



**BOARD OF GOVERNORS
ELECTION POLICIES AND PROCEDURES**

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Toronto Metropolitan University Election Procedures Committee
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1. RENEWAL OF BOARD MEMBERSHIP THROUGH ANNUAL BOARD ELECTIONS

Annually, all students, teaching faculty, administrative staff, and alumni will have an opportunity to seek election to those positions on the Board of Governors stipulated as elected from students, teaching faculty, administrative staff, and alumni in accordance with the *Toronto Metropolitan University Act* and the General By-Laws of the University. The number of positions available in each constituency will vary from year to year. Each constituency will elect a candidate from among themselves only.

The Board of Governors of Toronto Metropolitan University (the “Board”) is made up of 24 members:

1.1 Appointed

Nine members appointed by the Ontario Government;
Two members appointed by the Board;

1.2 Ex-officio

The President and Vice Chancellor;
The Chancellor;

1.3 Elected

Alumni: Three members one of whom shall be elected annually
Teaching Faculty: Three members, two of whom shall be elected in each odd numbered year and one of whom shall be elected in each even numbered year.
Administrative Staff: Two members, one of whom shall be elected annually.
Students: Three students, all of whom shall be elected annually.

2. TERMS FOR ELECTED MEMBERS

2.1 The terms for the elected members of the Board are the following:

Alumni	Three-year term
Teaching Faculty	Two-Year term
Administrative Staff	Two-year term
Students	One-year term

(Note: If elected to the Board a member has the option to seek an immediate second and third term)

2.1 Term Commencement for elected members

September 1st of the year elected

2.2 Term End for Elected Members

August 31st of the last year of term

3. **ELECTORAL OFFICERS**

3.1 Election Procedures Committee

(a) Purpose

The Toronto Metropolitan University Election Procedures Committee (“Committee”) has the overall responsibility and authority for conducting Board elections and University referenda. This includes developing and publishing necessary forms, information, and regulations, setting the timeline for Board elections, as well as reviewing the policies and procedures related to Board elections on an annual basis.

(b) Membership

The Committee is chaired by the General Counsel and Secretary of the Board and has a membership from full and part-time students, teaching faculty, administrative staff and alumni as defined in By-Law No. 1 being the General By-Laws of Toronto Metropolitan University. In addition, the Committee appoints a Returning Officer annually.

3.2 Returning Officer

The Returning Officer is responsible for the conduct of elections within the policies and procedures established by the Committee. Any and all decisions specific to the conduct of elections will be made by the Returning Officer.

3.3 Responsibilities of the Returning Officer

The Returning Officer shall:

- provide instructions on the conduct of elections;
- co-ordinate the central dissemination of information about the election;
- convene an information session for potential candidates before nomination period is over
- convene an information session for all candidates (mandatory for student candidates) after the nomination period has concluded
- post candidate information on the Board web-site;
- verify the results of voting; and
- report election results to the Board, including the number of votes received by each candidate and the total number of votes cast for each position.

3.4 Appeals Panel

The Appeal Panel is a sub-committee of the Committee and is responsible for adjudicating appeal matters that involve candidate eligibility and non-compliance conduct of individual involved in Board elections. The Appeals Panel has no jurisdiction over the Toronto Metropolitan University Alumni Association nomination process.

4. **CRITERIA FOR CANDIDACY**

Alumni, Teaching Faculty, Administrative Staff and Students must meet and maintain for the duration of the campaign period following criteria in order to stand for a position on the Board.

4.1 Alumni

- Must be eighteen years of age or older
- Have received degrees, diplomas or certificates from Toronto Metropolitan University (or any of its predecessor institutions).
- Not be a registered student in a program or course of study that leads to a degree, diploma or certificate of the University. (If it is impossible for the Registrar's Office to determine, by using reasonable means, whether the program or course of study leads to a degree, diploma or certificate, then the Committee will aim to resolve the ambiguity in favour of allowing the individual to stand for candidacy.)
- Not be an employee of the University.

4.2 Teaching Faculty

- Must be eighteen years of age or older
- Must be a full-time tenured or probationary teaching faculty whose principal duties include research and/or teaching functions of the University, including employees holding the Offices of Dean, Chair, Assistant Chair of department, or Academic Director. A full-time employee is defined as a regular teaching faculty member or probationer, tenure stream and is not a Limited Term Faculty or CUPE member.

