

Policy Name

BOG – 3

Election of Internal Members to the Board of Governors

Area Responsible for Administration:	Board Secretariat		
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Downloadable Version:	[Hyperlink to policy.]		

Purpose

This policy governs the conduct of the election of internal members to the Board of Governors.

Scope

This policy applies to the internal members of the Board of Governors, the students and employees of Seneca College.

Key Definitions

Candidate	A member of the constituent group (student, academic, administrative or support staff) who is approved by the Returning Officer to stand for election as an internal member on the Board of Governors.
Nominee	A member of the constituent group (student, academic, administrative or support staff) who declares an interest in being a candidate to run for election as an internal member on the Board of Governors.
Voter	A member of the constituent group (student, academic, administrative or support staff) who is permitted to cast one ballot in the internal member election based on their main affiliation at Seneca.

Policy

On behalf of the Board of Governors, the Board Secretariat is responsible for administering the election of internal members to the Board.

1. VOTER QUALIFICATIONS FOR INTERNAL ELECTIONS

(a) General

The four main constituent voter groups are:

- (i) students enrolled in a program of study
- (ii) academic staff
- (iii) administrative staff
- (iv) support staff

An eligible voter is permitted to cast one ballot in the election and is limited to voting in a specific constituent group established through the voter's main affiliation at Seneca.

(b) Student Constituent Group

An individual is eligible to vote for a student candidate if enrolled as a full-time or part-time student and following a program of study where the student has an active enrolment record and has paid fees at the close of nominations of candidates.

(c) Academic/Administrative/Support Staff Constituent Groups

An individual is eligible to vote for candidates in one of the employee constituent groups if the employee is a member (full-time/part-time/sessional/partial load) of such a group at the close of nominations of candidates.

(d) Term of Office

- (i) The student governor is eligible to serve a term of one year. The student governor may serve two additional one-year terms if re-elected provided they continue to be eligible to be a candidate under Section 7.
- (ii) The academic, administrative and support staff governors are eligible to serve a term of three years. The governor in these constituent groups may serve a second three-year term if re-elected provided they continue to be eligible to be candidates under Section 7.

(e) Mid-Term Vacancies

The Corporate Secretary will assess the circumstances surrounding vacancies and provide the Board with a plan of action.

2. NOTICE OF ELECTION

A notice of election for each constituent group will be communicated electronically.

3. STAFFING

The Corporate Secretary shall appoint the Returning Officer.

4. DUTIES OF THE RETURNING OFFICER

The Returning Officer shall:

- (i) receive the nominations from the constituent populations;
- (ii) assess and verify eligibility of nominees, including determination of any conflict of interest that exists or may exist should the nominee become the successful candidate;
- (iii) inform nominees of their eligibility;
- (iv) establish procedures for the election;
- (v) ensure the integrity of the election;
- (vi) monitor the campaign of the candidates;
- (vii) conduct orientation sessions for candidates;
- (viii) be responsible for keeping the signed election agreements;
- (ix) have authority to answer questions related to the election of internal members to the Board of Governors;
- (x) have authority to disqualify a candidate; and
- (xi) where appropriate, seek guidance from the Corporate Secretary.

5. NOTIFICATION OF ELECTION

The Returning Officer shall communicate to the Seneca community advising the date(s), method, place and time(s) during which the general election will be held.

6. NOMINATIONS

- (a) Nominations for candidacy for each of the elected Board positions must be submitted to the Returning Officer on the prescribed nomination form.
- (b) The Nominee must sign the nomination form indicating their willingness to stand and attesting to their acknowledgement of the requirements to run as a candidate.
- (c) Nominees must reflect support with the signatures of 10 (ten) nominators from their respective constituent group.
- (d) The Returning Officer will receive the nomination forms, assess and verify the eligibility of the nominees.

7. QUALIFYING NOMINEES TO BECOME CANDIDATES

- (a) A nominee is deemed qualified to run as a candidate in the election by the Returning Officer.
 - (i) For the student constituent group, the candidate must be:
 - a full-time student maintaining a cumulative Grade Point average of 2.4 or;
 - a student enrolled in part-time studies who has completed more than five subjects and maintains a Grade Point average of 2.4 at the end of the previous semester; or
 - a student not serving in any Seneca Student Federation (SSF) position
 - an individual who will continue to be a student during the term of office.
 - (ii) For the academic/administrative/support staff constituent group, the candidate must be:
 - A full-time/part-time/sessional/partial load employee.

