

**UNIVERSITY OF TORONTO**  
**THE GOVERNING COUNCIL**

**REPORT NUMBER 62 OF THE ELECTIONS COMMITTEE**

**September 29, 2010**

To the University Affairs Board,  
University of Toronto.

Your Committee reports that it met on Wednesday, September 29, 2010 at 4:00 p.m. in the Falconer Room, Room 107C, Simcoe Hall, with the following members present:

Professor William Gough (In the Chair)  
Ms Diana Alli  
Professor Emeritus Michael R. Marrus  
Mr. Olivier Sorin

Regrets:  
Ms Shirley Hoy

Secretariat:  
Ms Mae-Yu Tan, Secretary  
Mr. Anwar Kazimi, Chief Returning Officer

In Attendance:  
Ms Joeita Gupta, member, Governing Council

In this report, item 3 is recommended to the University Affairs Board for approval; all other items are reported for information.

The Chair welcomed members and a guest to the meeting. He provided an overview of the Committee's functions, noting that its two main roles were 1) to develop guidelines for procedures to be used in the election of teaching staff, administrative staff, and students to the Governing Council and in the election of teaching and librarian staff to the Academic Board, and 2) serving as the Election Overseers, to hear complaints about matters related to election processes. With respect to the latter function, the Chair emphasized that only in the event of a possible failure of quorum should a member of the Elections Committee who was standing for election, involved in an election campaign, or endorsing a candidate, sit as an Election Overseer. In such a case, that member could not consider matters arising from his or her constituency. By abstaining from serving as an Election Overseer, a Committee member would avoid the appearance of any conflict of interest.

## 1. Approval of the Report of the Previous Meeting

Report Number 61 (June 22, 2010) was approved.

## 2. Business Arising from the Report of the Previous Meeting

### Item 3g) Administrative Staff and Student Representation

A member said that one suggestion of the 2009-2010 Elections Committee, noted on page 4 of the June 22, 2010 Report, did not appear to have been incorporated into the draft *Election Guidelines 2011*. At that meeting, the Committee had expressed the view that the requirement that candidates in the full-time undergraduate student Constituency I "...not be registered in the same college on the St. George campus or both registered at UTM or both registered at UTSC" (page 59 of the *Election Guidelines 2010*) should be removed, as should the requirement that "both members elected in the full-time undergraduate student Constituency II not be registered in the same faculty or school" (page 60 of the *Election Guidelines 2010*). The member felt strongly that those proposed changes should be implemented for the 2011 elections. During the discussion, other members expressed the view that it would be preferable to wait for the Report of the Task Force on Governance, before contemplating any significant changes to the elections process. It was expected that the Report would be made public within a few weeks, and perhaps the Committee would receive direction from the Task Force at that time. Members agreed to table the recommendation for the time being.

## 3. *Election Guidelines 2011*

The Chair stated that the Elections Committee was responsible for recommending approval of the *Election Guidelines* to the University Affairs Board (UAB). The *Election Guidelines 2011* would be considered for approval at the UAB meeting scheduled for Tuesday, November 2, 2010 at 4:30 pm.

Mr. Anwar Kazimi, Chief Returning Officer (CRO), outlined the main proposed changes. Among the matters that arose in questions and discussion were the following.

### (a) Commitment Regarding Individuals with Disabilities

Mr. Kazimi stated that Section 6 of the *Guidelines*, which addressed the University's commitment to individuals with disabilities, had been updated, incorporating the recently developed *Procedures for Governors, Board and Committee Members, and Candidates for Election who are Requesting Accommodation for Disabilities*. Invited by the Chair to comment, a member of the Governing Council who was in attendance expressed opposition to the requirement that a candidate provide an Accommodation Confirmation letter to the Office of the Governing Council as part of the procedure for requesting accommodation in a Governing Council or Academic Board elections process. In her view, a process that was already difficult to navigate would not be streamlined under the revised procedure. The Governing Council member questioned the need for a prospective candidate to obtain a letter from an appropriate University office confirming an accommodation plan, and she argued that an individual should

### 3. *Election Guidelines 2011* (cont'd)

#### (a) Commitment Regarding Individuals with Disabilities (cont'd)

be permitted to outline his or her own accommodation needs. A member pointed out that students registered with University accessibility services offices were required to provide documentation regarding their disabilities, and members agreed that the revised procedures outlined in Section 6 were appropriate.

#### (b) Teaching Staff Members of the Governing Council

Members agreed that the newly created rank of Sessional Lecturer III should be added to the definition of "Teaching Staff" provided in Section 7.1 of the *Guidelines* for the purpose of Governing Council and Academic Board elections. Following some discussion, members also agreed that the Faculty of Arts and Science teaching staff constituencies IA, IB, and IC should be expanded to include teaching staff with a major appointment in a Faculty of Arts and Science inter-disciplinary unit or College. Those categories of teaching staff had previously been inadvertently omitted.

