

Students at the polls!

Guide for Holding an Election or a Referendum at the

College and University Level



Directeur général des élections du Québec: **Marcel Blanchet**

Communications branch: **Thérèse Fortier**
director

Information service: **Claude Bourbeau**
director

Coordination : **Michel Leclerc**
coordinator of educational programs

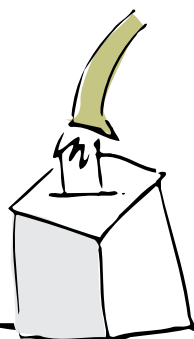
Research and writing of the first version
of the guide (1996): **Paul-Jean Charest**
Danielle Bouchard

Additional research and writing: **Marie-Pierre Leduc** and **Christine Ebrahim**
Centre de Développement sur l'Éducation à la Citoyenneté (CDEC)

Agencies consulted: **Fédération étudiante universitaire du Québec (FEUQ)**
Fédération étudiante collégiale du Québec (FECQ)

Table of Contents

Introduction	4
1 Québec's Political System and Electoral System	5
1.1 Characteristics of Québec's Parliamentary System	5
1.2 Electoral Representation Mechanisms	7
1.3 The Place Held by Student Associations in Québec Democracy	8
2 Holding an Election in a College or University	9
2.1 The Main Participants in an Election	9
2.2 Main Steps in an Election	10
2.3 An Election Regulation Model	11
3 Holding a Referendum at the College or University Level	21
3.1 The Main Participants in a Referendum	21
3.2 Main Steps in a Referendum	22
3.3 Referendum Regulation Model	23
4 College and University Student Associations and General Assemblies	33
4.1 College and University Student Associations	33
4.2 The Role of a General Assembly	34
4.3 The Role of the Chairman and the Role of the Secretary General	36
5 Electronic Voting	38
5.1 The Different Types of Electronic Voting	38
5.2 Advantages and Disadvantages of Electronic Voting	39
5.3 Electronic Voting in Colleges and Universities	40



Introduction

Democracy holds an important place in contemporary society. It is commonplace to hear talk about democracy, be it in the media, schools, at work or in other contexts. Yet despite the steady flow of information, few people are aware of the mechanisms underlying democracy life in a pluralistic society like Québec given that, for most people, democracy amounts to putting a ballot into a ballot box on election day.

In fact, democracy is a complex notion that has diversified forms of expression. One merely has to consider the variety of polling methods (majority or proportional), the types of systems (parliamentary or presidential), and several other variables to see how easy it is to realize that democracy can consist of many forms of expression.

This Guide is divided into five chapters. The first chapter deals with Québec's political system and electoral system. The second provides general guidelines and proposes an election regulation model for holding an election in a college or university. The third provides the same tools as the second, but with respect to holding a referendum. Lastly, the fourth and fifth chapters examine certain realities experienced by student associations as well as electronic voting.

This document is reproduced and further developed in the "Democracy at the College and University Level" section of the Young Voters Web site. For more detailed information that is updated regularly, especially concerning Québec's political system and electoral system, and for interactive information sheets and tools, you can consult www.jeuneselecteurs.qc.ca/youngvoters/. Among other things, this site contains election and referendum regulations that can be modified and printed, as well as practical information about holding an election.

1 Québec's Political System and Electoral System

1.1 Characteristics of Québec's Parliamentary System

Québec's political system is largely an offshoot of the British parliamentary system. The elected chamber constitutes the heart and represents the ideal forum for debates between the various political parties. Since December 1968 our parliamentary system has had only one chamber: the National Assembly¹.

The decisions of the government and of the public administration are scrutinized at the National Assembly by the parliamentary opposition. It is made up of elected members who may or may not be grouped into political parties and who did not obtain the majority required to form the government. Among these elected members, those who belong to the political party that ranked second in terms of seats held at the National Assembly form the official opposition. The debates at the National Assembly take place publicly and in the presence of representatives of the news media.

In addition to managing current affairs, the National Assembly may transform itself into a plenary committee to study certain bills. The elected members also take part in standing committees, namely committees designed and created to deal with certain specialized public administration fields, or in special committees set up to examine a specific subject. All the debates of the National Assembly as well as of certain parliamentary committees have been televised since the fall of 1978.

The calling of general elections, i.e. those held in all the electoral divisions of Québec, depends on two variables:

- a no-confidence vote by a majority of the elected members directed against the government;
- the advice of the Prime Minister, leader of the executive power, to dissolve the National Assembly before or at the end of the five-year term of office.

1. Up until December 1968, Québec's parliamentary system was made up of two chambers: the Legislative Assembly and the Legislative Council.



Based on the political tradition that has been in place since 1948, general elections are held on average every 40 months. The date of the elections is set by the Prime Minister within the time limits imposed by electoral legislation, which includes the *Election Act*², the *Act respecting the National Assembly*³ as well as the Canadian Constitution (*Constitution Act of 1982, s. 4*⁴). The writ ordering the holding of the general election is addressed to the chief electoral officer. Moreover, a by-election may be held in an electoral division to fill a vacancy resulting from the resignation or death of an elected member or from a legal decision. When a member's seat becomes vacant, the writ of election is transmitted to the chief electoral officer by the Prime Minister, not later than six months from the first day of the vacancy. As soon as a writ ordering the holding of a general election is issued, any writ ordering the holding of a by-election becomes null and void.

Unlike in the bicameral parliamentary system⁵ and the presidential system where there is more than one level of election⁶, the renewal of members sitting in the National Assembly of Québec takes place at a single level, that of the electoral division. Like all other elected members, the Prime Minister, who is the leader of the political party making up the parliamentary majority, must be elected in an electoral division.

Based on the political tradition that has been in place since 1948, general elections are held on average every 40 months.

Electoral activities are not limited to major events such as general elections or by-elections. Indeed, each participant takes part on an on-going basis in the dynamics of the electoral system, be it the chief electoral officer who must be ready at all times should an election be called, or the political parties and elected members that get ready for the next elections and maintain permanent ties with the electorate and with their supporters.

2. R.S.Q., c. E-3.3.

3. R.S.Q., c. A-23.1.

4. *The Constitution Act, 1982*, c. 11 (U.K.), (reproduced in R.S.C. 1985, Appendix II, No. 44.

5. The bicameral system is a parliamentary system that includes two separate houses. This is the case at the Canadian federal level where there is an appointed upper house (Senate) and a lower house elected by universal suffrage (the House of Commons).

6. American electors, for example, can choose during the same poll several of their representatives: the President, senators, representatives, governors, etc.

1.2 Electoral Representation Mechanisms

Every electoral system is based on specific mechanisms that make it possible to ensure the representation of electors. The tangible application of the principle of universal suffrage calls for precise rules that are as much a matter of political tradition as they are of electoral legislation.

There are two representation mechanisms, namely the voting system and the electoral map. The voting system is the mechanism whereby the votes cast by electors during a poll are translated into a certain number of seats in the National Assembly. Québec has a single-member constituency plurality system. It determines the orientation or meaning assigned to the notion of representation.

As for the other mechanism, namely the delimitation of the electoral map, its main purpose is to divide the entire territory into electoral divisions, so as to ensure respect for the principle of the effective representation of electors. Moreover, “an electoral division represents a natural community established on the basis of demographical, geographical and sociological considerations, such as the population density, the relative growth rate of the population, the accessibility, area and shape of the region, the natural local boundaries and the limits of local municipalities.”⁷ In Québec, the number of electoral divisions can vary from 122 to 125. It was set at 125 prior to the holding of the September 25, 1989 general election.

In this way, the voting system and the delimitation of the electoral map are the two representation mechanisms that interact together.

On the other hand, it is important to point out that other voting systems are just as valid as the single-member constituency plurality system in place in Québec. For example, some systems give greater weight to different components of the society, as is the case in Belgium (multi-constituency proportional representation), where the population is linguistically very diversified.

