



University Students' Council Of Western University

USC Electoral Code

Authority: Elections Governance Board	Date Ratified: September 24, 2025
	Next Review Date: September, 2028
Previous Amendments: N/A	
Related Document(s):	
Review Committee(s):	
Delegates:	

PREAMBLE

WHEREAS the University Student Council of the University of Western Ontario, as a student-led organization, exists to support, improve and enhance the student experience at the University of Western Ontario.

AND WHEREAS the University Student Council of the University of Western Ontario's mission is to enhance the educational experience and quality of life for all undergraduate students of the University of Western Ontario.

AND WHEREAS the University Student Council of the University of Western Ontario is concerned with the development, learning, and experience of the students of the University of Western Ontario.

AND WHEREAS the students of the University of Western Ontario share a responsibility to promote and uphold the integrity and accessibility of a democratic, efficient, fair and impartial electoral process.

AND WHEREAS the University Student Council of the University of Western Ontario should have an electoral system which commands respect, takes into account the interest of its stakeholders, including its membership, fosters responsibility and ensures accountability through meaningful consequences and learning.

NOW THEREFORE, the University Student Council enacts:

1. DEFINITIONS

- 1.1. **Balloting Period** means the period of time during which eligible students may cast their votes, commencing at 8:00 a.m. on the first day of voting and concluding at 8:00 p.m. on the final day of voting, or as set annually by the USC.
- 1.2. **Campaign Materials** means any material, regardless of format, that promotes or opposes any Candidate.
- 1.3. **Campaign Volunteer** means any individual, or group whether compensated or not, who assists a Candidate with campaigning, including but not limited to distributing Campaign Materials, promoting online content, or staffing campaign events.
- 1.4. **Campaign Period** means the designated days during which a Candidate may campaign as set out in the Electoral Code and/or elections calendar.
- 1.5. **Candidate** means any Student who has been duly nominated and approved to run for office in a USC election or referendum.
- 1.6. **Complainant** means an individual who submits a formal complaint to the EGB alleging a violation of the Electoral Code.
- 1.7. **Electoral Governance Board (EGB)** means the body composed of the Independent Investigator and such student members as may be appointed, which is responsible for adjudicating alleged violations of the Electoral Code.
- 1.8. **Electoral Offence** means any action or omission by a Candidate or Campaign Volunteer that contravenes the provisions of this Code.
- 1.9. **Independent Investigator** is an individual hired to serve in its role by the USC.
- 1.10. **Mandatory All-Candidate Meeting** means the meeting organized by the USC to provide Candidates with information regarding electoral rules, timelines, and procedures, with respect to elections, to which attendance is a condition of candidacy.
- 1.11. **Student** means any individual with undergraduate status registered at the University of Western Ontario, King's University College, Huron University College, or Western affiliated academic unit unless otherwise specified.
- 1.12. **University** means the University of Western Ontario, King's University College, Huron University College, or Western affiliated academic unit unless otherwise specified.
- 1.13. **University Student Council** means ("USC") means the University Students' Council of the University of Western Ontario, a student-led, not-for-profit corporation, duly incorporated pursuant to the laws of the Province of Ontario.

2. MANDATORY TRAINING

2.1. All-Candidates Meeting

- 2.1.1. All Candidates must attend and certify that they attended the Mandatory All-Candidates Meeting which shall be scheduled and administered in accordance with the annual elections timeline as determined by the USC.
- 2.1.2. Candidates who do not attend the Mandatory All-Candidates Meeting and certify that they have done so, shall not be eligible to seek election.
- 2.1.3. Where a Candidate is unable to attend the Mandatory All-Candidates Meeting due to a reasonable and justifiable reason, the determination of which is wholly reserved to the EGB, the Candidate may seek approval from the EGB to designate a delegate to attend on their behalf. Approval for a delegate must be requested no later than 24 hours prior to the Mandatory All-Candidate Meeting, unless otherwise approved by the EGB.
 1. Delegates must be formally designated in writing and are responsible for ensuring the Candidate receives all information provided at the meeting.
 2. Failure by either the candidate or their approved delegate to attend shall result in ineligibility to run.

