

**BYLAW 3**  
**THE ELECTIONS BYLAW**  
**UNIVERSITY OF TORONTO ENGINEERING SOCIETY**

ADOPTED: August 23, 2017  
LAST REVISED: September 25, 2023



## Contents



## CHAPTER 0 - GENERAL

### 0.0. Interpretation and Definitions

- 0.0.1. In any situations where this Bylaw contradicts Bylaw 1, Bylaw 1 shall have precedence.
- 0.0.2. In this document:
  - a. “CRO” shall refer to the Chief Returning Officer;
  - b. “DRO” shall refer to a Deputy Returning Officer;
  - c. “ORO” shall refer to the Office of Returning Officers, a caucus comprising of the CRO and DROs;
  - d. “Election Period” shall refer to the collective periods of: the Nomination Period, the Campaign Period, and the Voting Period;
  - e. “Nomination Period” shall refer to the period when Nomination Packages are made available and accepted;
  - f. “Campaign Period” shall refer to the period when campaigning is allowed;
  - g. “Voting Period” shall refer to the period when voting is made available;
  - h. “Slate” shall mean one or more candidates endorsing another either verbally or through shared campaign resources; and
  - i. “Designate” shall refer to a member who is registered with the either the “yes” or “no” campaign for referenda.

### 0.1. General

- 0.1.1. The CRO shall give notice of the opening of a Nomination Period of any referendum or election and the positions to be elected.
  - a. Notice shall be given at least two (2) days in advance via an email to all Members. Notice shall include all information, or a reference to such, necessary to form a complete nomination.
- 0.1.2. The CRO shall notify all Members by email at the opening of an Election period, and at 12pm on the day an Election Period closes.
- 0.1.3. Electronic voting shall be made available over the entirety of a given Voting Period for an election cycle, where applicable, through [vote.skule.ca](http://vote.skule.ca).
- 0.1.4. For a given election cycle, the CRO shall publicly certify and announce election results to the Society within six hours of the end of the election period.
- 0.1.5. Each Nomination Package shall include the following mandatory sign-off statement signifying that the “Confidentiality Agreement - Information Sharing” document will be used to verify the Member’s enrolment status with the Registrar, as per the conditions outlined in Bylaw 1 Section 1.1.5.
  - a. “By signing this Nomination Package, I hereby allow the Chief Returning Officer of the Engineering Society to verify my enrolment status using the ‘Confidentiality Agreement - Information Sharing’ document as described in Bylaw 1 Section 1.1.5., in order to complete the nomination process. Further, I acknowledge if I obtain this position, I allow the Speaker or President (determined by the sub-clauses of Bylaw 1 Section 1.1.5.) to verify my enrolment status if a concern or complaint is brought to the attention of the President, Ombudsperson, and/or Speaker.”



- 0.1.6. Elections must not occur within the Fall or Winter Exam Periods.
- 0.1.7. Elections requiring a Voting Period shall not occur within the Summer Months.

## 0.2. Principles

- 0.2.1. In general, the goal of any election is to:
  - a. Objectively inform all voters;
  - b. Elect an appropriate candidate; and
  - c. Offer a fair chance to all legitimate candidates.
- 0.2.2. The following actions are strictly forbidden:
  - a. Spamming, consisting of sending unsolicited bulk email and/or unwanted direct messages (including but not limited to Facebook Messenger, Instagram Direct, etc.);
  - b. Solicitation, consisting of forceful, urgent or repeated requests; and
  - c. Deception, consisting of lies, coercion or slander.
- 0.2.3. Election activities in contravention of the following shall be grounds for disqualification:
  - a. Section B of the University of Toronto Student Code of Conduct
  - b. The City of Toronto Municipal Code
  - c. Provincial Law
  - d. Federal Law

## 0.3. Communication

- 0.3.1. Notifications shall be distributed via the email address provided by the candidate to the CRO.
- 0.3.2. Candidates are responsible for ensuring any information provided to the CRO is legible and accurate, including, but not limited to, their email address.
- 0.3.3. The following are examples of invalid excuses for not receiving notifications:
  - a. Candidate's email inbox was full; and/or
  - b. Emails were redirected to spam/junk folder;
- 0.3.4. Any questions or concerns may be addressed to the CRO at any time by email at [cro@skule.ca](mailto:cro@skule.ca).
- 0.3.5. All questions asked to the CRO and all answers and decisions given by the CRO pertaining to the election process shall be emailed out to the appropriate candidates and the DROs in a timely manner.



## CHAPTER 1 - CRO

### 1.0. Roles and Responsibilities

- 1.0.1. There shall be a CRO who shall have sole responsibility for conducting elections unless otherwise stated.
- 1.0.2. The CRO shall regularly update online content for elections with relevant information, including, but not limited to, election notices, election results, and position requirements.
- 1.0.3. The CRO shall not hold any, nor be a candidate in any, other official elected position of the Engineering Society during their term of office.
- 1.0.4. The CRO may appoint, at any point in time, DROs to assist in the effective and faithful discharge of the duties of their office.
  - a. Efforts should be made to notify all members of the appointment process; and
  - b. DROs shall not be candidates for any elections they are overseeing.
  - c. Current or Incoming Officers shall not be DROs.
  - d. Members who currently hold a position within the Society shall not be DROs for elections of that type of position. This includes but is not limited to the following:
    - i. Board Members shall not be DROs for elections for positions on the Board of Directors.
    - ii. Class Representatives shall not be DROs for elections of Class Representatives.
    - iii. Discipline Club Executives shall not be DROs for elections of Discipline Club Positions.
  - e. All potential DROs shall inform the CRO of all positions which they currently hold, as well as any potential conflicts of interest prior to becoming a DRO.
  - f. The CRO shall have the authority to remove a DRO from their position at any time.
- 1.0.5. The ORO and all officials of the elections process, including polling clerks and other designates of the CRO, must remain neutral during both the campaign and voting periods.
- 1.0.6. The CRO shall inform all candidates of the appeal process at the end of an election and following any rulings.
- 1.0.7. The CRO shall be overseen by the Speaker.
- 1.0.8. The CRO shall not resign during an Election Period.
- 1.0.9. The CRO shall only be recalled by a majority vote at a meeting of the Board of Directors.
- 1.0.10. In cases of infirmity, death, resignation, vacancy, or other form of ineligibility of the CRO, the Speaker shall act as the interim CRO until a new CRO is elected at a meeting of the Board.
- 1.0.11. Should the CRO judge that they are unable to exercise impartial judgement over one or more candidate(s) for a given election cycle, they may request that the Speaker assume the role of Interim CRO for matters involving said candidate(s) for the duration of the election cycle.
  - a. The Speaker may choose to deny this request, in which event the CRO shall continue to exercise their full authority over the candidate(s) in question.



