



Referendum Regulations

1. Purpose, Authority and Application

- 1.1** These Regulations are established by the Referendum Conduct Committee ("RCC") pursuant to Appendix D of the Protocol on the Increase or Introduction of Compulsory Non-tuition Related Fees ("Protocol") for the conduct of the referendum on the proposed Hart House Capital Fee Levy ("Referendum").
 - 1.2** These Regulations supplement the Protocol and must be interpreted consistently with it. In the event of a conflict between these Regulations and the Protocol, the Protocol prevails.
 - 1.3** The Referendum will be conducted by the Chief Returning Officer of the Governing Council ("CRO"), who serves as Secretary to the RCC.
 - 1.4** The CRO may issue instructions, forms, administrative procedures and administrative interpretations reasonably necessary to implement the Protocol and these Regulations, provided they are consistent with both.
 - 1.5** The Referendum will be conducted in a manner that promotes fairness, transparency, impartial administration, accessibility and confidence in the integrity of the process.
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2. Definitions

- 2.1** In these Regulations:

“Campaign” or “Campaigning” means conduct intended, or reasonably likely, to encourage an eligible voter to cast a ballot in favour of or against the Referendum proposal.

“Campaign Expenditure” means the fair market value of goods or services used for Campaigning, whether purchased or donated, but does not include voluntary unpaid labour.

“Campaign Material” means any advertisement, communication, design, display, flyer, item, literature, website, social media content, electronic communication or other material created, distributed or used for the purpose of Campaigning.

“Campaign Period” means the period designated as the Campaign Period in the Referendum Schedule.

“Eligible Voter” means a full-time undergraduate student, part-time undergraduate student or graduate student registered at the St. George campus and eligible to vote in the Referendum.

“Official Committee” means an official “Yes” Committee or “No” Committee established in accordance with the Protocol and these Regulations.

“Voting Period” means the period designated as the Voting Period in the Referendum Schedule.

3. Referendum Schedule

3.1 The Referendum will be conducted according to the schedule established by the RCC and published by the CRO.

3.2 Voting will begin no earlier than January 15, 2027 and will close no later than three weeks after voting begins and, in any event, no later than the last day of classes in the Faculty of Arts and Science spring term.

3.3 The schedule will include, at minimum:

- (a) the deadline for establishment of Official Committees;
- (b) the deadline for submission of ballot statements;
- (c) the Campaign Period;
- (d) the Voting Period;
- (e) deadlines respecting Campaign Expenditure reporting; and
- (f) deadlines respecting alleged infractions.

3.4 The RCC may amend the schedule where circumstances reasonably require, provided any amendment is consistent with the Protocol. Any change will be published by the CRO as soon as practicable.

4. Official “Yes” and “No” Committees

4.1 Official “Yes” and “No” Committees may be established in accordance with section 5 of Appendix D of the Protocol.

4.2 A request to establish an Official Committee must be submitted to the CRO by the deadline established in the Referendum Schedule and must identify whether the person or body making the request supports the “Yes” or “No” position.

- 4.3 Upon receipt of a request, the CRO will determine whether the other persons or bodies identified in section 5 of Appendix D wish to support either Official Committee.
- 4.4 Each Official Committee will identify to the CRO:
- (a) its members;
 - (b) one primary representative authorized to communicate with the CRO and RCC on its behalf; and
 - (c) any other individuals authorized to incur expenditures or approve Campaign Material on its behalf.
- 4.5 Each Official Committee is responsible for ensuring that its members and persons acting on its behalf comply with the Protocol, these Regulations and applicable University policies.
- 4.6 The absence of an Official Committee supporting one or both positions does not prevent the Referendum from proceeding.
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5. Ballot and Referendum Information

