

Regina Public School Teachers' Association

8.1: Elections Policy

Area: Election

Status: Approved

Approving body: Executive, AGM

Date of Approval: [May 1st, 2023 \(AGM\)](#)

Resources: Policy Committee Chair, Elections Committee, CRO

Beliefs:

The RPSTA believes that its members have the right and responsibility to participate in a transparent and open democratic process in choosing its representatives. A clear and simple process that encourages active member participation is critical for good governance.

The RPSTA believes members should have a voice within their Association through its elected officials.

The RPSTA believes elections are the best way to engage interested members to become the voice of the association in matters with the Division, Federation, and other Education Stakeholders.

The RPSTA believes members have the right and responsibility to participate in the democratic process of choosing its representatives.

The RPSTA believes that elections should be fair, equitable, and accessible.

The RPSTA believes that elections are an internal member function that are best conducted with limited public visibility.

Principles:

- Every school has the right to elected representation at Assembly
- Any RPSTA member can run for election under the following guidelines:
 - for the position of Executive Councillor, provided they hold a continuing contract
 - for the position of Councillor, provided they are on a continuing or temporary contract
 - for the position of Substitute Councillor provided they are working as a substitute teacher in Regina Public
- All positions shall be elected by a vote of all members

8.1 Procedures:

General

8.1.1. The following conditions must prevail in all RPSTA elections:

- 1.1. All members are entitled to one vote per election
- 1.2. Proxy votes are disallowed
- 1.3. Elections are conducted in a first-past-the-post style

- 1.4. Members must run as individuals, unaffiliated with other members or organizations
- 1.5. The Chief Returning Officer (CRO) is empowered to make reasonable judgements, and enforce rules as necessary to ensure a fair, equitable and accessible election
- 1.6. The order of Elections shall be as follows:
 - 1.6.1. President
 - 1.6.2. Vice-President
 - 1.6.3. Executive Council
 - 1.6.4. Councillor
- 1.7. The number of Councillors elected may vary annually according to STF bylaw 2.3.1 which states (as of January, 2023):

Each local association shall elect councillors based on the number of members within the local association as at September 30 of that year as follows for terms to commence July 1 of the following year:

 - *Fewer than 130 members, two councillors plus one additional councillor for each 65 members, or fraction thereof, in excess of 129 members.*
 - *Part-time teachers shall be counted as full-time teachers but substitute teachers shall not be counted.*
 - *Should a councillor from a local association be elected to the Executive, the local association shall elect a councillor to fill the resulting vacancy*

Assembly

- 8.1.2. School staff shall elect their school Assembly representatives based on the ratio of one representative for every twelve full time equivalents, or portion thereof.

Chief Returning Officer(CRO) and Elections Committee

- 8.1.3. The Elections Committee and the CRO collaborate to run the Elections
 - 3.1. The CRO is appointed by the Executive Council
 - 3.1.1. A call for the position of the CRO will be made to the membership in September. Any interested member can make a written application to the Executive in the form prescribed.
 - 3.1.2. The CRO must complete a Conflict of Interest Disclosure form upon being selected
 - 3.2. The limitations on the CRO are as follows:
 - 3.2.1. The CRO must follow this policy while conducting elections, and make reasonable decisions when policy is not available
 - 3.2.2. The CRO shall not run in any election they have participated in planning or running (ie: a CRO cannot step-down from the position and become a candidate mid-election)
 - 3.2.2.1. In the event that the CRO wishes to stand for election another RPSTA member not seeking election shall be appointed CRO by the Executive Council. (ie: The CRO could step down prior to dates being set for the upcoming election)
 - 3.3. The duties of the CRO are as follows:
 - 3.3.1. Chairs the Elections Committee
 - 3.3.2. Has final authority over election decisions (subject to appeals - see appeals)
 - 3.3.3. Assigns responsibilities to a designate as required
 - 3.3.4. Shares complete electoral results with the Executive Council and Candidates
 - 3.3.5. Prepares an Elections Report at the conclusion of the Election cycle that includes: results, any consequences applied, any appeals, committee members, a brief narrative description of the election and recommendations for future elections.

