



**UNIVERSITY OF TORONTO**

***Election Guidelines 2010***  
**for**  
**Governing Council and Academic Board Elections**

**Approved by Governing Council:** December 10, 2009

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These *Election Guidelines 2010* are also available online at the Elections Section of the Governing Council website at: <http://www.governingcouncil.utoronto.ca/elections.htm>

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## **SECTION 1 - Introduction to the Governing Council of the University of Toronto**

### **1.1 - The Role and Powers of the Governing Council of the University of Toronto<sup>1</sup>**

The Governing Council of the University of Toronto (the “Governing Council”) is composed of 50 people, the majority of whom are elected from the Administrative Staff, the Alumni, the Teaching Staff, Full-Time Undergraduate Students, Part-Time Undergraduate Students, and Graduate Students of the University (see Section 1.2(4) for details). The current iteration of the legislation which established the University, *The University of Toronto Act, 1971*, as amended, (the “Act”), vests the Governing Council with many powers, including the powers to govern, manage, and control the University and the property, revenues, business, and affairs of the University. The Governing Council may delegate certain powers to the President, to the President’s designees, and to its Boards and Committees. By-law Number 2 of the Governing Council<sup>2</sup> stipulates how the powers of the Council are exercised, and how its meetings are conducted.

Generally, the Governing Council exercises its powers through judging matters of broad policy and through monitorial functions. The Governing Council monitors the President and the President’s senior officers (collectively, referred to as the “Administration”), who are responsible for the administration of the University, through, for example:

- the review, assessment, and deliberation of matters and proposals brought before the Governing Council by the Administration for approval;
- the receipt of regular oral and written reports from the Administration;
- the use of Question Period at meetings of the Governing Council;
- the requirement in policy documents for routine reporting of specific administrative actions;
- the receipt of an annual report from the University Ombudsman;
- the right to approve the establishment and disestablishment of senior executive offices and the appointment of University officers; and
- an active Audit Committee.

Some examples of matters brought by the Administration before the Governing Council and its Boards and Committees for approval include:

- major changes in academic programs and units;
- policies on admissions and awards, tuition and ancillary fees, research, and grading practices;
- multi-year budget guidelines and capital plans;
- resource allocation in support of the University’s priorities;
- campus and student services; and
- acquisition and/or disposal of assets.

Detailed information about the Governing Council, including its meeting schedule, membership information, and agendas and minutes of past meetings are available online at:  
<http://www.governingcouncil.utoronto.ca/Page192.aspx>.

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<sup>1</sup> Adapted from the Report of the Chairman’s Advisory Committee on Governance, May 10, 1988, available online:  
<http://www.governingcouncil.utoronto.ca/Assets/Governing+Council+Digital+Assets/Policies/PDF/ppmay101988.pdf>.

<sup>2</sup> By-law Number 2 of the Governing Council is available online:  
<http://www.governingcouncil.utoronto.ca/Assets/Policies/bylaw2.pdf>



## 1.2 - Members of the Governing Council: Their Duty, Being Effective Members, and Time Commitment

### (1) The Duty of Members of the Governing Council

The *Act* imposes a legal obligation on members of the Governing Council to act with diligence, honestly, and with good faith in the best interests of the University.

### (2) Effective Members of the Governing Council

Listed below are principles considered critical to being an effective member of the Governing Council<sup>3</sup>.

- Each member of the Governing Council has the obligation to ensure her or his actions and choices always consider the long-term impact for the University as a whole.
- While each member may be informed by concerns of her or his individual constituency, it is the absolute duty of a member to do what she or he can to ensure that all constituencies in the future will also be well-served by the decisions that are taken today.
- Members should have clear knowledge of and respect for the roles of each Board and Committee, of the Administration and of themselves – Members exist to govern, not to manage nor to dictate.
- While members' central focus is oversight, it should also include insight and foresight: a "value-added" approach, not just "compliant" approach.
- Interactions between members and with the University's Administration should be guided by trust, constructive verification, and effective communication.
- Members should assess with great care the proposals that come before them.
- Members are expected to ask searching questions, contribute thoughtfully to the debate, and listen carefully to other members.
- Consultation and transparency should characterize the work of the Governing Council.

### (3) Time Commitment

- In addition to being members of the Governing Council, members are also expected to volunteer as members of two Boards and/or Committees of the Council.
- Members are expected to attend the meetings of the Governing Council and the meetings of the Boards and/or Committees of which they are members. Most meetings are scheduled throughout the academic year between September and June, usually beginning at either 4 p.m. or 5 p.m. and continue for up to two and a half hours.
- In total, a member is expected to prepare for and attend approximately 18 meetings during an academic year.
- From time to time, members are also asked to serve on *ad hoc*, search, or advisory committees.
- Past members have estimated a time commitment averaging approximately four hours per week, translating to approximately 200 hours per governance year.
- Additionally, members of the Governing Council should engage their constituents and attend University and community events to serve as ambassadors of the University.

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<sup>3</sup> See the Information Manual available online at: <http://www.governingcouncil.utoronto.ca/Page154.aspx>.

(4) Composition of the Governing Council

In accordance with the Act, the Governing Council has the following composition (totaling 50 members)<sup>4</sup>:

<b>Ex Officio</b>	
Chancellor	1
President	1
<b>Appointed</b>	
Government Appointees	16
Presidential Appointees	2
<b>Elected</b>	
Administrative Staff	2
Alumni	8
Teaching Staff	12
Graduate Students	2
Full-Time Undergraduate Students	4
Part-Time Undergraduate Students	2

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<sup>4</sup> Subsection 2(2) of the Act.

### (5) Boards and Committees of the Governing Council

The Boards and Committees of the Governing Council are composed of members of the Council as well as individuals within the University community, who have been selected based on their backgrounds and expertise to serve on these bodies. Members of the Governing Council play a critical role in the work of Boards and Committees, and these bodies contribute to the governance of the University in the following ways.

First, the Governing Council has delegated some of its powers to the Boards and Committees. For example, the Academic Board and the Committee on Academic Policy and Programs have final decision-making authority on certain purely academic matters. Accordingly, the Administration would bring such matters directly to the Academic Board or the Committee on Academic Policy and Programs for final approval.

Second, matters which require the ultimate approval of the Governing Council are first brought by the Administration before Boards and Committees for detailed review, assessment, and deliberation. The types of matters brought before a particular Board or Committee depends on the function and responsibilities of that Board or Committee. Following preliminary approval from Boards and/or Committees, such matters progress to the Governing Council for final approval. This decision-making structure facilitates careful examination of matters at a preliminary stage by bodies comprising members with appropriate backgrounds and expertise before they are brought to the Governing Council for final consideration and approval.

Third, the monitorial role of the Governing Council is also shared with its Boards and Committees. It is prudent for certain matters to be monitored by individuals with appropriate backgrounds or expertise. For instance, the Audit Committee is composed of members with accounting and business backgrounds who are qualified to analyse and deliberate on technical matters relating to the internal and external audits of the University's finances.

There are four classes of Boards and Committees of the Governing Council, each with specific functions and responsibilities<sup>5</sup>:

- (1) the Executive Committee;
- (2) the Academic Board, the Business Board, and the University Affairs Board;
- (3) Special Committees which may be established from time to time; and
- (4) Standing Committees, which report either to the Governing Council or to a Board. The table below lists the Standing Committees together with the corresponding body to which the Standing Committee reports:

Standing Committee	Body to which the Committee Reports
Agenda Committee	Academic Board
Academic Appeals Committee	Academic Board
Committee on Academic Policy and Programs	Academic Board
Planning and Budget Committee	Academic Board
Audit Committee	Business Board
Elections Committee	University Affairs Board
Committee for Honorary Degrees	Governing Council

Detailed information about the Boards and Committees of the Governing Council, including their meeting schedules, membership information, terms of reference (information about size, composition, quorum, and function of a particular Board or Committee), and agendas and minutes (referred to as “Reports”) of past meetings are available online at: <http://www.governingcouncil.utoronto.ca/bac.htm>

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<sup>5</sup> These four classes of Boards and Committees of the Governing Council are prescribed by section 29 of By-Law Number 2 of the Governing Council.

## SECTION 2 - Authority for Elections and these Guidelines<sup>6</sup>

The *Act* empowers the Governing Council to determine the manner and procedure of election of its members, including the determination of constituencies, assign Students and members of the Teaching Staff and Administrative Staff to such constituencies, and conduct such elections, but in the case of election of members by the Administrative Staff, the Teaching Staff and the Students, or any of them, the elections shall be by secret ballot and no person shall be eligible to cast more than one ballot.<sup>7</sup>

Some of these powers of the Governing Council have been delegated to the University Affairs Board and the Elections Committee.

The Elections Committee is responsible for developing these *Guidelines*, which establish the manner and procedure to be used in the election of Teaching Staff, Administrative Staff, and Students to the Governing Council and Teaching Staff and Librarians to the Academic Board, including the establishment of constituencies within these categories. The Elections Committee reviews these *Guidelines* annually and recommends any changes thereto for approval to the University Affairs Board.

The University Affairs Board must approve any editorial or updating amendments to these *Guidelines* proposed by the Elections Committee prior to their adoption; approval of Governing Council for such amendments is not required.

The Governing Council must approve any major amendments to policies or procedures in these *Guidelines* proposed by the Elections Committee prior to their adoption, after such amendments have first been considered by the University Affairs Board and, thereafter, recommended to the Governing Council for approval.

These *Guidelines* were formulated in accordance with the *Act*. For instance, the provisions in these *Guidelines* relating to eligibility and nomination procedures were crafted to adhere to the provisions of the *Act* which require that members of the Governing Council be Canadian citizens and be elected by and from among constituents from the members' own constituencies. Furthermore, consistent with the *Act*, constituencies were established within the Administrative Staff, Teaching Staff, and the Student categories to enable broad representation on the Governing Board from various divisions of the University.

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<sup>6</sup> Adapted in part from the terms of reference of the Elections Committee and University Affairs Board available online at:

<http://www.governingcouncil.utoronto.ca/Assets/Governing+Council+Digital+Assets/Boards+and+Committees/Elections+Committee/ector.pdf> and

<http://www.governingcouncil.utoronto.ca/Assets/Governing+Council+Digital+Assets/Boards+and+Committees/University+Affairs+Board/uator.pdf>, respectively.

<sup>7</sup> Clause 2(14)(nb) of the *Act*.

## **SECTION 3 - The Roles of the Chief Returning Officer, Deputy Returning Officer(s), and the Election Overseers**

### **3.1 Chief Returning Officer**

The Chief Returning Officer (CRO) is appointed by the University Affairs Board on the recommendation of the Secretary of the Governing Council. The CRO is responsible for the interpretation and implementation of these *Guidelines*, including, but not limited to:

- (1) ruling on matters such as the validity of nominations, violations of these *Guidelines*, and voter eligibility;
- (2) verifying and tabulating mail ballot returns; and
- (3) coordinating matters relating to web-based voting in the Governing Council and Academic Board elections, including liaising with appropriate University departments on the production of the web-based balloting procedures.

The CRO also provides information and recommendations for consideration and approval to the Elections Committee in the role of a non-voting assessor.

The CRO is intended to be an impartial participant in the administration of the elections; accordingly, the CRO may not vote in the elections.

Decisions of the CRO may be appealed to the Elections Committee in accordance with these *Guidelines*<sup>8</sup>.

The CRO is employed within the Office of the Governing Council. The CRO's contact information is available in the Elections Section of the Governing Council website:

<http://www.governingcouncil.utoronto.ca/elections.htm>

### **3.2 Deputy Returning Officer**

One or more Deputy Returning Officers (DROs) may be appointed at the discretion of the Secretary of the Governing Council. Appointments are reported to the University Affairs Board for information.

The Deputy Returning Officers assist the CRO in her or his duties as appropriate, and act in her or his absence as required. Deputy Returning Officers may not vote in the Governing Council or Academic Board elections.

### **3.3 Elections Committee as Election Overseers**

As discussed above, the Elections Committee is responsible for developing and updating these *Guidelines*, which establish the manner of and the procedures to be used in the elections.

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<sup>8</sup> Please refer to the Table of Contents (pages 1-7) to locate information on the "Filing of Notice of Intent to Appeal Decision of Invalidation and Appeals"; "Recount"; and "Filing of Notice of Intent to Appeal and Appeals" within Sections 7 to 10.

Additionally, the members of the Elections Committee also serve as the Election Overseers and consider any appeal of a decision of the CRO as well as any appeal or any other question arising from the conduct of the elections as outlined in these *Guidelines*. The decision of the Election Overseers in such matters shall be final and not subject to any further review or appeal.

A member of the Elections Committee, who is standing for election, involved in an election Campaign, or endorsing a candidate for election, may act as an Election Overseer provided she or he does not participate in considering a matter arising from or pertaining to her or his own constituency or the constituency of a candidate she or he is publicly endorsing.

## **SECTION 4 – Definitions**

In these *Guidelines*:

“*Act*” means *The University of Toronto Act, 1971*, S.O. 1971, c. 56, as amended by *The University of Toronto Amendment Act, 1978*, S.O. 1978, c. 88.

“Administrative Staff” means the employees of the University, University College, the Constituent Colleges and the Federated Universities who are not members of the Teaching Staff thereof.

“Associated Party” means an individual or group who a candidate knew, or reasonably ought to have known, would assist that candidate with her or his Campaign.

“Campaigning” or “Campaign” includes any conduct of and/or attempt by a candidate or by the candidate’s supporters, whether individuals or organizations, to encourage a voter to cast a ballot in favour or in opposition of a candidate, whether or not Campaign Material is used.

“Campaign Period” means the period commencing at 1:00 p.m. of the first day on which the candidates may Campaign and ending at 5:00 p.m. of the last day on which the candidates may Campaign.

“Campaign Material” includes any advertisement, blog, design, display, flyer, item, literature, social networking tool, sound, symbol, mark, website, electronic media, in any form, electronic or otherwise, that is used, created or copied in order to and/or likely to influence at least one voter to cast a ballot in favour or in opposition of a candidate.

“Colleges” refer to University College and the Constituent Colleges and “College” refers to any one of them.

“Constituent Colleges” refer to the following: Erindale College (also known as the University of Toronto at Mississauga), Innis College, New College, Scarborough College (also known as the University of Toronto at Scarborough), Woodsworth College, and any other college established by the Governing Council and “Constituent College” refers to any one of them.

“Distribute” means the dissemination of Campaign Materials, electronically or otherwise, by a candidate, or an Associated Party, to an individual or group.

“Election Period” means the period commencing at 12:00 p.m. on the first day for making nominations and ending on the day when all appeals and recounts, if any, have been finally disposed of and, if none, on the day when winners have been declared elected.

“Fair Market Value” of a product or service means the typical price, without special concessions or discounts, that is available in Toronto for that product or service, to all persons who approach a person or company that sells, or deals in, that product or service.

“Federated Universities” refer to the following universities: Victoria University; Trinity College; and The University of St. Michael’s College and “Federated University” refers to any one of them.

“Full-Time Undergraduate Student” means a Student registered at the University in a program of full-time study leading to a degree or post-secondary diploma or certificate of the University or in a program



designated by the Governing Council as a program of post-secondary study at the University who is not registered in the School of Graduate Studies or the Toronto School of Theology. Full-Time Undergraduate Student status will be determined by the definition used in the Student's academic division. For the purpose of the Governing Council elections, Students at the University of Toronto at Scarborough who are registered in a work term will be considered to be Full-Time Undergraduate Students.

"Graduate Student" means a Student registered in the School of Graduate Studies.

"Guidelines" refer to these Election Guidelines 2010, including all Appendices thereof and any and all amendments made thereto from time to time.

"Librarian" means an employee of the University, University College, the Constituent Colleges and the arts and science faculties of the Federated Universities who hold the rank of Librarian I, Librarian II, Librarian III, or Librarian IV.

"Part-Time Undergraduate Student" means a Student registered at the University in a program of part-time study leading to a degree or post-secondary diploma or certificate of the University or in a program designated by the Governing Council as a program of post-secondary study at the University who is not registered in the School of Graduate Studies or the Toronto School of Theology. Part-Time Undergraduate Student status will be determined by the definition used in the Student's academic division.

"Student" means any person registered at the University for full-time or part-time study in a program that leads to a degree or post-secondary diploma or certificate of the University or in a program designated by the Governing Council as a program of post-secondary study at the University. The Transitional Year Program and the Millie Rotman Shime Academic Bridging Program have been designated by the Governing Council as programs of post-secondary study at the University, and, accordingly, a student in either of these programs is considered a "Student" in these *Guidelines*.

"Teaching Staff" means the employees of the University, University College, the Constituent Colleges and the arts and science faculties of the Federated Universities who hold the academic rank of professor, associate professor, assistant professor, full-time lecturer or part-time lecturer, unless such part-time lecturer is registered as a Student, or who hold any other rank created by the Governing Council and designated by it as an academic rank for the purposes of clause 1(1)(m) of the *Act*. For the purpose of Governing Council elections, lecturer includes the ranks of Lecturer, Senior Lecturer, Tutor, and Senior Tutor. Lecturer also includes associates in the Faculty of Dentistry. Assistant Professor (conditional), Sessional Lecturer I, Sessional Lecturer II, Athletics Instructor and Senior Athletics Instructor have been designated by the Governing Council as academic ranks for the purposes of clause 1(1)(m) of the *Act*.

"University" refers to the University of Toronto.