- 1.0.12. In the event that the Speaker declares they is unable or unwilling to execute the role of interim CRO faithfully, the role of interim CRO shall be passed to a Director of the Board elected in a special election, which is to be held immediately after the Speaker is declared unable or unwilling.
  - a. Holding another position within the Society does not preclude any Member from holding the position of interim CRO, regardless of Section 1.0.4.
  - b. By accepting the role of interim CRO, a Member forfeits the ability to be a candidate for any official elected position of the Society until their term as interim CRO ends.

### **1.1. Election Period for the CRO**

- 1.1.1. The CRO shall be elected at the conclusion of the April Board of Directors meeting.
- 1.1.2. The CRO shall be elected through the same election procedure as Project Directors, as outlined in Chapter 7.
- 1.1.3. The term of office of the CRO shall commence when they take the Oath of Office, and shall end upon election of the new CRO.



## CHAPTER 2 - OFFICER ELECTIONS

### 2.0. Election Period

- 2.0.1. The Nomination Period for the election of Officers shall commence at 9:00 am on the Monday before Reading Week of the Winter semester, and shall close at 5:00 pm on the Friday of Reading Week.
- 2.0.2. A Member shall be considered nominated upon submitting a completed Nomination Package to the Engineering Society Office, no later than the close of the Nomination Period, which shall include:
  - a. The Member's name, student number, contact information, and signature;
  - b. The names, student numbers, and signatures of twenty-five (25) Nominators, all of whom shall be Members; and
  - c. A fifty dollar (\$50) cash deposit.
- 2.0.3. Potential candidates may submit a voter's statement, through a means specified by the Nomination Package, which is due at the close of the Nomination Period.
  - a. The voter's statements are limited to two-hundred and fifty (250) words in length.
- 2.0.4. The CRO shall produce a certified list of candidates within seventy-two (72) hours from the close of the Nomination Period.
- 2.0.5. No Member may be nominated for more than one Officer position.
- 2.0.6. The Campaign Period shall:
  - a. Commence between twenty four (24) and seventy-two (72) hours after the The All Candidates Meeting; and
  - b. Be between two (2) and three (3) business days (inclusive) in length.
- 2.0.7. The Voting Period shall:
  - a. Commence between twelve (12) and seventy-two (72) hours after the end of the Campaign Period; and
  - b. Be between two (2) and three (3) business days (inclusive) in length.
- 2.0.8. Candidates who receive at least 5% of the votes cast for their position and remove all of their posters, as described in Section 8.1, within seven (7) days of the close of the Voting Period shall have their deposits returned.

### 2.1. Reopening Nominations

- 2.1.1. If no nominations have been received for an Officer position by the deadline the CRO shall reopen nominations for that position, by sending an email to all Members. This email shall explain why the nominations are being re-opened and reiterate the nomination process.
- 2.1.2. The reopened nomination period shall last at least three (3) days.

### 2.2. All Candidates Meeting (ACM)

- 2.2.1. An All Candidates Meeting will be held within seventy-two (72) hours after the conclusion of the Nomination Period. The details of the ACM (time and location), if available, will be outlined in the Nomination Package and must be chosen in consideration of those who cannot attend during normal business hours (i.e. 9:00am - 5:00pm).



- 2.2.2. In the case of reopened nominations, the candidates shall be informed of the date, time, and location of this meeting when they hand in their completed Nomination Package.
- 2.2.3. Attendance of the ACM is mandatory. Nominees who are unable to attend may have a designate (proxy) attend the meeting in their place.
  - a. Proxy information (nominee's and proxy's names) must be provided to the CRO at least twenty-four (24) hours prior to the ACM; and
  - b. Failure to attend the ACM, or have a proxy attend on the nominee's behalf, will result in disqualification.
    - i. If the All Candidates Meeting is being held on a digital platform, absences due to technical issues may be excused at the CRO's discretion. These issues, with any evidence the candidate is comfortable sharing, must be reported to the CRO within 24 hours of the missed meeting.
- 2.2.4. Nominees who submit a complete Nomination Package and attend the ACM, or have a proxy attend in their place, will be considered candidates.

### **2.3. All Candidates Forum**

- 2.3.1. An All Candidates Forum shall be held during the Campaign Period of the Officer Elections at a time and location to be announced on the Nomination Package.
- 2.3.2. The purpose of the forum is to provide Officer candidates an opportunity to publicly address the Members of the Society as well as for Members to ask questions.
- 2.3.3. The CRO, or their designate, shall moderate forum activities.
- 2.3.4. Presidential candidates will be given five (5) minutes to make a speech, a set amount of time to ask questions of other candidates at the discretion of the CRO, and five (5) minutes to field questions from Members.
- 2.3.5. All Vice-Presidential candidates will be given three (3) minutes to make a speech, a set amount of time to ask questions of other candidates at the discretion of the CRO, and three (3) minutes to field questions from Members.
- 2.3.6. In the case where there is only a single candidate for a position, the candidate will be given two (2) minutes to make a speech, with the appropriate time to field questions from Members, as stated above.

### **2.4. By-Elections**

- 2.4.1. Should an Officer position become vacant between the April Board of Directors meeting and at least four (4) months before the following April Board of Directors meeting, the CRO shall call a by-election as soon as possible
- 2.4.2. Notification of the By-Election shall be sent by email to all Members.
- 2.4.3. The Nomination Period shall be five (5) business days.
  - a. If no nominations have been received by the deadline, the CRO shall re-open nominations for at least three (3) business days.
- 2.4.4. Election rules for an Officer election shall be followed except as specified below.
  - a. There shall be a Candidates Meeting on the evening of the close of nominations for the by-election; and
  - b. Campaigning shall begin on the next business day following the close of the Nomination Period.





- c. The period for submitting appeals and/or complaints to the Election Appeals Committee (as defined in Chapter 10) shall be between twenty-four (24) hours prior to the beginning of the Voting Period and three (3) days after the announcement of election results, to the minute.