4.3 Administrative Staff

- Must be eighteen years of age or older
- Must be a full-time employee of Toronto Metropolitan University who is not a member of the teaching faculty and is serving in a regular capacity on a continuing basis. This is defined as either a full-time career employee or a term employee who has completed a minimum of 12 months continuing employment for greater than 24 hours per week.

4.4 Students

- Must be registered in a program or course of study at Toronto Metropolitan University

leading to a degree, diploma or certificate of the University.

5. THE NOMINATION PROCESS

5.1. Deciding to become a Candidate

The election process is announced at the beginning of February with the publication of a university-wide proclamation calling for nominations to the Board election. During the nomination process candidates are required to complete and sign a nomination form.

The nomination form must be submitted electronically via email to the Returning Officer by a specified deadline. Incomplete nominations or nominations submitted after the deadline will not be accepted. All information pertaining to deadlines will be publicly available

The Committee is responsible for determining that the criteria for candidacy are met and that all the requirements of the nomination process have been met. The Committee can refuse a nomination form if it does not conform to acceptable guidelines.

For electoral purposes candidates should use the name that appears on their student records. In the event a candidate wishes to use a nickname or short form name the candidate must submit that alternate name to the Returning Officer who has the discretion to determine whether the alternate name may be used such discretion not be exercised unreasonably. The decision of the Returning Officer is final.

Once the candidate nominations have been approved by the Committee, the candidate will be notified immediately by the Returning Officer.

Following the proclamation of the candidates, the candidates will then be able to campaign in accordance with the procedures set down in this document.

5.2 Alumni Nomination Process

Alumni who have met the criteria for nomination and whose nominations have been approved by the Committee will have their nomination forms forwarded to the Toronto Metropolitan University Alumni Association ("TMUAA") for review after the nomination deadline has past.

TMUAA will vet the alumni nominees using Board approved competencies criteria and then provides a slate of candidates to the Board Secretariat within a designated period of time as established by the Board Secretariat.

The nominees are informed by the Returning Officer of the TMUAA's decision and the slate of candidates are advertised in the Toronto Metropolitan University Magazine.

5.3. Responsibilities of the Nominator

A nominator is only entitled to sign as many nomination forms as there are membership positions available in the constituency. For example – three student vacancies on the Board means that a nominator can only sign up to three different student candidates' nomination forms.

5.4 Acclamation

When the nomination period has closed, and if the number of candidates nominated is equal or less than the Board positions available in a particular constituency, the candidates shall be acclaimed.

5.5 Withdrawing Nomination

A person nominated as a candidate in the election may withdraw their nomination by submitting a signed statement to the Returning Officer before the deadline for nominations.

After the nomination deadline requests for withdrawal will be dealt with on a case by case basis by the Returning Officer.

5.6 Nomination Process for Board Members Filling an Unexpired Vacancy

Any Board Member filling an unexpired vacancy who wishes to retain membership must complete the nomination process pursuant to Section 5.1.

6. **THE CAMPAIGN PROCESS**

6.1 Publication of Candidates' Names

The campaign process begins on a date to be determined with the publication of a university-wide proclamation announcing the names of the candidates as well as voting information.

6.2 Candidate Assistance

The following service will be made available to all candidates, at no cost to the candidate, but at the discretion of the Committee.

- Posting candidate information on the Board website

More comprehensive information related to dates, deadlines and use of these services will be made available to candidates and also published on the Board election website at

www.Torontomu.ca/governors/elections.

6.3 Campaign Period

The Committee shall set the campaigning period annually.

A candidate is only allowed to begin campaigning on receiving official notification from the Returning Officer that the candidate is on the ballot.

Campaigning is permitted throughout the voting period.

6.4 Student Candidates Meeting

Student candidates are required to attend a candidates' information session at a time and place to be determined by the Returning Officer.

7. **CANDIDATE CONDUCT DURING THE CAMPAIGN PROCESS**

7.1 General Standard of Fairness

All parties, including candidates and supporters, shall conduct themselves and their activities in a manner which the Committee deems to be reasonable and fair. All parties, , including candidates and supporters, shall conduct themselves consistently with all applicable University policies, including, but not limited to the Civility Policy, Discrimination and Harassment Prevention Policy, the Student Code of Non-Academic Conduct, and Student Computing Guidelines.