**SECTION 5 – Election Schedule****5.1 Administrative Staff, Students, Teaching Staff, and Librarians****Nomination Period**

Nominations Open	Friday, January 8	12:00 noon
Nominations Close	Friday, January 22	5:00 p.m.
Announcement of Candidates	Thursday, January 28	3:00 p.m.
Deadline for filing Notice of Intent to Appeal on the basis of Technical Invalidation	Monday, February 1	3:00 p.m.
Appeals completed	Tuesday, February 9	5:00 p.m.
Announcement of Additional Candidates	Wednesday, February 10	12:00 noon

**Withdrawal of Candidacy**

Deadline for withdrawing name from ballot	Friday, February 12	5:00 p.m.
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**Campaign Period**

Campaign Guidelines Information Session for Administrative Staff, Teaching Staff, and Librarian Candidates	Thursday, February 11	9:00 a.m.
Campaign Guidelines Information Session for Student Candidates	Thursday, February 11	1:00 p.m.
Campaign Period Begins	Friday, February 19	1:00 p.m.
Campaign Period Ends	Friday, March 12	5:00 p.m.

**Voting Period**

Web-based Voting Period Begins	Monday, March 1	12:01 a.m.
Web-based Voting Period Ends	Friday, March 12	5:00 p.m.
Mail Ballots Mailed	week of February 22	
Deadline for Return of Mail Ballots	Friday, March 12	5:00 p.m.
Counting of Mail Ballots	Tuesday, March 16	
Announcement of Election Results	Wednesday March 17	3:00 p.m.
Deadline for filing Notice of Intent to Appeal	Friday, March 19	5:00 p.m.
Appeals Completed	Wednesday, March 24	5:00 p.m.
Winners Declared Elected	Thursday, March 25	12:00 noon

**Post-Election Period**

Deadline for Filing Expense Statement	Friday, April 9	5:00 p.m.
Notice of Hearings regarding Expenses	Friday, April 16	5:00 p.m.
Hearings regarding Expenses Completed	Friday April 23	5:00 p.m.

This schedule is subject to changes made by the CRO from time to time if circumstances warrant.

## SECTION 6 – Commitment Regarding Individuals with Disabilities

The University's *Statement of Commitment Regarding Persons with Disabilities* of November 1, 2004 states the commitment to "strive to provide support for, and facilitate the accommodation of individuals with disabilities so that all may share the same level of access to opportunities, participate in the full range of activities that the University offers, and achieve their full potential as members of the University community."<sup>9</sup>

Accordingly, an individual with a disability may contact the CRO to discuss possible accommodation arrangements to facilitate her or his participation in the elections. The Health and Well-being Programs and Services Office (which provides support to administrative staff, librarians, and teaching staff) and the Accessibility Services Offices (which provide support to students) will act as a resource upon the request of the CRO. Individuals may be asked to provide proof of disability when seeking accommodation. This documentation will be confidentially stored in either the Accessibility Services or the Health and Well-being Programs and Services Office.

Individuals who require accommodation to seek nomination in the elections should contact the CRO well in advance of the start of the nomination period. Similarly, individuals who require accommodation during the campaign period should contact the CRO well in advance of the start of that period, as accommodation arrangements may require time to plan and implement and may require coordination and consultation with different departments within the University. Please refer to the election schedule in Section 5 of these *Guidelines* for the opening and closing dates and times of the nomination and campaign periods. Reasonable accommodation arrangement expenses incurred in consultation with the CRO will be reimbursed by the University.

### 6.1 - Contact Information for the Health and Well-being Programs and Services Office and the Accessibility Services Offices

<b>Administrative staff, librarians, and teaching staff from all three campuses may contact the office listed below.</b>
<b>Health and Well-being Programs and Services Office</b>
263 McCaul Street, 2nd Floor TORONTO ON M5T 1W7 General Inquiries: 416.978.2149 Fax Number: 416.971.3052

<sup>9</sup> Available online at: <http://www.governingcouncil.utoronto.ca/policies/disabled.htm>

<p><b>Students may contact the appropriate office listed below, according to the campus on which they are registered.</b></p>		
<p><b>St. George Campus Accessibility Services (2 Locations)</b></p>	<p><b>UTM AccessAbility Resource Centre, University of Toronto at Mississauga</b></p>	<p><b>UTSC AccessAbility Services, University of Toronto at Scarborough</b></p>
<p><u>Location #1:</u> Robarts Library, 1st Floor 130 St. George St., Toronto, Ontario, M5S 3H1</p> <p>Tel.: 416-978-8060 Fax: 416-978-8246 TTY: 416-978-1902</p> <p><u>Location #2:</u> 215 Huron St., Room 939, Toronto, Ontario M5S 1A2</p> <p>Tel.: 416-978-7677 Fax: 416-978-5729 TTY: 416-978-1902</p>	<p>Room 2047, South Building 3359 Mississauga Road North, Mississauga, Ontario, L5L 1C6</p> <p>Tel.: 905-569-4699 Fax: 905-569-4366</p>	<p>Room S302, Science Building 1265 Military Trail, Scarborough, Ontario M1C 1A4 (located above the Meeting Place – near Main Entrance and University Police)</p> <p>Tel.: 416- 287-7560 Fax: 416-287-7334</p>

## SECTION 7 - Election of Administrative Staff to the Governing Council

### 7.1 Administrative Staff Members of the Governing Council

The *Act* stipulates that two members of the Governing Council shall be elected by the Administrative Staff from among the Administrative Staff.<sup>10</sup>

“Administrative Staff” means the employees of the University, University College, the Constituent Colleges and the Federated Universities who are not members of the Teaching Staff thereof.

### 7.2 Term of Office

The term of office for an Administrative Staff member of the Governing Council begins on July 1st in the year in which the member is elected and ends 3 years later on June 30th.

### 7.3 Current Administrative Staff Members of the Governing Council

The current Administrative Staff members of the Governing Council are listed in the table below. The name of the member whose term will expire on June 30, 2010 is highlighted in bold to show that an election will be held in 2010 to fill the vacancy on the Governing Council arising from the expiration of the member’s term.

Current Members	Term Ends	Election Required in 2010
Ms. Diana Alli	June 30, 2012	No
<b>Mr. P.C. Choo</b>	<b>June 30, 2010</b>	<b>Yes</b>

### 7.4 2010 Election Schedule Summary

Nomination Period: Friday, January 8, 12:00 noon to Friday January 22, 5:00 p.m.

Campaign Period: Friday, February 19, 1:00 p.m. to Friday, March 12, 5:00 p.m.

Voting Period: Monday, March 1 to Friday, March 12, 5:00 p.m.

Post-Election Period: Friday, April 9, 5:00 p.m. to Friday, April 23, 5:00 p.m.

(Please see the detailed Schedule at Section 5 of these *Guidelines*.)

<sup>10</sup> Clause 2(2)(f) of the *Act*.

## 7.5 Eligibility

### (1) Canadian Citizenship

All members of the Governing Council must be Canadian citizens.<sup>11</sup> Accordingly, in order to be eligible to be elected as an Administrative Staff member of the Governing Council, an individual must be a Canadian citizen.

### (2) Member of the Administrative Staff

- (a) In order to be eligible to be elected as an Administrative Staff member of the Governing Council, an individual must be a member of the Administrative Staff, be nominated by Administrative Staff, and remain a member of the Administrative Staff from the close of the nomination period to the time when all relevant election-related appeals and recounts, if any, have been finally disposed of, or, if there are no appeals or recounts, when winners have been declared elected and be nominated as an Administrative Staff candidate by Administrative Staff. Once elected, an Administrative Staff member may only remain a member of the Governing Council so long as she or he is a member of the Administrative Staff. The individual must resign if she or he ceases to be a member of the Administrative Staff.
- (b) If an individual is both a member of the Administrative Staff and a Student, the individual:
- (i) may only be a candidate for election to become either a Student member or an Administrative Staff member of the Governing Council;<sup>12</sup> and
  - (ii) shall declare on the nomination form whether the individual is running for election to become a Student member or an Administrative Staff member of the Governing Council and use the applicable nomination form.

## 7.6 Nomination Process

### (1) Nomination Period

Nominations open: Friday, January 8, 2010 at 12:00 noon

Nominations close: Friday, January 22, 2010 at 5:00 p.m.

### (2) Nomination Forms and Proof of Citizenship

- (a) An individual seeking nomination must use and complete the appropriate official nomination form prescribed by the Office of the Governing Council.
- (i) Nomination forms will be available at the Office of the Governing Council and on the Elections Section of the Governing Council website:  
<http://www.governingcouncil.utoronto.ca/elections.htm> .

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<sup>11</sup> This requirement is prescribed by subsection 2(4) of the *Act*.

<sup>12</sup> This requirement is prescribed by subsection 2(3a) of the *Act*.

- (ii) It shall be the responsibility of the individual seeking nomination to ensure that the correct nomination form, i.e., the form for Administrative Staff candidates for the Governing Council elections, is used.
- (b) An individual seeking nomination must present one of following pieces of documentary evidence of Canadian citizenship with the nomination form:
- (i) certificate of birth in Canada;
  - (ii) certificate of citizenship;
  - (iii) certificate of naturalization;
  - (iv) Canadian certificate of registration of birth abroad;
  - (v) certificate of retention of Canadian citizenship;
  - (vi) Canadian passport; or
  - (vii) if an individual does not have any of the documents listed above, she or he may complete a notarized statement declaring that she or he is a Canadian citizen. The statement will be available in the Office of the Governing Council and arrangements may be made in the Office for the notarization of the statement.
- (c) An individual seeking nomination must file a fully completed nomination form at the Office of the Governing Council by hand-delivering the fully completed nomination form to the Office of the Governing Council prior to the close of the nomination period, with the documentary evidence of Canadian citizenship presented at the same time as the delivery.

### (3) Nominators

- (a) To become a candidate in the elections, Administrative Staff seeking nomination must meet the following requirements with respect to nominators:
- (i) the individual seeking nomination may not nominate herself or himself;
  - (ii) the individual seeking nomination must have on her or his nomination form the signatures of 5 nominators and beside each signature shall be, printed legibly, the full name of the nominator who signed and the name of the department or office in which the nominator is employed; and
  - (iii) each nominator of an Administrative Staff nominee must also be a member of the Administrative Staff.
- (b) The names of nominators will not be released to the public, to any individual seeking nomination, or to any candidate.

### (4) Nominee's Statement

- (a) An individual seeking nomination may, but will not be required to, submit to the CRO a statement, biographical in nature or otherwise. If the individual successfully becomes a candidate, the statement will be:
- (i) distributed to voters who will use mail ballots;
  - (ii) provided together with the name of the candidate during the online voting process to voters who will vote online ; and

- (iii) otherwise distributed or reproduced by the Office of the Governing Council in a manner chosen by the CRO.

Individuals seeking nomination may wish to provide biographical information and address in their statements their motivation for running in the elections and how their background qualifies them for becoming a member of the Governing Council.

- (b) The statement must be 100 words or less in length, subject to the following:
  - (i) acronyms and abbreviations will be counted as one word; and
  - (ii) the individual's name will not be counted in the 100-word limit if placed at the beginning of the individual's statement.

If the statement contains more than 100 words, only the first 100 words will be printed.

- (c) The statement must be submitted before the close of the nomination period to the Office of the Governing Council in one of two ways:
  - (i) The statement may be submitted with the nomination form.
  - (ii) The statement may also be submitted by e-mail from the personal [utoronto.ca](mailto:utoronto.ca) e-mail account of the individual seeking nomination to the CRO, separate from the nomination form, as long as it is received prior to the close of the nomination period.

The statement may not be altered or amended after the close of the nomination period, but the statement may be withdrawn upon the written request of the individual seeking nomination. Individuals seeking nomination are encouraged to submit their statements with their nomination forms, as the reliability of e-mail cannot be guaranteed. Any e-mail not actually received or received by the CRO time-stamped after the close of the nomination period will be rejected, notwithstanding that the e-mail may have been sent prior to the deadline. Individuals submitting statements by e-mail assume any and all risks associated therewith.

- (d) An individual's signature on the nomination form shall signify consent and direction by the individual to the Office of the Governing Council to distribute the individual's statement distribute and reproduce the individual's statement in the manner above described and acceptance of complete responsibility by the individual for any consequences arising from such distribution and reproduction of the statement and for the contents of the statement.
  - (i) For clarity, the CRO, DRO, and the University shall not be responsible for the statement in any way (other than for the physical or electronic reproduction and distribution of the statement in the manner described above), including, but not limited to, any consequences arising from the distribution or reproduction of the statement and the accuracy of the statement.
  - (ii) The statement will not be distributed or otherwise made available if, in the opinion of the Election Overseers, assisted by such advisors as they may retain, the statement is obscene, denigrating, otherwise objectionable, in violation of these *Guidelines* or the University's rules or policies, or it could render the University liable to a suit for libel. The decision of the Election Overseers in this regard shall be final and not subject to any further review or appeal.
- (e) Questions relating to the 100-word statement may be directed to the CRO.



### (5) Verification of Candidate

The eligibility of each Administrative Staff nominee will be assessed by:

- (a) cross-referencing the nominee's information as it appears on the nominee's nomination form against records of the Human Resources Information Systems and staff records in the Federated Universities to determine whether the nominee is eligible for election to become an Administrative Staff member of the Governing Council;
- (b) reviewing the nominee's nomination form to assess whether:
  - (i) the correct nomination form has been used;
  - (ii) the nomination form has been completed correctly;
  - (iii) the nomination form contains the required number of valid nominators; and
  - (iv) the nominee's signature is present on the nomination form, signifying the nominee's consent to stand for election; and
- (c) reviewing the documentary evidence of Canadian citizenship required by these *Guidelines*.

### (6) Verification of Nominators

The validity of each nominator of Administrative Staff nominees will be assessed by:

- (a) comparing the nominator's full name and the nominator's department or office of employment, as indicated on the nomination form, against records of the Human Resources Information Systems and staff records in the Federated Universities to determine whether the nominator is eligible to nominate Administrative Staff.

### (7) Errors or Irregularities in Nominations

- (a) Errors or irregularities on the nomination form may be corrected prior to the close of the nomination period.
- (b) The CRO may, but will not be required to, notify nominees of the existence of any errors or irregularities before the close of the nomination period.

### (8) Technical Invalidation

- (a) Technical grounds upon which the CRO may rely to invalidate a nomination form, include, but are not limited to:
  - (i) the nominee does not meet the eligibility requirements;
  - (ii) insufficient number of valid nominators;
  - (iii) substantive error on the nomination form;
  - (iv) the incorrect nomination form was used;
  - (v) the nomination form is incomplete;

- (vi) the nomination form is not appropriately verifiable;
  - (vii) the nomination form does not conform with these *Guidelines*; or
  - (viii) the nomination form was not presented with the documentary evidence of Canadian citizenship prior to the nomination deadline as required by these *Guidelines*.
- (b) The CRO's decision to invalidate a nomination form on technical grounds may be appealed to the Election Overseers.

### **7.7 Announcement of Candidates**

On Thursday, January 28, 2010 at 3:00 p.m., the names of all candidates will be announced using a method selected by the CRO.

### **7.8 Filing of Notice of Intent to Appeal Decision of Invalidation and Appeals**

- (a) An individual may appeal the decision of the CRO to invalidate her or his nomination form on technical grounds to the Election Overseers by filing a Notice of Intent to Appeal in accordance with the following requirements:
- (i) The form of Notice of Intent to Appeal that must be used will be available at the Office of the Governing Council.
  - (ii) The Notice of Intent to Appeal must be filed by hand-delivery at the Office of the Governing Council by 3:00 p.m. on Monday, February 1, 2010.
- (b) The Election Overseers shall review the appellant's grounds for an appeal of the CRO's decision to invalidate a nomination form as outlined in the Notice of Intent to Appeal filed by the appellant, and the Elections Committee may;
- (i) dismiss the appeal if it decides that the grounds do not have merit;
  - (ii) grant the appeal without a hearing if it decides that the grounds have merit; or
  - (iii) hold a hearing in a manner and in accordance with such procedures as it may determine to be appropriate and render a decision thereafter.
- (c) The Election Overseers shall render a decision by 5:00 p.m. on Tuesday, February 9, 2010.
- (d) The decision of the Election Overseers shall be final and not subject to any further review or appeal.

### **7.9 Announcement of Additional Candidates**

Individuals who successfully appeal the invalidation of their nomination will be announced as candidates on Wednesday, February 10, 2010 at 12:00 noon using a method selected by the CRO.

### 7.10 Withdrawal of Candidacy

- (a) A candidate may withdraw by submitting to the CRO or the CRO's designee a signed statement on the form prescribed for this purpose.
  - (i) The prescribed form will be available in the Office of the Governing Council and on the Elections Section of the Governing Council website:  
<http://www.governingcouncil.utoronto.ca/elections.htm>.
  - (ii) The candidate must sign the statement in person in the Office of the Governing Council, in the presence of the CRO or the CRO's designee, and present photo identification acceptable to the CRO or to the CRO's designee.
- (b) If a candidate wishes to have her or his name removed from the ballot, she or he must withdraw by 5:00 p.m. on Friday, February 12, 2010.
  - (i) If a candidate withdraws after this time, the withdrawal and the fact that her or his name remains on the ballot shall not invalidate the election.
  - (ii) Votes cast for a candidate who has withdrawn shall not be counted and shall be void.

### 7.11 Acclamations

Subject to the provisions of these *Guidelines*, an Administrative Staff candidate may be acclaimed, i.e., deemed to be elected, by the CRO in the following circumstances

- (a) after the announcement of official candidates and the completion of any appeals relating to nomination invalidations, the number of Administrative Staff candidates is equal to or less than the number of vacancies on the Governing Council to be filled by Administrative Staff; or
- (b) another candidate withdraws her or his nomination and, consequently, the number of remaining candidates is equal to or less than the number of vacancies on the Governing Council to be filled by Administrative Staff.