## CHAPTER 3 - SPRING ELECTIONS

### 3.0. General

- 3.0.1. The following apply to all elections outlined in this Chapter, except for Speaker of the Board of Directors:
- a. An All Candidates Meeting (ACM) will be held pursuant to the description in 2.2.1;
  - b. Potential candidates may submit a voter's statement, through a means specified by the Nomination Package, which is due at the close of the Nomination Period; and
    - i. The voter's statement is limited to one-hundred (100) words in length.
  - c. The CRO shall produce a certified list of candidates within seventy-two (72) hours from the close of the Nomination Period.

### 3.1. Board of Directors Election Period

- 3.1.1. The Nomination Period for Board of Directors shall commence no later than 9:00 am on the Monday of the fourth week after Reading Week in the Winter Term, and shall close at 5:00 pm on the Friday of the same week.
- 3.1.2. A Member may only be nominated for a position on the Board of Directors for the constituency to which they belong or have declared intent to transfer into.
- 3.1.3. A Member who currently holds a seat on the Board of Directors may not seek another seat with the same term without first resigning their current seat.
- 3.1.4. Members shall not be nominated for more than one (1) Board of Directors position.
- 3.1.5. A Member shall be considered nominated upon submitting a completed Nomination Package to the Engineering Society Office, no later than the close of the Nomination Period, which shall include:
- a. The Member's name, student number, contact information, and signature; and
  - b. The names, student numbers, and signatures of ten (10) Nominators, all of whom shall be from the same constituency represented by the Director position.
- 3.1.6. The Campaign Period shall:
- a. Commence between twenty four (24) and seventy-two (72) hours after the ACM; and
  - b. Be between two (2) and three (3) business days (inclusive) in length.
- 3.1.7. The Voting Period shall:
- a. Commence between twelve (12) and seventy-two (72) hours after the end of the Campaign Period; and
  - b. Be between two (2) and three (3) business days (inclusive) in length.

### 3.2. Third, PEY, and Fourth Year Class Representatives Election Period

- 3.2.1. Class Representatives shall be elected by a vote of the Members of each Constituency.
- 3.2.2. The Nomination, Campaign, and Voting Periods for Third, PEY (if applicable to the Discipline Club), and Fourth Year Class Representatives shall be the same as those for the Board of Directors election.



- 3.2.3. A Member shall be considered nominated upon submitting a completed Nomination Package to the Engineering Society Office, no later than the close of the Nomination Period, which shall include:
  - a. The Member's name, student number, contact information, and signature.
- 3.2.4. Discipline Clubs may opt to elect Third, PEY (if applicable to the Discipline Club), and Fourth Year Class Representatives in the fall term, with the same Nomination, Campaign, and Voting Periods as First and Second Year Class Representatives. To accomplish this, notice by email to the CRO is required no later than February 28.
- 3.2.5. Discipline Clubs may have up to two (2) seats per Class Representative Position. To accomplish this, notice by email from the Discipline Club Chair to the CRO is required no later than ten (10) days before the opening of Nomination Period.
  - a. Regardless of the number of seats available, all candidates for a Class Representative Position shall run individually.
  - b. Discipline Clubs representing more than one discipline may have up to two (2) seats for every discipline they represent with each seat being open to any individual of the disciplines represented.

### **3.3. Ancillary Organizations Executives Election Period**

- 3.3.1. The Chairs or Presidents of the Ancillary Organizations listed in the subsections of Section 3.3.3 shall be elected through the Engineering Society.
- 3.3.2. Ancillary Organizations may also choose to operate elections for other executive positions through the Engineering Society, by notifying the CRO through email no later than February 28.
- 3.3.3. The Nomination, Campaign, and Voting Periods for positions of the following Ancillary Organizations shall be the same as those for the Board of Directors election:
  - a. Engineering Athletics Association (positions elected by the Membership);
  - b. Chemical Discipline Club (positions elected by the Chemical Engineering constituency);
  - c. Civil Discipline Club (positions elected by the Civil Engineering constituency);
  - d. Electrical and Computer Discipline Club (positions elected by the Electrical Engineering & Computer Engineering constituencies);
  - e. Engineering Science Discipline Club (positions elected by the Engineering Science constituency);
  - f. Industrial Discipline Club (positions elected by the Industrial Engineering constituency);
  - g. Materials Science and Engineering Discipline Club (positions elected by the Materials Science and Engineering constituency);
  - h. Mechanical Discipline Club (positions elected by the Mechanical Engineering constituency); and
  - i. Mineral Discipline Club (positions elected by the Mineral Engineering constituency).
- 3.3.4. A Member shall be considered nominated upon submitting a completed Nomination Package to the Engineering Society Office, no later than the close of the Nomination Period, which shall include:
  - a. The Member's name, student number, contact information, and signature.



## CHAPTER 4 - FALL ELECTIONS

### 4.0. General

- 4.0.1. The following apply to all elections outlined in this Chapter:
- a. An All Candidates Meeting (ACM) will be held pursuant to the description in 2.2.1; and
  - b. Potential candidates may submit a voter's statement, through a means specified by the Nomination Package, which is due at the close of the Nomination Period; and
    - i. The voter's statement is limited to one-hundred (100) words in length.
  - c. The CRO shall produce a certified list of candidates within seventy-two (72) hours from the close of the Nomination Period.

### 4.1. First Year Board of Directors Election Period

- 4.1.1. The Nomination Period for First Year Representatives of the Board of Directors shall commence at 9:00 am on the Wednesday of the first full week of class in the Fall Term, and shall close at 5:00 pm on the following Monday.
- 4.1.2. A Member may only be nominated for a position on the Board of Directors for the constituency to which they belong or have declared intent to transfer into.
- 4.1.3. Members shall not be nominated for more than one (1) Board of Directors position.
- 4.1.4. A Member shall be considered nominated upon submitting a completed Nomination Package to the Engineering Society Office, no later than the close of the Nomination Period, which shall include:
- a. The Member's name, student number, contact information, and signature; and
  - b. The names, student numbers, and signatures of ten (10) Nominators, all of whom shall be from the same constituency represented by the Director position.
- 4.1.5. The Campaign Period shall:
- a. Commence between twenty four (24) and seventy-two (72) hours after the ACM; and
  - b. Be between two (2) and three (3) business days (inclusive) in length.
- 4.1.6. The Voting Period shall:
- a. Commence between twelve (12) and seventy-two (72) hours after the end of the Campaign Period; and
  - b. Be between two (2) and three (3) business days (inclusive) in length.