- 5.1 Information accompanying the ballot will contain a concise description of the proposed Hart House Capital Fee Levy and the reasons it is requested, together with a similarly concise statement outlining objections to the proposed levy.
- 5.2 The RCC will establish equal limits for the “Yes” and “No” statements accompanying the ballot. Each statement will be limited to 500 words.
- 5.3 Where an Official Committee has been established, the statement supporting its position will be approved for inclusion by that Official Committee. Where an Official Committee has not been established for a position, the RCC will approve the statement for that position.
- 5.4 Where both Official Committees have been established, each will be given an opportunity to examine the other Official Committee’s final ballot statement before the statements are distributed.
- 5.5 The CRO may require amendments to the format of a statement where necessary for accessibility, technical compatibility or substantially equal presentation, but will not alter its substantive content without the agreement of the body responsible for approving it under section 5.3
- 5.6 The RCC may decline to distribute material that is unlawful, contrary to University policy, or reasonably likely to compromise the integrity of the Referendum.
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6. Campaign Period and Campaign Conduct

- 6.1** Campaigning by or on behalf of an Official Committee may take place only during the Campaign Period.
 - 6.2** Nothing in these Regulations prevents individuals from discussing the proposed levy, expressing personal views, reporting on the Referendum, or engaging in ordinary academic, journalistic or organizational activity before or during the Campaign Period, provided that activity does not constitute Campaigning undertaken on behalf of, at the direction of, or in coordination with an Official Committee.
 - 6.3** Campaigning and Campaign Material must comply with applicable law, University policies and applicable rules governing University buildings, facilities and spaces.
 - 6.4** No person Campaigning on behalf of an Official Committee may:
 - (a) remove, deface or unreasonably obstruct Campaign Material supporting the opposing position;
 - (b) interfere with an Eligible Voter's freedom to cast a ballot according to their choice;
 - (c) compromise or attempt to compromise ballot secrecy;
 - (d) provide a device for the purpose of facilitating or observing an Eligible Voter casting a ballot; or
 - (e) establish or operate a voting system.
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7. Campaign Material, Advertising and Electronic Media

- 7.1** Campaign Material may be produced and distributed during the Campaign Period subject to these Regulations and applicable University policies.
- 7.2** Posters and other physical Campaign Material displayed on University property must comply with applicable University and building-specific requirements.
- 7.3** The University crest may not appear on Campaign Material in a manner that suggests University endorsement of a position in the Referendum.
- 7.4** Websites, social media, electronic communications and other digital Campaign Material must comply with applicable University policies respecting information and communication technology.
- 7.5** Paid advertising, including advertising in campus media and through digital or social media platforms, constitutes a Campaign Expenditure and is subject to the applicable spending limit.

- 7.6 Official Committees may use University or student organization email lists only where authorized to do so by the owner or administrator of the list and in accordance with applicable University policies.
 - 7.7 Campaign Material displayed on University property must be removed as soon as reasonably practicable following the Campaign Period.
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8. Neutral Referendum Information and University Activity

- 8.1 The CRO will prepare and publish on the Office of the Governing Council website definitive neutral information concerning the administration of the Referendum, including:
 - (a) the Regulations governing the Referendum;
 - (b) the Referendum process and schedule;
 - (c) voter eligibility and voting instructions; and
 - (d) opportunities for Eligible Voters to obtain further information or participate in the Referendum process.
- 8.2 University offices and units, including Hart House, may communicate factual or operational information concerning the existence and purpose of the Referendum, the proposed levy and the project to which it relates. Such communications must not advocate that Eligible Voters vote “Yes” or “No.”
 - 8.2.1 A communication about the Building Renewal project or the Referendum is neutral where its content is factual or operational, is not presented for the purpose of encouraging a particular vote, and does not link the project to a recommendation concerning the proposed levy. In assessing whether a communication is neutral, regard may be had to its content, purpose, intended audience, timing and whether it is consistent with the unit’s ordinary communications before the Campaign Period.
- 8.3 Communications by University offices and units concerning the administration of the Referendum should direct Eligible Voters to the Office of the Governing Council’s Referendum website as the authoritative source of information concerning the matters described in section 8.1.
- 8.4 University resources used by the Office of the Governing Council for the administration of the Referendum and the provision of neutral voter information do not constitute Campaign Expenditures.