### 7.12 Re-opening of Nominations

- (a) If no verified nomination forms are filed during the nomination period, or the number of verified nomination forms is fewer than the number of vacancies, the CRO may re-open nominations twice.
- (b) If the second re-opening of nominations fails to produce a candidate, the CRO may determine the appropriate course of action.

### **7.13 Campaign Period**

#### (1) Campaign Guidelines Information Session for Candidates

Thursday, February 11, 2010, 9:00 a.m.

- (a) Candidates are encouraged to attend in person or send an authorized representative to attend the Campaign Guidelines Information Session for Candidates organized by the CRO to review Campaign Guidelines.
- (b) A candidate may contact the CRO to receive the information given at the Campaign Guidelines Information Session for Candidates if the candidate is unable to attend the session.
- (c) All candidates, whether present in person or not, shall be responsible for and shall act in accordance with all the information provided at the Campaign Guidelines Information Session for Candidates.

#### (2) Campaigning

Candidates for election to the Governing Council must abide by all the guidelines for Campaigning contained in all of the Appendices of these *Guidelines* and any additional guidelines regarding Campaigning that may be issued by the CRO in writing from time to time. Any violation of the guidelines for Campaigning may result in the imposition of sanctions against a candidate by the Election Overseers, including, but not limited to, disqualification from the elections.

### **7.14 Balloting**

#### (1) Eligibility

- (a) No person may cast more than one ballot.<sup>13</sup>
- (b) Only Administrative Staff are eligible to vote for an Administrative Staff candidate for the Governing Council.
- (c) An Administrative Staff candidate shall not vote for any candidate for election to the Governing Council other than Administrative Staff candidates, notwithstanding that the Administrative Staff candidate may also be a Student.

#### (2) Web-based Voting

- (a) Voting for Administrative Staff candidates will be conducted primarily through an Election Application on the Governing Council website. Voters who do not have an e-mail account within the utoronto.ca domain will be provided with mail ballots. Information concerning mail ballots is provided in the next subsection.

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<sup>13</sup> This prohibition is prescribed by clause 2 (14) (nb) of the *Act*.

- (b) Administrative Staff, with an e-mail account within the utoronto.ca domain, may only vote using the Election Application on the Governing Council website.
- (c) The Election Application for voting will be accessible from the Elections Section of the Governing Council website.
  - (i) To use the Election Application, a voter would log in using the voter's personnel number and date of birth.
  - (ii) Each eligible voter will only be granted access to the Election Application once; a voter may not exit the Election Application and log in at another time.
  - (iii) Access to the Election Application will be granted if the personnel number and date of birth inputted correspond with the list of eligible voters, compiled using staff records from the Human Resources Information Systems and the Federated Universities.  
Upon logging in, the Election Application will display the names of the candidates in alphabetical order by surname and their respective 100-word statements will appear beside their names.
  - (iv) The voter will be given the option to cast a ballot.
    - i) The Election Application will only permit the voter to vote for as many candidates as the number of vacancies on the Governing Council to be filled by Administrative Staff.
    - ii) Once the voter chooses a candidate or candidates, as the case may be, for whom to vote, clicking the "cast ballot" button will bring up a confirmation screen. The voter may decline confirmation, return to the ballot screen, and modify the ballot. If the voter acknowledges the confirmation, the ballot will be cast.
    - iii) If the voter selects fewer candidates than there are vacancies on the Governing Council to be filled by Administrative Staff, a warning message will advise that the voter is entitled to enter votes for multiple candidates. If the voter chooses not to vote for additional candidates, the voter may cast the ballot without choosing an additional candidate.
    - iv) If the voter leaves all candidate choices blank, a warning message will advise the voter that a selection has not been made. If the voter chooses to cast a blank ballot, the voter may do so.
  - (v) Once the ballot is cast, the ballot cannot be changed and the voter cannot obtain access to the Election Application again.

### (3) Verification of Ballots

The eligibility of a voter will be verified using the login process. The personnel number and date of birth inputted will be verified against a list of eligible voters compiled using staff records from the Human Resources Information Systems and the Federated Universities.

### (4) Mail Ballot Voting

- (a) Administrative Staff, without an e-mail account within the utoronto.ca domain, may only vote by mail ballot provided by the Office of the Governing Council.
  - (i) Photocopies of ballots or copies of ballots obtained from other sources will be declared invalid.

- (ii) Mail ballots will be mailed to Administrative Staff who do not have e-mail accounts within the *utoronto.ca* domain at their addresses within the University according to the records of Human Resources Information Systems and the Federated Universities.
  - (iii) Individuals who will be absent from their University addresses during the voting period may ask to have their ballots forwarded to them at alternate addresses.
- (b) Each mail ballot will be accompanied by:
- (i) an information sheet containing:
    - i) the names of each of the candidates together with their respective statements;
    - ii) instructions on the correct method to return the ballot;
    - iii) information on eligibility to use that particular ballot;
    - iv) a short description of the powers and duties of the Governing Council; and
    - v) instructions on how to obtain the correct ballot for persons who receive an incorrect ballot;
  - (ii) a small secrecy envelope into which the marked ballot should be sealed; and
  - (iii) a pre-addressed return envelope into which the small secrecy envelope should be sealed. (Voters will be instructed to sign and to legibly print their names and the names of the department or office in which they are employed on the upper left corner of this pre-addressed return envelope. Failure to do so will invalidate the ballot.)
- (c) Information about how to obtain a mail ballot will be advertised in the campus media and on the Elections Section of the Governing Council website to target those individuals who are entitled, but did not receive a mail ballot.
- (d) Non-receipt of mail ballots will not invalidate an election.
- (e) Individuals who wish to vote shall cast their ballots in accordance with the following:
- (i) A voter may vote for as many candidates as the number of vacancies on the Governing Council to be filled by Administrative Staff.
  - (ii) Any kind of mark on the ballot that unambiguously indicates an intention on the part of the voter to cast a vote for a particular candidate shall be acceptable provided all other requirements are met.
  - (iii) Ballots must be returned to the Office of the Governing Council in accordance with the instructions provided, including:
    - i) placing the marked ballot into the secrecy envelope;
    - ii) sealing the secrecy envelope;
    - iii) inserting the secrecy envelope into the pre-addressed return envelope;
    - iv) filling in the information required on the pre-addressed return envelope; and
    - v) signing the pre-addressed return envelope.
  - (iv) Ballots must be delivered to the Office of the Governing Council by Canada Post, University Mail, or hand delivery by 5:00 p.m. on Friday, March 12, 2010. Ballots returned by electronic, facsimile or any other means will be invalidated.
- (f) Once a ballot has been received by the Office of the Governing Council, the ballot shall not be returned to the voter, shall not be changed, and no additional ballots shall be provided to replace the ballot already received.

### (5) Verification of Ballots

- (a) All mail ballots received by the Office of the Governing Council will be assessed to ascertain their validity by;
- (i) examining the envelope in which the ballot is sealed to ensure that it has not been compromised;
  - (ii) examining each ballot to determine, among other things, its authenticity and whether it was properly marked;
  - (iii) cross-referencing each voter's personal information provided on the pre-addressed return envelope against the staff records provided by the Human Resources Information System and the Federated Universities to determine whether the voter is eligible to vote for the candidate(s) selected by the voter; and
  - (iv) examining the pre-addressed return envelope to determine whether the voter's signature is present and whether all the information required was printed legibly thereon.
- (b) Grounds for invalidating a mail ballot include, but are not limited to:
- (i) the information required on the pre-addressed return envelope is missing or illegible;
  - (ii) the voter casting the mail ballot is not eligible to vote;
  - (iii) the ballot received is not the one provided by the Office of the Governing Council;
  - (iv) the voter selected more candidates than the number of vacancies on the Governing Council to be filled by Administrative Staff;
  - (v) the voter cast more than one ballot, in which case, all ballots of the voter shall be invalidated; and
  - (vi) the markings on the ballot are ambiguous.

### (6) Secrecy of Ballots

The secrecy of the balloting process is maintained:

- (a) with respect to the web-based balloting process, votes cast are kept in a database which is separate from and independent of the list of eligible voters, so that votes cast cannot be identified with any individual voter; and
- (b) with respect to the mail balloting process, mail ballots are removed from their sealed secrecy envelopes and tabulated only after all secrecy envelopes received have been removed from the self-addressed envelopes and accumulated in a manner to ensure that none of the secrecy envelopes can be associated with any particular pre-addressed return envelope. This process ensures that a mail ballot cannot be identified with any individual voter.

### **7.15 Notification of Ballot Counting and Scrutineering**

- (a) Prior to the end of the voting period, the CRO shall notify each Administrative Staff candidate in writing of the location and the schedule for counting the mail ballots and any subsequent changes thereto.

- (b) Each Administrative Staff candidate or a designee, so designated by the candidate by submitting a signed statement to this effect to the Office of the Governing Council, shall be entitled to:
  - (i) observe the tabulation of mail ballots received from Administrative Staff; and
  - (ii) seek verification that the voters voting by mail ballot are eligible to vote for Administrative Staff.
- (c) Mail ballot counting will proceed at the location and in accordance with the schedule indicated in the written notification sent to the candidates, whether or not candidates or their designees are present.

### **7.16 Announcement of Results**

The number of votes received by each candidate (the total number of votes, including both electronic and mail ballots) will be announced at 3:00 p.m. on Wednesday, March 17, 2010 using a method selected by the CRO.

### **7.17 Recount**

- (a) As there are no individual ballots in web-based voting, a recount of electronic ballots will not be possible.
- (b) Mail ballots may be subject to a recount.
  - (i) A candidate may request a recount of the mail ballots by filing the form prescribed for this purpose in accordance with the following requirements.
    - i) The prescribed form that must be used will be available at the Office of the Governing Council.
    - ii) The candidate must complete the form, including specifying the grounds upon which the candidate requests a recount, and must file the form by hand-delivery at the Office of the Governing Council by 5:00 p.m. on Friday, March 19, 2010.
  - (ii) The Election Overseers shall review the candidate's grounds for seeking a recount as outlined in the form filed by the candidate, and the Elections Committee may:
    - i) dismiss the recount request if it decides that the grounds do not have merit;
    - ii) authorize the recount without a hearing; or
    - iii) hold a hearing in a manner and in accordance with such procedures as it may determine to be appropriate and render a decision thereafter.
  - (iii) If authorized by the Election Overseers, a recount of the mail ballots shall be conducted.

### **7.18 Equality of Votes**

- (a) In the case of equality of votes where the election of the candidates receiving an equal number of votes would result in the election of a greater number of candidates than the number of vacancies on the



Governing Council to be filled by Administrative Staff, the successful candidate or candidates shall be determined by a second election between or among the candidates receiving an equal number of votes.

- (b) The CRO shall set the election schedule for any second or subsequent elections.
- (c) If the second election also results in an equality of votes the CRO shall consult the Elections Committee on how to proceed.

### **7.19 Filing of Notice of Intent to Appeal and Appeals**

- (a) A candidate may appeal any matter arising from the conduct of elections during the Election Period to the Election Overseers, including the announcement of results, by filing a Notice of Intent to Appeal in accordance with the following requirements:
  - (i) The form of Notice of Intent to Appeal that must be used will be available at the Office of the Governing Council.
  - (ii) The Notice of Intent to Appeal must be filed by hand-delivery in writing at the Office of the Governing Council by 5:00 p.m. on Friday, March 19, 2010.
- (b) The Election Overseers shall review the appellant's grounds for an appeal as outlined in the Notice of Intent to Appeal filed by the appellant and the Election Overseers may:
  - (i) dismiss the appeal if it decides that the grounds do not have merit;
  - (ii) grant the appeal without a hearing if it decides that the grounds have merit; or
  - (iii) hold a hearing in a manner and in accordance with such procedures as it may determine to be appropriate and render a decision thereafter.
- (c) The Election Overseers shall render a decision by 5:00 p.m. on Wednesday, March 24, 2010.
- (d) The decision of the Election Overseers shall be final and not subject to any further review or appeal.

### **7.20 Elections Not Necessarily Invalidated by Irregularities**

An irregularity, failure, non-compliance or mistake in any way related to the election shall not invalidate the election if it appears to the Election Overseers that the election was conducted in accordance with the principles of these *Guidelines* and that the irregularity, failure, non-compliance or mistake did not or would not have been reasonably likely to have affected the result of the election.

## 7.21 Election Expenses

### (1) Spending Limit

- (a) The limit for election related expenses, including Campaigning expenses, for each Administrative Staff candidate is \$800, of which the University will reimburse the Administrative Staff candidate \$600.
  - (i) If an additional election is required as a result of an equality of votes in the first election, the CRO shall establish a separate spending limit.

### (2) Reimbursement of Election Expenses

- (a) Expenses eligible for reimbursement include, but are not limited to, the following:
  - (i) paper and office supplies;
  - (ii) copying and printing of Campaign Materials;
  - (iii) reasonable transportation costs incurred in connection with Campaigning at campuses other than that at which the candidate works;
  - (iv) campaign advertisements;
  - (v) web design and domain expenses explicitly related to the election;
  - (vi) refreshments, excluding alcoholic beverages (beer, wine, coolers, etc.); and
  - (vii) the Fair Market Value of all donated goods and services actually used in the candidate's Campaign, except voluntary unpaid labour.
- (b) Expenses ineligible for reimbursement include, but are not limited to, the following:
  - (i) expenses incurred prior to the announcement of candidates;
  - (ii) parking fines incurred during Campaign-related activity;
  - (iii) costs resulting from the removal of posters from University or non-University property as a result of illegal posting for the election;
  - (iv) alcoholic beverages (beer, wine, coolers, etc.);
  - (v) interest/financing costs for the election Campaign;
  - (vi) costs which could be considered of a personal nature and unrelated to the Campaign;
  - (vii) web design and domain expenses not explicitly related to the election; and
  - (viii) medical expenses including prescription and non-prescription drugs.
- (c) Candidates, whether they are seeking reimbursement or not, are normally expected to submit receipts for all expenses including a statement of all donated goods and services actually used in the candidate's Campaign (except voluntary unpaid labour) with their Fair Market Value, within fourteen days of the close of the election.
  - (i) Candidates will normally be asked to sign a sworn statement that all expenses have been disclosed and that the total represents the total amount of expenses by the candidate or by anyone acting on her or his behalf or with her or his knowledge and consent.
  - (ii) Candidates who have no Campaign expenses may, at the discretion of the CRO, be exempt from submitting an expense statement.

### (3) Enforcement of the Election Expenses Limit

- (a) There will be no circumstances under which the limit may be exceeded.
- (b) If the sworn statement indicates that the limit has been exceeded, or if an allegation is made to the CRO that a candidate has exceeded the limit, the CRO will investigate the matter and, if warranted, take the alleged violation to the Elections Committee acting as the Election Overseers.
  - (i) A hearing will be held.
  - (ii) The decision of the Election Overseers shall be final and not subject to any further review or appeal.
  - (iii) If the candidate is found guilty, and was successful in the election, she or he will be disqualified and will not become a member of the Governing Council .
- (c) Failure to submit the sworn statement concerning election expenses may be referred by the CRO to the Elections Committee acting as the Election Overseers.
  - (i) a hearing may be held;
  - (ii) penalties may be imposed, including, but not limited to:
    - i) for successful candidates: disqualification and ceasing to be members of the Governing Council;
    - ii) for unsuccessful candidates: public announcement and/or disqualification from future Governing Council elections for a year or number of years.
- (d) Within seven days of the deadline for submitting the sworn statement, the CRO must inform the Elections Committee and the concerned candidate(s) of any irregularities that have been discovered.
- (e) If a hearing is necessary, it should be held as soon as possible and should be completed by Friday April 23, 2010.

### **7.22 Resignation for Ineligibility**

- (a) A candidate will be declared ineligible if, at any time during the Election Period, she or he ceases to meet the eligibility requirements.
- (b) An elected Administrative Staff member of the Governing Council must resign if, at any time during her or his term, she or he ceases to be a member of the Administrative Staff.

### (1) By-elections

- (a) A by-election shall be held to fill any vacancy arising from the departure of an elected Administrative Staff member of the Governing Council, unless the vacancy occurs within eight months of the end of the departing member's term.
- (b) If a vacancy arising from the departure of an elected Administrative Staff member of the Governing Council occurs within eight months of the end of the departing member's term, the CRO shall consult the Elections Committee to determine whether a by-election will be held.

- (i) The Elections Committee shall meet to determine whether a by-election shall be held.
  - (ii) Advance notice of such meeting of the Elections Committee shall be announced on the website of the Office of the Governing Council so that there is sufficient time to allow comments to be submitted to the Elections Committee.
  - (iii) Comments relating to whether a by-election should be held may be submitted to the Elections Committee in writing via the Office of the Governing Council on the form prescribed for this purpose, which will be available at the Office of the Governing Council.
  - (iv) The decision of the Elections Committee on whether a by-election should be held shall be final and not subject to any further review or appeal.
- (c) A by-election shall be administered by the CRO and shall be conducted in a manner and in accordance with procedures which are substantially similar to *Guidelines*.

