**Rhodes University Independent Electoral Board Election Policy**

1. **PREAMBLE**

Through the transparent and accountable implementation of this policy, the IEB seeks to ensure that Student Representative Election processes are credible, free and fair. These processes include the SRC General Elections, By-Elections and Hall Representative elections, as well as any other process requiring regulation within the confines of student governance. This policy is to be considered alongside the Constitution of the Students and the Constitution for Student Governance and is to be interpreted in compliance with Rhodes University Policies and Regulations at all times.

1. **DEFINITIONS**
	1. **Absolute majority** – a majority of total membership;
	2. **Abstain** – is an option made available on the ballot paper for students who would like to abstain from voting entirely;
	3. **Affiliated** – a society or group of persons that is controlled, is accountable to or in some way linked to Student Governance structures at Rhodes University;
	4. **Campaigning** – refers to any organised effort, process or publication which seeks to influence the decision of the voter. This includes but is not limited to the distribution of posters and flyers, word of mouth, email, electronic social networks, SMS and online messaging services. Additional campaigning activities may be defined by the IEB at their discretion;
	5. **DSA** – Division of Student Affairs;
	6. **Election campaign team** – refers to a group of students appointed by a candidate to assist in the running of their campaign;
	7. **Rhodes University Electoral Court** – an independent committee which receives appeals from the Rhodes University Electoral Court;
	8. **IEB** – Independent Electoral Board;
	9. **‘No vote’** – is an option made available on the ballot paper, chosen by the voter to indicate that they would prefer no candidate over the available options;
	10. **PGLSC** – Post Graduate Liaison Sub-Committee;
	11. **Polling Officers** – any official appointed by the Hall Administrators of Rhodes University to assist in the running of elections at particular polling stations;
	12. **Polling Stations** – areas such as dining halls where the voting of students is facilitated;
	13. **REC** – an independent body which sits as a court of first instance or receives matters from the Independent Complaints Officer;
	14. **Spoilt ballot** - a hard copy record of a particular student’s vote that is not counted towards the individual candidates but is counted towards the poll;
	15. **Spoilt** – refers to a ballot which is marked incorrectly as per the instructions on the ballot paper;
	16. **SRC** – Student Representative Council;
	17. **SRC Elections** – Annual General Elections, By-Elections and Hall Representative Elections;
	18. **Student** – a person who is registered for study at Rhodes University at the time of election processes;
	19. **Student Parliament** – the assembly of University sub-structures as provided for in Chapter 7 of the Constitution for Student Governance;
	20. **Valid Ballot** – a hard copy record of a particular students vote that is counted towards the individual candidates and the poll.
2. **COMPOSITION OF THE IEB**
	1. The IEB shall consist of nine members, those being:
		1. The Chairperson;
		2. The Independent Complaints Officer;
		3. The Chief Polling Officer;
		4. The Impartial Officer;
		5. An Oppidan Hall Representative;
		6. Three nominees from Student Parliament;
		7. Two elected members of the student body;
		8. The SRC Advisor;
		9. Two SRC Alumni;
		10. One student media representative.
	2. The Division of Student Affairs shall appoint an office administrator in consultation with the IEB, when the need arises. Such a person shall be empowered to attend IEB meetings, with no advisory or voting rights.
3. **APPOINTMENT OF THE IEB**
	1. The outgoing IEB shall nominate at least two candidates for the positions of Chairperson and Independent Complaints Officer who shall be Rhodes University Staff Members;
	2. The Division of Student Affairs shall appoint these positions from these nominees;
	3. The Impartial Officer shall be a Rhodes University Staff Member appointed by the Office of the Vice Chancellor;
	4. The Chief Polling Officer shall be nominated at a sitting of Rhodes University Board of Residences;
	5. The Oppidan Hall Representative shall be appointed by the Oppidan Hall Committee;
	6. Nominees from Student Parliament shall be appointed at a sitting of Student Parliament;
	7. Student body representatives shall be appointed at the annual Student Body meeting convened by the SRC President in terms of the Constitution of the Students;
	8. SRC Alumni shall be appointed at the discretion of the SRC Advisor. The SRC Alumni as well as the SRC Advisor may only participate in the meetings in a non-voting and advisory capacity;
	9. The student media representative shall be appointed at a meeting convened by the SRC Media Councillor with student media organisations;
	10. Should any of the aforementioned bodies be unable to sit due to unforeseen circumstances, a Chairpersons’ circular shall be sufficient for appointment;
	11. Members of the IEB shall be appointed no later than the 31st October per annum;
	12. In the event that members of the IEB are not appointed by this time, SRC Elections processes may not commence. Elections may only commence upon the full appointment of the board;
	13. Appointed members of the IEB shall serve on the IEB for the year commencing at appointment. Members of the IEB may serve more than one term.