The voting system adopted by a State (or province) is in principle the one that best ensures the representation of its population. Québec has undertaken to examine this subject. If the National Assembly arrives at the conclusion that changing the voting system would be advantageous, the *Election Act* could possibly be amended to that effect, in keeping with the goal of ensuring the greatest representativity of the population.

There are two representation mechanisms, namely the voting system and the electoral map.

7. Election Act, s. 15.



1.3 The Place Held by Student Associations in Québec Democracy

There are numerous sections, which define the right of accreditation regarding a student association and demonstrate the importance of the legal and regulatory support that student associations have in Québec democracy.

How student associations function, whether at college or university level, is an expression of Québec democracy. Their representative role, which is an important element of our democracy, allows them to help students' voices be heard loud and clear in the public arena. Student associations have allowed students to exert a constructive influence on society.

Student associations are governed and recognized by law, namely the *Act respecting the accreditation and financing of students' associations*⁸. Chapter 2 of this law (s. 4) mentions the right of association and of participation of every student with respect to a student association. Several sections of this law

contribute to managing the creation and administration of student associations.

There are numerous sections, which define the right of accreditation regarding a student association and demonstrate the importance of the legal and regulatory support that student associations have in Québec democracy. Thus, the right of accreditation regarding a student association includes several aspects, including that of a ballot poll (s. 10.1). Several other conditions and rules exist regarding the proper functioning of a student association in Québec. It may therefore be useful to consult the entire text of the law on this subject, in particular sections 10.2, 11, 14, 15, 19, 21, 24.1, 27, 29, 32, 34, 49, 52 and 53, which are important reference points.

8. *Act respecting the accreditation and financing of students' associations*, R.S.Q. c. A-3.01.

2 Holding an Election in a College or University

We cannot insist too strongly on the importance of properly preparing an electoral event. By adopting clear election regulations, the student community, via the association representing it, contributes to the holding of fair and honest elections and, in so doing, helps make its members aware of the importance of exercising their democratic rights. In this chapter, we will first specify the main participants and the main steps in an election, and then propose an election regulation model, which can be freely drawn on.

By adopting clear election regulations, the student community, contributes to the holding of fair and honest elections.

2.1 The Main Participants in an Election

Electors

As a member of the student community, it is the elector who is responsible for electing the representatives of the association of his or her educational institution. It will be up to these representatives to defend the rights and interests of their members before the appropriate authorities.

✔ See sections 1 and 2 of the **Election regulation model**

On the *Young Voters* Web site, in the section on holding an election:

📄 Download the **Information for electors**

Candidate

This person campaigns among the student population to obtain the greatest number of votes and to win a seat on the executive committee of the student association.

✔ See sections 28 to 35 of the **Election regulation model**

On the *Young Voters* Web site, in the section on holding an election:

📄 Download the **Information for candidates**

📄 Download the **Nomination paper**

Chief Electoral Officer

The chief electoral officer is a resource person who acts impartially and who has no partisan ties. It is his or her duty to ensure that the electoral process unfolds smoothly. This person is appointed by the executive committee of the student association.

✔ See sections 93 to 102 of the **Election regulation model**



2.2 Main Steps in an Election

Election period

When an election is called, electors are asked to choose new leaders. Following the calling of the election, the chief electoral officer prepares an election calendar indicating the steps that will take place during the election period.

✎ See sections 6 to 16 of the **Election regulation model**

On the *Young Voters* Web site, in the section on holding an election:

📄 Download the **Election calendar**

List of electors

As the election period culminates on polling day, election officers must be able to have the list of electors before polling stations open.

✎ See sections 17 to 27 of the **Election regulation model**

On the *Young Voters* Web site, in the section on holding an election:

📄 Download the **Memorandum for the revisor**

📄 Download the **Revision – Application for entry or correction**

Electoral representation

For those student associations that deem it useful to adopt a representation method that reflects the distribution of students according to the various programs of studies of their members, for example, it is possible to establish a specific procedure to divide the student population into electoral divisions.

✎ See sections 3 to 5 of the **Election regulation model**

Control of election expenses

In the event that expenses are incurred during an election campaign (leaflets, posters, photocopies, etc.), the aim of which is to promote or oppose the ideas or program of a candidate, it is important to procedure to control election expenses.

✎ See sections 80 to 89 of the **Election regulation model**

On the *Young Voters* Web site, in the section on holding an election:

📄 Download the **Memorandum for the agent-and-representative of the candidate**

📄 Download the **Return of election expenses**

Polling Day

Directives relating to the organization of the polling station(s), the supervision of election officers, the exercise of the right to vote, and all the conditions to ensure the integrity of the electoral process on polling day are indispensable to the smooth operating of polling day.

✔ See sections 36 to 79 of the **Election regulation model**

On the *Young Voters* Web site, in the section on holding an election:

✔ Download the **Polling station**

✔ Download the **Ballot papers**

✔ Download the **Directive to electors**

✔ Download the **Memorandum for the officer in charge of information and order (PRIMO)**

✔ Download the **Memorandum for the deputy returning officer**

✔ Download the **Memorandum for the poll clerk**

✔ Download the **Poll book**

✔ Download the **Statement of votes**

✔ Download the **Oath of office**

✔ Download the **Oath of the elector**

Contestation of elections

In the event that a serious reason justifies the contestation of the election, it is important to provide means for finding a rapid solution to the dispute ensuing from the contestation.

✔ See sections 90 to 92 and 103 to 105 of the **Election regulation model**

2.3 An Election Regulation Model

✔ An electronic version of the following model is also available on the *Young Voters* Web site in order to make its adaptation easier with regard to the specific reality of each educational institution.



ELECTION REGULATION

Elector

Qualified elector

1. Every student whose name appears on the list of students provided by the school is a qualified elector.
2. To exercise his right to vote, a student must be a qualified elector and be entered on the list of electors.

Electoral representation

Electoral divisions

3. The electorate can be divided into electoral divisions delimited in such a way as to respect the representation of electors.

The electoral divisions, which number _____, shall be delimited taking into account the number of electors.
4. Each division represents a group of students established on the basis of considerations related to the field of studies or the number of years of studies.
5. The list of electoral divisions shall be posted in a public place inside the school at the start of the election period.

Election period

Calling of the election

6. The holding of a general election or a by-election is instituted by writ issued by the student association and addressed to the chief electoral officer.
7. The poll shall be held on _____.
8. As soon as the election is announced, the chief electoral officer shall set up a place to use as an office and shall notify the student population of its location. The office shall be open from _____ to _____ from ____ to _____, and shall be accessible to handicapped persons.
9. The chief electoral officer shall prepare and make public the election calendar.
10. By not later than the ____ day preceding polling day, the chief electoral officer shall make available to electors the any necessary information on conducting the election period.

Election officers

11. The chief electoral officer and his or her assistants are election officers.
Election officers are chosen from among those persons who are qualified electors.
12. All election officers shall take the oath of office before the chief electoral officer.
13. Election officers shall abide by the directives of the chief electoral officer.

14. No election officer shall engage in partisan work on the days stipulated in these regulations for the performance of his or her duties.
15. The chief electoral officer may relieve an election officer who neglects to perform his or her duties or who engages in partisan work.
16. An election officer who no longer performs his or her duties shall give the chief electoral officer all the official documents in his or her possession.

List of electors

Preparation

17. As soon as the election has been announced, the chief electoral officer shall prepare the list of electors.
18. The list of electors may be prepared using the school's computerized list and shall contain the nominative information needed to identify the elector.
19. By not later than the ____ day preceding polling day, the chief electoral officer shall make the list of electors available to electors for consultation.