## **SECTION 8 – Election of Teaching Staff to the Governing Council**

### **8.1 Teaching Staff Members of the Governing Council**

The *Act* stipulates that twelve members of the Governing Council shall be elected by the Teaching Staff from among the Teaching Staff.<sup>14</sup>

“Teaching Staff” means the employees of the University, University College, the Constituent Colleges and the arts and science faculties of the Federated Universities who hold the academic rank of professor, associate professor, assistant professor, full-time lecturer or part-time lecturer, unless such part-time lecturer is registered as a Student, or who hold any other rank created by the Governing Council and designated by it as an academic rank for the purposes of clause 1(1)(m) of the *Act*. For the purpose of Governing Council elections, lecturer includes the ranks of Lecturer, Senior Lecturer, Tutor, and Senior Tutor. Lecturer also includes associates in the Faculty of Dentistry. Assistant Professor (conditional), Sessional Lecturer I, Sessional Lecturer II, Athletics Instructor and Senior Athletics Instructor have been designated by the Governing Council as academic ranks for the purposes of clause 1(1)(m) of the *Act*.

### **8.2 Term of Office**

The term of office for a Teaching Staff member of the Governing Council begins on July 1st in the year in which the member is elected and ends 3 years later on June 30th.

### **8.3 Constituencies**

Elected Teaching Staff members of the Governing Council are elected from ten constituencies to enable broad representation on the Governing Council from various divisions within the University. Accordingly, Teaching Staff from many divisions of the University are represented on the Governing Council.

Teaching Staff’s constituencies are determined primarily on the basis of the on the basis of the College, Federated University, faculty, or school in which they hold their major teaching appointments. If a single constituency cannot be identified for an individual on the basis of her or his major teaching appointment, the CRO shall determine the appropriate constituency for the individual following any appropriate consultations. Individuals may consult the CRO if they require clarification as to the constituency to which they belong.

For Constituency V, Teaching Staff from the Faculty of Medicine, no more than one person shall be elected from same department within this faculty. Accordingly:

- (1) nominations for a nominee from the same department within the Faculty of Medicine as a current Teaching Staff member of the Governing Council, whose term will not expire in 2010, will be rejected, unless the nominee is also appointed to another department with the Faculty of Medicine that will not already be represented on the Governing Council by another member of the Governing Council, in which case the nominee shall declare on her or his nomination form that she or he is seeking nomination on the basis of her or his appointment in the latter department; and

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<sup>14</sup> Clause 2(2)(d) of the *Act*.

- (2) if there is more than one candidate from a particular department, only the candidate receiving the most votes among the candidates from the same department will be eligible to fill any vacancy on the Governing Council; the other candidates within that same department will be eliminated from consideration for any vacancy on Governing Council, notwithstanding that these candidates may have received more votes than other candidates in other departments within the Faculty of Medicine.

#### 8.4 Current Teaching Staff Members of the Governing Council

The current Teaching Staff members of the Governing Council are listed in the table below. The names of the members whose terms will expire on June 30, 2010 are highlighted in bold to show that elections will held in 2010 to fill the vacancies on the Governing Council arising from the expiration of these members' terms.

Constituency	Current Member(s)	Term Ends	Election Required in 2010
IA: All Teaching Staff members in the Faculty of Arts and Science who hold their major appointments in the Departments of Classics, East Asian Studies, English, Fine Art, French, Germanic Languages and Literatures, Italian Studies, Linguistics, Near and Middle Eastern Civilizations, Slavic Languages and Literatures and Spanish and Portuguese (excluding those who are members of Constituency II or III)	Prof. Christina E. Kramer	June 30, 2012	No
IB: All Teaching Staff members in the Faculty of Arts and Science who hold their major appointments in the Departments of Anthropology, Economics, Geography, History, Philosophy, Political Science, Psychology, Sociology, and Centre for The Study of Religion (excluding those who are members of Constituency II or III)	Prof. Janice Gross Stein	June 30, 2012	No

Constituency	Current Member(s)	Term Ends	Election Required in 2010
1C: All Teaching Staff members in the Faculty of Arts and Science who hold their major appointments in the Departments of Astronomy and Astrophysics, Cell and Systems Biology, Chemistry, Computer Science, Ecology and Evolutionary Biology, Geology, Mathematics, Physics and Statistics and Actuarial Science (excluding those who are members of Constituency II or III)	<b>Prof. Ronald Kluger</b>	<b>June 30, 2010</b>	<b>Yes</b>
II: All Teaching Staff who hold their major appointments at the University of Toronto at Mississauga	Prof. Varouj Aivazian,	June 30, 2011	No
III: All Teaching Staff members who hold their major appointments at the University of Toronto at Scarborough	Prof. William Gough	June 30, 2012	No
IV: All Teaching Staff members who hold their major appointments in the Faculty of Applied Science and Engineering	<b>Prof. Doug Reeve</b>	<b>June 30, 2010</b>	<b>Yes</b>

Constituency	Current Member(s)	Term Ends	Election Required in 2010
V: 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	<b>Prof. Joel Kirsh (Department of Paediatrics)</b>	<b>June 30, 2010</b>	<b>Yes</b>
	Prof. Louise Lemieux-Charles (Dept. Health Policy, Management & Evaluation)	June 30, 2012	No
	<b>Prof. Sarita Verma (Deputy Dean and Vice Dean, Postgraduate Education)</b>	<b>June 30, 2010</b>	<b>Yes</b>
VI: All Teaching Staff members who hold their major appointments in the Faculty of Dentistry, Lawrence S. Bloomberg Faculty of Nursing, Leslie Dan Faculty of Pharmacy and the Faculty of Physical Education and Health	Prof. Ellen Hodnett	June 30, 2012	No
VII: all Teaching Staff members who hold their major appointments in the John H. Daniels Faculty of Architecture, Landscape, and Design, Joseph L. Rotman School of Management, Faculty of Forestry, Faculty of Information, Faculty of Law, Faculty of Music and the Factor-Inwentash Faculty of Social Work	Prof. Arthur Ripstein	June 30, 2011	No
VIII: all Teaching Staff members who hold their major appointments in the Ontario Institute for Studies in Education of the University of Toronto (OISE)	Prof. Elizabeth Smyth	June 30, 2011	No



## 8.5 2010 Election Schedule Summary

Nomination Period: Friday, January 8, 12:00 noon to Friday January 22, 5:00 p.m.

Campaign Period: Friday, February 19, 1:00 p.m. to Friday, March 12, 5:00 p.m.

Voting Period: Monday, March 1 to Friday, March 12, 5:00 p.m.

Post-Election Period: Friday, April 9, 5:00 p.m. to Friday, April 23, 5:00 p.m.

(Please see the detailed schedule at Section 5 of these *Guidelines*.)

## 8.6 Eligibility

### (1) Canadian Citizenship

All members of the Governing Council must be Canadian citizens.<sup>15</sup> Accordingly, in order to be eligible to be elected as a Teaching Staff member of the Governing Council, the individual must be a Canadian citizen.

### (2) Member of the Teaching Staff

- (a) In order to be eligible to be elected as a Teaching Staff member of the Governing Council, an individual must:
- (i) be a member of the Teaching Staff in the same constituency as one of the current Teaching Staff members of the Governing Council whose term will expire on June 30, 2010;
  - (ii) be nominated as a Teaching Staff candidate by Teaching Staff within this same constituency;
  - (iii) if the individual is a member of the Teaching Staff within the Faculty of Medicine, the individual must be a member of a department that is different from the current Teaching Staff member(s) of the Governing Council of Constituency V, whose term(s) will not expire in 2010; and
  - (iv) remain a member of this same constituency from the close of the nomination period to the time when all relevant election-related appeals and recounts, if any, have been finally disposed of, or, if there are no appeals or recounts, when winners have been declared elected. Once elected, the individual may only remain a member of the Governing Council so long as she or he is a member of the same Teaching Staff constituency. The individual must resign if she or he ceases to be a member of that Teaching Staff constituency.
- (b) If an individual is a member of more than one of the ten Teaching Staff constituencies, the individual:
- (i) may be a Teaching Staff candidate for election in only one of the Teaching Staff constituencies; and
  - (ii) must declare the constituency in which the individual is seeking election on her or his nomination form.
- (c) If an individual is both a member of the Teaching Staff and a Student, the individual:

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<sup>15</sup> This requirement is prescribed by subsection 2(4) of the *Act*.

- (i) may only be a candidate for election to become either a Student member or a Teaching Staff member of the Governing Council;<sup>16</sup> and
- (ii) must declare on the nomination form whether the individual is running for election to become a Student member or a Teaching Staff member of the Governing Council.

## **8.7 Nomination Process**

### (1) Nomination Period

Nominations open: Friday, January 8, 2010 at 12:00 noon

Nominations close: Friday, January 22, 2010 at 5:00 p.m.

### (2) Nomination Forms and Proof of Citizenship

- (a) An individual seeking nomination must use and complete the appropriate official nomination form prescribed by the Office of the Governing Council.
  - (i) Nomination forms will be available at the Office of the Governing Council and on the Elections Section of the Governing Council website:  
<http://www.governingcouncil.utoronto.ca/elections.htm>.
  - (ii) It shall be the responsibility of the individual seeking nomination to ensure that the correct nomination form, i.e., the form for Teaching Staff candidates for the Governing Council elections, is used.
- (b) An individual seeking nomination must present one of following pieces of documentary evidence of Canadian citizenship with the nomination form:
  - (i) certificate of birth in Canada;
  - (ii) certificate of citizenship;
  - (iii) certificate of naturalization;
  - (iv) Canadian certificate of registration of birth abroad;
  - (v) certificate of retention of Canadian citizenship;
  - (vi) Canadian passport; or
  - (vii) if an individual does not have any of the documents listed above, she or he may complete a notarized statement declaring that she or he is a Canadian citizen. The statement will be available in the Office of the Governing Council and arrangements may be made in the Office for the notarization of the statement.
- (c) An individual seeking nomination must file a fully completed nomination form at the Office of the Governing Council by hand-delivering the fully completed nomination form to the Office of the Governing Council prior to the close of the nomination period, with the documentary evidence of Canadian citizenship presented at the same time as the delivery.

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<sup>16</sup> This requirement is prescribed by subsection 2(3a) of the *Act*.

### (3) Nominators

- (a) To become a candidate in the elections, Teaching Staff seeking nomination must meet the following requirements with respect to nominators:
- (i) the individual seeking nomination may not nominate herself or himself;
  - (ii) the individual seeking nomination must have on her or his nomination form the signatures of 5 nominators and beside each signature shall be, printed legibly, the full name of the nominator who signed and the name of the department or office in which the nominator is employed; and
  - (iii) each nominator of a Teaching Staff nominee must be a member of the Teaching Staff constituency in which the nominee is seeking nomination.
- (b) The names of nominators will not be released to the public, to any individual seeking nomination, or to any candidates.

### (4) Nominee's Statement

- (a) An individual seeking nomination may, but will not be required to, submit to the CRO a statement biographical in nature or otherwise. If the individual becomes a candidate, the statement will be:
- (i) distributed to voters who will be voting by mail ballots;
  - (ii) provided together with the name of the candidate during the online voting process to voters who will be voting online; and
  - (iii) otherwise distributed or reproduced by the Office of the Governing Council in a manner chosen by the CRO.

Individuals seeking nomination may wish to provide biographical information and address in their statements their motivation for running in the elections and how their background qualifies them for becoming a member of the Governing Council.

- (b) The statement must be 100 words or less in length, subject to the following:
- (i) acronyms and abbreviations will be counted as one word; and
  - (ii) the individual's name will not be counted in the 100-word limit if placed at the beginning of the individual's statement.

If the statement contains more than 100 words, only the first 100 words will be printed.

- (c) The statement must be submitted before the close of the nomination period to the Office of the Governing Council in one of two ways:
- (i) The statement may be submitted with the nomination form.
  - (ii) The statement may also be submitted by e-mail from the personal utoronto.ca e-mail account of the individual seeking nomination to the CRO, separate from the nomination form, as long as it is received prior to the close of the nomination period.

The statement may not be altered or amended after the close of the nomination period, but the statement may be withdrawn upon the written request of the individual seeking nomination. Individuals seeking nomination are encouraged to submit their statements with their nomination forms, as the reliability of e-mail cannot be guaranteed. Any e-mail not actually received or received by the CRO time-stamped

after the close of the nomination period will be rejected, notwithstanding that the e-mail may have been sent prior to the deadline. Individuals submitting statements by e-mail assume any and all risks associated therewith.

- (d) An individual's signature on the nomination form shall signify consent and direction by the individual to the Office of the Governing Council to distribute and reproduce the individual's statement in the manner above described and acceptance of complete responsibility by the individual for the consequences arising from such distribution and reproduction of the statement and for the contents of the statement.
  - (i) For clarity, the CRO, DRO, and the University shall not be responsible for the statement in any way (other than for the physical or electronic reproduction and distribution of the statement in the manner described above), including, but not limited to, any consequences arising from the distribution or reproduction of the statement and the accuracy of the statement.
  - (ii) The statement will not be distributed or otherwise made available if, in the opinion of the Election Overseers, assisted by such advisors as they may retain, the statement is obscene, denigrating, otherwise objectionable, in violation of these *Guidelines* or the University's rules or policies, or it could render the University liable to a suit for libel. The decision of the Election Overseers in this regard shall be final and not subject to any further review or appeal.
- (e) Questions relating to the 100-word statement may be directed to the CRO.

#### (5) Verification of Candidate

The eligibility of each Teaching Staff nominee will be assessed by:

- (a) determining whether the nominee is a member of the Teaching Staff of the same constituency as one of the current Teaching Staff members of the Governing Council whose term will expire on June 30, 2010;
- (b) cross-referencing the nominee's information as it appears on the nominee's nomination form with the records of the Human Resources Information Systems and staff records in the Federated Universities to determine whether the nominee is eligible for election in the constituency in which she or he seeks nomination;
- (c) reviewing the nominee's nomination form to assess whether:
  - (i) the correct nomination form has been used;
  - (ii) the nomination form has been completed correctly;
  - (iii) the nomination form contains the required number of valid nominators; and
  - (iv) the nominee's signature is present on the nomination form, signifying the nominee's consent to stand for election; and
- (d) reviewing the documentary evidence of Canadian citizenship required by these *Guidelines*.

### (6) Verification of Nominators

The validity of each nominator for Teaching Staff nominees will be assessed by:

- (a) comparing the nominator's full name and the nominator's department or office of employment, as indicated on the nomination form, against records of the Human Resources Information Systems and staff records in the Federated Universities to determine whether the nominator is eligible to nominate Teaching Staff in the nominee's constituency.

### (7) Errors or Irregularities in Nominations

- (a) Errors or irregularities on the nomination form may be corrected prior to the close of the nomination period.
- (b) The CRO, may, but will not be required to, notify nominees of the existence of any errors or irregularities before the close of the nomination period.

### (8) Technical Invalidation

- (a) Technical grounds upon which the CRO may rely to invalidate a nomination form, include, but are not limited to:
  - (i) the nominee does not meet the eligibility requirements;
  - (ii) insufficient number of valid nominators;
  - (iii) substantive error on the nomination form;
  - (iv) the incorrect nomination form was used;
  - (v) the nomination form is incomplete;
  - (vi) the nomination form is not appropriately verifiable;
  - (vii) the nomination form does not conform with these *Guidelines*; or
  - (viii) the nomination form was not presented with the documentary evidence of Canadian citizenship prior to the nomination deadline as required by these *Guidelines*.
- (b) The CRO's decision to invalidate a nomination form on technical grounds may be appealed to the Election Overseers.

## **8.8 Announcement of Candidates**

On Thursday, January 28, 2010 at 3:00 p.m., the names of all candidates will be announced using a method selected by the CRO.

### **8.9 Filing of Notice of Intent to Appeal and Appeals**

- (a) An individual may appeal the decision of the CRO to invalidate her or his nomination form on technical grounds to the Election Overseers by filing a Notice of Intent to Appeal in accordance with the following requirements:
  - (i) The form of Notice of Intent to Appeal that must be used will be available at the Office of the Governing Council.
  - (ii) The Notice of Intention to Appeal must be filed by hand-delivery at the Office of the Governing Council by 3:00 p.m. on Monday, February 1, 2010.
- (b) The Election Overseers shall review the appellant's grounds for an appeal of the CRO's decision to invalidate a nomination form as outlined in the Notice of Intent to Appeal filed by the appellant, and the Elections Committee may;
  - (i) dismiss the appeal without a hearing if it decides that the grounds do not have merit;
  - (ii) allow the appeal without a hearing if it decides that the grounds have merit; or
  - (iii) hold a hearing in a manner and in accordance with such procedures as it may determine to be appropriate and render a decision thereafter.
- (c) The Election Overseers shall render a decision by 5:00 p.m. on Tuesday, February 9, 2010.
- (d) The decision of the Election Overseers shall be final and not subject to any further review or appeal.

### **8.10 Announcement of Additional Candidates**

Individuals who successfully appeal the invalidation of their nomination will be announced as candidates on Wednesday, February 10, 2010 at 12:00 noon using a method selected by the CRO.

### **8.11 Withdrawal of Candidacy**

- (a) A candidate may withdraw by submitting to the CRO or the CRO's designee a signed statement on the form prescribed for this purpose.
  - (i) The prescribed form will be available in the Office of the Governing Council and on the Elections Section of the Governing Council website:  
<http://www.governingcouncil.utoronto.ca/elections.htm>.
  - (ii) The candidate must sign the statement in person in the Office of the Governing Council, in the presence of the CRO or the CRO's designee, and present photo identification acceptable to the CRO or to the CRO's designee.
- (b) If a candidate wishes to have her or his name removed from the ballot, she or he must withdraw by 5:00 p.m. on Friday, February 12, 2010.
  - (i) If a candidate withdraws the nomination after this time, the withdrawal and the fact that her or his name remains on the ballot shall not invalidate the election.
  - (ii) Votes cast for a candidate who has withdrawn shall not be counted and shall be void.