### 4.2. First and Second Year Class Representatives Election Period

- 4.2.1. The Nomination, Campaign, and Voting Periods for First and Second Year Class Representatives shall be the same as those for the First Year Board of Directors election.
- 4.2.2. A Member shall be considered nominated upon submitting a completed Nomination Package to the Engineering Society Office, no later than the close of the Nomination Period, which shall include:
- a. The Member's name, student number, contact information, and signature.
- 4.2.3. Discipline Clubs may have up to two (2) seats per Class Representative Position. To accomplish this, notice by email from the Discipline Club Chair to the CRO is required



no later than five (5) days before the opening of Nomination Period.

- a. Regardless of the number of seats available, all candidates for a Class Representative Position shall run individually.

#### **4.3. Internal Representatives Election Period**

4.3.1. The Nomination, Campaign, and Voting Periods for the following Internal Representative positions shall be the same as those for the First Year Board of Directors election:

- a. The First Year Chair, elected by the first year student body;
- b. The Fourth Year Chair, elected by the fourth year student body;
- c. The Mature Students' Chair, elected by the Membership; and
- d. The Part Time Students' Chair, elected by the Part Time Membership.

4.3.2. A Member shall be considered nominated upon submitting a completed Nomination Package to the Engineering Society Office, no later than the close of the Nomination Period, which shall include:

- a. The Member's name, student number, contact information, and signature.



## CHAPTER 5 - OTHER ELECTIONS

### 5.0. General

- 5.0.1. Use of the phrase "Appointed by" in this chapter shall mean that the organization in question may appoint any Member to fulfill the position.

### 5.1. Orientation Chair Election Period

- 5.1.1. The Nomination Period for the Orientation Chair, as described in Bylaw 2, shall commence at 9:00am on the first or second Monday of January and shall close at 5:00pm the following Friday.
- 5.1.2. A Member shall be considered nominated upon submitting a completed Nomination Package to the Engineering Society Office, no later than the close of the Nomination Period, which shall include:
- a. The Member's name, student number, contact information, and signature.
- 5.1.3. There shall be no campaigning for this position.
- 5.1.4. A Special Meeting of the Board of Directors shall be called in January for the purpose of electing an Orientation Chair.
- a. The aforementioned meeting shall occur within eleven (11) business days of the close of the Nomination Period.
  - b. Each candidate shall be given the opportunity to speak for two (2) minutes before the election for this position.
  - c. Each member of the Board shall have one (1) vote to elect the Orientation Chair at the aforementioned meeting.
- 5.1.5. Any details of the election of the Orientation Chair not specified in Section 5.1 shall follow the provisions in Chapter 7 of this Bylaw.
- a. For the purposes of electing the Orientation Chair, the Incoming and Outgoing Officers as specified under sections 7.2.1.b and 7.2.1.c shall be replaced with the current President and Vice-President Student Life.

### 5.2. Valedictorian Election Period

- 5.2.1. The Nomination Period for the Valedictorian shall commence at 9:00am on the nearest Monday before February 1st and shall close at 5:00pm on the Friday of the same week.
- 5.2.2. A Member, who must be in their graduating year, shall be considered nominated upon submitting a completed Nomination Package to the Engineering Society Office, no later than the close of the Nomination Period, which shall include:
- a. The Member's name, student number, contact information, and signature.
- 5.2.3. Potential candidates may submit a voter's statement, through a means specified by the Nomination Package, which is due at the close of the Nomination Period; and
- 5.2.4. An All Candidates Meeting (ACM) shall be held pursuant to the description in 2.2.1.
- 5.2.5. The Campaign Period shall:
- a. Commence between twenty four (24) and seventy-two (72) hours after the ACM; and
  - b. Be between two (2) and three (3) business days (inclusive) in length.
- 5.2.6. The Voting Period shall:



- a. Commence between twelve (12) and seventy-two (72) hours after the end of the Campaign Period; and
  - b. Be between two (2) and three (3) business days (inclusive) in length.
- 5.2.7. The Valedictorian will only be elected from votes of the graduating class.

### 5.3. Speaker of the Board of Directors Election Period

- 5.3.1. The Nomination Period for the Speaker of the Board of Directors shall commence at 9:00am on the nearest Monday after April 30th and shall close on the Friday of the same week.
- 5.3.2. A Member shall be considered nominated upon submitting a completed Nomination Package to the Engineering Society Office, no later than the close of the Nomination Period, which shall include:
- a. The Member's name, student number, contact information, and signature; and
  - b. The names, student numbers, and signatures of ten (10) Nominators, all of whom shall be Members.
- 5.3.3. There shall be no campaigning for this position.
- 5.3.4. Once the Nomination Period is closed, all nominees shall be interviewed by a hiring committee consisting of the following members, selected by the CRO:
- a. The outgoing Speaker;
    - i. The outgoing Speaker will remain on the hiring committee even if they are not serving as the interim Speaker at the time.
  - b. One of: the outgoing CRO, Chair of the Policy and Structures Committee or Ombudsperson;
  - c. One of: the outgoing President, Vice-President Finance or Vice-President Communications;
  - d. One (1) member of the outgoing Board of Directors;
  - e. One (1) member of the incoming Board of Directors.
- 5.3.5. If one or more positions on the hiring committee remain vacant after exhausting all options, the CRO may select available individuals from the other brackets.
- 5.3.6. The hiring committee shall follow the interview process outlined in Sections 7.2.4, 7.2.5, 7.2.6, and 7.2.7.
- 5.3.7. At the May Board of Directors Meeting, each candidate will have the opportunity to speak for two (2) minutes on their candidacy for the position and chair a mock meeting held during recess. The agenda for the mock meeting will be prepared by the interim Speaker. Each member of the Board shall have one (1) vote to elect the Speaker at the meeting.
- 5.3.8. Other details of the elections shall be at the discretion of the CRO.