Revision

20. By not later than the ____ day preceding polling day, the chief electoral officer shall choose the places where the board of revisors will be located, namely one board per campus or pavilion. These places shall be situated in such a way as to accommodate electors and shall be accessible to handicapped persons.
21. Each board of revisors shall be made up of one or more revisors appointed by the chief electoral officer.
22. The chief electoral officer shall give the staff of the board of revisors a copy of the list of electors as well as the material needed for the revision.
23. The board of revisors shall be open from _____ to _____ from _____ to _____.
24. An elector who notes that his or her name is not entered on the list of electors may appear in person before the board of revisors to make an application for entry.
25. An elector who notes an error in the particulars concerning him or her on the list of electors shall appear in person before the board of revisors to make an application for correction.
26. An elector who does not want his or her name to appear on the list of electors shall appear in person before the board of revisors to make an application for striking.
27. The revisor shall transmit to the chief electoral officer the list of entries and corrections made to the list of electors.

Candidate

28. Every student who is a qualified elector may be elected.
29. The chief electoral officer is not eligible.



Nomination paper

30. A person who wishes to submit his or her candidacy to the de facto executive committee of the student association shall, by not later than ____ on the _____ day preceding polling day file a nomination paper at the office of the chief electoral officer. In so doing, the person agrees to abide by the election regulations and the decisions of the chief electoral officer.
31. The appropriate form shall be used for the nomination paper and shall be signed by the person who wants to run for election.
32. The nomination paper shall contain the signatures of at least _____ electors.
33. If the chief electoral officer has received only one nomination paper at the end of the period set aside for filing nomination papers, he or she shall declare the candidate elected.

Withdrawal of a candidate

34. A candidate may withdraw by giving the chief electoral officer a statement to this effect, bearing the candidate's signature.
35. If a candidate withdraws after the ballot papers have been printed and it is impossible to print new ballot papers, the deputy returning officer shall strike the candidate's name from each ballot paper.

Polling day

Polling stations

36. The chief electoral officer shall establish one polling station for every electoral division or for every group of ____ electors.
37. Polling stations shall be grouped and situated in a location that offers easy access and shall be accessible to handicapped persons.
38. The chief electoral officer shall give the election officers the directives which he or she deems useful concerning the manner in which to arrange a place where a polling station is located.

Polling officers

39. The following are polling officers: deputy returning officer, poll clerk and officer in charge of information and order (PRIMO).
40. The chief electoral officer shall appoint an officer in charge of information and order for every place where polling stations are located. The duties of this person include:
 - greeting electors and directing them to the polling station
 - ensuring easy access to and facilitating the flow of people in the polling station
 - making sure that only one person at a time is admitted to a polling station
 - ensuring that only those electors present on the premises of a polling station at closing time can be admitted to exercise their right to vote
 - ensuring that only authorized persons are present on the premises of a polling station
 - informing the chief electoral officer of any situation requiring his or her intervention

41. The chief electoral officer shall appoint a deputy returning officer and a poll clerk for each polling station.

42. The duties of the deputy returning officer include:

- being responsible for the arrangement of the polling station
- ensuring that voting proceeds smoothly and maintaining order
- facilitating the exercise of the right to vote and ensuring the secrecy of voting
- counting the votes
- transmitting the results of the election to the chief electoral officer and delivering the ballot box

43. The responsibilities of the poll clerk include:

- verifying if the electors are entered on the list of electors
- entering in the poll book the particulars related to the conduct of the poll
- assisting in the counting of the votes
- assisting the deputy returning officer

Agent-representative of the candidate

44. The candidate may be present at all the operations related to the poll. In addition, the candidate may designate the person to be mandated in order to represent him or her at the polling station.

Ballot papers and ballot boxes

45. The chief electoral officer shall cause the ballot papers to be printed according to the stipulated model.

46. The ballot paper shall clearly identify each candidate⁹. On the front, it shall indicate the surname and given name of the candidates in the alphabetical order of the names. When two or more candidates have the same given name and surname, the chief electoral officer shall make a random draw to determine the order in which the given name and surname of each of the candidates in question will appear on the ballot paper. If it is impossible to distinguish the candidates by their membership in a political party, the chief electoral officer may resort to any other means that he or she deems appropriate to distinguish these candidates.

47. The chief electoral officer shall have custody of the ballot boxes.

48. In the ___ days before polling day, the chief electoral officer shall give the deputy returning officer a ballot box, the memoranda concerning the work of polling officers, the list of electors, the material needed to vote and for the counting of the votes.

In addition, the chief electoral officer shall give the deputy returning officer an envelope containing a number of ballot papers that is slightly greater than the number of electors entered at the polling station.

9. When there is only one, unopposed candidate, it is possible to "Vote for the chair", i.e. to indicate a preference that the seat remain vacant.



Preliminary formalities

49. The officer in charge of information and order, the deputy returning officer and the poll clerk shall be present at the polling station _____ minutes before it opens. The agents-representatives of candidates may also be present, beginning at the same time.
50. The location of the polling stations as well as the polling officers shall be clearly indicated.
51. At the time specified for opening the poll, the deputy returning officer and the poll clerk shall make sure that the ballot box contains no ballot papers. The ballot box shall then be sealed and placed on the polling station table in such a way as to be visible to polling officers.

Polling hours

52. Polling shall take place from _____ to _____.
53. The chief electoral officer shall be available during polling hours.

Exercise of the right to vote

54. Only one elector at a time may be admitted into a polling station.
55. The elector shall state his or her surname and given name before the deputy returning officer and the poll clerk, and shall present his or her student card. If the student does not present his or her student card, he or she must take the oath of the elector.
56. The deputy returning officer shall give the elector admitted to vote a ballot paper after having affixed his or her initials on the back.
57. After having received the ballot paper, the elector shall go to the polling booth, mark the ballot paper, fold it; the elector shall then allow the deputy returning officer, the poll clerk and the agent-representative of a candidate to examine the initials of the deputy returning officer, if they so wish; the elector shall then place the ballot paper in the ballot box, in view of the persons present.
58. The elector shall blacken one of the circles on the ballot paper using a pen or, where applicable, the pencil which the deputy returning officer provided at the same time as the ballot paper.
59. As soon as the elector has voted, the poll clerk shall indicate this fact in the space reserved for this purpose on the list of electors.
60. When a ballot paper is inadvertently marked or spoiled, the deputy returning officer shall ask the elector to blacken each circle. The deputy returning officer shall then cancel the marked or spoiled ballot paper and shall give the elector a new ballot paper.
61. Before the deputy returning officer gives a person a new ballot paper, the deputy returning officer, the poll clerk or the agent-representative of a candidate may require that the person state under oath, according to the formula prescribed by regulation, namely that he or she:
 - is a qualified elector
 - has not already voted in the current election
 - does not have in his or her possession a ballot paper that may be used in the current election

The poll clerk shall record in the poll book the name of the person who asked for the statement under oath and the reasons for this requirement.