#### (c) Teaching Staff Constituency V – Faculty of Medicine

Referring to Section 7.4 of the *Guidelines*, Mr. Kazimi informed the Committee that, since its previous meeting, further information about the distribution of teaching staff within the Faculty of Medicine had been obtained. There were currently 4,300 teaching staff within the clinical group, 350 in the basic science group, 650 in the rehabilitation sector group, and 340 in the community health group. Mr. Kazimi suggested that, given the disparity in size among the groups, perhaps the Committee should reconsider its suggestion to distribute the three Faculty of Medicine teaching staff seats on Governing Council across the groups. Members agreed to revert to the wording used in the *Election Guidelines 2010* (page 40), which stated that Constituency VA was composed of "All Teaching Staff members in the Faculty of Medicine. Members elected from the Faculty of Medicine may not be from the same Department within the Faculty." The Committee also agreed to revisit the matter prior to the 2012 election period, when there would be one vacancy in the Faculty of Medicine constituency.

#### (d) Reimbursement of Election Expenses

Mr. Kazimi informed the Committee that candidates were permitted to seek reimbursement of their election expenses, following the rules outlined in the *Guidelines*. Candidates were required to submit receipts for all of their election expenses to the CRO, and those receipts were kept on file in case an internal audit of expenses was conducted by the University. Questions had arisen in the past regarding the period during which candidates were permitted to incur election expenses, and Mr. Kazimi sought guidance from the Committee. He noted that some candidates preferred to prepare campaign materials well in advance of the beginning of the campaign period, and he asked what would be an appropriate start date from which expenses could be incurred. A member suggested that three start dates might be considered: 1) Thursday, January 27, 2011, the date of the announcement of election candidates; 2) Wednesday, February 9, 2011,

### 3. *Election Guidelines 2011* (cont'd)

#### (d) Reimbursement of Election Expenses (cont'd)

the date of announcement of any additional election candidates; or 3) Thursday, February 17, 2011, the date of the beginning of the campaign period. The member commented that restricting the incurring of expenses to the latter date would put candidates at a disadvantage. Members agreed that election candidates should be permitted to incur election expenses as of the initial date of announcement of candidates - Thursday, January 27, 2011 for the 2011 election period.

#### (e) Campaign Materials

Mr. Kazimi reported that, each year, the CRO was required to investigate numerous complaints concerning campaign violations, most of which stemmed from improper use of campaign posters. A number of those investigations resulted in charges of violations by the CRO and hearings and application of sanctions by the Election Overseers. The Committee considered strategies for encouraging candidates to conduct honourable campaigns, following the rules of fair play. A member suggested that the CRO should be empowered to caution candidates who do not appear to be following the rules of fair play and to address issues regarding apparent campaign violations. Members agreed to amended text in Appendix A of the *Guidelines* regarding fair play.

#### (f) Organizational Endorsements

Mr. Kazimi said that questions regarding endorsement of candidates by campus groups were raised each year during the election period. This had been a matter of discussion by past Elections Committees, and it had been decided for the 2010 elections that candidates would be permitted to use e-mail lists belonging to University organizations in which they were members, provided that they obtained written permission from the organizations, and that the format of the communication followed a CRO-approved template. Members agreed in principle with that decision but recognized the difficulty that candidates might encounter when trying to abide by campaigning rules while obtaining endorsements. The Committee decided that candidates would be permitted to obtain endorsements from campus groups as of the initial date of announcement of candidates (3:00 p.m. on Thursday, January 27, 2011 for the 2011 election period), but they would not be permitted to advertise such endorsements until the start of the campaign period (9:00 a.m. on Thursday, February 17, 2011).

On motion duly moved, seconded, and carried

YOUR COMMITTEE RECOMMENDS

THAT the *Election Guidelines 2011* as amended, and attached hereto as "[Appendix A](#)", be approved.

#### **4. Date of Next Meeting**

The Chair stated that the next regular meeting of the Committee was scheduled for Monday, June 6, 2011, from 4:00 – 6:00 p.m. He noted that members would most likely be called upon to meet as the Election Overseers during the 2011 election period (January 7 to April 15, 2011).

#### **5. Other Business**

The Chair informed members that the CRO had checked the registration status of each of the eight student members of Governing Council using the Repository for Student Information (ROSI), and each student was registered in 2010-2011 in the constituency in which he/she had been elected.

The meeting adjourned at 6:10 pm.

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Secretary  
October 7, 2010

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Chair