2.2. All members of the EGB shall attend training, as prescribed by the USC.

3. GENERAL RULES FOR ELECTIONS AND REFERENDA

3.1. General Responsibility of Candidates

- 3.1.1. Candidates shall be responsible for the action(s) of any Campaign Volunteer(s) unless the Candidate satisfies the EGB that they (1) did not direct the action, (2) could not have reasonably foreseen that the actions would occur and/or (3) could not have reasonably stopped the action.
- 3.1.2. Candidates shall at all times be committed to and respect the principles of fair and ethical campaigns and elections.
- 3.1.3. Candidates shall at all times act in good faith.
- 3.1.4. The Candidate shall compile and maintain an up-to-date list of names, emails and phone numbers for all Campaign Volunteers
 1. Should the EGB request a list of Campaign Volunteers from a Candidate, the Candidate shall provide said list to the EGB within eight (8) hours of the request.
 2. Any changes to a candidates list of Campaign Volunteers shall be recorded on said list during the Election Period.

3. Deletion from the list shall be marked by striking through the volunteer's name, similarly, any additional shall be marked by an underline. In either event, an effective date shall be noted for each amendment
- 3.1.5. The Candidate shall provide the EGB with an amended list of Campaign Volunteers within six hours of any changes during the Election Period. Deletion from the list shall be marked by striking through the volunteer's name, similarly, any additions shall be marked by an underline. In either event, an effective date shall be noted for each amendment.
- 3.1.6. It is the responsibility of the Candidate to ensure that their campaigning and Campaign Materials conform with all policies and regulations of the USC, the University, and with all municipal, provincial and federal laws and regulations.
- 3.2. **Resources Acquired From Previous Roles at the University or the USC**
 - 3.2.1. Candidates and Campaign Volunteers are not entitled to use in their Campaign or Campaign Materials, any service, tangible benefits, or resources conferred on them by virtue of holding any position at the University or the USC. This includes but is not limited to: mailing lists, office space, office supplies, equipment, advertising space, social media platform and secretarial services.
 - 3.2.2. Any student who is a USC Executive, Associate Vice-President, Intern or Coordinator, cannot endorse a Candidate or be a Campaign Volunteer during the Campaigning or Balloting Periods of the Election.
- 3.3. **Pre-Campaigning**
 - 3.3.1. Candidates and Campaign Volunteers are not permitted to campaign or distribute Campaign Materials prior to the Campaign Period.
- 3.4. **Cross-Campaigning**
 - 3.4.1. Candidates must maintain separate finances, and produce unique Campaign Materials.
 - 3.4.2. Candidates may not endorse other Candidates.
 - 3.4.3. Candidates may not be a Campaign Volunteer for any other Candidate.
- 3.5. **On-Campus Campaigning**
 - 3.5.1. Candidates shall not campaign in the USC main offices (including but not limited to, the workspace or office of any staff, executive or volunteer), clubs spaces, or Council Chambers, or during any meeting of Council or the Standing Committees of Council, regardless of the location.

3.5.2. Approved Campaign Materials, including posters, may only be posted on poster boards that are reserved by the USC and designated as an election poster board. Any campaign material posted in an area designated by the USC for Campaign Materials, like posters, shall not exceed a size greater than 11"x17".

3.5.3. Physical Campaign Materials shall not be distributed to vacant surfaces throughout the University (i.e. Candidates and or their Campaign Volunteers may not leave Campaign Materials on desks in libraries, or tables in eateries, etc.).

3.6. Campaigning During the Voting and Balloting Periods

3.6.1. While the polls are open, Candidates and Campaign Volunteers are permitted to continue Campaigning as normal, pursuant to the following restrictions:

1. All Campaigning shall be prohibited within the sightline of all Designated Polling Stations, and
2. No Candidate or Campaign Volunteer, or other party, shall: cause a disturbance, interfere, or attempt to interfere, with an individual's right to vote; or coerce, or attempt to coerce, a vote through the use of intimidation, or otherwise.