### **8.12 Acclamations**

Subject to the provisions of these *Guidelines*, a Teaching Staff candidate may be acclaimed, i.e., deemed to be elected, by the CRO, in the following circumstances:

- (a) after the announcement of official candidates and the completion of any appeals relating to nomination invalidations, the number of candidates in the candidate's constituency is equal to or less than the number of vacancies on the Governing Council to be filled by Teaching Staff from the candidate's constituency; or
- (b) another candidate withdraws her or his nomination and, consequently, the number of remaining candidates is equal to or less than the number of vacancies on the Governing Council to be filled by Teaching Staff from the candidate's constituency.

### **8.13 Re-opening of Nominations**

- (a) If no verified nomination forms are filed during the nomination period, or the number of verified nomination forms is fewer than the number of available vacancies, the CRO may re-open nominations twice.
- (b) If the second re-opening of nominations fails to produce a candidate, the CRO may determine the appropriate course of action.

### **8.14 Campaign Period**

Campaign Period Begins: Friday, February 19, 2010 at 1:00 p.m.

Campaign Period Ends: Friday, March 12, 2010 at 5:00 p.m.

#### (1) Campaign Guidelines Information Session for Candidates

Thursday, February 11, 2010, 9:00 a.m.

- (a) Candidates are encouraged to attend in person or send an authorized representative to attend the Campaign Guidelines Information Session for Candidates organized by the CRO to review Campaign guidelines.
- (b) A candidate may contact the CRO to receive the information given at the Campaign Guidelines Information Session for Candidates if the candidate is unable to attend the session.
- (c) All candidates, whether present in person or not, shall be responsible for and shall act in accordance with all the information provided at the Campaign Guidelines Information Session for Candidates.

## (2) Campaigning

Candidates for election to the Governing Council shall abide by all the guidelines for Campaigning contained in all of the Appendices of these *Guidelines* and any additional guidelines regarding Campaigning that may be issued by the CRO in writing from time to time. Any violation of the guidelines for Campaigning may result in the imposition of sanctions against a candidate by the Election Overseers, including, but not limited to, disqualification from the elections.

## **8.15 Balloting**

### (1) Eligibility

- (a) No person may cast more than one ballot.<sup>17</sup>
- (b) Teaching Staff may only vote for Teaching Staff candidates in their constituency. For example, Teaching Staff in Constituency 1A may only vote for candidates who are also Teaching Staff of Constituency 1A.
- (c) A Teaching Staff candidate may not vote for any other candidate for election to the Governing Council other than Teaching Staff candidates who are also members of the constituency to which the candidate has declared candidacy, notwithstanding that the Teaching Staff candidate may also be a member of another Teaching Staff constituency or a Student.

### (2) Web-based Voting

- (a) Voting for Teaching Staff candidates will be conducted primarily through an Election Application on the Governing Council website. Voters who do not have an e-mail account within the utoronto.ca domain will be provided with mail ballots. Information concerning mail ballots is provided in the next subsection.
- (b) Teaching Staff, with an e-mail account within the utoronto.ca domain, may only vote using the Election Application on the Governing Council website.
- (c) The Election Application for voting will be accessible from the Elections Section of the Governing Council website.
  - (i) To use the Election Application, a voter would log in using the voter's personnel number and date of birth.
  - (ii) Each eligible voter will only be granted access to the Election Application once; a voter may not exit the Election Application and log in another time.
  - (iii) Access to the Election Application will be granted if the personnel number and date of birth inputted correspond with the list of eligible voters, compiled using staff records from the Human Resources Information Systems and the Federated Universities.
  - (iv) Upon logging in, the Election Application will display the names of the candidates in alphabetical order by surname and their respective 100-word statements will appear beside their names.

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<sup>17</sup> This prohibition is prescribed by clause 2 (14) (nb) of the *Act*.



- (v) The voter will be given the option to cast a ballot.
  - i) The Election Application will only permit the voter to vote for as many candidates as the number of vacancies on the Governing Council to be filled by Teaching Staff in the voter's constituency.
  - ii) Once the voter selects a candidate or candidates, as the case may be, for whom to vote, clicking the "cast ballot" button will bring up a confirmation screen. The voter may decline confirmation, return to the ballot screen, and modify the ballot. If the voter acknowledges the confirmation, the ballot will be cast.
  - iii) If the voter selects fewer candidates than there are vacancies on the Governing Council to be filled by Teaching Staff in the voter's constituency, a warning message will advise the voter that the voter is entitled to enter votes for multiple candidates. If the voter chooses not to vote for additional candidates, the voter may cast the ballot without choosing an additional candidate.
  - iv) If the voter leaves all candidate choices blank, a warning message will advise the voter that a selection has not been made. If the voter chooses to cast a blank ballot, the voter may do so.
- (vi) Once the ballot is cast, the ballot cannot be changed and the voter cannot obtain access to the Election Application again.

### (3) Verification of Ballots

The eligibility of a voter will be verified using the login process. The personnel number and date of birth inputted will be verified against a list of eligible voters compiled using staff records from the Human Resources Information Systems and the Federated Universities.

### (4) Mail Ballot Voting

- (a) Teaching Staff, without an e-mail account within the utoronto.ca domain, may only vote by mail ballot provided by the Office of the Governing Council.
  - (i) Photocopies of ballots or copies of ballots obtained from other sources will be declared invalid.
  - (ii) Mail ballots will be mailed to Teaching Staff who do not have e-mail accounts within the utoronto.ca domain at their addresses within the University according to the records of the Human Resources Information Systems and the Federated Universities.
  - (iii) Individuals who will be absent from their University addresses during the voting period may ask to have their ballots forwarded to them at alternate addresses.
- (b) Each mail ballot will be accompanied by:
  - (i) an information sheet containing:
    - i) the names of each of the candidates together with their respective statements;
    - ii) instructions on the correct method to return the ballot;
    - iii) information on eligibility to use that particular ballot;
    - iv) a short description of the powers and duties of the Governing Council; and
    - v) instructions on how to obtain the correct ballot for persons who receive an incorrect ballot;

- (ii) a small secrecy envelope into which the marked ballot should be sealed; and
  - (iii) a pre-addressed return envelope into which the small secrecy envelope should be sealed. (Voters will be instructed to sign and to legibly print their names and the names of the department or office in which they are employed on the upper left corner of this pre-addressed return envelope. Failure to do so will invalidate the ballot.)
- (c) Information about how to obtain a mail ballot will be advertised in the campus media and on the Elections Section of the Governing Council website to target those individuals who are entitled, but did not receive a mail ballot.
- (d) Non-receipt of mail ballots will not invalidate an election.
- (e) Individuals who wish to vote must cast their ballots in accordance with the following:
- (i) A voter may vote for as many candidates as the number of vacancies on the Governing Council to be filled by Teaching Staff from the voter's constituency.
  - (ii) Any kind of mark on the ballot that unambiguously indicates an intention on the part of the voter to cast a vote for a particular candidate shall be acceptable provided all other requirements are met.
  - (iii) Ballots must be returned to the Office of the Governing Council in accordance with the instructions provided, including:
    - i) placing the marked ballot into the secrecy envelope;
    - ii) sealing the secrecy envelope;
    - iii) inserting the secrecy envelope into the pre-addressed return envelope;
    - iv) filling in the information required on the pre-addressed return envelope; and
    - v) signing the pre-addressed return envelope.
  - (iv) Ballots must be delivered to the Office of the Governing Council by Canada Post, University Mail, or hand delivery by 5:00 p.m. on Friday, March 12, 2010. Ballots returned by electronic, facsimile or any other means will be invalidated.
- (f) Once a ballot has been received by the Office of the Governing Council, the ballot will not be returned to the voter, shall not be changed, and no additional ballots shall be provided to replace the ballot already received.

#### (5) Verification of Ballots

- (a) All mail ballots received by the Office of the Governing Council will be assessed to ascertain their validity by:
- (i) examining the envelope in which the ballot is sealed to ensure that it has not been compromised;
  - (ii) examining each ballot to determine, among other things, its authenticity and whether it was properly marked;
  - (iii) cross-referencing each voter's personal information provided on the pre-addressed return envelope against the staff records provided by the Human Resources Information System and the Federated Universities to determine whether the voter is eligible to vote for the candidate(s) selected by the voter; and

- (iv) examining the pre-addressed return envelope to determine whether the voter's signature is present and whether all the information required was printed legibly thereon.
- (b) Grounds for invalidating a mail ballot include, but are not limited to:
- (i) the information required on the pre-addressed return envelope is missing or illegible;
  - (ii) the voter casting the mail ballot is not eligible to vote;
  - (iii) the ballot received is not the one provided by the Office of the Governing Council;
  - (iv) the voter selected more candidates than the number of vacancies on the Governing Council to be filled by Teaching Staff from the voter's constituency; and
  - (v) the voter cast more than one ballot, in which case, all ballots of the voter shall be invalidated; and;
  - (vi) the markings on the ballot are ambiguous.

#### (6) Secrecy of Ballots

The secrecy of the balloting process is maintained:

- (a) with respect to the web-based balloting process, votes cast are kept in a database which is separate from and independent of the list of eligible voters, so that votes cast cannot be identified with any individual voter; and
- (b) with respect to the mail balloting process, mail ballots are removed from their sealed secrecy envelopes and tabulated only after all secrecy envelopes received have been removed from the self-addressed envelopes and accumulated in a manner to ensure that none of the secrecy envelopes can be associated with any particular pre-addressed return envelope. This process ensures that a mail ballot cannot be identified with any individual voter.

#### **8.16 Notification of Ballot Counting and Scrutineering**

- (a) Prior to the end of the voting period, the CRO shall notify each Teaching Staff candidate in writing of the location and the schedule for counting the mail ballots and any subsequent changes thereto.
- (b) Each Teaching Staff candidate or a designee, so designated by the candidate by submitting a signed statement to this effect to the Office of the Governing Council, shall be entitled to:
  - (i) observe the tabulation of mail ballots received from Teaching Staff; and
  - (ii) seek verification that the voters voting by mail ballot are eligible to vote for Teaching Staff.
- (c) Mail ballot counting will proceed at the location and in accordance with the schedule indicated in the written notification sent to the candidates, whether or not candidates or their designees are present.

#### **8.17 Announcement of Results**

The number of votes received by each candidate (the total number of votes, including both electronic and mail ballots) will be announced at 3:00 p.m. on Wednesday, March 17, 2010 using a method selected by the CRO.

### **8.18 Recount**

- (a) As there are no individual ballots in web-based voting, a recount of electronic ballots will not possible.
- (b) Mail ballots may be subject to a recount.
  - (i) A candidate may request a recount of the mail ballots by filing the form prescribed for this purpose in accordance with the following requirements.
    - i) The prescribed form that must be used will be available at the Office of the Governing Council.
    - ii) The candidate must complete the form, including specifying the grounds upon which the candidate requests a recount, and must file the form by hand-delivery at the Office of the Governing Council by 5:00 p.m. on Friday, March 19, 2010.
  - (ii) The Election Overseers shall review the candidate's grounds for seeking a recount as outlined in the form filed by the candidate, and the Elections Committee may:
    - i) dismiss the recount request if it decides that the grounds do not have merit;
    - ii) authorize the recount without a hearing; or
    - iii) hold a hearing in a manner and in accordance with such procedures as it may determine to be appropriate and render a decision thereafter.
  - (iii) If authorized by the Election Overseers, a recount of the mail ballots shall be conducted.

### **8.19 Equality of Votes**

- (a) In the case of equality of votes where the election of the candidates receiving an equal number of votes would result in the election of a greater number of candidates than there are vacancies on the Governing Council to be filled by Teaching Staff of a particular constituency, the successful candidate or candidates shall be determined by a second election between or among the candidates of that constituency receiving an equal number of votes, subject to the proviso that no two members of the Governing Council may be from the same department within Constituency V, members of the Teaching Staff of the Faculty of Medicine.
- (b) The CRO shall set the election schedule for any second or subsequent elections.
- (c) If the second election also results in an equality of votes, the CRO shall consult the Elections Committee on how to proceed.

## **8.20 Filing of Notice of Intent to Appeal and Appeals**

- (a) A candidate may appeal any matter arising from the conduct of the elections during the Election Period to the Election Overseers, including the announcement of results, by filing a Notice of Intent to Appeal in accordance with the following requirements:
  - (i) The form of Notice of Intent to Appeal that must be used will be available at the Office of the Governing Council.
  - (ii) The Notice of Intention to Appeal must be filed by hand-delivery at the Office of the Governing Council by 5:00 p.m. on Friday March 19, 2010.
- (b) The Election Overseers shall review the appellant's grounds for an appeal as outlined in the Notice of Intent to Appeal filed by the appellant and the Election Overseers may:
  - (i) dismiss the appeal if it decides that the grounds do not have merit;
  - (ii) grant the appeal without a hearing if it decides that the grounds have merit; or
  - (iii) hold a hearing in a manner and in accordance with such procedures as it may determine to be appropriate and render a decision thereafter.
- (c) The Election Overseers shall render a decision by 5:00 p.m. on Wednesday, March 24, 2010.
- (d) The decision of the Election Overseers shall be final and not subject to any further review or appeal.

## **8.21 Elections Not Necessarily Invalidated by Irregularities**

An irregularity, failure, non-compliance or mistake in any way relating to the elections, or to an election in any constituency, shall not invalidate the elections if the Election Overseers decide that the elections were conducted in accordance with the principles of these *Guidelines* and that the irregularity, failure, non-compliance or mistake did not or would not have been reasonably likely to have affected the result of the elections.

## **8.22 Election expenses**

### (1) Spending Limit

- (a) The limit for election related expenses, including Campaigning expenses, for each Teaching Staff candidate is \$400, of which the University will reimburse the Teaching Staff candidate \$300.
  - (i) If an additional election is required as a result of an equality of votes in the first election, the CRO shall establish a separate spending limit.

## (2) Reimbursement of Election Expenses

(a) Expenses eligible for reimbursement include, but are not limited to, the following:

- (i) paper and office supplies;
- (ii) copying and printing of Campaign Materials;
- (iii) reasonable transportation costs incurred in connection with Campaigning at campuses other than that at which the candidate works;
- (iv) Campaign advertisements;
- (v) web design and domain expenses explicitly related to the election;
- (vi) refreshments, excluding alcoholic beverages (beer, wine, coolers, etc.);
- (vii) the Fair Market Value of all donated goods and services actually used in the candidate's Campaign, except voluntary unpaid labour.

(b) Expenses ineligible for reimbursement include, but are not limited to, the following:

- (i) expenses incurred prior to the announcement of candidates;
- (ii) parking fines incurred during Campaign-related activity;
- (iii) costs resulting from the removal of posters from University or non-University property as a result of illegal postering for the election;
- (iv) alcoholic beverages (beer, wine, coolers, etc.);
- (v) interest/financing costs for the election Campaign;
- (vi) costs which could be considered of a personal nature and unrelated to the Campaign;
- (vii) web design and domain expenses not explicitly related to the election;
- (viii) medical expenses including prescription and non-prescription drugs.

(c) Candidates, whether they are seeking reimbursement or not, are normally expected to submit receipts for all expenses including a statement of all donated goods and services actually used in the candidate's Campaign (except voluntary unpaid labour) with their Fair Market Value, within fourteen days of the close of the election.

- (i) Candidates will normally be asked to sign a statement that all expenses have been disclosed and that the total represents the total amount of expenses by the candidate or by anyone acting on her or his behalf or with her or his knowledge and consent.
- (ii) Candidates who have no Campaign expenses may, at the discretion of the CRO, be exempt from submitting an expense statement.

## (3) Enforcement of the Election Expenses Limit

(a) There will be no circumstances under which the limit may be exceeded.

(b) If the sworn statement indicates that the limit has been exceeded, or if an allegation is made to the CRO that a candidate has exceeded the limit, the CRO will investigate the matter and, if warranted, take the alleged violation to the Elections Committee acting as the Election Overseers.

- (i) A hearing will be held.
- (ii) The decision of the Election Overseers shall be final and not subject to any further review or appeal.
- (iii) If the candidate is found guilty, and has been successful in the election, she or he will be disqualified and will not become a member of the Governing Council.

- (c) Failure to submit the sworn statement concerning election expenses may be referred by the CRO to the Elections Committee acting as the Election Overseers.
  - (i) a hearing may be held;
  - (ii) penalties may be imposed, including, but not limited to:
    - i) for successful candidates: disqualification and ceasing to be members of the Governing Council;
    - ii) for unsuccessful candidates: public announcement and/or disqualification from future Governing Council elections for a year or number of years.
- (d) Within seven days of the deadline for submitting the sworn statement, the CRO must inform the Elections Committee and the concerned candidate(s) of any irregularities that have been discovered.
- (e) If a hearing is necessary, it should be held as soon as possible and should be completed by Friday April 23, 2010.

### **8.23 Resignation for Ineligibility**

- (a) A candidate will be declared ineligible if, at any time during the Election Period, she or he ceases to meet the eligibility requirements.
- (b) Teaching Staff members of the Governing Council holding the academic rank of Sessional Lecturer I or Sessional Lecturer II are only eligible to be on the Governing Council if they continue to have an appointment in the constituency in which they were elected.
- (c) An elected Teaching Staff member of the Governing Council must resign if, at any time during her or his term, she or he ceases to be a member of the constituency in which she or he was elected.