9. Campaign Resources and Expenditures

- 9.1** The RCC will establish the maximum amount that may be expended in support of each Official Committee.
- 9.2** The spending limit for each Official Committee will be \$21,000.
- 9.3** Each Official Committee must submit to the CRO, as part of its request to be established, a declaration of each individual whose paid working time will be used for Campaigning on behalf of the Official Committee beyond the individual's ordinary responsibilities of leadership, representation or advocacy for the organization or unit that employs them, identifying the individual's role, employer and expected commitment of fewer than 5 hours per week, 5 to 15 hours per week, or more than 15 hours per week, together with any other material institutional resources to be used for Campaigning on the Official Committee's behalf. A declaration does not require a record of hours worked or any salary or compensation information.
- 9.4** The ordinary cost of an individual's paid working time, where the arrangement under which the individual is paid pre-dates the formation of the Official Committee, does not constitute a Campaign Expenditure. Any incremental cost associated with paid working time arising specifically from Campaigning constitutes a Campaign Expenditure. Voluntary unpaid labour remains excluded from Campaign Expenditures.
- 9.5** Each Official Committee must report to the CRO any material change to the paid working time or material institutional resources declared under section 9.3. Where the declarations or subsequent reports disclose a material disparity in paid working time or material institutional resources available for Campaigning, the RCC may establish measures it considers reasonably necessary to address the disparity, having regard to the overall resources available to each Official Committee.
- 9.6** An Official Committee may not circumvent the spending limit through Campaign Expenditures incurred on its behalf by another person or organization acting at its request, direction or with its knowledge and consent.
- 9.7** Individuals may express personal views concerning the Referendum without being subject to the spending limits or reporting requirements applicable to Official Committees. An organization wishing to undertake organized or funded Campaigning in support of a position in the Referendum must do so through, or in coordination with, the Official Committee supporting that position, if one has been established.
- 9.8** Each Official Committee must maintain records and receipts respecting its Campaign Expenditures.

- 9.9** Each Official Committee must submit to the CRO, by the deadline established in the Referendum Schedule, a statement setting out:
- (a) all Campaign Expenditures;
 - (b) the fair market value of donated goods and services, excluding voluntary unpaid labour; and
 - (c) any other information reasonably required by the CRO to verify compliance with the spending limit.
- 9.10** The primary representative of each Official Committee will certify that the expenditure statement is complete and accurate.
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10. Voting

- 10.1** Voting will be conducted electronically through SimplyVoting or another secure electronic voting platform designated by the CRO.
- 10.2** Eligible Voters will vote in three constituencies:
- (a) full-time undergraduate students;
 - (b) part-time undergraduate students; and
 - (c) graduate students.
- 10.3** Eligibility will be determined using official University student records at a date or dates established by the CRO.
- 10.4** An Eligible Voter who believes they have been incorrectly omitted from the voter list may contact the CRO, who will determine eligibility using official University records.
- 10.5** No Eligible Voter may cast more than one ballot.
- 10.6** Eligible Voters will access the voting platform using authentication procedures established by the CRO.
- 10.7** Ballot secrecy will be maintained. Information identifying voters who have accessed or completed the voting process will be maintained separately from votes cast so that a vote cannot be attributed to an individual voter.
- 10.8** Once a ballot has been submitted, it cannot be altered or cast again.
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11. Scrutineers

- 11.1** Each Official Committee, if established, will appoint a scrutineer in accordance with Appendix D of the Protocol.

- 11.2** The name and contact information of each scrutineer will be provided to the CRO by the deadline established in the Referendum Schedule.
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12. Determination and Announcement of Results

- 12.1** Votes will be tallied separately for:
- (a) full-time undergraduate students;
 - (b) part-time undergraduate students; and
 - (c) graduate students.
- 12.2** The Referendum proposal will be approved only if:
- (a) a majority of all votes cast approve the proposal; and
 - (b) a majority of votes cast approve the proposal in at least two of the three constituencies.
- 12.3** Following the close of voting, the CRO will obtain and verify the results generated by the electronic voting platform.
- 12.4** Subject to section 12.5, the CRO will announce the Referendum result on the date established in the Referendum Schedule.
- 12.5** Where an alleged infraction that could affect the outcome remains outstanding on the scheduled results date, the CRO may announce preliminary results, with the final Referendum result to be declared following the RCC's determination of the outstanding matter. Any such announcement will clearly identify the results as PRELIMINARY.
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13. Alleged Infractions