3.6.2. Candidates and their Campaign Volunteers shall not establish their own polling station or solicit votes.

4. SPECIFIC ELECTORAL OFFENCES

4.1. The burden of proof for electoral offences shall be on the balance of probabilities.

4.2. A Candidate and/or Campaign Volunteer who conspires with another to commit an offence is deemed to have committed the Electoral Offence.

4.3. A Candidate and/or Campaign Volunteer who intends to commit an Electoral Offence and does or fails to do something with said intent is deemed to have committed the Electoral Offence.

4.4. Electoral Offences may be mild, moderate or severe.

4.5. The EGB may penalize a Candidate including through the issuance of demerit points.

4.6. Mild Offences

4.6.1. Mild offences may be categorized and defined as procedural or technical violations with limited scope or consequence.

4.6.2. Mild offences will not typically provide a meaningful advantage to a Candidate.

4.6.3. Mild offences may include, but are not limited to,

1. Campaigning or posting Campaign Materials before the Campaign Period.

2. Placing Campaign Materials, including posters, in unapproved or restricted locations.
3. Using incorrect campaign material formats, including exceeding the poster size limit of 11"x17".
4. Failing to update the Candidate's Campaign Volunteer list within the prescribed time.
5. Sending general campaign messages without the option to unsubscribe and/or without proper consent.
6. Tabling in an unreserved location.
7. Using a personal email account for campaign-related communication.
8. Leaving campaign flyers unattended in a public space.
9. Playing music at a campaign event above permitted decibel levels without disrupting classes or polling stations.
10. Misidentifying election deadlines or nomination rules without misleading others.

4.7. Moderate Offences

- 4.7.1. Moderate offences may be categorized and defined as substantive violations that may provide unfair advantage to a Candidate.
- 4.7.2. An offence may further be categorized as moderate where it is a repeat mild offence, or requires context to evaluate intent.
- 4.7.3. Moderate offences may include, but are not limited to,
 1. Continued campaigning in restricted areas after prior warning.
 2. Cross-campaigning.
 3. Distributing misleading or unverified information about another Candidate that is not defamatory or malicious.
 4. Refusing to cease campaigning within sightline of a physical polling station, if one is erected.
 5. Posting content that unfairly discredits the electoral process.
 6. Submitting inaccurate financial declarations but which are not fraudulent.

7. Repeated use of unapproved or inappropriate Campaign Materials.
8. Use and/or continued use of resources acquired from previous roles at the University or the USC
9. Failing to remove Campaign Materials after the end of the Campaign Period.
10. Communicating or amplifying messages by other Candidates in a way that implies an endorsement.
11. Hosting events on behalf of multiple Campaigns or slates of Candidates, whether intentional or not.
12. Misuse of club or academic platforms to promote a Campaign, including but not limited to, posting to a group chat with club authority.
13. Sharing partially edited or context-removed screenshots of another Candidate's platform.
14. Organizing an on-campus Campaign event without the required booking or safety approvals.

4.8. Severe Offences

- 4.8.1. Severe offences may be categorized and defined as serious offences involving safety, legality, discrimination, or systemic manipulation of the electoral process.
- 4.8.2. Severe offences will typically result in significant penalties or disqualification.
- 4.8.3. Severe offences may include, but are not limited to:
 1. Voter intimidation or coercion.
 2. Harassment or discrimination.
 3. Ballot tampering or voter interference.
 4. Impersonation of a voter, Candidate, the EGB or a member of the EGB, or the USC.
 5. Coordinating votes through a slate, coalition, or party system in violation of slating rules.
 6. Bribery.
 7. Coordinated disinformation campaigns.