-
62. The deputy returning officer shall not give a ballot paper to a person who refuses to take the oath, and this fact must be recorded in the poll book.
63. No person may use a sign indicating his or her support for or opposition to a candidate, or engage in any other form of partisan publicity on the premises of a polling station.
- The chief electoral officer may have removed any prohibited partisan publicity if the concerned candidate refuses or neglects to do so after having been notified thereof.
64. If the poll cannot begin at the set time, is interrupted by reason of an act of God or cannot be completed by reason of a lack of ballot papers, it shall continue until it has lasted ____ hours.
65. Those electors present on the premises of a polling station at closing time and who have not already voted can exercise their right to vote. The deputy returning officer shall then declare the poll closed.
66. Voting is secret.
67. No elector may, on the premises of a polling station, make known in any way whatsoever, the name of the candidate for whom he or she plans to vote or has voted.
68. No candidate, agent-representative or election officer may, on the premises of a polling station, try to learn the name of the candidate for whom the elector plans to vote or has voted.
69. No person may be compelled to disclose for whom he or she plans to vote or has voted.
70. After the poll closes, the deputy returning officer, assisted by the poll clerk, shall proceed to count the votes. Each candidate and his or her agent-representative may be present.
71. Before opening the ballot box, the poll clerk shall enter in the poll book the names of the persons who performed duties as an election officer or as an agent-representative of a candidate.
72. The deputy returning officer shall open the ballot box, shall proceed to count the votes by taking, one by one, each ballot paper put in the ballot box and shall allow everyone present to examine the ballot papers.
73. The deputy returning officer shall declare valid every ballot paper marked in the manner stipulated in the election regulations. However, the deputy returning officer shall reject a ballot paper that:
- has not been provided by him or her
 - does not bear his or her initials
 - has not been marked
 - has been marked in favour of more than one candidate
 - has been marked in favour of a person who is not a candidate
 - has been marked elsewhere than in one of the circles
 - bears fanciful or injurious remarks
 - bears a mark by which the elector can be identified



74. After counting the ballot papers and drawing up a statement of votes, the deputy returning officer shall place, in separate envelopes, the ballot papers marked in favour of each candidate, the ballot papers rejected during the counting of the votes as well as the spoiled or cancelled ballot papers. He or she shall then seal the envelopes. The deputy returning officer, the poll clerk and the agents-representatives who wish to, shall affix their initials to the seals.

The envelopes, the poll book and the list of electors shall be placed in the ballot box; the latter, along with a statement of votes, shall then be delivered to the chief electoral officer.

Declaration of election and publication of the results

75. The chief electoral officer shall declare elected the candidate who has received the greatest number of votes.
76. The chief electoral officer shall keep the documents pertaining to the counting of the votes that were transmitted to him or her for _____ months.
77. The chief electoral officer shall, as soon as possible, publish or post a notice indicating the surname and given name of each elected candidate and the name of his electoral division, where applicable.

A candidate who is declared elected becomes a member of the executive committee of the student association.

78. The chief electoral officer shall, as soon as possible after the election, publish a return containing, in particular, the results of each polling station. He or she shall transmit the return to the student association.
79. In the event of a tie-vote, the chief electoral officer shall publish or post, after the counting of the votes, a notice informing the electors of the new period for filing nomination papers and the new date of the election.

Control of election expenses

Election expenses

80. The chief electoral officer shall determine an allowance for candidates to create an election fund.
81. This allowance shall be paid to the agent-representative.
82. The cost of any goods or services used for the following purposes during an election period is an election expense:
- to promote or oppose, directly or indirectly, the election of a candidate
 - to disseminate or oppose the program or policies of a candidate
83. The following are not election expenses:
- the publication, in a student newspaper, of articles, editorials, news, interviews, columns or letters to the editor, provided that they are published without payment
 - the broadcasting by a student radio or television station of a program of public affairs, news or commentary, provided that the program is broadcast without payment

-
84. Every candidate must have an agent-representative to incur election expenses.
 85. Only the agent-representative of a candidate may incur or authorize election expenses during the election period.
 86. The agent-representative may only pay the cost of an election expense out of the election fund that the student association will have previously established.
 87. No person may accept or execute an order for election expenses not given or authorized by an agent-representative.
 88. The agent-representative of a candidate shall, in the _____ days following polling day, submit to the chief electoral officer a return itemizing all his or her election expenses.
 89. The chief electoral officer shall allow every elector to consult the returns of election expenses for _____ days.

Contestation of the election

90. Every elector who has the right to vote or every candidate may contest the election if irregularities were noted or if a corrupt electoral practice was committed.
91. An election is contested by way of an application made to the chief electoral officer. In all cases where a contestation is submitted to the chief electoral officer, he or she shall request the opinion of the advisory committee set up pursuant to sections 103 to 105 of the election regulation.
92. The application shall be filed in the _____ days following the publication of the results. The decision of the chief electoral officer is without appeal.

Chief Electoral Officer

Appointment

93. The student association shall appoint, by resolution approved by ____ of its members, the chief electoral officer from among the members of the student body who are in good standing.
94. The term of office of the chief electoral officer shall be _____ (days, weeks or months).
95. The chief electoral officer may resign at any time by transmitting a written notice to the student association.
96. Before beginning to perform his or her duties, the chief electoral officer shall take the oath of office before the student association.

Functions and powers

97. The chief electoral officer is responsible, in particular, for overseeing the application of the election regulations.



-
- 98.** In respect of this regulation, the chief electoral officer shall:
- prepare the list of electors
 - ensure the training of election officers
 - supervise the progress of the revision and voting
 - issue directives for the administration of the election regulations
 - receive complaints and make inquiries when he or she considers it necessary
- 99.** In respect of public information, the chief electoral officer shall, in particular:
- provide any person applying therefor with advice and information regarding the administration of election regulations;
 - give public access to the information, reports, returns or documents relating to the election regulations
 - make any public advertisements he or she considers necessary
- 100.** If, during an election period, it comes to the attention of the chief electoral officer that, subsequent to an error, an emergency or an exceptional circumstance, a provision of the election regulations does not meet the demands of the situation, he or she may adapt such provision in order to achieve its object. Where applicable, the chief electoral officer shall take the appropriate steps to inform the candidates and electors thereof.
- 101.** The chief electoral officer may refuse to make an inquiry when he or she considers the request frivolous or made in bad faith, or unnecessary in the circumstances.

Personnel of the chief electoral officer

- 102.** The chief electoral officer shall define the duties of the members of his or her personnel and direct their work.

Advisory committee

- 103.** The chief electoral officer shall establish an advisory committee.
- 104.** The committee shall be composed of the chief electoral officer and a minimum of two representatives of the student association, in such a way that the number of committee members is always odd.
- 105.** The function of the committee is to give its advice on any question relating to the election regulations.

3 Holding a Referendum at the College or University Level

Unlike in the case of an election, a referendum is a democratic consultation tool that is available to the members of the executive of every interested student association. This tool can be used whenever there is a major issue concerning the entire student community. In this chapter, we will first specify the main participants and the main steps in the referendum process, and then propose a referendum regulation model, which can be freely drawn on.

A referendum can be used whenever there is a major issue concerning the entire student community.

3.1 The Main Participants in a Referendum

Chief Electoral Officer

The chief electoral officer is a resource person who acts impartially and who has no partisan ties. It is his or her duty to ensure that the electoral process unfolds smoothly. This person is appointed by the executive committee of the student association.

📖 See sections 92 to 100 of the **Referendum regulation model**

Referendum committees

Following the publication of the notice announcing the holding of a referendum, the chief electoral officer must ensure that a committee representing each option submitted to the student referendum is formed. Persons wishing to campaign in favour of either option must channel their actions through these committees.

📖 See sections 7 to 9 of the **Referendum regulation model**

On the *Young Voters* Web site, in the section on holding a referendum:

- 📖 Download the **Information for members of the committees representing the options**
- 📖 Download the **Information for electors**



Referendum advisory committee

The Referendum advisory committee is an authority, which, in cooperation with the chief electoral officer, ensures that the referendum process unfolds in a harmonious manner. Any question of a technical nature related to the organization of a referendum or any dispute following the contestation of the referendum must be addressed to the Referendum advisory committee.

✚ See sections 12 to 15 of the **Referendum regulation model**

3.2 Main Steps in a Referendum

Referendum period

The referendum period begins when a notice announcing the holding of a referendum is adopted by the student association; this notice invites electors to state that they are in favour of either option submitted to the referendum. The chief electoral officer shall supervise the formation of a committee for each option and draw up a referendum calendar that will indicate the various steps in the referendum period.

✚ See sections 2 to 6 of the **Referendum regulation model**

On the *Young Voters* Web site, in the section on holding a referendum:

📄 Download the **Referendum calendar**

List of electors

As the referendum period culminates on referendum day, election officers must be able to have the list of electors before polling stations open.