#### (1) By-elections

- (a) A by-election shall be held to fill any vacancy arising from the departure of an elected Teaching Staff member of the Governing Council, unless the vacancy occurs within eight months of the end of the departing member's term.
- (b) If a vacancy arising from the departure of an elected Teaching Staff member of the Governing Council occurs within eight months of the end of the departing member's term, the CRO shall consult the Elections Committee to determine whether a by-election will be held.
  - (i) The Elections Committee shall meet to determine whether a by-election shall be held.
  - (ii) Advance notice of such meeting of the Elections Committee shall be announced on the website of the Office of the Governing Council so that there will be sufficient time to allow comments to be submitted to the Elections Committee.
  - (iii) Comments relating to whether a by-election should be held may be submitted to the Elections Committee in writing via the Office of the Governing Council on the form prescribed for this purpose, which will be available at the Office of the Governing Council.

- (iv) The decision of the Elections Committee on whether a by-election should be held shall be final and not subject to any further review or appeal.
- (v) A by-election shall be administered by the CRO and shall be conducted in a manner and in accordance with procedures which are substantially similar to these *Guidelines*.



## **SECTION 9 – Election of Students to the Governing Council**

### **9.1 Student Members of the Governing Council**

The *Act* stipulates that eight members of the Governing Council shall be elected from the Student body, four of whom shall be elected by and from among the Full-Time Undergraduate Students, two of whom shall be elected by and from among the Graduate Students, and two of whom shall be elected by and from among the Part-Time Undergraduate Students.<sup>18</sup>

“Full-Time Undergraduate Student” means a Student registered at the University in a program of full-time study leading to a degree or post-secondary diploma or certificate of the University or in a program designated by the Governing Council as a program of post-secondary study at the University who is not registered in the School of Graduate Studies or the Toronto School of Theology. Full-Time Undergraduate Student status will be determined by the definition used in the Student’s academic division. For the purpose of the Governing Council elections, Students at the University of Toronto at Scarborough who are registered in a work term will be considered to be Full-Time Undergraduate Students.

“Graduate Student” means a Student registered in the School of Graduate Studies.

“Part-Time Undergraduate Student” means a Student registered at the University in a program of part-time study leading to a degree or post-secondary diploma or certificate of the University or in a program designated by the Governing Council as a program of post-secondary study at the University who is not registered in the School of Graduate Studies or the Toronto School of Theology. Part-Time Undergraduate Student status will be determined by the definition used in the Student’s academic division.

“Student” means any person registered at the University for full-time or part-time study in a program that leads to a degree or post-secondary diploma or certificate of the University or in a program designated by the Governing Council as a program of post-secondary study at the University. The Transitional Year Program and the Millie Rotman Shime Academic Bridging Program have been designated by the Governing Council as programs of post-secondary study at the University, and, accordingly, a student in either of these programs is considered a “Student” in these *Guidelines*.

### **9.2 Term of Office**

The term of office for a Student member of the Governing Council begins on July 1st in the year in which the member is elected and ends one year later on June 30th.

### **9.3 Constituencies**

Student members of the Governing Council are elected from five constituencies to enable diverse representation on the Governing Council from different Student bodies within the University.

For Full-Time Undergraduate Students Constituency I, no two individuals shall be elected from the same College or Federated University. Accordingly, if there is more than one candidate from a particular College or Federated University in Full-Time Undergraduate Students Constituency I, only the candidate receiving the most votes of the candidates from that College or Federated University will be eligible to fill any

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<sup>18</sup> Clause 2(2)(e) of the Act.

vacancy on the Governing Council; the other candidates within that same College or Federated University will be eliminated from consideration for any vacancy on the Governing Council, notwithstanding that these candidates may have received more votes than other candidates from other Colleges or Federated Universities.

For Full-Time Undergraduate Students Constituency II, no two individuals shall be elected from the same faculty or school. Accordingly, if there is more than one candidate from a particular faculty or school in Full-Time Undergraduate Students Constituency II, only the candidate receiving the most votes of the candidates from that faculty or school will be eligible to fill any vacancy on the Governing Council; the other candidates within that same faculty or school will be eliminated from consideration for any vacancy on the Governing Council, notwithstanding that these candidates may have received more votes than other candidates in other faculties or schools within the same constituency.

“Constituent Colleges” refer to the following: Erindale College (also known as the University of Toronto at Mississauga), Innis College, New College, Scarborough College (also known as the University of Toronto at Scarborough), Woodsworth College, and any other college established by the Governing Council and “Constituent College” refers to any one of them.

“Colleges” refer to University College and the Constituent Colleges and “College” refers to any one of them.

“Federated Universities” refer to the following universities: Victoria University; Trinity College; and The University of St. Michael’s College and “Federated University” refers to any one of them.

### 9.4 Current Student Members of the Governing Council

The current Student members of the Governing Council are listed in the tables below. The terms of all Student members of the Governing Council expire on June 30, 2010. Consequently, elections will be held in 2010 to fill all vacancies on the Governing Council arising from the expiration of these members' terms.

(1) Full-Time Undergraduate Students

Constituency	Current Member(s)	Term Ends	Election Required in 2010
<p>I: All Full-Time Undergraduate Students registered in Arts and Science on the St. George campus, at the University of Toronto at Mississauga (UTM), or at the University of Toronto at Scarborough (UTSC).</p> <p>Both members elected in Constituency I may not be registered in the same college on the St. George campus or both registered at UTM or both registered at UTSC.</p>	<p><b>Mr. Andrew Agnew-Iler</b></p>	<p><b>June 30, 2010</b></p>	<p><b>Yes</b></p>
<p>In the event that a member elected while registered in one college or campus later registers in the college or on the campus in which the other elected member is registered, the transferring member shall resign from the Governing Council.</p>	<p><b>Ms Min Hee (Margaret) Kim</b></p>	<p><b>June 30, 2010</b></p>	<p><b>Yes</b></p>

Constituency	Current Member(s)	Term Ends	Election Required in 2010
<p>II: All Full-Time Undergraduate Students registered in the Faculty of Applied Science and Engineering, Faculty of Dentistry, Faculty of Law, Faculty of Medicine (including post-graduate medical trainees), Faculty of Music, Lawrence S. Bloomberg Faculty of Nursing, Ontario Institute for Studies in Education, Leslie Dan Faculty of Pharmacy, and Faculty of Physical Education and Health.</p>	<p><b>Mr. Ryan Matthew Campbell</b></p>	<p><b>June 30, 2010</b></p>	<p><b>Yes</b></p>
<p>Both members elected in Constituency II must not be registered in the same faculty or school.</p> <p>In the event that a member elected while registered in one faculty or school later registers in the faculty or school in which the other elected member is registered, the transferring member shall resign from the Governing Council.</p>	<p><b>Mr. Adam Heller</b></p>	<p><b>June 30, 2010</b></p>	<p><b>Yes</b></p>

(2) Part-Time Undergraduate Students

Constituency	Current Member(s)	Term Ends	Election Required in 2010
<p>All Students registered at the University in a program of part-time study leading to a degree or post-secondary diploma or certificate of the University or in a program designated by the Governing Council as a program of post-secondary study at the University.</p>	<p><b>Mr. Ken Davy</b></p>	<p><b>June 30, 2010</b></p>	<p><b>Yes</b></p>
	<p><b>Ms Joeita Gupta</b></p>	<p><b>June 30, 2010</b></p>	<p><b>Yes</b></p>

(3) Graduate Students

Constituency	Current Member(s)	Term Ends	Election Required in 2010
I: All Students registered in Division I (Humanities) and Division II (Social Sciences) of the School of Graduate Studies.	<b>Mr. Olivier Sorin</b>	<b>June 30, 2010</b>	<b>Yes</b>
II: All Students registered in Division III (Physical Sciences) and Division IV (Life Sciences) of the School of Graduate Studies.	<b>Mr. Gregory Louis West</b>	<b>June 30, 2010</b>	<b>Yes</b>

**9.5 2010 Election Schedule Summary**

Nomination Period: Friday, January 8, 12:00 noon to Friday January 22, 5:00 p.m.

Campaign Period: Friday, February 19, 1:00 p.m. to Friday, March 12, 5:00 p.m.

Web Voting Period: Monday, March 1 to Friday, March 12, 5:00 p.m.

Post-Election Period: Friday, April 9, 5:00 p.m. to Friday, April 23, 5:00 p.m.

(Please see the detailed Schedule at Section 5 of these *Guidelines*.)

**9.6 Eligibility**(1) Canadian Citizenship

All members of the Governing Council must be Canadian citizens.<sup>19</sup> Accordingly, in order to be eligible to be elected as a Student member of the Governing Council, the individual must be a Canadian citizen.

(2) Member of a Student Constituency

(a) In order to be eligible to be elected as a Student member of the Governing Council, an individual must:

- (i) be a Student within one of the five constituencies;
- (ii) be nominated as a candidate by Students within the individual's own constituency; and
- (iii) remain a Student of this same constituency from the close of the nomination period to the time when all relevant election-related appeals and recounts, if any, have been finally disposed of, or, if there are no appeals or recounts, when winners have been declared elected (see exception below relating to Students enrolled in double degree programs).

<sup>19</sup> This requirement is prescribed by subsection 2(4) of the *Act*.

- (b) Once elected, a Student registered within:
- (i) the St. George campus or within the University of Toronto at Mississauga may only remain a Student member of the Governing Council so long as she or he is a Student in the constituency in which the Student was elected from the month of September immediately following the elections to the month of May of the following year; and
  - (ii) the University of Toronto at Scarborough may only remain a Student member of the Governing Council so long as she or he is a Student in the constituency in which the Student was elected for at least two of the three semesters between the month of May immediately following the elections and the month of April of the following year.
- (c) If an individual is both a member of the Administrative Staff and a Student, the individual:
- (i) may only be a candidate for election to become either a Student member or an Administrative Staff member of the Governing Council;<sup>20</sup> and
  - (ii) shall declare on the nomination form whether the individual is running for election to become a Student member or an Administrative Staff member of the Governing Council.
- (d) If an individual is both a member of the Teaching Staff and a Student, the individual:
- (i) may only be a candidate for election to become either a Student member or a Teaching Staff member of the Governing Council;<sup>21</sup> and
  - (ii) shall declare on the nomination form whether the individual is running for election to become a Student member or a Teaching Staff member of the Governing Council.
- (e) A Student enrolled in a double degree program may only seek nomination in the constituency to which the Student will belong in the academic year immediately following the elections.
- (i) During the course of studies of a Student enrolled in a double degree program, the Student may be a Student within one constituency in one year and a Student within another constituency in another year.
  - (ii) For instance, in one year, a Student may be registered in the Faculty of Medicine, which falls within Full-Time Undergraduate Students Constituency II, while, in another year, she or he may be registered in the School of Graduate Studies, which falls within either Graduate Students Constituency I or Graduate Students Constituency II.
  - (iii) Therefore, to ensure that a Student member of the Governing Council, who is enrolled in a double degree program, is a Student of the constituency during the academic year which coincides with Student's term as a member of the Governing Council, any Student enrolled in a double degree program must seek nomination in the constituency in which the Student plans to be enrolled during the academic year immediately following the election (i.e., during the anticipated term if the Student is successful in the Governing Council elections), notwithstanding that the Student may not yet be a member of that constituency during the Election Period.
  - (iv) Double degree programs include, but are not limited to, the J.D./MBA, the J.D./PhD, the J.D./M.S.W. and the M.D./PhD programs.
- (f) If an individual is a member of more than one of the five Student constituencies, the individual:

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<sup>20</sup> This requirement is prescribed by subsection 2(3a) of the *Act*.

<sup>21</sup> This requirement is prescribed by subsection 2(3a) of the *Act*.

- (i) may be a Student candidate for election in only one of the Student constituencies; and
- (ii) must declare the constituency in which the individual is seeking election on her or his nomination form.

## **9.7 Nomination Process**

### (1) Nomination Period

Nominations open: Friday, January 8, 2010 at 12:00 noon

Nominations close: Friday, January 22, 2010 at 5:00 p.m.

### (2) Nomination Forms and Proof of Citizenship

- (a) An individual seeking nomination must use and complete the appropriate official nomination form prescribed by the Office of the Governing Council.
  - (i) Nomination forms will be available at the Office of the Governing Council and on the Elections Section of the Governing Council website:<http://www.governingcouncil.utoronto.ca/elections.htm>.
  - (ii) It shall be the responsibility of the individual seeking nomination to ensure that the correct nomination form, i.e., one of the five forms for Student candidates for the Governing Council elections for each of the Student constituencies, is used.
- (b) An individual seeking nomination must present one of following pieces of documentary evidence of Canadian citizenship with the nomination form:
  - (i) certificate of birth in Canada;
  - (ii) certificate of citizenship;
  - (iii) certificate of naturalization;
  - (iv) Canadian certificate of registration of birth abroad;
  - (v) certificate of retention of Canadian citizenship;
  - (vi) Canadian passport; or
  - (vii) if an individual does not have any of the documents listed above, she or he may complete a notarized statement declaring that she or he is a Canadian citizen. The statement will be available in the Office of the Governing Council and arrangements may be made in the Office for the notarization of the statement.
- (c) An individual seeking nomination must file a fully completed nomination form at the Office of the Governing Council by hand-delivering the fully completed nomination form to the Office of the Governing Council prior to the close of the nomination period, with the documentary evidence of Canadian citizenship presented at the same time as the delivery.

### (3) Nominators

- (a) To become a candidate in the elections, a Student seeking nomination must meet the following requirements with respect to nominators:

- (i) the individual seeking nomination may not nominate herself or himself;
  - (ii) the individual seeking nomination as a full-time undergraduate student or as a graduate student or as a part-time undergraduate student must have on her or his nomination form the signatures of 5 nominators, and beside each signature shall be, printed legibly, the full name and student number of the nominator who signed; and
  - (iii) each nominator of a Student nominee must be a member of the Student constituency in which the nominee is seeking nomination.
- (b) The names of nominators will not be released to the public, to any individual seeking nomination, or to any candidates.

#### (4) Nominee's Statement

- (a) An individual seeking nomination may, but will not be required to, submit to the CRO a statement, biographical in nature or otherwise. If the individual becomes a candidate, the statement will be:
- (i) distributed to postgraduate medical trainees who will vote by mail ballots;
  - (ii) provided together with the name of the candidate during the online voting process to voters who will be voting online; and
  - (iii) otherwise distributed or reproduced by the Office of the Governing Council in a manner chosen by the CRO.

Individuals seeking nomination may wish to provide biographical information and address in their statements their motivation for running in the elections and how their background qualifies them for becoming a member of the Governing Council.

- (b) The statement must be 100 words or less in length, subject to the following:
- (i) acronyms and abbreviations will be counted as one word; and
  - (ii) the individual's name will not be counted in the 100-word limit if placed at the beginning of the individual's statement.

If the statement contains more than 100 words, only the first 100 words will be printed.

- (c) The statement must be submitted before the close of the nomination period to the Office of the Governing Council in one of two ways:
- (i) The statement may be submitted with the nomination form.
  - (ii) The statement may also be submitted by e-mail from the personal utoronto.ca e-mail account of the individual seeking nomination to the CRO, separate from the nomination form, as long as it is received prior to the close of the nomination period.
- (d) The statement may not be altered or amended after the close of the nomination period, but the statement may be withdrawn upon the written request of the individual seeking nomination. Individuals seeking nomination are encouraged to submit their statements with their nomination forms, as the reliability of e-mail cannot be guaranteed. Any e-mail not actually received or received by the CRO time-stamped after the close of the nomination period will be rejected, notwithstanding that the e-mail may have been sent prior to the deadline. Individuals submitting statements by e-mail assume any and all risks associated therewith.



- (e) The individual's signature on the nomination form shall signify consent and direction by the individual to the Office of the Governing Council to distribute and reproduce the individual's statement in the manner above described and acceptance of complete responsibility for the statement by the individual for any consequences arising from such distribution and reproduction of the statement and for the contents of the statement.
- (i) For clarity, the CRO, DRO, and the University shall not be responsible for the statement in any way (other than for the physical or electronic reproduction and distribution of the statement in the manner described above), including, but not limited to, any consequences arising from the distribution or reproduction of the statement and the accuracy of the statement.
  - (ii) The statement will not be distributed or otherwise made available if, in the opinion of the Election Overseers, assisted by such advisors as they may retain, the statement is obscene, denigrating, otherwise objectionable, in violation of these *Guidelines* or the University's rules or policies, or it could render the University liable to a suit for libel. The decision of the Election Overseers in this regard shall be final and not subject to any further review or appeal.
- (f) Questions relating to the 100-word statement may be directed to the CRO.

#### (5) Verification of Candidate

The eligibility of a Student nominee will be assessed by:

- (a) cross-referencing the nominee's information as it appears on the nominee's nomination form with the Repository of Student Information (ROSI) records to determine whether the nominee is eligible for election in the constituency in which she or he seeks nomination;
- (b) reviewing the nominee's nomination form to assess whether:
  - (i) the correct nomination form has been used;
  - (ii) the nomination form has been completed correctly;
  - (iii) the nomination form contains the required number of valid nominators; and
  - (iv) the nominee's signature is present on the nomination form, signifying the nominee's consent to stand for election; and
- (c) reviewing the documentary evidence of Canadian citizenship required by these *Guidelines*.

#### (6) Verification of Nominators

The validity of each nominator for Student candidates will be assessed by:

- (a) comparing the nominator's full name and student number, as indicated on the nomination form, with the ROSI records to determine whether the nominator is eligible to nominate Students in the nominee's constituency.