7.2 Campaign Material Protocol

Candidates must represent themselves accurately in any publicity about their accomplishments, positions, or any other data intended to influence voters.

7.3 Freedom to Campaign

All candidates shall have an opportunity to campaign.

No party is allowed or is to condone the destruction, defacing, moving, covering or removing of signs, banners, or any form of publicity installed by other parties.

7.4 Campaigning on the Board Website

A website sponsored by the Board is available to all candidates to post their platform statements. All materials are to be submitted within a timeframe which the Returning Officer determines to be reasonable for posting on the Board election website.

7.5 Group Advertising

Any advertising of candidates by a recognized Toronto Metropolitan University community organization, network, committee, or group, including but not limited to any student union, student society, or recognized student group of a student union or student society, University community network, University employee union, or the Toronto University Faculty Association (collectively “University Groups”), must include mention of all members of that candidate constituency. For example – the Toronto Metropolitan Student Union (“TMSU”) may mention on its website the upcoming election and all the student candidates running, but may not otherwise single out a particular candidate or candidate group.

7.6 Campaigning in the Classroom

Campaigning in a classroom is permitted with the permission of the professor, provided that if the opportunity is presented to one candidate to campaign, it must be provided to all candidates within the category of candidates.

7.7 Slate Campaigning in Elections

Candidates may campaign together as a slate but the Committee will only recognize candidates on an individual basis.

8. **PROHIBITED ACTIVITY DURING THE ELECTION**

8.1 Inaccurate Material

All candidates must represent themselves accurately in any publicity about their accomplishments, positions, or any other data intended to influence voters. If complaints are received of errors or falsehoods, and are substantiated with sufficient documented support, the Returning Officer may issue instructions for addressing the offence, and the candidate(s) and their immediate group of supporters must abide by these instructions.

8.2 Destruction or Defacing of Signs/Posters

No individual, or campaign group is allowed or is to condone the destruction, defacing, moving, covering or removing of signs, banners, or any form of publicity installed by other campaign groups or supporters. Any campaign materials posted by an individual or group that is not registered with the Committee will be removed.

8.3 No Use of University Electronic Resources

The use of University electronic resources, including but not limited to institutional listservs, social media accounts, or online groups, to broadcast or send campaign messages is not permitted. For greater certainty, for the purposes of these policy and procedures, University electronic resources includes but is not limited to listservs, social media accounts, online groups including Google, Slack, WhatsApp or Discord groups created by or representing the University or unit of the University, including any created by a professor for a specific class, or any University Group. ALL candidates are strongly encouraged to seek the advice of the Returning Officer before use of listservs or broadcast groups to ensure that their use would not constitute prohibited activity under these procedures.

No candidate may use the name, marks or logo of Toronto Metropolitan University or any of its departments or senior personnel in a manner that implies endorsement of the candidate.

8.4 Campaigning at Convocation or at Other University Events

Soliciting votes or campaigning during any University events, including convocation ceremonies and/or pre or post-reception functions held by the University is strictly forbidden.

8.5 Prohibited Conduct during Voting Period

Voters are entitled to cast their ballots in secret. To ensure that ballots are cast in a manner that upholds the democratic process, candidates, or those acting on behalf of a candidate are prohibited from:

- Establishing polling stations
- Assisting voters in the casting of their vote.
- Observing voters as they vote.
- Providing computers to voters for the process of voting
- Interfering with the voting process or participating in the casting of any ballot other than one's own.

8.6 Reporting Prohibited Activity

All complaints regarding the conduct of a candidate must be submitted in writing and signed to the Returning Officer. The Returning Officer will not act regarding anonymous complaints.

If prohibited activity is suspected by the Returning Officer, the Returning Officer will provide a warning to those who may be suspected of this activity.

8.7 Decisions Regarding Prohibited Activity

The Returning Officer will decide on a case by case basis whether an activity is prohibited under these policy and procedures, and the appropriate penalty. Consideration will be given

to the seriousness of the prohibited activity and whether it is a first or subsequent violation.

8.8 Possible Penalties for Engaging in Prohibited Activity

In addition to the specific consequences indicated above, the Returning Officer may issue the following penalties:

- Direct the offending party to make public correction of false statement
- Direct the offending party to make public written retractions/apologies
- Revoke the eligibility of the candidate to participate in Board elections.
- Overturn the election results for the candidate(s) involved and hold another election within a reasonable timeframe, as determined by the Committee.