4. **CONFLICTS OF INTEREST**
	1. No sitting member of the SRC may at any stage form part of the IEB, in a voting or non-voting capacity;
	2. No sitting member of the IEB may stand for election or assist in the campaigning of a student standing for election;
	3. The Independent Complaints Officer of the IEB shall be responsible for determining whether a conflict of interest exists. Should he or she find such a conflict exists, such members shall be asked to resign from the IEB;
	4. Should the Independent Complaints Officer be alleged to be in conflict of interest, the Chair shall assume this power.
5. **FUNCTIONS AND POWERS OF THE IEB**
	1. The IEB shall:
		1. Co-ordinate the nomination process of candidates, arrange meeting with candidates to explain the election rules, and create timelines for which election material must be prepared, displayed and taken down;
		2. Monitor the conduct of candidates during campaigning;
		3. Co-ordinate in full the voting and vote-counting processes and announce the results of the election;
		4. Co-ordinate in full the Grazzle(s) and Presidential Debate scheduled during election processes;
		5. Receive and act on complaints regarding irregularities in connection with nominations, voting or candidate’s conduct in the election;
		6. Organise opportunities for candidates to interact with students in at least 60% of designated residences and central places identified by the IEB;
		7. Promote voter education throughout the year.
	2. Meeting quorum for the IEB is six members, including at least four students and at least two staff members.
	3. Each member of the Board, with the exception of the SRC Alumni and the SRC Advisor, shall have one vote. In the event of a tie of votes, the Chairperson shall cast the deciding vote;
	4. The IEB may:
		1. Enact any special rules governing the election process that do not conflict with this policy, the Constitution of the Students or Rhodes University rules and practises;
		2. Adopt additional measures as it deems necessary to ensure a free and fair election.
6. **RESPONSIBILITIES OF THE CHAIRPERSON OF THE IEB**
	1. The Chairperson shall:
		1. Convene and chair meetings of the Independent Electoral Board;
		2. Ensure the IEB is convened timeously before the start of any election processes;
		3. Present a full report to the DSA 10 days after every election regarding the election, including how funds were spent and any sanctions that may have been imposed by the Independent Complaints Officer.
		4. Liaise with the staff at EduTech regarding the creation of online voting platforms for any election. Notice of at least a month must be given for the creation of a RUConnected voting platform.
7. **RESPONSIBILITIES OF THE INDEPENDENT COMPLAINTS OFFICER**
	1. The Independent Complaints Officer shall:
		1. Receive complaints regarding irregularities in connection with nominations, voting and candidates conduct in the election;
		2. Communicate the complaint to the accused in writing;
		3. Allow the accused to make representations on the charge, either verbally or in writing;
		4. Investigate the complaint by collecting evidence from any student, staff member, candidate or polling officer;
		5. Make a decision regarding the guilt of the alleged conduct, and decide on an appropriate sanction with reference to Article 18 of this policy within 48 hours of the complaint having been received;
		6. Communicate the decision and accompanying sanction to the accused with reasons for the decision, informing them of their right to appeal the decision to the Rhodes University Electoral Court;
		7. Refer the complaint to the Rhodes University Electoral court should he or she deem it necessary. The complainant and accused must be notified of such a referral. This notification shall include the charges alleged and the period in which the court must sit.
		8. In determining a conflict of interest within the IEB, the Independent Complaints Officer shall utilise their discretion as to what constitutes a material conflict of interest.