### (7) Errors or Irregularities in Nomination Form

- (a) Errors or irregularities on the nomination form may be corrected prior to the close of the nomination period.
- (b) The CRO, may, but is not required to notify nominees of the existence of any errors or irregularities before the close of the nomination period.

### (8) Technical Invalidation

- (a) Technical grounds upon which the CRO may rely to invalidate a nomination form, include, but are not limited to:
  - (i) the nominee does not meet the eligibility requirements;
  - (ii) insufficient number of valid nominators;
  - (iii) substantive error on the nomination form;
  - (iv) the incorrect nomination form was used;
  - (v) the nomination form is incomplete;
  - (vi) the nomination form is not appropriately verifiable;
  - (vii) the nomination form does not conform with these *Guidelines*; or
  - (viii) the nomination form was not presented with the documentary evidence of Canadian citizenship prior to the nomination deadline as required by these *Guidelines*.
- (b) The CRO's decision to invalidate a nomination form on technical grounds may be appealed to the Election Overseers.

## **9.8 Announcement of Candidates**

On Thursday, January 28, 2010 at 3:00 p.m., the names of all candidates will be announced using a method selected by the CRO.

## **9.9 Filing of Notice of Intent to Appeal Decision of Invalidation and Appeals**

- (a) An individual may appeal the decision of the CRO to invalidate her or his nomination form on technical grounds to the Election Overseers by filing a Notice of Intent to Appeal in accordance with the following requirements:
  - (i) The form of Notice of Intent to Appeal that must be used will be available at the Office of the Governing Council.
  - (ii) The Notice of Intent to Appeal must be filed by hand-delivery at the Office of the Governing Council by 3:00 p.m. on Monday, February 1, 2010.
- (b) The Election Overseers shall review the appellant's grounds for an appeal of the CRO's decision to invalidate a nomination form as outlined in the Notice of Intent to Appeal filed by the appellant, and the Election Overseers may;
  - (i) dismiss the appeal if it decides that the grounds do not have merit;

- (ii) grant the appeal without a hearing if it decides that the grounds have merit; or
  - (iii) hold a hearing in a manner and in accordance with such procedures as it may determine to be appropriate and render a decision thereafter.
- (c) The Election Overseers shall render a decision by 5:00 p.m. on Tuesday, February 9, 2010.
- (d) The decision of the Election Overseers shall be final and not subject to any further review or appeal.

### **9.10 Announcement of Additional Candidates**

Individuals who successfully appeal the invalidation of their nomination will be announced as candidates on Wednesday, February 10, 2010 at 12:00 noon using a method selected by the CRO.

### **9.11 Withdrawal of Candidacy**

- (a) A candidate may withdraw by submitting to the CRO or the CRO's designee a signed statement on the form prescribed for this purpose.
- (i) The prescribed form will be available in the Office of the Governing Council and on the Elections Section of the Governing Council website:  
<http://www.governingcouncil.utoronto.ca/elections.htm>.
  - (ii) The candidate must sign the statement in person in the Office of the Governing Council, in the presence of the CRO or the CRO's designee, and present photo identification acceptable to the CRO or to the CRO's designee.
- (b) If a candidate wishes to have her or his name removed from the ballot, she or he must withdraw by 5:00 p.m. on Friday, February 12, 2010.
- (i) If a candidate withdraws the nomination after this time, the withdrawal and the fact that her or his name remains on the ballot shall not invalidate the election.
  - (ii) Votes cast for a candidate who has withdrawn shall not be counted and shall be void.

### **9.12 Acclamations**

Subject to the provisions of these *Guidelines*, a Student candidate may be acclaimed, i.e., deemed to be elected by the CRO, in the following circumstances:

- (a) after the announcement of official candidates and the completion of any appeals relating to nomination invalidations, the number of candidates in the candidate's constituency is equal to or less than the number of vacancies on the Governing Council to be filled by Students from the candidate's constituency; or
- (b) another candidate withdraws her or his nomination and, consequently, the number of remaining candidates is equal to or less than the number of vacancies on the Governing Council to be filled by Students from the candidate's constituency.

### **9.13 Re-opening of Nominations**

- (a) If no verified nomination forms are filed during the nomination period, or the number of verified nomination forms is fewer than the number of available vacancies, the CRO may re-open nominations twice.
- (b) If the second re-opening of nominations fails to produce a candidate, the CRO may determine the appropriate course of action.

### **9.14 Campaign Period**

Campaign Period Begins: Friday, February 19, 2010 at 1:00 p.m.

Campaign Period Ends: Friday, March 12, 2010 at 5:00 p.m.

#### (1) Campaign Guidelines Information Session for Candidates

Thursday, February 11, 2010, 1:00 p.m.

- (a) Candidates are encouraged to attend in person or send an authorized representative to attend the Campaign Guidelines Information Session for Candidates organized by the CRO to review Campaign guidelines.
- (b) A candidate may contact the CRO to receive the information given at the Campaign Guidelines Information Session for Candidates if the candidate is unable to attend the session.
- (c) All candidates, whether present in person or not, shall be responsible for and shall act in accordance with all the information provided at the Campaign Guidelines Information Session for Candidates.

#### (2) Campaigning

Candidates for election to the Governing Council shall abide by all the guidelines for Campaigning contained in all of the Appendices of these *Guidelines* and any additional guidelines regarding Campaigning that may be issued by the CRO, in writing, from time to time. Any violation of the guidelines for Campaigning may result in the imposition of sanctions against a candidate by the Election Overseers, including, but not limited to, disqualification from the elections.

## 9.15 Balloting

### (1) Eligibility

- (a) No person may cast more than one ballot.<sup>22</sup>
- (b) Students may only vote for Student candidates in their constituency. For example, a Student in Full-Time Undergraduate Students Constituency I may only vote for candidates of that constituency.
- (c) A Student candidate may not vote for any other candidate for election to the Governing Council other than Student candidates who are also members of the constituency to which the candidate has declared candidacy, notwithstanding that the candidate may also be a member of the Teaching Staff or the Administrative Staff.

### (2) Web-based Voting

- (a) Voting by Students for Student candidates will be conducted exclusively through the ROSI Internet site at <http://www.rosi.utoronto.ca>, with the exception of postgraduate medical trainees who will vote by mail ballots, as they do not have access to ROSI.
- (b) Students, who are not postgraduate medical trainees, may only vote through the ROSI Internet site.
- (c) Information pertaining to mail ballots for postgraduate medical trainees, who are defined as part of Full-Time Undergraduate Students Constituency I, is provided in the next subsection.
- (d) Students may vote during the voting period, which commences at 12:01 a.m. on Monday, March 1, 2010 and ends at 5:00 p.m. on Friday, March 12, 2010.
- (e) Voting on ROSI will be accessible during the following hours of operation:
 

Monday:	6:00 a.m. to 11:45 p.m.
Tuesday to Thursday:	12:15 a.m. to 11:45 p.m.
Friday:	12:15 a.m. to 6:00 p.m.
Saturday	12:00 a.m. to Sunday, 11:45 p.m.
- (f) Internet access is available for free to Students on computers in the Information Commons and its satellite facilities on all three campuses and in many colleges, faculties and libraries.
- (g) Voting involves the following:
  - (i) A voter would log in to ROSI using the voter's student number and personal identification number.
  - (ii) After successfully logging into ROSI, a voter would click the "Elections" link located at the left side of ROSI homepage to access the voting webpages.
  - (iii) The constituency in which the voter is eligible to vote will be determined by records in ROSI.
  - (iv) If eligible, the voter will then be advised of the constituency in which the voter is eligible to vote, presented with the list of candidates in that constituency listed in alphabetical order by

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<sup>22</sup> This prohibition is prescribed by clause 2 (14) (nb) of the *Act*.

surname, and provided with a several options, including casting a ballot and reading the candidates' statements.

- (v) The voter may choose not to vote at this point and may exit the ROSI Internet site and return to the process at another time.
- (vi) Once the voter selects a candidate or candidates, as the case may be, for whom to vote, clicking the "cast ballot" button will bring up a confirmation screen. The voter may decline confirmation, return to the ballot screen, and change the ballot. If the voter acknowledges the confirmation, the ballot will be cast.
- (vii) If the voter selects more candidates than the number of vacancies on the Governing Council to be filled by Students in the voters constituency, a message will indicate that the ballot is marked as invalid and prompt the voter to amend the ballot before clicking the "cast ballot" button again. If the voter does not wish to amend the ballot, an invalid ballot will be recorded if the "cast ballot" button is clicked the second time without changes being made to the ballot.
- (viii) If the voter leaves all candidate choices blank, and then casts the ballot, the voter will be advised that no candidates have been selected, and the voter may click on the 'Spoil Your Ballot' button to spoil the ballot.

(h) A Student who has already voted will not be accepted by ROSI as an eligible voter a second time.

### (3) Verification of Ballots

The eligibility of a voter will be verified upon logging into the ROSI Internet site. The voter's personal information will be verified against a list of eligible voters.

### (4) Mail Ballot Voting

- (a) Postgraduate medical trainees may only vote by mail ballot provided by the Office of the Governing Council.
  - (i) Photocopies of ballots or copies of ballots obtained from other sources will be declared invalid.
  - (ii) Mail ballots will be mailed to each postgraduate medical trainees at the address provided by the appropriate Office in the Faculty of Medicine.
- (b) Each mail ballot will be accompanied by:
  - (i) an information sheet containing:
    - i) the names of each of the candidates together with their respective statements;
    - ii) instructions on the correct method to return the ballot;
    - iii) information on eligibility to use that particular ballot;
    - iv) a short description of the powers and duties of the Governing Council; and
    - v) instructions on how to obtain the correct ballot for persons who receive an incorrect ballot;
  - (ii) a small secrecy envelope into which the marked ballot should be sealed; and
  - (iii) a pre-addressed return envelope into which the small secrecy envelope should be sealed. (Voters will be instructed to sign and to legibly print their names and the names of the department or office in which they are employed on the upper left corner of this pre-addressed return envelope. Failure to do so will invalidate the ballot.)

- (c) Information about how to obtain a mail ballot will be advertised in the campus media and on the Elections Section of the Governing Council website to target those individuals who are entitled, but did not receive a mail ballot.
- (d) Non-receipt of mail ballots will not invalidate an election.
- (e) Individuals who wish to vote shall cast their ballots in accordance with the following:
  - (i) A voter may vote for as many candidates as the number of vacancies on the Governing Council to be filled by Students from the voter's constituency.
  - (ii) Any kind of mark on the ballot that unambiguously indicates an intention on the part of the voter to cast a vote for a particular candidate shall be acceptable provided all other requirements are met.
  - (iii) Ballots must be returned to the Office of the Governing Council in accordance with the instructions provided, including:
    - i) placing the marked ballot into the secrecy envelope;
    - ii) sealing the secrecy envelope;
    - iii) inserting the secrecy envelope into the pre-addressed return envelope;
    - iv) filling in the information required on the pre-addressed return envelope; and
    - v) signing the pre-addressed return envelope.
  - (iv) Ballots must be delivered to the Office of the Governing Council by Canada Post, University Mail, or hand delivery by 5:00 p.m. on Friday, March 12, 2010. Ballots returned by electronic, facsimile or any other means will be invalidated.
- (f) Once a ballot has been received by the Office of the Governing Council, the ballot will not be returned to the voter, shall not be changed, and no additional ballots shall be provided to replace the ballot already received.

#### (5) Verification of Ballots

- (a) All mail ballots received by the Office of the Governing Council will be assessed to ascertain their validity by:
  - (i) examining the envelope in which the ballot is sealed to ensure that it has not been compromised;
  - (ii) examining each ballot to determine, among other things, its authenticity and whether it was properly marked;
  - (iii) cross-referencing each voter's personal information provided on the pre-addressed return envelope against list of postgraduate medical trainees provided by the appropriate office of the Faculty of Medicine; and
  - (iv) examining the pre-addressed return envelope to determine whether the voter's signature is present and whether all the information required was printed legibly thereon.
- (b) Grounds for invalidating a mail ballot include, but are not limited to:
  - (i) the information required on the pre-addressed return envelope is missing or illegible;
  - (ii) the voter casting the mail ballot is not eligible to vote;
  - (iii) the ballot received is not the one provided by the Office of the Governing Council;

- (iv) the voter selected more candidates than the number of vacancies on the Governing Council to be filled by Students in the voter's constituency;
- (v) the voter cast more than one ballot, in which case, all ballots of the voter shall be invalidated; and
- (vi) the markings on the ballot are ambiguous.

#### (6) Secrecy of Ballots

The secrecy of the balloting process is maintained:

- (a) with respect to the web-based balloting process, votes cast are kept in a database which is separate from and independent of the list of eligible voters, so that votes cast cannot be identified with any individual voter; and
- (b) with respect to the mail balloting process, mail ballots are removed from their sealed secrecy envelopes and tabulated only after all secrecy envelopes received have been removed from the self-addressed envelopes and accumulated in a manner to ensure that none of the secrecy envelopes can be associated with any particular pre-addressed return envelope. This process ensures that a mail ballot cannot be identified with any individual voter.

#### **9.16 Notification of Ballot Counting and Scrutineering**

- (a) Prior to the end of the voting period, the CRO shall notify each Student candidate in writing of the location and the schedule for counting the mail ballots and any subsequent changes thereto.
- (b) Each Student candidate or a designee, so designated by the candidate by submitting a signed statement to this effect to the Office of the Governing Council, shall be entitled to:
  - (i) observe the tabulation of mail ballots received from Students; and
  - (ii) seek verification that the voters voting by mail ballot are eligible to vote for Students.
- (c) Mail ballot counting will proceed at the location and in accordance with the schedule indicated in the written notification sent to the candidates, whether or not candidates or their designees are present.

#### **9.17 Announcement of Results**

The number of votes received by each candidate (the total number of votes, including electronic and mail ballots, if applicable) will be announced at 3:00 p.m. on Wednesday, March 17, 2010 using a method selected by the CRO.

#### **9.18 Recount**

- (a) As there are no individual ballots in web-based voting, a recount of electronic ballots will not be possible.
- (b) Mail ballots may be subject to a recount.



- (i) A candidate may request a recount of the mail ballots by filing the form prescribed for this purpose in accordance with the following requirements:
  - i) The prescribed form that must be used will be available at the Office of the Governing Council.
  - ii) The candidate must complete the form, including specifying the grounds upon which the candidate requests a recount, and must file the form by hand-delivery at the Office of the Governing Council by 5:00 p.m. on Friday, March 19, 2010.
- (ii) The Election Overseers shall review the candidate's grounds for seeking a recount as outlined in the form filed by the candidate, and the Elections Committee may:
  - i) dismiss the recount request if it decides that the grounds do not have merit;
  - ii) authorize the recount without a hearing; or
  - iii) hold a hearing in a manner and in accordance with such procedures as it may determine to be appropriate and render a decision thereafter.
- (iii) If authorized by the Election Overseers, a recount of the mail ballots shall be conducted.

### **9.19 Equality of Votes**

- (a) In the case of equality of votes where the election of the candidates receiving an equal number of votes would result in the election of a greater number of candidates than there are vacancies on the Governing Council to be filled by Students of a particular constituency, the successful candidate or candidates may be determined by a second election between or among the candidates of that constituency receiving an equal number of votes, which will be held no later than two weeks after the close of the first election, subject always to the following provisos: (1) that both vacancies on the Governing Council to be filled by Full-Time Undergraduate Students in Constituency I may not be filled by two Students both from the same College or Federated University; and (2) that both vacancies on the Governing Council to be filled by Full-Time Undergraduate Students in Constituency II may not be filled by two Students both from the same faculty or school.
- (b) If two or more candidates from the same College or Federated University in Full-Time Undergraduate Students Constituency I receive equal number of votes, which number of votes is sufficient for them to be elected to fill a vacancy on the Governing Council, the successful candidate shall be determined by another election between or among the candidates receiving an equal number of votes.
- (c) If two or more candidates from the same faculty of school in Full-Time Undergraduate Students Constituency II receive equal number of votes, which number of votes is sufficient for them to be elected to fill a vacancy on the Governing Council, the successful candidate shall be determined by another election between or among the candidates receiving an equal number of votes.
- (d) The CRO shall set the election schedule for any second or subsequent elections.
- (e) If the second election also results in an equality of votes, the CRO shall consult the Elections Committee on how to proceed.

## 9.20 Filing of Notice of Intent to Appeal and Appeals

- (a) A candidate may appeal any matter arising from the conduct of the elections during the Election Period to the Election Overseers, including the announcement of results, by filing a Notice of Intent to Appeal in accordance with the following requirements:
- (i) The form of Notice of Intent to Appeal that must be used will be available at the Office of the Governing Council.
  - (ii) The Notice of Intent to Appeal must be filed by hand-delivery at the Office of the Governing Council by 5:00 p.m. on Friday March 19, 2010.
- (b) The Election Overseers shall review the appellant's grounds for an appeal as outlined in the Notice of Intent to Appeal filed by the appellant and the Election Overseers may:
- (i) dismiss the appeal if it decides that the grounds do not have merit;
  - (ii) grant the appeal without a hearing if it decides that the grounds have merit; or
  - (iii) hold a hearing in a manner and in accordance with such procedures as it may determine to be appropriate and render a decision thereafter.
- (c) The Election Overseers shall render a decision by 5:00 p.m. on Wednesday, March 24, 2010.
- (d) The decision of the Election Overseers shall be final and not subject to any further review or appeal.

## 9.21 Elections Not Necessarily Invalidated by Irregularities

An irregularity, failure, non-compliance or mistake in any way relating to the elections, or to an election in any constituency, shall not invalidate the elections if the Election Overseers decide that the elections were conducted in accordance with the principles of these *Guidelines* and that the irregularity, failure, non-compliance or mistake did not or would not have been reasonably likely to have affected the results of the elections.