- 3.4. The Elections Committee should be constituted of three to five members who are not candidates in the current elections. In the event that no members make themselves available, members of the Executive who are not participating in the current election may fill the committee (ie: the current President shall not be a committee member during a Presidential election they are running in, but may be an Elections Committee member during the Vice-President, Executive or Councillor elections, etc.)
- 3.5. The Elections Committee is charged with advising the CRO and supporting the execution of the elections in a given year. The Elections Committee (including the CRO) shall:
 - 3.5.1. Set a nomination form deadline, and collect nomination forms
 - 3.5.1.1. Late nominations shall not be accepted
 - 3.5.1.2. Nominations must be signed by a member of the RPSTA
 - 3.5.2. Determine which campaign materials are necessary for candidates to provide (ex: poster, video, etc.) and when these materials need to be submitted by
 - 3.5.3. Distribute aforementioned materials to schools or members
 - 3.5.4. Create a Candidates Forum at an Assembly Meeting when there are multiple candidates for President or Vice-President
 - 3.5.5. Determine a web-based product to utilize for the elections
 - 3.5.6. Verify the RPSTA member list
 - 3.5.7. Set up the election online allotting a period of 24-48 hours for members to cast their electronic ballot
 - 3.5.8. Monitor the process of the online election
 - 3.5.9. Open and confirm the results of the election at the close of the voting period
- 3.6. The CRO & Elections Committee may create other equitable, no-cost campaigning opportunities for all candidates, provided those opportunities do not:
 - 3.6.1. Require candidates to promote their candidacy via paid social media posts, or via privately (non-RPSTA) organized virtual or in-person campaign events
 - 3.6.2. Require candidates to spend any money or accept donations (real or in-kind) in support of their candidacy
- 3.7. If needed, the Elections Committee may decide to run elections via paper ballots
- 3.8. Once all candidates have been informed, and the results are uncontested, the Elections Committee will forward the results and report to the Assembly for approval and inform the membership of the successful candidates.

Campaigning

- 8.1.4. Campaigning should be a primarily internal activity directed at members. The CRO and Elections Committee should be the primary mechanism that promotes candidates. Campaign activities that are not explicitly allowed are disallowed, without the prior approval of the CRO. Candidates may campaign for their position within the following guidelines:
 - 4.1. Candidates may communicate with members directly in non-public engagements (ie: speaking to colleagues informally, via direct message on social media, direct personal [non-rbe] email, member town halls etc.)
 - 4.2. Candidates may be endorsed by members via “word-of-mouth”
 - 4.2.1. Candidates shall not solicit other members to campaign publicly on their behalf
 - 4.3. Candidates may only be promoted via materials requested and circulated by the Elections Committee

Vacancies and By-elections

- 8.1.5. If Assembly is required to fill a position, a by-election will be called using the following procedure:
- 5.1. The Executive Council shall, immediately advise members of the vacancy. Any continuing contract teacher can let their name stand for the position by contacting the Elections Committee with a completed nomination form
 - 5.2. The by-election shall be held at the next Assembly meeting following a notification to the Membership
 - 5.3. If no nominations are received prior to the by-election the CRO will allow nominations from the floor of Assembly
 - 5.4. In the event that two or more members let their names stand then each member shall be given an opportunity to address Assembly for no longer than three minutes
 - 5.5. The CRO shall announce the candidate(s) for the vacant position(s) and arrange for the distribution of ballots to all the Assembly representatives present and ask them to write the same number of names on the ballot as there are positions vacant
 - 5.5.1. The CRO, President, and Vice-President or their designates, shall not receive a vote
 - 5.6. The elections committee will count the ballots in private. In the event a member of the elections committee is running for election, then the CRO may select a member(s) of the Executive Council as a designate, to count in their place
 - 5.7. The candidate(s) with the most votes shall be declared elected by the CRO, and shall assume their duties immediately
 - 5.8. In the event a tie needs to be resolved, procedures 5.5 – 5.7 shall be repeated with only the names of the tied candidates being put forth
 - 5.9. In the event that a tie occurs again between the remaining candidates, the CRO, President, Vice-President, and/or designate, shall each cast a ballot
 - 5.10. Ballots shall be held, available for recount, until a motion to destroy the ballots is passed by the assembly (typically, after the results have been accepted by the Assembly)

Candidate Forum

- 8.1.6. The candidates forum shall adhere to the following protocols:
- 6.1. Where there are multiple candidates for President or Vice-President they shall be offered the opportunity to speak at either the AGM or a General Meeting prior to the election
 - 6.2. The Forum will be facilitated by the CRO of the Elections Committee or designate
 - 6.3. Candidates will speak in a random order
 - 6.4. Each candidate will have up to three minutes to address the membership. There shall be an opportunity for members to ask questions of the candidates after their addresses
 - 6.4.1. Questions may be addressed to one or all candidates. Although a question may be directed to one candidate, other candidates who wish to respond may do so. Each response is limited to one minute
 - 6.4.2. The question and answer period will be followed by a one-minute concluding statement by each candidate. The concluding statements will be made in reverse order to the opening statements