✚ See sections 27 to 38 of the **Referendum regulation model**

On the *Young Voters* Web site, in the section on holding a referendum:

📄 Download the **Memorandum for the revisor**

📄 Download the **Revision – Application for entry or correction**

Electoral representation

For those student associations that deem it useful to adopt a representation method that reflects the program of studies of their members, provision has been made for a procedure to divide the student population into electoral divisions.

✚ See sections 18 to 20 of the **Referendum regulation model**

Referendum fund and control of regulated expenses

The referendum procedure provides for the setting up of a referendum fund intended to cover the expenses incurred during the referendum campaign. Once the notice announcing the holding of a referendum has been given, the student association determines an amount—the same for each committee—which becomes the committees' subsidy. Agents-representatives must record the expenses incurred to support the option of their respective committee.

✎ See sections 10, 11 and 81 to 88 of the **Referendum regulation model**

On the *Young Voters* Web site, in the section on holding a referendum:

📄 Download the **Memorandum for the revisor**

📄 Download the **Revision – Application for entry or correction**

Referendum day

Clear directives concerning the organization of the polling stations, the supervision of polling officers, the exercise of the right to vote and all the conditions to ensure the integrity of the electoral process on polling day are indispensable to the smooth operating of polling day.

✎ See sections 39 to 80 of the **Referendum regulation model**

On the *Young Voters* Web site, in the section on holding a referendum:

📄 Download the **Polling station**

📄 Download the **Ballot papers**

📄 Download the **Directive to electors**

📄 Download the **Memorandum for the officer in charge of information and order (PRIMO)**

📄 Download the **Memorandum for the deputy returning officer**

📄 Download the **Memorandum for the poll clerk**

📄 Download the **Poll book**

📄 Download the **Statement of votes**

📄 Download the **Oath of office**

📄 Download the **Oath of the electoral**

Contestation of the referendum

In the event that a serious reason justifies the contestation of the referendum, it is important to plan for means that will make it possible to find a rapid solution to the dispute ensuing from the contestation.

✎ See sections 89 to 91 of the **Referendum regulation model**

3.3 A Referendum Regulation Model

📄 An electronic version of the following model is also available on the *Young Voters* Web site in order to make its adaptation easier with regard to the specific reality of each educational institution.



REFERENDUM REGULATION

Subject of the referendum

1. A student association can consult students by means of a referendum on a question approved by the majority of the members of its executive committee.

Referendum Period

Calling of the referendum

2. The holding of the referendum shall be ordered by the chairman of the student association.
3. The poll shall be held on _____.
4. As soon as the referendum is announced, the chief electoral officer shall set up an office and inform the electorate of its location. The office shall be open from _____ to _____, from _____ to _____ and shall be accessible to handicapped persons.
5. The chief electoral officer shall prepare and make public a referendum calendar.
6. By not later than the ____ day preceding referendum day, the chief electoral officer shall make available to electors any information necessary for the smooth functioning of the referendum period.

Committees representing the options

7. As soon as the executive committee of the student association approves the question that is to be submitted to the referendum, the committee shall inform the chief electoral officer thereof. The chief electoral officer shall then ask students to register in favour of one of the options to form the two committees representing the options.
8. The chief electoral officer shall, as soon as possible, call a meeting of each committee at the place, day and time he or she indicates. At this meeting, the members of each committee shall adopt the by-laws to govern each committee and shall appoint a chairman.
9. The by-laws governing a committee may determine any matter relating to its proper operation, including the name under which it is to be known.

Referendum fund

10. The student association shall establish the amount of a subsidy for the committees representing the options, to cover the expenses incurred during the referendum. The amount shall be the same for each committee.
11. The agent-representative of a committee may only pay for the cost of a regulated expense out of the referendum fund.

Referendum advisory committee

12. As soon as the holding of a referendum is ordered, the chief electoral officer shall set up and chair the Referendum advisory committee composed of _____ students.
13. The Referendum advisory committee shall give its advice on any question of a technical nature pertaining to the holding of the referendum.
14. The Referendum advisory committee shall advise the chief electoral officer in the event of a contestation of the referendum.
15. The Referendum advisory committee shall be dissolved _____ days after the holding of the referendum.

Elector

Qualified elector

16. Every student whose name appears on the list of students provided by the school is a qualified elector.
17. To be entitled to vote, a student must be a qualified elector and his or her name must be entered on the list of electors.

Electoral representation

Electoral divisions

18. The electorate may be divided into electoral divisions delimited in such a way as to ensure a fair representation of electors.

The electoral divisions, which number _____, shall be delimited taking into account the number of electors.
19. The electoral division represents a group of students established on the basis of considerations related to the field of studies or the number of years of studies.
20. The list of electoral divisions shall be posted in a public place inside the school, at the start of the referendum period.

Election officers

21. The chief electoral officer and his or her assistants are election officers.
Election officers are chosen from among those persons who are qualified electors.
22. All election officers shall take the oath of office before the chief electoral officer.
23. Election officers shall abide by the directives of the chief electoral officer.
24. No election officer shall engage in partisan work on the days stipulated in these regulations for the performance of his or her duties.
25. The chief electoral officer may relieve an election officer who neglects to perform his or her duties or who engages in partisan work.
26. An election officer who no longer performs his or her duties shall give the chief electoral officer all the official documents in his or her possession.



List of electors

Preparation

27. As soon as the referendum has been announced, the chief electoral officer shall prepare the list of electors.
28. The list of electors may be prepared using the school's computerized list and shall contain the nominative information needed to identify the elector.
29. By not later than the ____ day preceding referendum day, the chief electoral officer shall post the list of electors.

Revision

30. The chief electoral officer shall determine the number of boards of revisors.
31. By not later than the ____ day preceding referendum day, the chief electoral officer shall choose the places where the boards of revisors will be located. These places shall be situated in such a way as to accommodate electors and shall be accessible to handicapped persons.
32. Each board of revisors shall be made up of one or more revisors appointed by the chief electoral officer.
33. The chief electoral officer shall give the staff of the board of revisors a copy of the list of electors as well as the material needed for the revision.
34. The board of revisors shall be open from _____ to _____, from _____ to _____.
35. An elector who notes that his or her name is not entered on the list of electors may appear in person before the board of revisors to make an application for entry.
36. An elector who notes an error regarding his or her particulars on the list of electors shall appear in person before the board of revisors to make an application for correction.
37. An elector who does not want his or her name to appear on the list of electors shall appear in person before the board of revisors to make an application for striking.
38. The revisor shall transmit to the chief electoral officer the list of entries and corrections made to the list of electors.

Referendum day

Polling stations

39. The chief electoral officer shall establish one polling station for every campus or every pavilion that is part of the school or for every group of ____ electors.
40. Polling stations shall be grouped and situated in a location that offers easy access and shall be accessible to handicapped persons.
41. The chief electoral officer shall give the election officers the directives which he or she deems useful concerning the manner in which they should arrange a place where a polling station is located.

Polling officers

42. The following are polling officers: deputy returning officer, poll clerk and officer in charge of information and order (PRIMO).
43. The chief electoral officer shall appoint an officer in charge of information and order for every place where polling stations are located. The duties of this person include:
- greeting electors and directing them to the polling station
 - ensuring easy access to and facilitating traffic in the polling station
 - making sure that only one person at a time is admitted to a polling station
 - ensuring that only those electors present on the premises of a polling station at closing time can be admitted to exercise their right to vote
 - ensuring that only authorized persons are present on the premises of a polling station
 - informing the chief electoral officer of any situation requiring his intervention
44. The chief electoral officer shall appoint a deputy returning officer and a poll clerk for each polling station.
45. The duties of the deputy returning officer include:
- being responsible for the arrangement of the polling station
 - ensuring that voting proceeds smoothly and maintaining order
 - facilitating the exercise of the right to vote and ensuring the secrecy of voting
 - counting the votes
 - transmitting the results of voting to the chief electoral officer and giving him or her the ballot box
46. The responsibilities of the poll clerk include:
- verifying if the names of electors are entered on the list of electors
 - entering in the poll book the particulars related to the conduct of the poll
 - assisting in the counting of the votes
 - assisting the deputy returning officer

Agent-representative of the committee

47. The chairman of each committee may designate a person that he or she mandates to represent the committee at the polling station.