- 13.1** The RCC has authority to rule on allegations that the Protocol or these Regulations have been violated.
- 13.2** An allegation must be submitted in writing to the CRO in the form prescribed by the CRO and must identify:
- (a) the person or body alleged to have committed the infraction;
 - (b) the provision of the Protocol or Regulations alleged to have been violated, where known;
 - (c) the material facts relied upon; and
 - (d) any available supporting evidence.
- 13.3** An allegation must normally be submitted within three business days after the complainant becomes aware, or reasonably ought to have become aware, of the alleged conduct, and in any event no later than the final deadline for alleged infractions

established in the Referendum Schedule, except where the RCC determines that fairness or the integrity of the Referendum requires consideration of a late allegation.

- 13.4** The CRO may request further information from a complainant or any person or body whose conduct is the subject of an allegation.
 - 13.5** Before the RCC determines an allegation, any person or Official Committee whose interests may be adversely affected will ordinarily be given notice of the substance of the allegation and a reasonable opportunity to respond.
 - 13.6** The CRO may facilitate informal resolution of a matter where appropriate, including by providing clarification or seeking voluntary corrective action, provided that the CRO may not determine whether an infraction occurred.
 - 13.7** The CRO may recommend that the RCC decline to consider an allegation that is manifestly frivolous, vexatious, duplicative or outside the RCC's jurisdiction. The decision whether to consider the allegation remains with the RCC.
 - 13.8** The RCC may determine an allegation on the written record or convene a meeting or hearing where it considers one necessary.
 - 13.9** Where a meeting or hearing is convened, affected parties will be given a reasonable opportunity to present relevant information and respond to the matters at issue.
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14. Determination of Infractions

- 14.1** When considering an alleged infraction, the RCC will determine:
 - (a) whether an infraction of the Protocol or these Regulations occurred; and
 - (b) if so, whether, in the opinion of the RCC, the infraction affected the outcome of the vote.
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15. Corrective Measures and Remedies

- 15.1** Where the RCC determines that an infraction occurred, it may direct corrective measures reasonably necessary to restore compliance with the Protocol or Regulations or to mitigate an unfair effect on the Referendum process.
- 15.2** Corrective measures may include:
 - (a) directing the removal, correction or cessation of Campaign Material or activity;
 - (b) requiring a correction, clarification or other communication to Eligible Voters;

- (c) treating an improperly incurred expenditure as part of an Official Committee's spending limit;
 - (d) restricting an activity that would otherwise perpetuate the effects of an infraction; or
 - (e) taking another proportionate measure reasonably necessary to protect the fairness of the Referendum.
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16. Decisions and Reporting

- 16.1** Decisions of the RCC respecting alleged infractions will be reported to the Vice-Provost, Students and to the Presidents of UTSU, UTGSU and APUS as required by the Protocol.
 - 16.2** The RCC may publish a decision or summary of a decision where it considers publication appropriate to promote transparency, correct misinformation, provide guidance concerning the Regulations or protect confidence in the Referendum process.
 - 16.3** In determining whether and how to publish a decision, the RCC will have regard to privacy, procedural fairness and the public interest in transparency.
 - 16.4** Official notices, Regulations, schedules, decisions and Referendum results may be published on the Governing Council website or by another method determined by the CRO.
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17. Interpretation and Unforeseen Circumstances

- 17.1** Questions concerning the administrative interpretation or implementation of these Regulations may be directed to the CRO.
- 17.2** Where a matter requires a supplementary rule or raises a substantive question concerning the fairness or conduct of the Referendum, the CRO will refer the matter to the RCC.
- 17.3** The RCC may amend these Regulations where necessary for the fair and effective conduct of the Referendum, provided that any amendment is consistent with the Protocol.
- 17.4** Where an unforeseen circumstance arises that is not addressed by the Protocol or these Regulations, the CRO may take reasonable interim administrative measures necessary to preserve the integrity or continuity of the Referendum process and will refer any substantive matter to the RCC as soon as practicable.