

BOARD OF GOVERNORS ELECTION POLICY AND PROCEDURES

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1. RENEWAL OF BOARD MEMBERSHIP THROUGH ANNUAL BOARD ELECTIONS

Annually, eligible students, teaching faculty, administrative staff, and alumni have an opportunity to seek election to the positions on the Toronto Metropolitan University (the “University”) Board of Governors (the “Board”) designated for their respective constituencies under the *Toronto Metropolitan University Act* and the *General By-Laws of Toronto Metropolitan University* (the “By-Laws”). Each constituency will elect a candidate from among its own members.

2. TERMS FOR ELECTED MEMBERS

2.1. Terms

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

Constituency	Term Length	Start Date	Completion Date
Alumni	Three-year term	September 1	August 31
Teaching Faculty	Two-Year term	September 1	August 31
Administrative Staff	Two-year term	September 1	August 31
Students	One-year term	September 1	August 31

3. ELECTORAL OFFICERS

3.1. Election Procedures Committee

3.1.1. Purpose

The Toronto Metropolitan University Election Procedures Committee (the “EPC”) provides oversight of Board elections and University referenda. In carrying out this responsibility, the EPC reviews and approves election and referenda timelines, related forms, policies and procedures, candidates eligible to stand for election, and the final results of Board elections and University referenda.

3.1.2. Membership

The EPC is established annually by the Secretary of the Board in accordance with the By-Laws. The EPC is chaired by the General Counsel and Secretary of the Board and includes representatives from the student, teaching faculty, administrative staff, and alumni constituencies, as set out in the By-Laws. The EPC appoints a Secretary to the EPC and a Returning Officer annually.

3.2. Returning Officer

The Returning Officer (“RO”) is responsible for administering Board elections and University referenda in accordance with this Policy. The RO determines candidate eligibility during the nomination period and throughout the election process, investigates complaints related to non-compliance with rules, policies and procedures for Board elections and University referenda, and makes decisions in response to such complaints. The RO’s decisions in respect of candidate eligibility are final. The RO’s decisions in respect of non-compliance may be appealed to the EPC in accordance with the appeal procedures set out in this Policy.

3.3. Appeals Panel

The Appeals Panel is a subcommittee of the EPC and is responsible for hearing appeals of decisions made by the Returning Officer regarding complaints arising from the conduct of Board elections. The Appeals Panel may uphold, vary, or overturn the RO’s decision. The Appeals Panel has no jurisdiction over the Toronto Metropolitan University Alumni Association (the “TMUAA”) nomination process.

4. **CRITERIA FOR CANDIDACY**

Candidates must meet the eligibility requirements for the constituency they seek to represent and must continue to satisfy those requirements throughout the campaigning and voting periods.

Members elected to the Board are eligible to seek immediate re-election for up to two additional consecutive terms.

4.1. Alumni

Candidates must:

- Be a Toronto Metropolitan University Alumni
- Be eighteen years of age or older
- Be nominated in writing by two members of the Alumni
- Not be an employee of the University
- Not be registered in a program or course of study leading to a degree, diploma, or certificate of the University. If it is not possible for the Registrar's Office to determine, using reasonable means, whether a program or course of study leads to a degree, diploma, or certificate, the RO will resolve the ambiguity in favour of permitting the individual to stand as a candidate.

4.2. Teaching Faculty

Candidates must:

- Be eighteen years of age or older
- Be nominated in writing by two teaching faculty
- 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

Candidate must:

- Be eighteen years of age or older
- Be nominated in writing by two members of the Administrative Staff
- 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

Candidate must:

- Be nominated in writing by two other students
- 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. Nomination Requirements

Individuals seeking election to the Board must submit a nomination in accordance with this Policy and the procedures approved by the EPC. Only candidates whose nominations have been approved by the RO may stand for election and campaign in accordance with this Policy and the approved procedure.

5.2. Alumni Nomination Process

Alumni candidates whose nominations have been approved by the Returning Officer shall have their nominations forwarded to the TMUAA for review. The TMUAA shall assess eligible nominees using the Board-approved competency criteria and provide a slate of recommended candidates to the Returning Officer in accordance with the procedures approved by the EPC. The RO shall notify nominees of the outcome of the TMUAA review.

5.3. Responsibilities of the Nominator

A nominator may support only the number of candidates corresponding to the number of vacancies available within the applicable constituency.

5.4. Acclamation

Where the number of eligible candidates is equal to or fewer than the number of vacancies in a constituency, those candidates shall be declared elected by acclamation.