## CHAPTER 6 - REFERENDA

### 6.0. Governing Regulations

- 6.0.1. A referendum shall be called by either:
  - a. A motion of the Board of Directors; or
  - b. A Referendum Form submitted to the Engineering Society Office consisting of a list of signatures of Full Time Members and Part Time Members, which contains:
    - i. Each signer's name, year of study, student number, and discipline;
    - ii. The signatures of seventy-five (75) Members; and
    - iii. A fifty dollar (\$50) cash deposit.
- 6.0.2. Any referendum concerning student fees shall require a Special Resolution of the Board.
- 6.0.3. A referendum to recall a Class Representative may be called as per Bylaw 7 Section 3.0.5.
- 6.0.4. The CRO shall hold an All Candidates Meeting (ACM) at least seventy-two (72) hours before the Campaign Period opens.
  - a. All campaigns must send an official representative to attend the ACM .
- 6.0.5. The CRO shall adjudicate any violations of these rules. Consequences of non-compliance may include, but are not limited to:
  - a. Forfeiture of the campaign's deposit; and/or
  - b. Removal of the campaign's posters.
- 6.0.6. A referendum must be positively phrased, so that a vote of "yes" signifies agreement with the initiative proposed, and a vote of "no" signifies disagreement with it.
- 6.0.7. Quorum required for a referendum shall be five percent (5%) of Members.
- 6.0.8. A referendum result shall be considered a recommendation and not legally binding except for those held for the sole purpose of creating, increasing, removing, or decreasing levies as described by Bylaw 1, section 1.2.
- 6.0.9. A referendum shall not interfere with the Constitution of the Society, University Policy or any Municipal, Provincial or Federal Legislation.
- 6.0.10. If the referendum reaches quorum and the Designate removes all of their posters, as described in Section 8.1, within seven (7) days of the close of the Voting Period, the deposit shall be returned.





## CHAPTER 7 - PROJECT DIRECTORS

### 7.0. General

- 7.0.1. Unless otherwise stated in the Bylaws, all Project Directors shall be elected at the April Board of Directors meeting by the process outlined in this Chapter.
- 7.0.2. Should nominations for a position elected under this Chapter be reopened, a new election for that position shall be run at the next election cycle.
  - a. In the case of an election under this Chapter run outside of the Spring election cycle, said election should be run under the rules of this chapter, substituting references to the April Board of Directors meeting to be the meeting at which the election results would be ratified.

### 7.1. Nominations

- 7.1.1. The Nomination Period for Project Directors shall commence no later than 9:00am on the Monday of the fourth week after Reading Week of Winter Term and shall close no earlier than four (4) business days later.
- 7.1.2. Members may be nominated for up to two (2) Project Director positions.
- 7.1.3. A Member shall be considered nominated upon receipt by the CRO a completed Nomination Form, during the Nomination Period, which shall include:
  - a. The Member's name, student number, contact information, and signature; and
  - b. The names, student numbers, and signatures of ten (10) Nominators, all of whom shall be Members.
- 7.1.4. In the event that a Project Director position is vacant, the Nomination Period shall be five (5) business days and the election shall occur at the first Board meeting thereafter.
  - a. Nominations for a Project Director position shall be re-opened up to a maximum of two (2) times in cases of successive vacancies; and
  - b. If the position is still vacant after the second re-opening, nominations may be re-opened at the discretion of the overseeing Officer, in coordination with the CRO.

### 7.2. Hiring Committees

- 7.2.1. Once the Nomination Period is closed, all nominees for each Project Directorship shall be interviewed by a hiring committee consisting of the following members:
  - a. The outgoing Project Director(s);
  - b. The incoming overseeing Officer;
  - c. The outgoing overseeing Officer;
  - d. Two (2) Project Director(s), Internal Representative(s), or Discipline Club Chair(s).
- 7.2.2. If an insufficient number of members under 7.2.1.d are interested in sitting on the hiring committee, their place may be taken by Board Members or Officers as needed.
- 7.2.3. Should the outgoing Officer be unable or unwilling to sit on the hiring committee as per 7.2.1.b, their place shall be filled in the following order of precedence:
  - a. Any current Member who has previously served in that Officer position.
  - b. Any Alumni Member who has previously served in that Officer position within the past 4 years.



- c. Any outgoing Project Director who served under the outgoing Officer.
- d. Any other outgoing Officer.
- e. Members of the outgoing Board of Directors.
- 7.2.4. At the request of the hiring committee, the CRO may allow up to two (2) Members (including Alumni Members) specified by the hiring committee to participate as non-voting members of the committee.
- 7.2.5. The hiring committee shall interview all nominees and minute each interview's questions and answers.
  - a. If requested by the candidate, one member of the hiring committee must record the entire interview. The candidate may choose to make this recording available to the Board of Directors.
  - b. Any and all recordings shall be destroyed immediately after the conclusion of the April Board of Directors meeting.
- 7.2.6. The recommendation report shall completely provide all reasoning for the recommendation provided, including discussion and concerns raised among the members of the hiring committee.
- 7.2.7. From the nominated candidates, the hiring committee shall recommend a number of candidates less than the number of positions available, a number of candidates equal to the number of positions available, a number of candidates greater than the number of positions available, or to re-open nominations.
  - a. Should the number of candidates elected be greater than zero, but less than the number of positions available, nominations shall be reopened only for the unfilled positions.

### 7.3. Board Meeting

- 7.3.1. Each recommendation report shall be circulated to Members of the Board of Directors and candidates as soon as is reasonably possible.
  - a. Any recommendation report must be available to the parties listed in 7.3.1 at least 48 hours prior to the scheduled start of the April Board of Directors meeting.
  - b. At least one member of each hiring committee must be present at the Board meeting to motivate their respective recommendation report and answer questions from the Board.
  - c. Any position for which the associated recommendation report was not presented to the Board in accordance with the requirements in clauses 7.3.1.a and 7.3.1.b shall not be elected, and the motion to elect the position shall be tabled until the next meeting of the Board of Directors.
- 7.3.2. The Board of Directors shall be responsible for electing each Project Director in accordance with the recommendation (or recommendations) provided by the hiring committee.
- 7.3.3. Any Member may move to amend the recommendation for any particular Project Director in accordance with the Bylaws and Rules of Procedure governing the consideration of motions at a Board of Directors meeting.
- 7.3.4. If a recommendation report supports multiple candidates, no candidate, or is undecided as to whom should be hired as the Project Director, then the Board may, on their own



judgement after considering the recommendation report, elect a candidate or re-open nominations, as per the process outlined in Section 7.4.

- 7.3.5. If a Member receives a position, they shall be removed from consideration for any others. If a candidate that received the recommendation withdraws, then they shall provide notice to the Speaker as soon as possible and that position shall be elected, or nominations re-opened, at the discretion of the Board of Directors after considering the recommendation report.
- 7.3.6. The CRO shall determine the order in which positions are considered; however, the position of CRO shall be the last position considered at the April Board of Directors meeting.
  - a. Nominees nominated for two (2) positions may request the CRO to elect their preferred position first, which must be done at least one (1) day before the April Board of Directors Meeting.