8. **RESPONSIBILITIES OF THE CHIEF POLLING OFFICER**
	1. The Chief Polling Officer shall:
		1. Ensure that two polling officers per dining hall, per scheduled voting slot are present for the duration of elections;
		2. Brief polling officers on their role in the election process, which includes ensuring that candidates are not present at voting areas, that students do not vote more than once and that students sign a register to acknowledge having cast a ballot;
		3. Distributing ballot boxes, ballots and registers to Hall Administrators of dining halls prior to the start of an election, and retrieving such material at the end of the voting process.
9. **RESPONSIBILITIES OF THE IMPARTIAL OFFICER**
	1. The Impartial Officer shall:
		1. Oversee that the conduct of IEB Members is impartial throughout the election proceedings;
		2. Oversee the vote counting procedure, which entails recording the number of voters and tallies for each candidate;
		3. Formulate a report of overall votes per candidate per election;
		4. Determine whether a ballot is spoilt in compliance with the definition in Article 2.11;
		5. Announce election results to the candidates at the relevant inauguration, and announce to the Student Body whether the election was free, fair and regular;
		6. Form part of the composition of the Rhodes University Electoral Court.
10. **RESPONSIBILITIES OF THE MEDIA REPRESENTATIVE**
	1. The media representative shall perform the following functions:
		1. Release official statements or announcements regarding election proceedings from the IEB;
		2. Taking all relevant pictures required for the design of the ballot paper;
		3. Designing and printing of ballots appropriate to the election in question. Ballots must include the preferred name of the candidate and a photograph of the candidate;
		4. Facilitating or organising media appearances for the candidates for the duration of elections.
11. **RESPONSIBILITIES OF THE OFFICE ADMINISTRATOR**
	1. The office administrator shall perform the following functions:
		1. Record the minutes of meetings, and circulate them amongst the IEB;
		2. Prepare ballot boxes, ballots and registers to Hall Administrators of dining halls prior to the start of an election;
		3. Issue and collect candidate nomination forms.
	2. Any residual duties shall be contained in the Job Profile determined by the IEB.
12. **COMPOSITION OF THE RHODES UNIVERSITY ELECTORAL COURT**
	1. The Rhodes University Electoral Court will consist of four members:
		1. The Chairperson, which shall be the Impartial Officer of the IEB;
		2. Three members of the Student Disciplinary Board.
13. **COMPOSITION OF THE ELECTORAL APPEALS COURT**
	1. The Electoral Appeals Court will consist of:
		1. The President of the Rhodes University Law Society;
		2. The President of the Black Lawyers Association;
		3. A member of the Law Faculty appointed by the Office of the Vice-Chancellor.
14. **FUNCTIONS AND POWERS OF THE RHODES UNIVERSITY ELECTORAL COURT**
	1. The court shall:
		1. Sit to decide matters referred to it by the Independent Complaints Officer as per Article 7.1.7. Such a sitting shall convene no later than 48 hours after the matter has been referred by the Independent Complaint’s Officer;
		2. Sit to decide appeals from the Independent Complaints Officer; Such a sitting shall convene no later than 48 hours after the matter has been appealed by the complainant or accused in question;
		3. Allow the accused to make representations on the charge, either verbally or in writing;
		4. Summon any student, staff member, and candidate or polling officer to present evidence on the charge.
		5. Make a decision regarding the guilt of the alleged conduct, and decide on an appropriate sanction with reference to Article 18 of this policy within 48 hours of the complaint having been received;
		6. Communicate the decision and accompanying sanction to the accused in a written judgement, informing them that the right to appeal to the Electoral Appeals Court exists.
15. **FUNCTIONS AND POWERS OF THE ELECTORAL APPEALS COURT**
	1. The Court shall:
		1. Sit to decide matters referred to it in terms of Article 21.3 of this policy. Such a sitting shall convene no later than 48 hours after the intention to appeal has been communicated;
	2. The court reserves the right
		1. To decide the matter solely on the material received from the Rhodes University Electoral Court;
		2. To call any witness relevant to the appeals process, including the accused.
16. **CANDIDATE NOMINATIONS**
	1. Each candidate shall complete a nomination form, which can be collected from the administrative office of the IEB;
	2. Each nomination form shall contain:
		1. a recent picture of the candidate;
		2. a factual pen sketch of personal achievements at the University,
		3. a manifesto of maximum 300 words;
		4. an indication of the portfolio for which the candidate is standing;
		5. a signed list of nominations;
		6. a signed commitment to undergo the annual SRC Training;
		7. proof that they are not on Academic Probation or have not received the maximum number of hours in terms of the Constitution of the Students.