8. Unauthorized access to election software, tools, or backend voting systems.
9. Campaigning within a secured or confidential campus setting without appropriate permission.
10. Releasing or misusing personal student data.
11. Creating fraudulent documents.
12. Threatening harm to others in the context of elections.
13. Sharing explicit or private content of another Candidate in an effort to defame or intimidate.
14. Using official USC communication channels to endorse or criticize a Candidate.
15. Violating confidentiality agreements or tampering with investigation evidence.
16. Leveraging identity-based intimidation, including but not limited to, doxing or targeted slurs.

4.9. Factors to Consider on Classification of Electoral Offences

- 4.9.1. Despite the above-noted offence classification examples as mild, moderate or severe, the EGB shall use the following factors to inform its decision as to how the offence shall be classified:
 1. Scope of offence impact on the election,
 2. Severity of the violation, and
 3. Intent and behaviour risk.

5. SANCTIONS AND DISQUALIFICATION

5.1. The EGB shall sanction Candidates in accordance with the Electoral Code.

5.2. The EGB may provide sanction as follows:

- 5.2.1. Minor Elector Offences are punishable by:
 1. One demerit point but not more than two demerit points.
 2. Despite the above, in the event the Electoral Offence was a *bona fide* mistake and does not meaningfully prejudice another Candidate, a written warning may be provided in lieu of demerit points.

3. Not more than one written warning may be given to a Candidate per electoral cycle.
- 5.2.2. Moderate Electoral Offences are punishable by not less than one demerit point but not more than 4 demerit points.
- 5.2.3. Major Electoral Offences are punishable by not less than four demerit points.
- 5.3. Twelve demerit points shall be the threshold for disqualification of a Candidate on the basis of accumulated demerit points.
- 5.4. If a Candidate in any Election is disqualified, the process for determining a winner shall be as follows:
 - 5.4.1. If a winning Candidate in any Election is disqualified, the Candidate who received the greatest number of votes and who has not been disqualified shall be deemed the winner.
 - 5.4.2. If preferential voting was used, the disqualified Candidate shall be removed and their votes will be reallocated as though they had not been on the Ballot and the Candidate who receives the greatest number of votes and who has not been disqualified shall be deemed the winner.
- 5.5. Disqualification of a Candidate shall not take effect until the Candidate has had an opportunity to exhaust their right of appeal.

6. SANCTIONS ON CANDIDATES WHO WITHDRAW PRIOR TO THE COUNTING OF THE VOTES

- 6.1. A Candidate who withdraws their candidacy prior to the counting of the votes but who committed an Electoral Offence may be sanctioned by a reduction in their reimbursement entitlements outlined in the Election Governance Committee Campaign Finance Procedure policy.
- 6.2. Just because demerit points are issued prior to withdrawal, it does not mean that the Candidate cannot be sanctioned in the manner outlined in this section.

7. STUDENT CODE OF CONDUCT

- 7.1. If a student's actions fall within the scope of the University's Western University Code of Student Conduct, the complainant may file a complaint through Western's Student Code of Conduct complaint procedure.

7.2. This would not preclude investigation or intervention by the EGB.

8. EGB TERMS OF REFERENCE

8.1. Composition

8.1.1. The EGB shall be composed of:

1. A third-party independent investigator (the “**Independent Investigator**”), voting, and
2. A maximum of six (6) student election governance board members (“**EGBM**”s), voting.

8.1.2. If there are no EGBMs, the EGB may be solely composed of the Independent Investigator.

8.2. Hiring of EBG Members

8.2.1. The Independent Investigator shall be an independent contractor appointed by the USC People and Development Team.

1. The independent Investigator will be engaged on an as-needed-basis, for the purposes of implementing the Electoral Code
2. The appointment of the Independent Investigator shall remain in effect until such time, if any, as the USC or Board of Directors determines a new appointment is required

8.2.2. The EGBMs shall be students hired through an open application process administered by the USC People and Development Team. The hiring panel shall include at least one (1) student member of the USC Board of Directors as a voting member. Appointments shall be for a term of one (1) academic year.

8.3. Meetings

8.3.1. Meetings shall be called and convened by the Independent Investigator and be held at a location specified by the Independent Investigator, or virtually, as appropriate.