#### 7.4. Elections

- 7.4.1. If a condition outlined in Section 7.3.4 is met, then candidates shall be sent out of the room and the Project Director shall be elected by a show of hands from Board Members using the following method:
  - a. Votes for each candidate, and to re-open nominations, shall be counted;
  - b. If a candidate receives a majority of votes, they win the election;
  - c. If no candidate receives a majority of votes, then the candidate with the fewest votes shall be removed from consideration and another vote shall be held;
  - d. In all cases of ties, the CRO or the person acting as CRO, as the case may be, shall cast the deciding vote;
  - e. When only one (1) candidate is nominated, voters shall vote either ?Yes? or ?No?; and
  - f. In the event that there is more than one (1) director sought for a project, the process shall be repeated with the winner of the previous election removed.
  - g. Members of the Board of Directors (including Officers) shall be barred from voting in the election of a position for which they sat on the hiring committee.



## CHAPTER 8 - CAMPAIGNING

### 8.0. General

- 8.0.1. Campaigning is allowed solely during the Campaign Period and may only be done by a candidate or Designate.
- 8.0.2. All campaign materials must prominently display the following text: “vote.skule.ca”.
- 8.0.3. In this chapter the term “candidate” shall be interpreted to include the term “Designate” for referenda questions.
- 8.0.4. Candidates are limited to zero dollars (\$0) in campaign expenses.
  - a. Tools and resources used to create the content outlined in sections 8.1, 8.2 and 8.6 are not counted towards a candidate’s campaign spending.
  - b. A printing budget may be determined at the discretion of the CRO in the case that a candidate does not have a printing quota or has exhausted their printing quota with the Engineering Computing Facility (ECF).
  - c. Objects used or distributed in relation to a campaign will be judged at reasonable market value, at the discretion of the CRO, and not at the value for which they were obtained. For example, distribution of freely obtained food in a campaign context would result in a breach of this rule.
- 8.0.5. The campaigning rules outlined in this Chapter apply to all positions identified in this Bylaw, with the exception of the following, for which candidates may not campaign:
  - a. Project Directors (including the Orientation Chair);
  - b. The Speaker of the Board of Directors; and
  - c. The Chief Returning Officer.
- 8.0.6. The CRO shall maintain a document containing voter statements and platforms of all candidates who wish to submit such materials. The permitted lengths of each shall be announced prior to the beginning of the nomination period. The maximum length of a platform shall be left to the discretion of the CRO, however the maximum shall be no less than five-hundred (500) words.
  - a. Notwithstanding section 8.2, the link to this document, as well as statements which would be permitted under 8.7, may be posted on any social media platform during the election period.
- 8.0.7. Should campaigning activities occur for which permissibility is not explicitly addressed under the Bylaws of the Society, and the CRO judges these activities to violate the spirit of this Bylaw, the CRO may rule such conduct to be prohibited.
  - a. Any ruling under this section must be immediately communicated by the CRO to the Speaker, who may approve or overturn the CRO’s ruling
    - i. Should a ruling be overturned by the Speaker, it is deemed null and void
    - ii. Should the Speaker take no action on the ruling within 24 hours, it shall be deemed to be approved.
  - b. These rulings must be communicated to all candidates, and posted publicly on Skule Digest, if approved by the Speaker.
  - c. A candidate shall not be punished for conduct prohibited under these rulings unless said conduct occurs after the ruling has been made publicly known.



## 8.1. Materials

- 8.1.1. For Officer candidates or referenda Designates, posters are limited to twenty-five (25) letter-size pages or the equivalent area using letter and tabloid-size only.
- 8.1.2. For Board of Director candidates, posters are limited to ten (10) letter-size pages or the equivalent area using letter and tabloid-size only.
- 8.1.3. A candidate's campaign of any other position is not allowed any posters.
- 8.1.4. Posters shall be approved by the CRO and stamped by the Society.
- 8.1.5. Posters shall not:
  - a. Exceed the size of 2 letter-size pages;
  - b. Be placed on other posters;
  - c. Obstruct other notices while they are current;
  - d. Be clustered in groups of more than 2;
  - e. Be posted in restrooms in any building;
  - f. Be put up in computer labs, on tables or any glass surfaces;
  - g. Be posted outdoors unless on a public message board;
  - h. Obstruct other notices while they are current;
  - i. Be placed in locations that are not the Sandford Fleming, Mechanical Engineering, Lassonde Mining, Wallberg Memorial, Galbraith, Rosebrugh, Haultain, D.L. Pratt Buildings, the Engineering Annex, or the Bahen Centre of Information Technology.
- 8.1.6. Candidates shall not leave posters for longer than one week after the election, else they will be fined \$1/day per poster that is not taken down.
- 8.1.7. Banners are not permitted.
- 8.1.8. The CRO may disqualify any campaign materials (e.g. posters, social media posts) that contain content which could damage the reputation and/or legal standing of the society, including but not limited to:
  - a. Explicit content;
  - b. Offensive wording;
  - c. Trademarks and copyrighted content;
  - d. Endorsements.

## 8.2. Social Media

- 8.2.1. Campaigning may occur on any publicly accessible social media platform, with approval from the CRO.
  - a. Social media campaigning activities must only occur in locations (i.e. Facebook events, Instagram pages, etc.) which are known to and approved by the CRO, and campaigning may only commence once this approval has been communicated to the candidate.
  - b. Notwithstanding any other part of this Bylaw, any campaign activities occurring in online locations not known to and approved by the CRO are prohibited.
- 8.2.2. Campaigning activities occurring on a social media platform must be visible to all users of that platform.
- 8.2.3. Any content posted in approved social media locations must satisfy all other applicable sections of Bylaw 3.



- 8.2.4. The CRO shall be as permissible as is reasonable in their approval of campaign activities under this section.
  - a. Should unforeseeable and extenuating circumstances require it, approval of social media campaigning activities may be revoked by the CRO at any time, at which point further campaigning activities must cease in the location(s) in question.