Ballot papers and ballot boxes

48. The chief electoral officer shall cause the ballot papers to be printed according to the stipulated model.
49. The ballot paper shall clearly identify the question that electors are being asked. It shall also contain a space specially and exclusively set aside for the mark by which the elector expresses his or her choice.
50. The chief electoral officer shall have custody of the ballot boxes.
51. In the ___ days before referendum day, the chief electoral officer shall give the deputy returning officer a ballot box, the memoranda concerning the work of polling officers, the list of electors, the material needed to vote and for the counting of the votes.

In addition, the chief electoral officer shall give the deputy returning officer an envelope containing a number of ballot papers that is slightly greater than the number of electors entered at the polling station.

Preliminary formalities

52. The officer in charge of information and order, the deputy returning officer, the poll clerk and the agents-representatives of the committees shall be present at the polling station _____ minutes before it opens.
53. The location of the polling stations as well as the polling officers shall be clearly indicated.
54. At the time specified for opening the poll, the deputy returning officer and the poll clerk shall make sure that the ballot box contains no ballot papers. The ballot box shall then be sealed and placed on the polling station table in such a way as to be visible to polling officers.

Polling hours

55. Polling shall take place from _____ to _____.
56. The chief electoral officer shall be available during polling hours.

Exercise of the right to vote

57. Only one elector at a time may be admitted into a polling station.
58. The elector shall state his or her surname and given name to the deputy returning officer and the poll clerk, and shall present his or her student card. If the student does not present this card, he or she must take the oath of the elector.
59. The deputy returning officer shall give the elector admitted to vote the ballot paper after having affixed his or her initials on the back of the ballot paper.
60. After having received the ballot paper, the elector shall go to the polling booth, mark the ballot paper, fold it; he or she shall allow the deputy returning officer, the poll clerk or the agent-representative of a committee to examine the deputy returning officer's initials, if they so wish; the elector shall then put the ballot paper in the ballot box, in view of the persons present.

-
61. The elector shall blacken one of the circles on the ballot paper using a pen or, where applicable, the pencil that the deputy returning officer gave him or her at the same time as the ballot paper.
62. As soon as an elector has voted, the poll clerk shall indicate this fact in the space reserved for this purpose on the list of electors.
63. When a ballot paper is inadvertently marked or spoiled, the deputy returning officer shall ask the elector to blacken each circle. The deputy returning officer shall then cancel the marked or spoiled ballot paper and shall give the elector a new ballot paper.
64. Before the deputy returning officer gives a person a ballot paper, the deputy returning officer, the poll clerk or the agent-representative of a candidate may require that the person state under oath, according to the formula prescribed by regulation:
- that he or she is a qualified elector
 - that he or she has not already voted in the current referendum
 - that he or she does not have in his or her possession a ballot paper that may be used in the current referendum
- The poll clerk shall record in the poll book the name of the person who asked for the statement under oath and the reasons for this requirement.
65. The deputy returning officer shall not give a ballot paper to a person who refuses to take the oath, and this fact must be recorded in the poll book.
66. No person may use a sign indicating support for or opposition to one of the options submitted to the student referendum, or engage in any other form of partisan publicity on the premises of a polling station.
- The chief electoral officer may have removed any prohibited partisan publicity if the committee refuses or neglects to do so after having been notified thereof.
67. If the poll cannot begin at the set time, is interrupted by reason of an act of God or cannot be completed by reason of a lack of ballot papers, it shall continue until it has lasted _____ hours.
68. Those electors present on the premises of a polling station at closing time and who have not already voted can exercise their right to vote. The deputy returning officer shall then declare the poll closed.
69. Voting is secret.
70. No elector may, on the premises of a polling station, make known in any way whatsoever, the option in favour of which he or she plans to vote or has voted.
71. No agent-representative or election officer may, on the premises of a polling station, try to find out the option in favour of which an elector plans to vote or has voted.
72. No person may be compelled to disclose the option for which he or she plans to vote or has voted.
73. After the poll closes, the deputy returning officer, assisted by the poll clerk, shall proceed to count the votes. The agents-representatives of the committees may be present.



-
74. Before opening the ballot box, the poll clerk shall enter in the poll book the names of the persons who acted as an election officer or an agent-representative of a committee.
75. The deputy returning officer shall open the ballot box, shall proceed to count the votes by taking, one by one, each ballot paper put in the ballot box and shall allow each person present to examine the ballot papers.
76. The deputy returning officer shall declare valid every ballot paper marked in the manner stipulated in the election regulations for the holding of a referendum. However, the deputy returning officer shall reject a ballot paper that:
- has not been furnished by him or her
 - does not bear his or her initials
 - has not been marked
 - has been marked in favour of more than one option
 - has been marked in favour of an option that is not one of the options submitted to the referendum
 - has been marked elsewhere than in one of the circles
 - bears fanciful or injurious remarks
 - bears a mark by which the elector can be identified
77. After counting the ballot papers and drawing up a statement of votes, the deputy returning officer shall place, in separate envelopes, the ballot papers marked in favour of each option, the ballot papers rejected during the counting of the votes as well as the spoiled or cancelled ballot papers. He or she shall then seal the envelopes. The deputy returning officer, the poll clerk and the agents-representatives who wish to, shall affix their initials to the seals.
- The envelopes, poll book, list of electors, statement of votes and ballot box shall be delivered to the chief electoral officer.

Declaration and publication of the results

78. The chief electoral officer shall draw up a declaration indicating the option that obtained the greatest number of votes. He or she shall post the declaration and send it to the chairman of each committee.
79. The chief electoral officer shall keep the documents pertaining to the counting of the votes that were transmitted to him or her for _____ months.
80. The chief electoral officer shall, as soon as possible after the referendum, publish a return, containing, in particular, the results of the votes cast in each polling station. He or she shall transmit the return to the student association.

Control of regulated expenses

Regulated expenses

81. The cost of any goods or services used during the referendum period to promote or oppose, directly or indirectly, an option submitted to the referendum is a regulated expense.
82. The following are not referendum expenses:
 - the publishing, in a student newspaper, of articles, editorials, news, interviews, columns or letters to the editor, provided that they are published without payment
 - the broadcasting, by the student radio or television, of a program of public affairs, news or commentary, provided that the program is broadcast without payment
83. Every committee must have an agent-representative to incur regulated expenses.
84. Only the agent-representative of a committee may incur or authorize referendum expenses during the referendum period.
85. The agent-representative may only pay for a referendum expense out of the referendum fund.
86. No person may accept or execute an order for regulated expenses not given or authorized by an agent-representative of a committee.
87. The agent-representative of a committee shall, in the _____ days following polling day, deliver to the chief electoral officer a return of all the regulated expenses incurred by the committee that he or she represents.
88. The chief electoral officer shall allow every elector to consult the returns of regulated expenses for ____ days.

Contestation of the referendum

89. Every elector who has the right to vote may contest the results of the referendum if he or she has serious grounds for doing so.
90. The results of the referendum are contested by way of an application to the chief electoral officer. The chief electoral officer shall inform the Conseil du Référendum thereof and shall make a decision in the ____ days following the date of the application. The decision of the chief electoral officer is without appeal.
91. The application shall be filed in the _____ days following the publication of the results.