8.3.2. During the Campaign Period and Balloting Period, the EGB shall hold daily meetings.

8.3.3. The Independent Investigator shall give the following notice to the EGBMs prior to a meeting of the EGB:

1. During the Campaign Period and Balloting Period, the Independent Investigator shall give the EGBMs six hours’ notice.

2. Outside of the Campaign Period or Balloting Period, the Independent Investigator shall give the EGBMs forty-eight hours' notice.

8.3.4. All meetings of the EGB shall be closed to members of the public unless specifically invited by the Independent Investigator.

8.3.5. Quorum shall be a majority of the filled voting members of the EGB.

9. ELECTION VIOLATION PROCEDURE

9.1. Receipt of Complaints

9.1.1. All complaints of a violation being or having been committed shall be submitted to the EGB, via the USC's online submission form, and contain the following:

1. The name of the Candidate against whom the complaint is being made,
2. The Complainant's name and contact information, including a telephone number and University issued email address,
3. The names of applicable witnesses and contact information,
4. Particulars with respect to the allegations underlying the complaint, including any and all evidence and documents available to the Complainant or which could reasonably be obtained by the Complainant,
5. Certification by the Complainant that they will promptly respond to the EGB if contacted but in any event no later than twenty-four (24) hours after having been contacted by the EGB.
6. A signed acknowledgment by the Complainant that:
 - a. filing vexatious or defamatory complaints may result in referral to the University for conduct review,
 - b. failure to provide sufficient detail, evidence, or witness information may result in the complaint being dismissed or deemed inadmissible for investigation.

9.1.2. If a Complaint is received by the EGB but does not comply with the requirements of the Electoral Code, it may be considered by EGB at its discretion.

9.1.3. Complaints must be submitted to the EGB:

1. within 24 hours of the offence taking place and/or being discovered, but
2. no later than four hours following the end of the Balloting Period.

- 9.1.4. The EGB shall discard any complaint that, on its face, appears to be frivolous, vexatious, or otherwise, in the sole discretion of the Independent Investigator, have no prospect of success.
- 9.1.5. The Independent Investigator reserves the right to discard any complaint where:
1. The complainant refuses to be identified by the EGB, or
 2. If there is reasonable suspicion that the allegation only aims to delay or distract the EGB from processing legitimate allegations.
- 9.1.6. The EGB shall not be obligated to inform a Candidate of allegations against them until the legitimacy of the allegation is verified and there is sufficient evidence to conduct an investigation.
- 9.1.7. All complaints shall be reviewed by the Independent Investigator.
- 9.1.8. **Threshold Determination:** upon receipt of a complaint the Independent Investigator shall:
1. Determine if the Complaint is in compliance with the requirements of the Electoral Code, including but not limited to:
 - a. The timeline requirements for submitting the Complaint, and
 - b. The requirements outlined in section 9.1.1.
 2. The Independent Investigator, upon receipt of a Complaint, which complies with the requirements outlined in the Electoral Code, shall determine if the Complaint is one that is within the EGB's jurisdiction to consider and shall only proceed if it is.
 3. If the Complaint is not within the EGB's jurisdiction, the Independent Investigator shall advise the Complainant and close the EGB's file.
 4. If the Complaint is within the EGB's jurisdiction, the Independent Investigator shall provide a preliminary classification and direct or conduct an investigation.
- 9.1.9. **Preliminary Classification and Investigation:** Upon the Independent Investigator's determination that a Complaint is within the EGB's jurisdiction, the Independent Investigator shall assign a preliminary offence classification of a potential: mild, moderate, or major and direct an investigation pursuant to section 4 of the Electoral Code.
- 9.1.10. The Independent Investigator shall make a threshold determination and preliminary classification within forty-eight (48) hours of receipt of the Complaint.

9.2. **Withdrawal of Complaints**

- 9.2.1. A Complaint may be withdrawn by a Complainant any time prior to the completion of the EGB's investigation.
- 9.2.2. The EGB retains the authority to continue its investigation if it determines that the alleged violation warrants further examination, regardless of the Complainant's withdrawal.