### **8.3. Slates and Endorsements**

- 8.3.1. Slate campaigning will result in disqualification.
- 8.3.2. Candidates shall not use any privileged Engineering Society or third-party organization's resources to help with their campaign, including, but not limited to, the following:
  - a. Copiers;
  - b. Access to mailing lists; and/or
  - c. Servers.
- 8.3.3. Candidates are not permitted to use any official or visually similar marks of the Society or third-party organizations.
- 8.3.4. Endorsements by organizations or organization executives are not allowed; what constitutes an endorsement is at the discretion of the CRO.
- 8.3.5. Candidates are not permitted to lead voters to believe they are endorsed by any club or organization.
- 8.3.6. The following are examples of permitted endorsement:
  - a. The Toike Oike mocks you on their own initiative; and
  - b. Campus news outlets conduct interviews with candidates.
- 8.3.7. The following are examples of unauthorized endorsement:
  - a. Ask the President of the Society for a mention during a meeting;
  - b. Usage of any logo in a candidate's campaign material; and
  - c. A public statement by a club executive makes endorsing a candidate.

### **8.4. In-Class Speeches**

- 8.4.1. In-class speeches before a class starts or after it ends are permitted, but permission needs to be granted from the lecturer. In-class speeches are not permitted for all candidates in any courses in which any candidates are lecturers.
- 8.4.2. The lecturer has sole authority to limit in-class speeches.
- 8.4.3. Candidates must give their own in-class speeches unless otherwise approved by the CRO.

### **8.5. Campaign Assistants**

- 8.5.1. A Campaign Assistant is any person asked by a candidate to help, as a volunteer, in their campaign.
- 8.5.2. Campaign Assistants must be Members.
- 8.5.3. Campaign Assistants may not hold any Executive positions in Student Government such as EngSoc Officers or UTSU Executives.
- 8.5.4. Campaign Assistants may not be incumbent in the role in which their candidate is running for.





- 8.5.5. Candidates must submit the information of their Campaign Assistant (Name, Discipline/Year, and Student Number) to the CRO prior to the Campaign Assistant performing any duties of the role.
- 8.5.6. Candidates are expected to ensure their Campaign Assistants are aware of and comply with the rules of the election.
- 8.5.7. Any violation of the rules by the Campaign Assistant is understood to be a violation on behalf of the candidate.
- 8.5.8. The following are examples of permitted activities by the Campaign Assistant on behalf of the candidate:
  - a. Designing and putting up posters;
  - b. Running Social Media campaign accounts and posting content; and
  - c. General logistics and miscellaneous support such as scheduling class speeches, etc.
- 8.5.9. The following are unauthorized activities by the Campaign Assistant on behalf of the candidate:
  - a. Doing class speeches on behalf of the candidate without explicit permission from the CRO;
  - b. Participating in the All Candidates' Forum on behalf of the candidate; and
  - c. Asking questions to other candidates who are contesting the same position as their candidate at the All Candidates' Forum.
- 8.5.10. The CRO must make available a list of all Campaign Assistants to all Members before the start of the Campaigning Period.

## **8.6. Communication During Campaign Period**

- 8.6.1. No campaigning in quiet spaces, including but not limited to, the following:
  - a. Computer labs;
  - b. Libraries; and/or
  - c. Study rooms.
- 8.6.2. No obnoxious or disruptive campaigning of any sort, including but not limited to, the following:
  - a. Using a megaphone or other voice amplification device;
  - b. Yelling;
  - c. Playing loud music; and/or
  - d. Creating a mess for cleaning staff.
- 8.6.3. Candidates are not allowed to create any campaign videos.
- 8.6.4. The official language of campaigning is English. Should a candidate wish to create materials and/or deliver speeches in another language, they must provide an accurate and equivalent English translation that appears in advance of any such content.
  - a. Providing a false or misleading translation shall constitute a blatant breach of this rule.

## **8.7. Communication After Campaign Period**

- 8.7.1. Once the Campaign Period ends, candidates must cease public communications regarding their campaign.



- 8.7.2. Candidates are allowed to inform students that elections are happening but are not permitted to indicate who they should vote for.
- 8.7.3. Candidates may continue to answer direct questions if asked, but only in a private fashion.
- 8.7.4. The following are examples of permitted communication after Campaign Period:
  - a. “Voting is now open, go to [vote.skule.ca](http://vote.skule.ca) to cast your ballot.”;
  - b. “Voting is open, you should go vote”; and/or
  - c. Replying to a question or post from an individual via email, Facebook message, or in person.
- 8.7.5. The following are examples of unpermitted communication after Campaign Period:
  - a. “Voting has started. Remember to vote for me for President.”; and/or
  - b. Replying to a question or post via mass email, Facebook wall, or in a group of people.
- 8.7.6. Communication after the Campaign Period must still comply with the regulations contained in Section 8.6 of this Bylaw.





## CHAPTER 9 - PENALTIES

### 9.0. Warnings

- 9.0.1. Breach of any of the election rules will result in an official warning, via email, along with instructions to amend the breach within twenty-four (24) hours.
- 9.0.2. If a breach is not amended within twenty-four (24) hours, it will be considered the same as committing the same action again.
- 9.0.3. All warnings given to a candidate or Designate shall be included both on elections.skule.ca and below their statement on vote.skule.ca.
- 9.0.4. If a warning is given to a candidate or Designate regarding a certain action and the same action is performed again, they will be disqualified.
- 9.0.5. If a candidate or Designate receives warnings for three (3) separate breaches, they will be disqualified.

### 9.1. Disqualifications

- 9.1.1. The CRO has the sole authority to disqualify a candidate or Designate in accordance with the presented regulations.
- 9.1.2. The CRO has the authority to disqualify a candidate or Designate if it is deemed that an infraction of the rules has caused irreparable harm to the integrity of the election.
- 9.1.3. The CRO has the authority to disqualify a candidate or Designate for knowingly, blatantly or maliciously acting against the principles of the elections or breaching any election rule.
  - a. Upon severe violations (at the discretion of the CRO) performed by a Designate, the CRO may remove the referendum from the ballot.
- 9.1.4. A disqualified candidate or referendum will not be removed from the ballot, unless they wish to withdraw. However, a note shall be added stating they have been disqualified but the decision is subject to appeal.
- 9.1.5. A disqualified candidate or Designate may petition to have their disqualification reviewed. Information regarding this process will be included in the disqualification notice.