8.9 Further Penalties

Any student engaging in prohibited activities in the course of the Board elections may be subject to consequences under the Toronto Metropolitan University Student Code of Non-Academic Conduct (<http://www.Torontomu.ca/senate/policies/pol61.pdf>) or other policies, procedures or guidelines of Toronto Metropolitan University.

9. THE VOTING PROCESS

9.1 Method of Communicating Election Information

Notification of elections dates and voting procedures for students, administrative staff, teaching faculty and alumni will be published electronically.

9.2 Voting Period

The voting period will be determined annually by the Committee.

9.3 Method of Voting

The method of voting (on-line or paper ballot) will be determined by the Committee. In the instance of a paper ballot, ballots will be mailed to all Administrative Staff and Teaching Faculty named on the Human Resources lists within two (2) weeks of the election. Paper ballots must be returned by mail to the Returning Officer no later than 4:30 p.m. on the final date of the election to be counted. Note: Voting by paper ballot is only available to those individual/groups identified by the Committee.

9.4 Eligibility to Vote

Student - The Registrar will make known to the Committee those students who are entitled

to vote. (If it is impossible for the Registrar's Office to determine, by using reasonable means, whether the program or course of study leads to a degree, diploma or certificate, then the Committee will aim to resolve the ambiguity in favour of allowing the individual to vote.)

Administrative Staff and Teaching Faculty - Human Resources will provide a list of the teaching faculty and administrative staff eligible to vote. The definition of administrative staff is the same as defined in Section 4.3.

Alumni – The Alumni Relations department will determine, through their records and with the assistance of the Registrar, who is entitled to vote.

9.5 Minimum Voter Turnout

No minimum voter turnout is required to validate an election

9.6 Procedures re Winning or Tying a Board Election

For elections, depending on the number of vacancies in each constituency group, the candidate(s) with the highest number of votes will be deemed the successful candidate(s). In the case of a tie, the procedure outlined in the General By-Laws of Toronto Metropolitan University will be followed, namely:

In the event of any tie vote for any office being filled pursuant to this Article 3, a recount shall be held within seven days of the Election at a time and place and in a manner prescribed by the Toronto Metropolitan University Election Procedures Committee . In the event that the recount confirms the tie vote, a single deciding vote shall be cast by the Returning Officer for that candidate whose name appears on the piece of paper pulled by the Returning Officer from a hat containing one piece of paper for each candidate who is tied with one or more other candidates for first place in such Election.

9.7 Tabulation of Results

All on-line and paper ballot tabulations are conducted under the direction of the Returning Officer.

10. APPEALING DECISION OF THE RETURNING OFFICER

10.1 Lodging an Appeal

A candidate may lodge an appeal of a decision of the Returning Officer in writing by submission of a written document outlining the reason(s) for the appeal via email to the Committee via the Board Secretariat at boardsecretariat@torontomu.ca

If the Election is still underway the document and any supporting information must be sent to the Committee within one working day of formal notification of the decision of the

Returning Officer. If the Election has concluded the document and any supporting information must be sent to the Committee within ten working days of the last voting day.

The Committee will then reconstitute itself for these appeals by reducing its numbers to include only the Chair, Secretary, and another member of the Committee chosen by the committee members from among themselves. This sub-committee shall be known as the Appeal Panel.

10.2 The Appeal Panel

The Appeal Panel hearing shall be convened within five working days of receiving the written appeal, if the Election has concluded. If the Election is currently underway, the panel shall convene within two working days of receiving the appeal. The appellant or appellant group will be permitted to make oral representations before the Appeal panel if they wish.

All decisions made by the Appeal Panel are final and not subject to further appeal.

Decisions, including brief written reasons, will be sent both to the appellant and Members of the Board. The decision will also be posted on the Board Election website.

11. **ELECTION TO THE BOARD**

11.1 Retaining Membership

Candidates who have been elected to the Board will forfeit their membership if any of the criteria for Board candidacy is not been maintained for the duration of their term on the Board. (For example: a faculty or staff member of the Board who has resigned from Toronto Metropolitan University, or a student who is no longer enrolled in a course of study leading to a degree, diploma or certificate).