For greater certainty, nominees who wish to be candidates for governor must intend to be a student or employee, as appropriate, for the board term for which they are seeking election. Once elected, a change in status as a constituent of the category in which they were elected may be cause for governors to be disqualified from continuing in office.

- (b) Qualified candidates are eligible to run in only one of the constituent groups described in section 4 (1) (c) of Regulation 34/03. The candidate's group is determined through their main affiliation with Seneca.
- (c) The following individuals are disqualified from being a Governor:
 - (iii) an individual who is less than 18 years of age; or
 - (iv) an individual who has the status of a bankrupt.
- (d) Qualified candidates may not have employment in a capacity that could create a conflict of interest such as an employee of another postsecondary institution or the federal or Ontario government.
- (e) Where only one candidate has been officially nominated within the time fixed for that purpose, the Returning Officer shall declare that candidate elected by acclamation.

8. CANDIDATE PROCEDURES AND GUIDELINES

- (a) If the Returning Officer finds a candidate to be in violation of the policies, procedures and guidelines of the *Election of Internal Members to the Board of Governors*, they shall take such action as deemed reasonably necessary to ensure compliance with these policies, procedures and guidelines, up to and including disqualifying the candidate from running in the election. Any candidate who fails to comply with subsections (b) through (d) of this section may be disqualified from running in the election.
- (b) All qualified candidates must attend an orientation with the Returning Officer to receive, review and agree in writing to abide by the policies, procedures and guidelines of the *Election of Internal Members to the Board of Governors*. In the event that any candidate cannot attend the scheduled orientation session, it will be the responsibility of that candidate to reschedule a date with the Returning Officer.
- (c) Campaign material may be posted and distributed as listed within the Campaign Materials Guidelines, which will be distributed by the Returning Officer.
- (d) There is to be no electioneering by a candidate or the candidate's representatives or supporters at any campus and by any means on voting day(s). 'Electioneering' includes, but is not limited to, putting up for display or replacing campaign materials, distributing campaign information (printed and electronic) and speaking to, or hosting activities for, members of the constituent group that could be viewed as asking the constituents to vote for a particular candidate.

9. VOTING

- (a) The Electronic Voting System will open at a designated time(s) and date(s) as set by the Returning Officer. Those eligible to vote will follow the electronic voting instructions as set to cast their electronic ballot.
- (b) Electors will have the opportunity to vote through the Electronic Voting System from the time the vote begins until it ends.

10. ASSISTED VOTING PROCESS

Where an elector is unable to use a computer to vote electronically due to medical or physical limitations, the elector may apply in writing, or by a means as deemed appropriate to their limitation, to the Returning Officer, to seek assistance casting their vote using the Electronic Voting System.

11. ELECTION RESULTS

- (a) The Returning Officer will oversee the process of the electronic voting.
- (b) Candidates and/or their designated representative will be informed of the total number of ballots cast per elector register.

- (c) In the event of a tie between two candidates, the Returning Officer shall select the successful candidate by the flipping of a coin.
- (d) The Returning Officer shall provide the names of the candidates elected/acclaimed and a report of the official tabulation of the results to the Corporate Secretary.
- (e) The Corporate Secretary shall notify the Chair of the Board of Governors and the College Employer Council ('The Council').
- (f) The Board shall ratify the election results. Should an appeal be in progress, ratification will happen upon the resolution of the appeal.

12. DISPOSITION OF THE ELECTION DOCUMENTS

The Returning Officer shall arrange to have all pertinent election print and electronic materials stored for a period of one month. In the event of an appeal, pertinent election materials will be retained until final disposition of the appeal process. Thereafter, the stored materials may be securely destroyed.

13. ELECTION APPEAL BOARD

Before an election is held, the Board of Governors shall appoint an Election Appeal Board consisting of five (5) current external Board members. One of these members shall be selected to chair the proceedings.