### 9.2. Fines for Referenda

- 9.2.1. The CRO has the sole authority to levy a fine against a referendum campaign in accordance with the presented regulations.
- 9.2.2. If a warning is given to a campaign regarding a certain action and the same action is performed again, the campaign will be fined ten dollars (\$10).
- 9.2.3. If a campaign receives warnings for three (3) separate breaches, the campaign will be fined fifteen dollars (\$15). A further fine of five dollars (\$5) will be levied for each subsequent warning.
- 9.2.4. Campaigns may petition to have their warnings, and subsequent fines, reviewed. Information regarding this process will be included in the disqualification notice.



## CHAPTER 10 - APPEALS AND COMPLAINTS

### 10.0. Appeals and Complaints

- 10.0.1. Any appeals or complaints related to elections shall be brought in writing to an Election Appeals Committee (EAC) comprising:
  - a. The Ombudsperson;
  - b. A representative from the Engineering Alumni Association; and
  - c. The Registrar of the Faculty of Applied Science and Engineering.
- 10.0.2. In the event that one of the members above is unable to serve on the committee, the remaining members of the Election Appeals Committee will select a reserve member from:
  - a. The Policy and Structures Committee Chair;
  - b. The Chair of the Academic Appeals Board of Faculty Council; or
  - c. A graduating Officer.
- 10.0.3. The Election Appeals Committee shall report to the Board of Directors all matters brought to them and any recommended action.
- 10.0.4. The Election Appeals Committee's jurisdiction on any appeal shall be limited to the election(s) which the appeal concerns.
- 10.0.5. The Election Appeals Committee (EAC) shall consider those arguments submitted to them by the Office of Returning Officers (ORO) and the appellant. Other relevant parties, as determined by the EAC, may be given reasonable opportunity to submit additional arguments and evidence.
- 10.0.6. Any ruling of the Election Appeals Committee that upholds the ruling of the CRO in part or in full, or grants the requests of the appellant in part or in full shall be binding, unless opposed by a fourth-fifths majority vote of the Board, with at least a simple majority of the total membership of the Board voting to oppose. Members of the Election Appeals Committee and other members of the Board barred from voting by the Speaker will not be included in the total membership count.
  - a. In the event the four-fifths threshold falls below the simple majority of the total membership of the Board due to absence of members of the Board, the Speaker will shall table the motion to a special meeting where a higher number of Board members may be present.
- 10.0.7. Any other ruling of the Election Appeals Committee shall be binding unless opposed by a regular motion of the Board
- 10.0.8. Any recommendation of the Election Appeals Committee that does not pertain directly to the submitted Appeal, or any ruling beyond its jurisdiction shall not be binding.

### 10.1. Elections Appeals Process

- 10.1.1. If an appellant intends to submit an appeal more than twenty-four (24) hours prior to the beginning of the voting period, the appellant shall meet with the CRO and at least one (1) of the Ombudsperson or the Speaker in an attempt to resolve the issue. After this meeting, the appellant may submit the appeal to the Election Appeals Committee.
- 10.1.2. If an appeal is submitted between twenty-four (24) hours prior to the beginning of the voting period and seven (7) days after the announcement of election results, to the



- minute, then the appeal shall be brought directly to the Election Appeals Committee.
- 10.1.3. No appeals submitted seven (7) days after the announcement of election results, to the minute, shall be considered.
- 10.1.4. All Election Appeal Committee rulings shall be released after the announcement and prior to the ratification of election results.



## CHAPTER 11 - VOTING PROVISIONS

### 11.0. General

- 11.0.1. Voters shall rank candidates on their ballot in order of preference. Voters may rank as many candidates as they prefer.
- 11.0.2. There shall be a “Re-Open Nominations” option on each ballot.
- 11.0.3. Ballots that contain a mark for only one candidate shall be considered to contain a single first-place vote for that candidate.
- 11.0.4. The following elections shall be held under a Gregory method of Single Transferable Vote system: Officers, Board of Directors, Discipline Club Chairs, Class Representatives, and any other electronic elections at the discretion of the CRO, as described in Section 11.1.

### 11.1. Voting Method

- 11.1.1. Each voter's first preference candidate receives one (1) vote.
- 11.1.2. The quota of votes needed to win is calculated using the Droop quota,  $(N/(S+1))) + 1$ , where N is the number of valid first-preference votes in the first round and S is the total number of seats needed to be filled in the election (i.e., fractional votes are dropped). The quota does not change through subsequent rounds.
- 11.1.3. If, after all the votes have been transferred, a candidate achieves the quota, then:
  - a. They are elected to a seat and are ineligible to receive any more votes.
  - b. Their votes are transferred to the voter's next preference at a value of  $V(C-Q)/C$  where V is the value of the vote when the candidate was elected, C is the candidate's vote-total when elected, and Q is quota.
- 11.1.4. If, after all the votes have been transferred, no candidate achieves the quota, then:
  - a. Each candidate with the lowest vote-total is eliminated, and they are ineligible to receive any additional votes. If there is a tie in the process of elimination, a backwards tie-breaking procedure will be performed to determine the candidate that is eliminated. A backwards tie-breaking procedure views the previous stages in a sequential order and eliminates candidates based on those vote totals.
  - b. Each voter's vote (which was cast for these candidates) remains at its present value.
- 11.1.5. Each vote that belonged to the eliminated or elected candidate(s) is transferred to the voter's next preference at its present value.
  - a. If this candidate is one who was previously eliminated or elected, Section 11.1.5. is repeated.
  - b. If the voter has not listed any additional preference or was unable to do so, their ballot is exhausted.
- 11.1.6. Section 11.1.3. through 11.1.5. are repeated until:
  - a. All of the seats are filled by election; or
  - b. At the end of Section 11.1.4., if the number of eligible candidates is equal to or less than the number of unfilled seats and there is no candidate who can reach the quota, then the election is stopped and those seats are considered vacant



and a by-election is held immediately following with the timeline at the CRO's discretion.

- 11.1.7. If "Re-Open Nominations" receives equal to or more than Q votes, the election iterations are stopped and the unfilled seats are reopened in a by-election.
- 11.1.8. In the event a candidate withdraws or is disqualified between the start of the voting period and the ratification of election results:
  - a. Any votes cast where the candidate was the first-preference and there were no further preferences stated will be nullified and will not count towards the quota.
  - b. Any votes cast where the candidate was the first-preference and there were further preferences stated will be adjusted such that the second-preference becomes first preference and so on.
  - c. Any votes cast where the candidate was not the first-preference will be adjusted such that the candidate is removed from their vote and all preferences stated below them move up the order.