM member or a LICM community volunteer.

Campaigning:
Committee members may campaign at any point during the referendum (campaign) period. Campaigning should be done in accordance with democratic principles, fairness, and validity. Committees are prohibited from deceiving voters, pressuring voters, or otherwise presenting incorrect or prejudicially misleading information. The CEO may call on a committee chair to support claims made by this person’s committee. Please retain this information or be prepared to present it on request. Opinions are permitted, but should be stated as such.

Committees are welcome to speak to the media. Committees can write letters to the editors of campus media, which must be published by the end of the campaign period.

Committee members can post on their personal social media accounts. Committee members cannot post on private group pages, while other endorsing clubs can use their private pages to campaign. Committees can use their budget for online advertising but it must be on a platform that is available to other committees. Members can comment on or respond to communications from other committees so long as it is respectful.

The evening prior to the opening of polls, all active campaigning must stop. Active campaigning includes, for example, emails or facebook reminders, speeches, flyer distribution, and posterling. Committees do not need to remove campaign materials prior to the start of voting; however, it is requested that any paper materials that were distributed be removed and recycled following the close of polls.

During the voting period Committees may remind LICM members to vote. Such reminders must not promote a given referendum option or lead a voter to a campaign material (website, poster, etc). Committees may inform voters that ballot statements are available via the online voting system.

Materials:
Committees must seek pre-approval prior to purchasing and distributing campaign materials. Material that is directly communicative, such as Facebook posts, emails, or tweet, do not need CEO approval. Committees should make the Chief Electoral Officer aware of any websites or social media pages used to campaign. The Chief Electoral Officer should be invited to each social media page and group on Facebook that is used to campaign. Note that materials existing
prior to the start of campaigning, not created specifically for use in this referendum are not considered to be campaign materials.

Materials must comply with University and building regulations for posters and flyers. Paper materials must reference the referendum question and the situation pertaining to the outcome of the referendum, notably the LICM’s continued existence. Paper materials must also include polling dates and the referendum website in size 15 font.

Budget:
Committees are afforded $500, inclusive of taxes, for campaign materials. Committees will be required to submit an itemized list of expenses within forty eight (48) hours of the opening of polls. Reimbursements will be made in line with LICM’s accounting practises. An advance of expense reimbursement can be made on request. All expenses must be reasonable, and reflect market value. Items provided to a committee, not equally available to the opposing committee, if applicable, will be considered as an expense. In such a case, the CEO will provide the committee with an expense value for the items in question.

No more than 20% of the committee’s budget may be used for food or beverages. Food and beverages that are provided to committee members during committee meetings must be included in the list of expenses.

Endorsements:
Committees are welcome to solicit endorsements from a group or individual. These groups do not constitute part of a referendum committee unless they conduct campaigning on the expressed instructions of a referendum committee. A committee cannot make use of an endorser’s resources if they are not equally available to the opposing team; however, should an endorser undertake an action on its own accord, the committee will not be held responsible for such actions. Endorsers are able to share information regarding the referendum with their members via social media and pre-existing internal listservs if the endorsing group agreed to do so, following the procedure that group usually uses to make such decisions.

Ballot Statement:
While Omnivox does not allow for a ballot statement per say, it does permit for a hyperlink to be added to each option. Should a committee wish to link their option to a campaign page, please provide the CEO with the link no later than 72 hours before the opening of polls.

The CEO will also, at a committee’s request, distribute a committee statement of no more than 750 words (inclusive of any translation provided), one link, and a one page image via a listserv email upon the opening of polls. To arrange this, please provide the CEO with the committee statement no later than 72 hours before the opening of polls.
Note that the aforementioned materials will be shared with the opposing referendum option committee at least forty eight (48) hours before the opening of polls.

Voting:
The CEO will contact voters using the McGill provided, opt-outable, listserv upon the opening of polls, as well as at times during voting. The link to omnivox is https://mcgill.omnivox.ca. To vote, LICM undergraduate and graduate student members can follow this link to a login page. After entering their McGill credentials, voters will be brought to a landing page. On the left side of the page, voters can select Surveys and Elections. This will then display the list of polls available to them. After clicking on the LICM poll, they will be presented with a question, voting options (Yes - No - Abstain). Should a Referendum Option Committee provide a statement, voters will also be able to click on a voting option to be brought to an external website run by the committee.

Quorum & Results:
Quorum is set at five percent of the number of LICM undergraduate and graduate members respectively. The CEO has no access to who has voted, or the results, until after the close of polls.

Results will be available to voters shortly after the close of polls by logging into the Omnivox system. Further, the CEO will contact any committee chairs with the results following the closing of polls.

Contestation Period:
Any interested party may submit an informal complaint at any time to the CEO. Such complaints should be made, whenever possible, in writing (email), and include the subject of the complaint, the reason justifying the complaint, any applicable rules which may be in question, and the complaining parties contact information. Complaints must be raised in a timely manner and before the contestation deadline. Normally, a complaint will first be discussed with the CEO, and, if not resolved at this stage, elevated to a contestation (formal complaint) in which the CEO requests a detailed formal statement from the involved party. Contestations are then investigated, followed by a formal written decision. Such decisions cannot be appealed internally.

Contact:
Committee chairs may contact the CEO via email at elections.licm@mail.mcgill.ca or, for urgent matters, via phone. Other committee members should, when possible, communicate with the CEO via their committee chairperson.