Chief Electoral Officer

Appointment

92. The student association shall appoint, by resolution approved by _____ of the members of its executive committee, the chief electoral officer.
93. The term of office of the chief electoral officer shall be _____ (days, weeks or months).
94. The chief electoral officer may resign at any time by transmitting a written notice to the student association.
95. Before beginning to perform his or her duties, the chief electoral officer shall take the oath of office before the student association.

Functions and powers

96. The chief electoral officer is responsible, in particular, for overseeing the application of the referendum regulations.
97. In respect of these regulations, the chief electoral officer shall:
 - ensure the training of election officers
 - prepare the list of electors
 - supervise the progress of the revision and voting
 - issue directives for the administration of the referendum regulations
 - receive complaints and make inquiries when he or she considers it necessary
98. In respect of public information, the chief electoral officer shall, in particular:
 - provide any person applying therefor with advice and information regarding the administration of the referendum regulations
 - give public access to the information, reports, returns or documents relating to the referendum regulations
 - make any public advertisements he or she considers necessary
99. If, during the referendum period, it comes to the attention of the chief electoral officer that, subsequent to an error, an emergency or an exceptional circumstance, a provision of the election regulations for the holding of a referendum does not meet the demands of the situation, he or she may adapt such provision in order to achieve its object. Where applicable, the chief electoral officer shall take the appropriate steps to inform the chairmen of the referendum committees and electors thereof.
100. The chief electoral officer may refuse to make an inquiry when he considers the request frivolous or made in bad faith, or unnecessary in the circumstances.

Personnel of the chief electoral officer

101. The chief electoral officer shall define the duties of the members of his personnel and direct their work.

4 Student Associations and General Assemblies

4.1 College and University Student Associations

A student association—whether at the college or university level—is made up of students who may come from the same educational institution, same faculty or simply the same educational level. The students who make up the association obtain their member status by paying a membership fee, which varies according to the association. Indeed, the association is the manager of the funds it receives, whether by means of fees paid by its members or by means of other fundraising activities it organizes.

By definition, a student association has the mandate of regrouping students according to certain common characteristics, although its mission does not end there. It plays a leadership role in promoting and defending the rights and interests of the students it represents from a pedagogical, economic, social and cultural point of view. Over the years, it is in this spirit that student associations have decided on and planned actions regarding files directly involving students, such as increasing tuition costs, implementation of a linguistic policy to ensure quality instruction in French, remuneration of teaching interns or establishment of a teaching evaluation system by students.

In its capacity as student representative, the association sits on various decisional and consultative organizations in its educational institution. It therefore has a privileged forum for conveying its ideas and defending the interests and rights of its members, in particular with school authorities, but also with governments and different actors of Québec society. It must ensure that at these forums, it presents and defends projects aimed at improving the quality and accessibility of instruction.

Being the voice of the students supposes that the association constitutes the penultimate consultative authority for its members. It has the job of consulting its members on the various files it defends, as well as on their needs in general. Also, as student representative, the association is the intermediary of primary information between students and the administration in place. It must therefore ensure that the information it receives circulates effectively among its members.

A student association plays a leadership role in promoting and defending the rights and interests of the students it represents from a pedagogical, economic, social and cultural point of view.



The association concerns itself with more than helping students advance and promoting their interests and rights. It must also promote its own model. In other words, the association must work on the training and consolidation of student associations in general. It is therefore not rare to see student associations from different colleges or universities share their experiences, knowledge and tools, join together for certain activities and even support other associations to help them have their voice heard.

While its role as claimant is often the most apparent, the student association also has the task of contributing to making a pedagogical and social experience that is pleasant and rewarding during the students' time at the educational institution. With this in mind, the association comes up with a range of services for its members. These services are intended to meet different student needs, create a dynamic student community and facilitate the integration of new students or foreign students. The best known services include the student cafes, student newspapers and group insurance, but an association can also establish a documentation centre, supervise the awarding of grants for students, offer a foreign internship organization service, a complaint service, a reception service for foreign students, etc.

Also in the context of fostering connections between students, an association will get involved in the organization of social, cultural and sports activities while encouraging student participation. It may form thematic committees (i.e. an environment committee) or event committees (an organizing committee for an end-of-session party, prom, fundraising, etc.). Each association endeavours to create a sense of belonging and pride among its members, beyond encouraging them to participate actively in their college or university experience.

4.2 The Role of General Assemblies

The associative structure differs from the traditional structure with respect to where decision making primarily occurs. Whereas the board of directors (or the executive counsel in the case where there is no board of directors) is the highest authority, the tradition within student associations is to take mandates from the general assembly (GA) to better reflect students' position. The general assembly is made up of all the members of an association and all those holding the power in equal parts. In other words, the rule provides for one vote per member.

However, it may be pertinent to mention that the structure of associations varies greatly from one school to another, in particular in terms of the number of students represented. While the GA and the executive committee at certain schools are the only authorities, there is sometimes an intermediary authority (called a board of directors, central council, board of representatives, etc.) that brings together representatives of programs or other student organizations. Its role is generally to make certain political or administrative decisions requiring a decision that is broader and more representative of members and to consequently mandate the executive committee.

In general, the members of an association meet in a GA several times a year. The regulations for the majority of associations provide for at least two meetings—one at the beginning of each session, and often a third before the summer to end the year. The “annual” GA refers either the meeting at the beginning of the fall or the end of winter, and the ordinary and extraordinary GAs are held at different moments, according to the general regulations and needs. Certain associations hold one GA per month, or more.

The annual GA generally functions in the same way from one school to another. Before getting to the central issues of a meeting, the members must adopt an agenda for the meeting and then the minutes of the preceding GA. Only the members who were present at the last meeting have the right to adopt the minutes or not. Once these points are taken care of, the executive committee, which participates in the day to day management of the association, can proceed with presenting the annual report to the members. This report is a record of the activities that took place during the year and provides a financial portrait of the association. During this presentation, the GA can see whether the mandates that were conferred upon the executive committee were fulfilled and if the budgets were respected. At this time, the executive committee can justify the variations, if applicable. Given the retrospective character of the annual GA, the associations tend to plan for holding the meeting in accordance with the end of the financial year since the audited financial statements of the last year are part of the documents to be approved by the members. It is their duty to designate an external financial auditor for the following year. As several GAs are held over the course of a year, reports are usually tabled at each assembly. The intermediary authority (board of directors, central council or council of representatives), when it exists, is also mandated to verify how mandates are carried out.

Once the GA knows the association's position as well as its strengths and weaknesses, it must make strategic decisions to ensure the continuity of the association's proper functioning or to redress the situation. In other terms, it determines the strategic orientations. For example, it can vote to increase or decrease the amount of membership fees, to amend the ways of collecting membership fees, to adopt changes to the association's general regulations (changes that must have been prepared in advance by the executive committee), to have members join or be suspended or excluded or to take actions concerning various areas of current affairs. The general regulations usually determine how certain important decisions must be made. For example, the decision to raise the membership fees can be made by an extraordinary GA specially convened for this purpose or further to a referendum.

However, the association is not always able to reach an informed decision on certain subjects during the GA. During the Assembly, the association can mandate the executive committee to consider a question and draft a project. As needed, the GA constitutes a commission or a committee to assist the executive committee in carrying out their mandates. Of course, the executive committee will carry out the project on behalf of the GA. The members present at the assembly must also vote to choose who should sit on the executive committee.

Since the GA is a large body in order to group together as many members as possible, it is necessary for it to adopt a procedure allowing it to maintain order during its meetings in order to be as effective as possible. At the beginning of each GA, members must agree on the procedure that will govern the meeting. The procedure that is best known and most widely used by associations, which is explained in Victor Morin's book, *Procédures des assemblées délibérantes* is better known by the name: Code Morin.

