

Principles governing campaigning by election participants for student and staff elections to University Council and the Academic Board

Introduction

1. This document sets out the principles to govern campaigning in student and staff elections to the University Council and the Academic Board.
2. All election participants must comply with these principles.
3. These principles are subject to, and shall not override, any requirement in applicable State or Federal law including the *Monash University Act 2009* (VIC), and the University's statute, regulations, policies and procedures, which shall continue to apply at all times throughout the election process.

Purpose and authority

4. Participation, fairness and transparency are vital to any democratic process. The University carries out its elections consistently with these values to ensure that candidates, staff and students are involved, treated impartially and are fully informed of the electoral process.
5. Regulations 6C and 15 of the Monash University (Council) Regulations (available at: <https://www.monash.edu/legal/legislation/current>) authorise the University Council to establish principles to govern campaigning by election participants for student and staff elections to the University Council and the Academic Board.

Governing principles

6. Election participants will at all times conduct their campaign in a respectful, ethical, honest and collegial manner, being mindful of their overarching responsibility to act in the best interests of the University and in accordance with Monash University's Integrity and Respect Policy: https://www.monash.edu/data/assets/pdf_file/0005/1294844/Integrity-and-Respect.pdf.
7. Election participants will not at any time act in a misleading or deceptive manner or in a manner that is likely to mislead or deceive a voter.
8. Election participants must comply with directions of the Returning Officer in relation to campaign conduct and campaign material.

Campaign material rules

9. When communicating campaign material by email, candidates must ensure that:
 - a. all mailing lists are self-generated by the candidate from sources available to all candidates, and do not include or attempt to include any voter email addresses generated by automated means;
 - b. all mailing lists do not involve accessing bulk emailing systems or University mailing lists; and
 - c. emails including campaign material are sent only by the candidate personally.
10. Election participants may use social media for communicating campaign material, which must be strictly in accordance with and in adherence to:
 - a. paragraphs 11, 13 and 14 below; and
 - b. the University Social Media Policy and Procedure as in force at the time the election is called.
11. Campaign material must not be:
 - a. offensive, derogatory or discriminatory;
 - b. untrue, misleading, defamatory or deceptive;
 - c. branded similarly to the University including the use of any part of the University logo; or

- d. branded similarly to any external organisation including, but not limited to, the Australian Electoral Commission or any government department.
12. Campaign material and activities must be relevant to the campaign policies being promoted. They must not involve inducements or live entertainment, and should not use material which may damage the physical fabric or online infrastructure of the University. Examples of prohibitions include, but are not limited to:
 - a. stickers;
 - b. balloons;
 - c. live music;
 - d. food, drink or any other give away consumables; or
 - e. the use of chalk.
 13. Campaign material must not be posted or exhibited on any property owned or occupied by the University (including any website, noticeboard or similar interactive medium) unless it has been expressly designated for the purposes of campaigning in the respective student or staff election. These designated areas include poster bollards and noticeboards designated as public noticeboards within the University.

Prohibited conduct

14. Election participants must not engage in any of the following activities in the course of campaigning:
 - a. any conduct that is violent, threatening or abusive;
 - b. providing false information in or interfering with any form lodged with the Returning Officer;
 - c. failing to comply with a direction of the Returning Officer, or decision of the Electoral Tribunal;
 - d. interfering with any document, record or equipment used to conduct the election;
 - e. paying a person to campaign;
 - f. violating the secrecy of the ballot;
 - g. interfering with the campaign material of other candidates;
 - h. disrupting the campaign activities of other candidates;
 - i. in respect of staff, conducting campaigning activities during time which would ordinarily be used for the discharge of academic or professional duties;
 - j. disrupting normal University activities through excessive noise, disruptive behaviours, or physical obstructions;
 - k. damaging or defacing University property or facilities in the course of campaigning;
 - l. accessing contact details of Monash staff or students that are not available:
 - i. for a staff candidate, to all staff; and
 - ii. for a student candidate, to all students;
 - m. campaigning in any physical or virtual class, study or faculty areas (including but not limited to libraries, classrooms, online classes or staff office areas);
 - n. using collaboration and interaction tools available within University platforms (such as those contained within the Google suite, Zoom or Moodle) for purposes of campaigning;
 - o. using any means to apply pressure to, threaten, intimidate or entice a person to vote, or to vote for or against a particular candidate;
 - p. without limiting sub-paragraph o above, soliciting votes by means of providing an electronic device (including but not limited to laptops, tablets, iPads and phones) to enable voting in the presence of another election participant;
 - q. voting or attempting to vote on behalf of another voter;
 - r. maligning any other election participant;
 - s. engaging in any form of harassment, intimidation, bullying, vilification or discrimination; or
 - t. otherwise impeding the proper conduct of the election.

15. For the purpose of these requirements, campaign material that is published or campaign conduct carried out by an election participant in support or on behalf of a candidate's campaign for election is taken to be campaign material or campaign conduct of that candidate if:
 - a. the candidate knew, or ought reasonably to have known, of the material or conduct; and
 - b. the candidate did not take all reasonable steps to disclaim the material or conduct.
16. Campaigning by a person who is not eligible to vote in an election is prohibited.

Definitions

"Campaign conduct" means conduct of a candidate or campaigner in relation to a candidate's campaign during an election process, including advocacy or advertising of a candidate, public or private verbal statements directed at voters in the election, distribution of written material, posting of signs, stickers or flyers, and use of electronic media and communications.

"Campaign material" means communications by an election participant intended to convey messaging supporting or opposing a candidate during an election process, and includes communication via:

- a. Social media sites and posts (for example, Facebook, Twitter, Instagram, YouTube, LinkedIn, WhatsApp, Snapchat or similar);
- b. Websites;
- c. Posters and flyers; and
- d. Emails and e-newsletters.

"Election participant" means any person who participates in the election process as a candidate or campaigns on behalf of a candidate.

"Returning Officer" means the returning officer appointed by the University Council under the Monash University (Council) Regulations in respect of the election.