9.3. **Investigation of Alleged Electoral Offences**

- 9.3.1. The EGB shall not divulge the status of an ongoing investigation to any individual who is not a member of the EGB, including the Complainant or the Candidate being investigated. The EGB's investigation shall remain private and confidential, except as is necessary to complete its investigation.
- 9.3.2. Where a Complainant prejudices the integrity of the EGB's investigation, the Independent Investigator retains the right to terminate the investigation and close the EGB's file.
- 9.3.3. Where the Independent Investigator has ordered an investigation be commenced, and two attempts have been made to contact the Complainant, and no response has been received, within the timeline outlined in section 9.1.1.5 of the Electoral Code, the Independent Investigator may dismiss the complaint without further investigation, and without providing the Complainant further notice.
- 9.3.4. The EGB shall document its investigations in writing.
 - 1. Evidence such as screenshots, emails, written statements and/or notes about verbal statements must be included, when collected.
- 9.3.5. **Investigator Assigned:** Investigations initially classified by the Independent Investigator as a potential
 - 1. Mild and moderate offences may be assigned to an EGBM or conducted by the Independent Investigator, as the Independent Investigator sees fit.
 - 2. Severe offences shall be conducted by the Independent Investigator.
 - 3. EGBMs shall not be assigned to investigate any offence where there is a perceived or actual conflict of interest.
- 9.3.6. **Investigations:**
 - 1. Where investigations are assigned to an EGBM, the EGBM shall conduct a preliminary investigation pursuant to the Independent Investigator's instructions

and guidance and the EGBM shall report to the Independent Investigator throughout their investigation.

2. Investigations and investigation reports shall be completed within the below timeline, barring exceptional circumstances:
 - a. Offences triaged as mild: within twenty four hours
 - b. Offences triaged as moderate: within one to two days
 - c. Offences triaged as severe: within three to four days
3. In the event an EGBM does not provide a report within the time prescribed, the Independent Investigator shall assume carriage of the Complaint, promptly investigate and provide a report to the EGB.
4. The Independent Investigator may assume carriage of an investigation originally assigned to a EGBM.
5. Investigation reports shall be provided to the EGB.

9.3.7. **Decisions of the EGB:** Following an investigation, the EGB shall make a decision as to whether or not the Candidate has committed an offence under the Electoral Code.

1. Decision shall be rendered by a panel of:
 - a. two EGBMs and the Independent Investigator or
 - b. four EGBMs and the Independent Investigator
2. Decisions shall be rendered by majority vote of the EGB.
3. Where there are not the necessary number of EGBMs able or available to vote, the Independent Investigator shall render the decision.
4. An EGBM shall not be permitted to vote if there is a perceived or actual conflict of interest.
5. If the Candidate is found to have committed an offence under the Electoral Code, the EGB shall:
 - a. Make a determination as to whether the offence is a mild, moderate or severe offence, and
 - b. If appropriate, issue a sanction pursuant to the Electoral Code.

9.4. Notice of Verdict

9.4.1. Where the EGB finds that there has been a violation of the Electoral Code, the EGB shall make the details of the violation public and produce a written decision as soon as possible but no later than twenty four hours of having made its decision.

1. Written decisions may be subject to redactions to protect the privacy of various stakeholders involved in the investigation.

2. The written decision shall be posted on the USC Elections website.

9.4.2. Where the EGB finds that the Candidate did not violate the Electoral Code, the EGB shall

1. Inform the Candidate, and

2. Inform the Complainant.

9.5. Close of Investigation

9.5.1. All records pertaining to closed investigations shall be turned over to the USC along with the final decision of the EGB.

9.5.2. Once an investigation has been closed, it shall not be reopened unless new evidence which was not previously known or could not reasonably have been known, that substantially alters the facts of the case.

9.5.3. No investigation shall be re-opened more than seven days following the close of balloting.