**In terms of association,
the general assembly
is the highest authority.**



According to this procedure, for example, to have a quorum¹⁰ and to be able to proceed with the GA, the presence of a certain percentage of members is required. Without a quorum, the meeting cannot take place and the persons present (or the executive committee) must agree to another date and announce it to all the members of the association. At the second meeting, this rule no longer applies and those present form the quorum.

4.3 The Chairman's Role and the Secretary General's Role

The chairman and the secretary general are two of the official positions of an association's executive committee. They play a key role, in particular when a GA is held, since they are responsible for organizing the meeting. However, in most cases, the responsibility of presiding over GAs is not usually ensured by the chairman of the association, but rather by an outside person elected by the assembly. Although less frequent, this could also apply to the secretariat of the assembly and the secretary general.

As the first director, the chairman has numerous responsibilities within the association. The chairman is above all a representative. In other words, he or she is the association's official spokesperson and, by the same token, that of the student members. However, if necessary, the chairman can delegate this power of representation to any other member of the executive committee and, in most cases, this will become the duty of the secretary general. On the other hand, if the secretary general is unable to carry out

certain tasks, the chairman must step in. The associations, of which the first director is also a chairman, also generally have one or several vice-chairmen who assist the chairman. If this is not the case, such as in associations that do not have a structure that includes a chairman, the role of spokesperson can be conferred on, for example, a coordinator, a person in charge of external affairs or communications rather than the secretary general.

The chairman also has a coordination role within the association and the

executive committee, i.e. he or she has to ensure that all the association's administrators work together toward reaching shared objectives. Over the course of the executive committee's meetings, the chairman must ensure the leadership and make official any document by affixing his or her signature, in accordance with the general regulation of the association. Together with the other members, the chairman participates in developing the association's strategic orientations.

As the first director, the chairman has numerous responsibilities within the association.

10. The quorum corresponds to the established number of participants that an assembly must convene in order to be able to deliberate.

The secretary general is the principal assistant to the chairman, which makes for diversified responsibilities. He or she is in charge of organization of the GA and ensures compliance of all requirements further to the law and to the association's regulatory texts. The secretary general is also responsible for the publication of official documents in addition to presiding over the institutional affairs commission, for those associations that have put such a commission into place.

In terms of finances, even if the secretary general sometimes establishes budget estimates and conducts periodic follow-up and revision, this role is usually conferred upon the treasurer, who handles the association's day to day financial management and income reconciliation. The treasurer therefore is responsible for carrying out bank deposits and preparing claims statements based on documents provided by the members.

The roles of the chairman and the secretary general are undoubtedly distinct; however, they are also particularly complementary and essential to the proper functioning of the GA.



5 Electronic Voting

Voting is par for the course for any student association. There is a poll to elect members of the executive committee, one to elect a chairman, but there are also polls, often held as referendums, that are specifically related to the association's orientations and actions. These polls require the participation of the greatest number of members possible not only to ensure their success, but especially to guarantee their credibility. Up to now, when an association needed to get the opinion of its members, it usually held a traditional poll during a general assembly. This type of poll is based on regular polls held elsewhere in society, for example, political elections in which electors must report to a polling station to enter their choice on the ballot paper and, once completed, place it in a ballot box.

While this process is democratic, it is also demanding in terms of time for the students, and it is a well-known fact that time is a rare commodity in the student community. Certain associations have turned to electronic voting as a way of meeting the challenge of bringing students together and getting them to vote.

5.1 The Different Types of Electronic Voting

The term *electronic voting* refers to several possible types or modes of voting, which have the use of technological means in common, albeit in different ways.

One type of electronic voting involves using voting terminals. These instruments are essentially computers with a touch screen or buttons, specially programmed for elections. The ballot paper that appears on the screen can present the names of candidates, their face or simply the logos of the various parties. Once at the polling station, the electors receive a *voting card* containing personal information. The card allows them to give their identity once they are at the terminal and to register their vote. Votes that are entered at each terminal are registered and counted by the instrument and the compilation is thus carried out automatically. Voting terminals nevertheless require electors to go to the polling station, although there are no assigned stations; electors can report to any polling station since the electoral list is computerized.

Another type of electronic voting involves using electronic ballot boxes. Contrary to voting terminals, it is not the vote itself that is electronic, but only the registration and counting of the votes. The elector reports to a polling station where a ballot paper is remitted.

The elector's choice is checked off on the ballot paper, as with a traditional vote, which is then placed in the ballot box. The box features an optical scanner, which enables it to read the ballot paper, to register the elector's choice and to calculate those votes that are valid and those that are rejected. Once the final results are obtained, it electronically transmits the results to a central computer. As is the case with voting terminals, manual counting is not necessary with electronic ballot boxes.

The term *electronic voting* refers to several possible types or modes of voting, which have the use of technological means in common.

As a result of the growing interest for the Internet, on-line voting has also developed. This type of voting requires the development of a Web site or a special section on a host site. Electors can vote from any computer by simply visiting the site in question. For electors who do not have access to the Internet, provisions must be made to set up places providing such access (libraries, schools, etc.). Electors must provide their identification on the Web site using either a code they will have previously received from the authority holding the elections, or with personal information, such as the student's identification number, or with both of these types of information. Access to the site would then be granted, allowing the elector to vote. Since the vote can be carried out from home, electors can, on the designated date, exercise this right when it is convenient to them. As with the other two forms of electronic voting, the electors' votes are automatically registered and counted.

5.2 The Advantages and Disadvantages of Electronic Voting

The major advantage of the different forms of electronic voting is the speed with which the results can be compiled and reported. Since compilation is ongoing as votes are registered, the results are known in principle, soon after the polling stations have closed or the voting period has ended. Voting is also accelerated thanks to the speed of different technologies. Speed is not the only advantage with regard to electronic voting; voting terminals and on-line voting could facilitate the task for certain electors, in particular those with reduced mobility, members of Québec's far flung communities, those unable to read who, with the voting terminal, would have the possibility indicate their choice using logos displayed on the ballot paper and visually impaired persons who could vote on-line on a site using verbal instructions. In addition, electronic voting—especially on-line voting—requires less travel on the part of electors and simpler logistics for organizers, which could make it possible to consult the population more often and to extend the voting period.

However, electronic voting does not only involve advantages. Certain disadvantages are also apparent with this type of polling, mainly with regard to security and reliability. With technologies come technical concerns that can lead to loss of information or breaches of confidentiality, shortcomings with respect to the identification of electors, systems piracy and other similar problems that are not reassuring for electors. Such technological concerns, added to electors' fragile trust in new technologies, could be a hindrance to participation. Also, faced with different instruments and technologies, electors may feel a loss of human contact, such as they usually attribute to traditional voting. While cost saving can be achieved, in particular due to smaller human resource demands, the instruments required for electronic voting are expensive and nevertheless call for a significant investment on the part of those organizations wishing to use such means.



5.3 Electronic Voting in Colleges and Universities

From young people's perspective, technology is part of their everyday experience and evolution. The related disadvantages carry less weight with them and electronic voting can even be seen as an effective means of encouraging them to vote, especially within their student association. In addition to simplifying the life of students, electronic voting also facilitates the association's work. It therefore goes without saying that certain student associations want to try this type of polling.

Each student association chooses which polling mode is most suitable for their needs.

Several student associations have already made the transition, in particular for electing members of the executive committee and board of directors. In the majority of cases, these associations do this with the collaboration of the college or university, which makes available its computer equipment or Web site to the association. The results are generally considered conclusive both with respect to the level of participation of electors, which has more than tripled in certain places, and to the simplification of the electoral process. Other student associations prefer to

continue to use traditional polling, either because they consider it to be more reliable or because they prefer to conduct the process with complete autonomy, without computer equipment from the educational institution, which could be much too expensive to acquire.

In any event, each student association chooses which polling mode is most suitable for their needs, taking into account their school's reality and the relative advantages and disadvantages of constantly evolving technology.