Election Irregularities

- 8.1.7. If there are voting irregularities (e.g. providing multiple email addresses to complete multiple ballots, etc.),
- 7.1. the member(s) impacted will be informed of the irregularity
 - 7.2. the irregularity will be corrected
 - 7.3. The CRO may recommend discipline, based on the circumstance

- 8.1.8. In the event of any irregularity, including technical irregularities (eg: problems with mailing list, etc.),
- 8.1. The CRO convenes with the Elections Committee to determine if the irregularity has caused the integrity of the election to be compromised. The Committee votes to decide if the integrity of the election is compromised.
 - 8.1.1. In the event that the elections integrity is compromised, a new election shall be held
 - 8.1.2. In the event that the issue can be corrected without affecting the integrity of the election, then corrections shall be made and documented

Paper Ballots

- 8.1.9. In the event that online elections cannot be held, a paper ballot shall be used
- 9.1. The Elections Committee shall email the elections ballot template to Assembly Representatives to copy and distribute to the members in their school
 - 9.2. The Assembly Representatives in each school shall distribute one ballot per voting member in their school
 - 9.2.1. Members not assigned to a school during the election period may cast their ballot at a designated location
 - 9.3. Each school's envelope shall have a staff list attached on which members will initial beside their name to indicate that they have voted. Members on a verbal daily contract shall be added to the list
 - 9.4. The ballots are to be collected by the Assembly Representatives in each school and delivered to the CRO of the Elections Committee at the announced close of the Election
 - 9.5. The Elections Committee is responsible for the counting of the votes
 - 9.5.1. The CRO, in addition to themselves, shall designate no less than three members to count votes (Candidates are ineligible to count votes)
 - 9.5.2. The counting of the votes occurs after the close of the Election
 - 9.5.3. When the ballots for a school are removed from the school's envelope they shall be totaled to ensure that the number of ballots in the envelope equals the number of members initialed on the staff list. Irregularities shall be resolved by the Elections Committee
 - 9.5.4. A correctly marked ballot clearly indicates a vote(s), for a particular candidate(s). A ballot that does not shall be spoiled ballot
 - 9.5.5. The committee shall separate the ballots into piles according to the candidates running including a pile for those spoiled or abstaining
 - 9.5.6. A record shall be kept by the committee of the vote count per candidate for each school envelope
 - 9.5.7. Ballots and tally sheets shall be placed back in the school envelope once the count has been completed.
 - 9.6. The paper ballots shall be stored by the RPSTA until the Assembly meeting following the acceptance of the Elections Report by Assembly at which time the Elections Committee will call for a vote to destroy the ballots.
 - 9.7. Scrutineers may be used when paper ballots are used, subject to the following guidelines
 - 9.7.1. be a member of the Association
 - 9.7.2. observe the counting of the votes
 - 9.7.3. report any concerns regarding the process to the Elections Committee, during the counting, and prior to the release of the elections results
 - 9.7.4. share the vote count only with their candidate
 - 9.7.5. communicate with their candidate as soon as possible regarding any irregularities

9.7.6. support their candidate in contesting the election results if necessary_

Results

- 8.1.10. Candidates shall be contacted with election results by the CRO or the Election Committee
- 10.1. Specific numbers of votes received shall be shared with candidates. Candidates shall not publicly disclose these numbers.
- 8.1.11. If a candidate chooses to contest the results of the Election they must contact the Chief Returning Officer of the Elections Committee prior to 12:00PM (noon) following the day of the Election. If a candidate wishes to contest the results the following process shall be observed:
 - 11.1. The candidate will notify the CRO
 - 11.2. The CRO will notify the Elections Committee of the concern and an emergency meeting will be called as soon as possible
 - 11.3. The Elections Committee will present the concern(s) and make recommendations on how to resolve them to the current Executive Council no later than 48 hours after their initial meeting.
 - 11.4. The Executive Council will:
 - 11.4.1. Review the concern(s) and recommendation(s) from the Elections Committee
 - 11.4.2. Rule on the validity of the concern(s) and determine if a new election is necessary
 - 11.4.3. Inform the candidate of their decision(s)
 - 11.4.4. Bring a motion to Assembly to affirm the decision(s)
 - 11.4.5. Notify the membership of the decision(s) made