5.5. Withdrawing Nomination

A person nominated as a candidate in the election may withdraw their nomination by submitting a signed statement to the RO before the nomination deadline. After the nomination deadline, requests for withdrawal will be dealt with on a case by case basis by the RO.

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 EPC shall make election-related resources and services available to candidates, including the publication of candidate information on the [Board election website](#).

6.3. Campaign Period

The EPC shall approve the campaign period for each Board election. Candidates may campaign only after being confirmed eligible by the RO and only during the campaign period. Campaigning during the voting period is permitted.

6.4. Student Candidates Meeting

Student candidates are required to attend a mandatory information session at a time and place to be determined by the RO.

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 Respectful Workplace Policy, Discrimination and Harassment Policy, Policy 61: Student Code of Non-Academic Conduct, and Student Computing Guidelines.

7.2. Campaign Material and Representations

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 RO determines to be reasonable for posting on the Board election website.

7.5. Group Advertising

University organizations and recognized campus groups that communicate information about a Board election shall provide equal treatment to all candidates within the applicable constituency.

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.

7.8. Endorsements

University organizations shall not endorse or oppose any candidate in a Board election. Where a University organization communicates information regarding a Board election, it shall do so in a fair and impartial manner and shall not favour or disadvantage any candidate.

8. PROHIBITED ACTIVITY DURING THE ELECTION

8.1. No Use of University Electronic Resources

The use of University electronic resources, including but not limited to institutional listservs, social media accounts, and online groups, to broadcast or distribute campaign messages is prohibited. Candidates are encouraged to consult with the RO before using any University electronic resource for campaign purposes to ensure compliance with this Policy.

8.2. No use of University name or logo

Candidates shall not use the University's name, trademarks, or logo in a manner that implies the University's endorsement of a candidate or campaign. The logo is the property of the University and cannot be used by election candidates or any person without express consent from the University. This includes all aspects of the visual representation, including the shapes, font, and colours.

8.3. 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.

8.4. 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 or mobile devices to voters for the process of voting
- Interfering with the voting process or casting a ballot on behalf of another person
- Providing promotional items on voting days in exchange for votes

9. **NON-COMPLIANCE**

9.1. Reporting Prohibited Activity

All complaints regarding the conduct of a candidate must be submitted to the RO. The RO will not act regarding anonymous complaints. If prohibited activity is suspected by the Returning Officer, the RO will provide a warning to those who may be suspected of this activity.

Complaints shall be made in good faith and supported by sufficient information to permit review by the RO. A complaint that is frivolous, vexatious, or made in bad faith may constitute prohibited activity and may result in penalties under this Policy.

9.2. Decisions Regarding Prohibited Activity

The RO will decide on a case by case basis whether an activity is prohibited under this Policy, and the appropriate penalty. Consideration will be given to the seriousness of the prohibited activity and whether it is a first or subsequent violation.

9.3. Possible Penalties for Engaging in Prohibited Activity

In addition to the specific consequences indicated above, the RO 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
- Reduce the number of votes received by the candidate by a percentage determined by the RO

9.4. Further Penalties

Any student engaging in prohibited activities in the course of the Board elections may be subject to consequences under [Policy 61: Student Code of Non-academic Conduct](#), or other policies, procedures or guidelines of Toronto Metropolitan University.

10. APPEALING DECISION OF THE RETURNING OFFICER

10.1. Appeals of Decisions

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

The appeal and any supporting documentation must be submitted to the Committee within two (2) business days of formal notification of the RO's decision. If the Election is still underway the document and any supporting information must be sent to the Committee within two business days of formal notification of the decision of the RO. 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 EPC will then reconstitute itself for these appeals by reducing its numbers to include only the Chair, Secretary, and another member of the EPC 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 as soon as reasonably possible following receipt within five working days of receiving of 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 and the RO 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. THE VOTING PROCESS

11.1. Method of Communicating Election Information

Notification of election dates and voting procedures for each constituency will be published electronically.

11.2. Voting Period

The voting period will be determined annually by the EPC.

11.3. Method of Voting

Board elections shall be conducted electronically using the voting platform approved by the EPC.

11.4. 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.

11.5. Minimum Voter Turnout

No minimum voter turnout is required to validate an election.

11.6. Procedures re Winning or Tying a Board Election

The candidate receiving the greatest number of votes shall be declared elected. In the event of a tie, the tie-breaking procedure set out in the By-Laws shall apply.

11.7. Tabulation of Results

All on-line tabulations are conducted under the direction of the RO.

12. ELECTION TO THE BOARD

12.1. Retaining Membership

Board members must maintain their eligibility throughout their term of office in accordance with the *Toronto Metropolitan University Act* and the By-Law.