	3. By signing the nomination, every candidate will be deemed to have accepted the campaign rules as contained in this policy and agree to abide by the letter and spirit of such rules.
17. **CANDIDATE CAMPAIGNING**
	1. Candidates are fully responsible for:
		1. Their own actions, as well as actions taken on their behalf, whether by the candidate’s support team or affiliated society;
		2. Understanding the policy and communicating the policy to their support teams and affiliated societies;
		3. Approaching the IEB if any provision of this policy is misunderstood.
	2. Each candidate shall be entitled to spend an amount on campaigning, determined annually by the IEB. This figure is inclusive of all campaigning efforts, including events, materials and/or publications;
	3. Copies of any advertising publication must be brought to the IEB office for stamping and approval before distribution;
	4. Materials received free of charge must be assessed by the IEB and will be assigned a value comparable to their current market value and will be debited against the candidate’s campaign budget accordingly;
	5. In the event that a candidate is running under the banner of any organisation, any event by the organisation to which they are affiliated which may be seen to be in support of the candidate will be considered as part of this amount;
	6. A full financial statement detailing costs of production must be submitted to the IEB before distribution. Fraudulent campaign spending reports shall be met with disciplinary action;
	7. Overspending is a contravention of this policy and will be subject to disciplinary action;
	8. The visual portrayal of all campaign material should be sensitive towards issues on gender, disability, cultural diversity and may not contain any form of racism, sexism, pornography, nudity, hate speech, foul language, blatant discriminatory remarks or content that is detrimental to the image and stature of Rhodes University;
	9. The election material of candidates may not be displayed or distributed within the voting station boundary or in the computer labs during voting times;
	10. In the period between the closing of nominations and the voting procedures, candidates may visit lecture theatres, dining halls and residences with permission from the SRC Liaison and the relevant lecturers, hall or house wardens. The SRC Advisor will be responsible for scheduling these visits;
	11. Candidates are required to attend 60% of these scheduled visits, and the IEB reserves the right to publish attendance rates to the Rhodes University Student Body through official communications;
	12. A candidate may not make derogatory remarks about another candidate at any stage during the elections. This includes conduct at campaigning events and on social media platforms. Any violation of this clause will result in disciplinary action;
	13. No candidate or campaign team may offer any inducement or rewards to any person as compensation for voting;
	14. Within 48 hours before the commencement of the general elections, an annual general meeting of students (a ‘Grazzle’) shall be held at which all candidates shall be present to outline their manifesto and answer questions;
	15. A chairperson appointed by the IEB shall preside over these meetings and shall have absolute jurisdiction over it;
	16. No candidate shall absent him or herself from the meeting without the prior permission from the IEB;
	17. During the annual general meeting, should any candidate be prevented from speaking by any member of the student body, thus compromising the integrity of the elections, the IEB reserves the right to cancel the proceedings. This right may only be exercised by majority vote of the IEB.
18. **ELECTORAL CODE OF CONDUCT**
	1. At the start of the election period, each candidate shall sign a code of conduct as contained in Annexure A before they will be allowed to stand in the election. Failure to sign such code of conduct shall result in the immediate disqualification of the candidate;