Conflict of Interest

- 8.1.12. Elections can create opportunities for Conflicts of Interest that are unique and ought to be carefully monitored.
- 12.1. Elections Committee and Executive Council members shall avoid acting in Conflict of Interest by following the policy on Conflict of Interest. Additionally, they shall:
 - 12.1.1. Not participate in any decisions or discussions pertaining to candidates who are, or who could reasonably be perceived as being a Closely Associated Person
 - 12.1.2. Not make any public statements (especially via social media), that endorse specific candidates participating in the election
 - 12.1.3. Consult with the STF when making major decisions regarding the election (ie: invalidating results, disqualifying candidates, etc.)
- 12.2. Notwithstanding the above, Elections Committee and Executive Council may:
 - 12.2.1. Make public statements that generally promote the existence of, and participation in the elections

Breaches of Policy

- 8.1.13. The CRO is responsible for making determinations of when the policy has been breached and when it would be appropriate to apply consequences for infractions of the Elections Policy.
- 13.1. When making judgements about whether or not the policy has been breached and if consequences should be applied, the CRO should consider:
 - 13.1.1. The principles of natural justice, meaning that the member accused of breaking the elections policy should be given the opportunity to respond to the accusation, and their response should be considered when deciding on a course of action
 - 13.1.2. Whether the candidate(s) are operating in good faith

- 13.1.3. Consequences should only be taken as a last resort to ensure compliance with the policy and to ensure fair election outcomes
- 13.1.4. Consequences should take into consideration the impact of the breach of policy
- 13.2. Finally, it is understood that in the context of an election, the CRO has to make prudent, timely and reasonable choices about what consequences to apply to a given situation. Their judgment is required to be reasonable, not perfect.
- 13.3. If the CRO judges that candidate(s) have breached the policy unintentionally or in a way that has minimal or no impact on the outcome of the election (as judged by the CRO) the CRO will take steps to remedy the situation in a timely manner. The CRO will apprise the elections committee of their actions.
- 13.4. If the CRO judges that candidate(s) have breached the policy: with malice, in a way that materially impacts the outcome of the election, or after being informed of a breach, they have breached the policy again, or in a continuing way, the CRO should choose to apply consequences and inform the elections committee and candidate(s) of their actions. These consequences could include:
 - 13.4.1. Exclusion from the candidates forum or other promotional activities
 - 13.4.2. Communication of their breach of policy to members during the election
 - 13.4.3. Exclusion from the election
 - 13.4.4. Other measures the CRO deems appropriate

Appeals

- 8.1.14. Candidates may appeal decisions of the CRO on the grounds of reasonability within 24 hours of being notified of the decision. No late appeals can be considered.
 - 14.1. If the matter was deemed not to have materially impacted the election (eg: no consequence was applied), then appeals will be judged by the Executive Committee within 48 hours. As part of the appeal:
 - 14.1.1. The CRO presents the grounds for their original decision(s)
 - 14.1.2. The member presents why this decision(s) was not a reasonable interpretation of the policy
 - 14.1.3. After hearing both presentations, the Executive will have a majority vote to make a binding determination of whether or not the policy was reasonably applied.
 - 14.1.3.1. If the decision of the CRO is upheld, no further action is required
 - 14.1.3.2. If the decision of the CRO is not upheld, the CRO will take steps to remedy the situation under the supervision of the Executive
 - 14.2. If the matter was deemed to have materially impacted the election, breached the policy with malice or to have breached the policy in a continuing way (eg: a consequence was applied) then appeals will be judged in a timely manner according to the following process:
 - 14.2.1. The CRO presents the grounds for their original decision(s)
 - 14.2.2. The member presents why this decision(s) was not a reasonable interpretation of the policy
 - 14.2.3. After hearing both presentations the Executive will prepare a recommendation to the Assembly about how to proceed.
 - 14.2.3.1. Prior to accepting the Final Elections report, the Assembly will be given the opportunity to discuss, debate, and vote on how to proceed on any outstanding appeals.
 - 14.2.3.2. In the final elections report, the results of the appeal and the resulting actions of the CRO will be outlined
 - 14.3. An appeal under 8.1.1.14.2 may result in delaying the approval of the election, if necessary