Election Appeal Board

- (i) The Election Appeal Board shall hear and resolve any appeal by a candidate (appellant) against a decision of the Returning Officer (respondent).
- (ii) Any appeal to the Election Appeal Board must be filed with the Board Secretariat within three (3) business days of the decision of the Returning Officer. The appeal must be in writing and contain reasons why the Returning Officer's decision should be reviewed.
- (iii) Parties shall be entitled to full disclosure of all information to be relied upon at the Election Appeal Board hearing.
- (iv) The Election Appeal Board shall hear any appeal within five (5) business days of its having been filed.
- (v) The Corporate Secretary shall notify the appellant, Returning Officer and any other person with information or knowledge relevant to the appeal of the date, time and place of the hearing. The notice of hearing shall include a statement

that if any party does not attend, the hearing may proceed in their absence and they will not be entitled to any further notice of the proceedings.

- (vi) The appellant shall be invited to attend the Election Appeal Board hearing and to address the contents of their letter of appeal and present any other information they believe is relevant to the matter under appeal.
- (vii) The Returning Officer and any other person with information or knowledge relevant to the appeal shall also be invited to attend the Election Appeal Board hearing and to present information about the matters at issue.
- (viii) The Election Appeal Board, appellant and respondent may put questions to any person present at the hearing. The appellant and the respondent shall have the right to call and cross-examine witnesses.
- (ix) All parties shall be entitled to be represented at the hearing by a person of their choice and at their own expense.
- (x) The Corporate Secretary shall communicate the written decision of the Election Appeal Board, with reasons, to the Chair of the Board of Governors. The decision shall be communicated to the parties within five (5) business days of the hearing.
- (xi) The decision of the Election Appeal Board is final and binding on all the parties.

14. THE ELECTRONIC VOTING SYSTEM

The Electronic Voting System allows voters to log in and be authenticated as an entitled voter for election purposes. The Electronic Voting System is recognized as secure and accurate in its ability to authenticate voters and to tabulate voting results.

15. ACCESS TO THE ELECTRONIC VOTING SYSTEM

The Returning Officer will promote and advertise to the electorate the applicable voting days for elections. During such a voting period, the Electronic Voting System will include a link enabling the electorate to cast their votes. By engaging this link, the voters will be authenticated for validity and then be directed to the electronic ballot form. Voters will complete the electronic ballot as indicated and confirm their vote.

Voters may access the Electronic Voting System through any internet-enabled computer workstation, either at Seneca or at another location (e.g. personal computer at home). The Returning Officer will be responsible for ensuring the activation of the Electronic Voting System at the start of the voting period and deactivating the Electronic Voting System at the conclusion of the voting period. It is the responsibility of the voters to ensure that they allow enough time to complete the voting transaction process on the Electronic Voting System when the voting period will be closing. Should a voter not complete the voting transaction process by the stated end of the voting period, the electronic ballot will not be included in the final vote tabulation.

16. FAILURE OF THE ELECTRONIC VOTING SYSTEM

- (a) In the event that the Electronic Voting System is inaccessible, the ITS department should notify the Returning Officer and provide details regarding the delay and the estimated time when the system will be restored. In the event that the Returning Officer is made aware by other means that the Electronic Voting System is inaccessible, ITS will be notified. In appropriate circumstances, a message advising the constituents of the unforeseen delay and estimated time when the system will be restored will be posted.
- (b) In the event that the Electronic Voting System is rendered inaccessible by a system failure or through a failure of the access portal, the Returning Officer, in consultation with ITS, will determine if the voting period must be rerun, extended or will continue without interruption. When possible, the period for conducting the rerun or extension should be no longer than five (5) business days after the system is restored. Such rescheduling of the vote will be communicated to the Seneca community.
- (c) The Returning Officer will only extend the voting period should the system have been inaccessible during a large portion of a business day during the voting period, i.e., inaccessible for six (6) hours during a normal business day.
- (d) ITS will be consulted in determining if the voter's list has been compromised by a system failure. Should the list be determined to have been compromised, the Returning Officer will rerun the voting period as described in paragraph (b) of this section. Should the voter's list not be compromised by the failure, the Returning Officer will be permitted to continue.

17. USE OF PAPER BALLOTS

The Returning Officer reserves the right to conduct elections using traditional paper ballots for any election where there is concern for the reliability of the Electronic Voting System or the system is in a state of prolonged failure. Such elections will be run under the guidelines of the unamended January 30, 2001 election policy.

Supporting Documentation

None

Related Seneca Policies

None

Related Materials

None