	2. Every candidate, member of the board or student bound by this code must:
		1. Promote the purpose of the code;
		2. Take reasonable steps to ensure compliance with the code by candidates and their campaign teams.
19. **ELECTION PROCEDURES**
	1. The Election Timetable shall be established by the IEB, and subsequently published before the start of the election period;
	2. Elections shall commence no later than 10 days after nominations close;
	3. The SRC General Election must be held over a period of fifteen consecutive University days in the second semester of every academic year, the first five of which must be for nominations only, the second five of which must be for campaigning and the third five of which for campaigning and voting;
	4. Voting proceedings for residence students shall be conducted by ballot vote, whereas voting for Oppidan students shall be conducted by an online vote on a suitable electronic platform;
	5. Voting shall be by secret ballot and there shall be no proxy voting. Only those ballot boxes and ballots provided by the IEB and clearly marked as such shall be utilised;
	6. No person shall interfere with the ballot boxes, papers and/or any election materials in the voting process;
	7. Neither a candidate, nor a member of a campaign team may collect or handle ballot papers;
	8. Candidates must not be within the voting station during voting processes;
	9. At the discretion of the Chair of the IEB, students who are unable to vote during the election period may cast their votes beforehand under conditions laid down by the IEB;
	10. A student is eligible to vote in the elections if they are a registered student at Rhodes University. The Polling Officer or his or her duly appointed assistants may require that any intending voter produce his or her student identification;
	11. Each voter will have one vote in the election;
	12. Only residence students may vote for the Residence Councillor and Hall Representatives, while only Oppidan students may vote for the Oppidan Councillor;
	13. In the event that two or more candidates reach a tie for any given portfolio, such a seat shall be filled by means of a by-election conducted by the IEB. Only the candidates in question shall be taken as duly nominated for such a portfolio.
20. **VOTE COUNTING**
	1. The IEB shall collect the ballot boxes at the discretion of the Chairperson. They shall then compare the ballots against the list of enrolled students who have signed to indicate they have voted. From this information, the Impartial Officer shall then ascertain:
		1. That the required quorum of 33,3% has been met. In the event that quorum has not been attained, the election shall be declared null and void and a new round of elections shall be held;
		2. That only those that are eligible have voted.
	2. No person other than those members of the IEB shall tally votes. The IEB reserves the right to nominate any person to count, provided that they sign the non-disclosure agreement featured in **Annexure C**;
	3. When the IEB is satisfied that the votes have been accurately counted, they shall record:
		1. The result of the election per candidate, per hall in an electronic record, which shall later be published to the student body;
		2. The number of spoilt ballot papers.
	4. In the event that a candidate receives a higher ‘no vote’ and ‘abstain’ tally combined than actual votes cast, the candidate will be deemed as having lost the election and the position will re-open for by-election;
	5. 48 hours after the publication of the results, the IEB shall destroy the ballot papers.
21. **COMPLAINT AND APPEAL PROCEDURES**
	1. Any irregularity in connection with nominations, voting, the conduct of candidates or generally in the election, must be reported to the Independent Complaints Officer within 24 hours of the alleged conduct;
	2. No complaints may be lodged after midnight on the day of close of voting;
	3. The Independent Complaints Officer shall then handle the complaint in terms of Article 7, after which the accused has right of appeal to the Rhodes University Electoral Court, or refer to complaint to the Rhodes University Electoral Court in terms of Article 7.1.7;
	4. Any person may take a decision by the Rhodes University Electoral Court to the Electoral Court of Appeal 48 hours after the decision of the Rhodes University Electoral Court has been communicated;
	5. Once the Electoral Appeals Court has decided a matter, no further right to appeal exists.
	6. The result of any decision made by the Independent Complaints Officer, the Rhodes University Electoral Court or the Electoral Appeals Court must be published officially by the IEB within 48 hours of the decision. Such a publication shall contain the charge of which the candidate has been found guilty and the sanction imposed.
22. **SANCTIONS**
	1. The power and responsibility for imposing sanctions rests with the Independent Complaints Officer and the Rhodes University Electoral Court;
	2. The sanctions contemplated in this policy are in addition to the sanctions provided for in the Student Disciplinary Code;
	3. The sanctions listed in Annexure B may be imposed for their corresponding violations, however the Independent Complaints Officer and the Rhodes University Electoral Court reserve the right to issue any of the prescribed sanctions should the need arise;
	4. The onus of proof for commission of these sanctions shall be on a balance of probability;
	5. All competent bodies are empowered to handle any complaints received within the boundaries of the sanctions featured in Annexure A, despite their lack of inclusion in the listed offences.
23. **VOTE OF NO CONFIDENCE**
	1. The IEB shall convene a meeting to conduct a vote of no confidence regarding any member of the board should material misconduct or an inability to perform the functions of office be present;
	2. The member in question shall be informed of such a meeting 48 hours before it’s sitting;
	3. The meeting shall be chaired by the Impartial Officer. Should the member in question be the Impartial Officer, the Chair shall assume this duty;
	4. The member in question shall be allowed to make representations before the vote is conducted;
	5. A vote of no-confidence will succeed by a two thirds majority vote by the fully constituted IEB;
	6. In the event of a successful vote of no-confidence, the IEB shall fill the position at its own discretion for the duration of office.
24. **POLICY AMENDMENTS**
	1. The Rhodes University IEB Election policy is subject to review and amendment at the discretion of the IEB;
	2. Such a review or amendment must be conducted by a two-thirds majority vote of the members of the IEB;
	3. The above policy has no retrospective application.
25. **SRC INAUGURATION AND TRAINING**
	1. The incumbent SRC, SRC Alumni and the SRC Advisor shall assume the responsibility for the inauguration and training of the incoming SRC.

**ANNEXURE A: ELECTORAL CODE OF CONDUCT**

I, ……………………………………………………… undertake to read, understand and abide by the following code of conduct during my time as an SRC Candidate or Hall Representative Candidate. I further undertake to ensure compliance by both myself and my campaign team.

1. **IMPLEMENTATION OF ELECTION POLICY**
	1. I henceforth agree to the application of the Rhodes University IEB Election Policy, and all its aforementioned provisions.
2. **RELATIONSHIP WITH THE IEB**
	1. I undertake to:
		1. Recognise the authority of the IEB in the conduct of the election;
		2. Give effect to any lawful direction, instruction or order of the Chairperson and members of the IEB;
		3. Establish and maintain effective lines of communication with the IEB; and;
		4. Co-operate in any enquiries made by the Independent Complaints Officer or the Rhodes University Electoral Court.
3. **PROHIBITED CONDUCT**
	1. I understand that no candidate may:
		1. Use language or act in a way that may provoke:
			1. Violence during an election;
			2. The intimidation of candidates, members of groups, representatives or supporters of groups or candidates, or voters;
		2. Publish false, or defamatory allegations in connection with a candidate, or a candidate’s representatives that discriminate on the grounds of race, ethnicity, sex, gender, sexual orientation, class or religion;
		3. Publish comments, produce materials and or distribute materials that may dissuade voters from voting for other candidates;
		4. Offer any inducement or reward to another student as compensation for voting, to attend or not attend a Grazzle or debate or to refuse a nomination as candidate or to withdraw as a candidate;
		5. Deface or unlawfully remove or destroy the posters or election materials of any other candidate.
		6. Within the boundaries of a voting station, display any posters or pamphlets during voting or be present at those times.

I acknowledge that failure to comply with the above code of conduct may result in disciplinary action which may result in my disqualification from the election, amongst other sanctions detailed in Article 20 of the Rhodes University IEB Election Policy.

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DATE

**ANNEXURE B: SANCTION GUIDE**

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| Alleged Conduct | 1st Violation Sanction | 2nd Violation Sanction |
| 1. Appearance in dining hall or computer labs during voting times
 | Presence in Dining Halls: Loss of all votes in that particular Dining Hall. Presence in Computer Labs: Loss of all Oppidan Votes. | Disqualification |
| 1. Undermining another candidate’s campaign on social media.
 | Written Warning | Disqualification |
| 1. Removing or defaming any election material of another candidate.
 |  Disqualification | / |
| 1. Overspending on a campaign.
 | Monetary fine; and/or the immediate removal of all campaign material across campus. | Disqualification |
| 1. Submitting a fraudulent campaign financial report.
 | Disqualification | / |
| 1. Distributing posters, pamphlets or any election material prior to approval by the IEB.
 | Written Warning | Presence in Dining Halls: Loss of all votes in that particular Dining Hall. Presence anywhere else on campus: Loss of all Oppidan Votes.  |
| 1. Not attending the required number of dining hall and lecture visits.
 | Verbal Warning and publication of attendance by IEB. | / |
| 1. Disobeying any lawful instruction from a member of the IEB.
 | Written Warning | Disqualification. |
| 1. Early campaigning.
 | Forfeiture of campaign budget subsidy. | / |
| 1. Offering any inducement or reward to another student as compensation for voting, to attend or not attend a Grazzle or debate or to refuse a nomination as candidate or to withdraw as a candidate.
 | Forfeiture of campaign budget subsidy. | / |
| 1. Failure to co-operate with the Independent Complaints Officer, Rhodes University Electoral Court or Electoral Appeals Court in any investigation into alleged conduct.
 | Written Warning | Disqualification |