## 9.22 Election Expenses

### (1) Spending limit

- (a) Each year a separate limit for election related expenses, including Campaigning expenses, is set for each constituency in the Student elections. The limit is calculated on the basis of \$50 per thousand Students enrolled as of November 1, with a minimum \$400.
- (i) In 2009, the spending limits were:

Full-Time Undergraduate Students Constituency I	\$ 2041
Full-Time Undergraduate Students Constituency II	\$ 618
Part-Time Undergraduate Students	\$ 400
Graduate Students Constituency I	\$ 400
Graduate Students Constituency II	\$ 400

- (ii) If an additional election is required as a result of an equality of votes in the previous election, the CRO shall establish a separate spending limit.

## (2) Reimbursement of election expenses

- (a) Expenses eligible for reimbursement include, but are not limited to, the following:

- (i) paper and office supplies;
- (ii) copying and printing of Campaign Materials;
- (iii) reasonable transportation costs incurred in connection with Campaigning at campuses other than that at which the candidate is registered;
- (iv) Campaign advertisements;
- (v) web design and domain expenses explicitly related to the election;
- (vi) refreshments, excluding alcoholic beverages (beer, wine, coolers, etc.); and
- (vii) the Fair Market Value of all donated goods and services actually used in the candidate's Campaign, except voluntary unpaid labour.

- (b) Expenses ineligible for reimbursement include, but are not limited to, the following:

- (i) expenses incurred prior to the announcement of candidates;
- (ii) parking fines incurred during Campaign-related activity;
- (iii) costs resulting from the removal of posters from University or non-University property as a result of illegal postering for the election;
- (iv) alcoholic beverages (beer, wine, coolers, etc.);
- (v) interest/financing costs for the election Campaign;
- (vi) costs which could be considered of a personal nature and unrelated to the Campaign;
- (vii) web design and domain expenses not explicitly related to the election; and
- (viii) medical expenses including prescription and non-prescription drugs.

- (c) A Student candidate will be refunded an amount equal to the lesser of:

- (i) the first \$100 of spending, plus 75% of additional spending of amounts above \$100 and less than the spending limit for the candidate's constituency, or
- (ii) actual expenses.

- (d) Candidates, whether they are seeking reimbursement or not, are normally expected to submit receipts for all expenses including a statement of all donated goods and services actually used in the candidate's Campaign (except voluntary unpaid labour) with their Fair Market Value, within fourteen days of the close of the election.

- (i) Candidates will normally be asked to sign a sworn statement that all expenses have been disclosed and that the total represents the total amount of expenses by the candidate or by anyone acting on her or his behalf or with her or his knowledge and consent.
- (ii) Candidates who have no Campaign expenses may, at the discretion of the CRO, be exempt from submitting an expense statement.

**(3) Enforcement of the Election Expenses Limit**

- (a) There will be no circumstances under which the limit may be exceeded.
- (b) If the sworn statement indicates that the limit has been exceeded, or if an allegation is made to the CRO that a candidate has exceeded the limit, the CRO will investigate the matter and, if warranted, take the alleged violation to the Elections Committee acting as the Election Overseers.
  - (i) A hearing will be held.
  - (ii) The decision of the Election Overseers shall be final and not subject to any further review or appeal.
  - (iii) If the candidate is found guilty, and has been successful in the election, she or he will be disqualified and will not become a member of the Governing Council.
- (c) Failure to submit the sworn statement concerning election expenses may be referred by the CRO to the Elections Committee acting as the Election Overseers.
  - (i) a hearing may be held;
  - (ii) penalties may be imposed, including, but not limited to:
    - i) for successful candidates: disqualification and ceasing to be members of the Governing Council;
    - ii) for unsuccessful candidates: public announcement and/or disqualification from future Governing Council elections for a year or number of years.
- (d) Within seven days of the deadline for submitting the sworn statement, the CRO must inform the Elections Committee and the concerned candidate(s) of any irregularities that have been discovered.
- (e) If a hearing is necessary, it should be held as soon as possible and should be completed by Friday April 23, 2010.

**9.23 Resignation for Ineligibility**

- (a) A candidate will be declared ineligible if, at any time during the Election Period, she or he ceases to meet the eligibility requirements.
- (b) Once elected,
  - (i) a Student registered within the St. George campus or within the University of Toronto at Mississauga may only remain a Student member of the Governing Council so long as the she or he is a registered Student in the constituency in which the Student was elected from the month of September immediately following the elections to the month of May of the following year; and
  - (ii) a Student registered within the University of Toronto at Scarborough may only remain a Student member of the Governing Council so long as she or he is a registered Student in the constituency in which the Student was elected in at least two of the three semesters between the month of May immediately following the elections and the month of April of the following year (if the Student is not registered in the fall semester, i.e. September to December, 2010, the Student must have been registered in the summer semester, i.e., May to August, 2010, and must

sign a letter of intent declaring that the Student will be registered in the winter semester, ie., January to April, 2011.

- (c) An elected member of the Governing Council must resign if, at any time during her or his term,
  - (i) she or he ceases to be a member of the constituency in which she or he was elected;
  - (ii) she or he, as a member of Full-Time Undergraduate Students Constituency I, transfers from one College to another College, in which the other elected Student member of the Governing Council from Full-Time Undergraduate Students Constituency I is registered; or
  - (iii) she or he, as a member of Full-Time Undergraduate Students Constituency II, transfers from one faculty or school to another faculty or school, in which the other elected Student member of the Governing Council from Full-Time Undergraduate Students Constituency II is registered.

(1) By-elections

- (a) A by-election shall be held to fill any vacancy arising from the departure of a Student member of the Governing Council, unless the vacancy occurs within eight months of the end of the departing member's term.
- (b) If a vacancy arising from the departure of a Student member of the Governing Council occurs within eight months of the departing member's term, the CRO shall consult the Elections Committee to determine whether a by-election will be held.
  - (i) The Elections Committee shall meet to determine whether a by-election shall be held.
  - (ii) Advance notice of such meeting of the Elections Committee shall be announced on the website of the Office of the Governing Council so that there will be sufficient time to allow comments to be submitted to the Elections Committee.
  - (iii) Comments relating to whether a by-election should be held may be submitted to the Elections Committee in writing via the Office of the Governing Council on the form prescribed for this purpose, which will be available at the Office of the Governing Council.
- (c) The decision of the Elections Committee on whether a by-election should be held shall be final and not subject to any further review or appeal.
- (d) A by-election shall be administered by the CRO and shall be conducted in a manner and in accordance with the procedures which are substantially similar to these *Guidelines*.

## **SECTION 10 – Election of Teaching Staff and Librarians to the Academic Board**

### **10.1 Introduction to the Academic Board**

#### (1) Composition of the Academic Board

The Academic Board is composed of 121 people. Of the elected members of the Academic Board who are not also members of the Governing Council, 50 members are elected from the Teaching Staff and 2 members are elected from the Librarians.

“Teaching Staff” means the employees of the University, University College, the Constituent Colleges and the arts and science faculties of the Federated Universities who hold the academic rank of professor, associate professor, assistant professor, full-time lecturer or part-time lecturer, unless such part-time lecturer is registered as a Student, or who hold any other rank created by the Governing Council and designated by it as an academic rank for the purposes of clause 1(1)(m) of the *Act*. For the purpose of Governing Council elections, lecturer includes the ranks of Lecturer, Senior Lecturer, Tutor, and Senior Tutor. Lecturer also includes associates in the Faculty of Dentistry. Assistant Professor (conditional), Sessional Lecturer I, Sessional Lecturer II, Athletics Instructor and Senior Athletics Instructor have been designated by the Governing Council as academic ranks for the purposes of clause 1(1)(m) of the *Act*.

“Librarian” means an employee of the University, University College, the Constituent Colleges and the arts and science faculties of the Federated Universities who hold the rank of Librarian I, Librarian II, Librarian III, or Librarian IV.

#### (2) The Function and Responsibilities of the Academic Board<sup>23</sup>

The Academic Board is responsible for consideration of policy in the academic area and for monitoring matters within this area of responsibility. In general, the Board reviews and assesses matters brought before it by the President and the President’s senior officers which affect the teaching, learning and research functions of the University, including the establishment of University objectives and priorities, the development of long-term and short-term plans, and the effective use of resources in the course of these pursuits.

The Academic Board has final decision-making authority on certain purely academic matters, including, but not limited to, (1) dealing with matters arising in connection with the award of fellowships, scholarships, medals, prizes and other awards for academic achievement and (2) determining and regulating the standards of admission of students to the University, the contents and curricula of all programs and courses of study and the requirements for graduation. With respect to matters which the Academic Board does not have final decision-making authority, most such matters are examined by the Academic Board, and if appropriate, recommended to the Executive Committee, which can confirm approval thereof on behalf of the Governing Council. However, for matters having significant impact on the University as a whole, having serious steering effects on the development of a particular division, or having a major impact on the relationships amongst divisions and relationships between the University and the community at large, such matters normally require the approval of the Governing Council.

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<sup>23</sup> Adapted from the Terms of Reference of the Academic Board, available online at: <http://www.governingcouncil.utoronto.ca/Assets/Governing+Council+Digital+Assets/Boards+and+Committees/Academic+Board/abtor.pdf>.

Examples of matters reviewed by the members of the Academic Board include:

- academic appeals;
- academic appointments policies and individual appointments;
- academic discipline;
- academic priorities for fundraising;
- academic programs;
- academic services;
- admissions;
- awards;
- budget guidelines and budget plans;
- capital plans, projects and space policy;
- constitutions of divisional councils;
- continuing studies;
- curriculum and academic regulations;
- earned and posthumously awarded degrees, diplomas and certificates;
- endowed chairs, professorships and visiting lectureships;
- enrolment policy;
- establishment, termination or restructuring of academic units;
- examinations and grading practices;
- name changes of academic units;
- planning policy;
- research;
- submissions to and agreements with external bodies;
- teaching guidelines; and
- University objectives / mission statement.

## **10.2 Term of Office**

The term of office of an elected member of the Academic Board begins on July 1st in the year in which the member is elected and ends 3 years later on June 30th.

## **10.3 Constituencies and Departments (or Equivalent Units)**

Elected Teaching Staff members of the Academic Board, who are not also members of the Governing Council, are elected from eighteen constituencies to enable broad representation on the Academic Board from various divisions within the University (see table below). Elected Librarians who serve on the Academic Board are elected by and from amongst Librarians, which constitute an additional constituency for the purpose of Academic Board elections.

Teaching Staff's constituencies are determined primarily on the basis of the College, Federated University, faculty, or school in which they hold their major teaching appointments. If a single constituency cannot be identified for an individual on the basis of her or his major teaching appointment, the CRO shall determine the appropriate constituency for the individual following any appropriate consultations. Individuals may consult the CRO if they require clarification as to the constituency to which they belong.

For constituencies with more than one elected member on to the Academic Board, including Applied Science and Engineering, Arts and Science, Medicine, Ontario Institute for Studies in Education, University

of Toronto at Scarborough, University of Toronto at Mississauga, School of Graduate Studies, and Librarians, no more than one person shall be elected from each department or equivalent unit within the particular constituency. Accordingly:

- (1) nominations for a nominee from the same department or equivalent unit as a current member of the Academic Board, whose term will not expire in 2010, will be rejected, unless the nominee is also appointed in another department or equivalent unit which will not already be represented on the Academic Board in the 2010-2011 academic year by another member of the Academic Board, in which case the nominee shall declare on her or his nomination form that she or he is seeking nomination on the basis of her or his appointment in the latter department; and
- (2) if there is more than one candidate from a particular department or equivalent unit, only the candidate receiving the most votes of the candidates from the same department or equivalent unit will be eligible to fill any vacancy on the Academic Board; the other candidates within that same department or equivalent unit will be eliminated from consideration for any vacancy on the Academic Board, notwithstanding that these candidates may have received more votes than other candidates in other departments or equivalent units within the same constituency.

#### 10.4 Current Elected Teaching Staff and Librarian Members of the Academic Board

The current members of the Academic Board are listed in the table below. The names of the members whose terms will expire on June 30, 2010 are highlighted in bold to show that elections will be held in 2010 to fill the vacancies on the Academic Board arising from the expiration of these members' terms.

Constituency	Current Member(s)	Term Ends	Election Required in 2010
Applied Science and Engineering	<b>Prof. Stewart Aitchison (Electrical and Computer)</b>	<b>June 30, 2010</b>	<b>Yes</b>
	Prof. Gabriele D'Eleuterio (Aerospace)	June 30, 2011	No
	Prof. William Cluett (Chemical)	June 30, 2012	No
Architecture, Landscape and Design	<b>Prof. Robert Levit</b>	<b>June 30, 2010</b>	<b>Yes</b>



Constituency	Current Member(s)	Term Ends	Election Required in 2010
Arts and Science	Prof. Parth Bhatt (French)	June 30, 2012	No
	<b>Prof. Elizabeth Cowper (Linguistics)</b>	<b>June 30, 2010</b>	<b>Yes</b>
	<b>Prof. Miriam Diamond (Geography)</b>	<b>June 30, 2010</b>	<b>Yes</b>
	<b>Prof. Robert Gibbs (Philosophy)</b>	<b>June 30, 2010</b>	<b>Yes</b>
	Prof. Alison Keith (Classics)	June 30, 2012	No
	<b>Prof. Hy van Luong (Anthropology)</b>	<b>June 30, 2010</b>	<b>Yes</b>
	Prof. Angelo Melino (Economics)	June 30, 2012	No
	Prof. Michelle Murphy (History)	June 30, 2012	No
	<b>Prof. Linda Northrup (Near &amp; Middle Eastern)</b>	<b>June 30, 2010</b>	<b>Yes</b>
	Prof. Ito Peng (Sociology)	June 30, 2011	No
	Prof. Ato Quayson (English)	June 30, 2011	No
	Prof. Locke Rowe (Ecology & Evolutionary Biology)	June 30, 2012	No
	Prof. Suzanne Stevenson (Computer Science)	June 30, 2011	No
	Prof. Romin Tafarodi (Psychology)	June 30, 2011	No
Dentistry	Prof. Jim Lai	June 30, 2012	No
Forestry	Prof. Terry Carleton	June 30, 2012	No
Information	Prof. Wendy Duff	June 30, 2011	No
Law	Prof. Sujit Choudhry	June 30, 2011	No

<b>Constituency</b>	<b>Current Member(s)</b>	<b>Term Ends</b>	<b>Election Required in 2010</b>
Management	<b>Prof. Wendy Rotenberg</b>	<b>June 30, 2010</b>	<b>Yes</b>
Medicine	Prof. Denise Belsham (Physiology)	June 30, 2011	No
	Prof. Katherine Berg (Physical Therapy)	June 30, 2012	No
	<b>Prof. Charles Deber (Biochemistry)</b>	<b>June 30, 2010</b>	<b>Yes</b>
	Prof. Avrum Gotlieb (Lab. Med. & Path.)	June 30, 2012	No
	<b>Dr. Allan S. Kaplan (Psychiatry)</b>	<b>June 30, 2010</b>	<b>Yes</b>
	<b>Prof. Audrey Laporte (HPME)</b>	<b>June 30, 2010</b>	<b>Yes</b>
	Prof. Susan Rappolt (Occupational Science & Occupational Therapy)	June 30, 2012	No
	Prof. Jolie Ringash (Radiation Oncology)	June 30, 2011	No
	Dr. Andrea Sass-Kortsak (Public Health Sciences)	June 30, 2011	No
	Prof Donald Wasylenki (Psychiatry)	June 30, 2012	No
	<b>Dr. Cindy Woodland (Pharmacology)</b>	<b>June 30, 2010</b>	<b>Yes</b>
Music	Prof. Darryl Edwards	June 30, 2012	No
Nursing	Prof. Jan Angus	June 30, 2011	No
OISE	Professor Alister Cumming (Modern Language Centre)	June 30, 2012	No
	Prof. Douglas McDougall (Curriculum, Teaching and Learning)	June 30, 2011	No
	<b>Prof. Njoki Wane (Sociology and Equity Studies in Education)</b>	<b>June 30, 2010</b>	<b>Yes</b>

<b>Constituency</b>	<b>Current Member(s)</b>	<b>Term Ends</b>	<b>Election Required in 2010</b>
Pharmacy	Ms Leslie Lavack	June 30, 2012	No
Physical Education and Health	<b>Prof. Guy Faulkner</b>	<b>June 30, 2010</b>	<b>Yes</b>
Social Work	<b>Prof. Charmaine Williams</b>	<b>June 30, 2010</b>	<b>Yes</b>
University of Toronto at Mississauga	Prof. Ronald Beiner (Political Science)	June 30, 2011	No
	Dr. Chris Koenig-Woodyard (English)	June 30, 2012	No
	<b>Ms Judith Poë (Chemistry)</b>	<b>June 30, 2010</b>	<b>Yes</b>
University of Toronto at Scarborough	Prof. Maydianne Andrade (Biological Sciences)	June 30, 2012	No
	Prof. Gerald Cupchik (Psychology)	June 30, 2011	No
	<b>Prof. John Miron (Social Sciences)</b>	<b>June 30, 2010</b>	<b>Yes</b>
School of Graduate Studies	<b>Prof. Christopher J. Damaren (Engineering)</b>	<b>June 30, 2010</b>	<b>Yes</b>
	Prof. Heather MacNeil (Information)	June 30, 2012	No
Librarians	Ms Bonnie Horne	June 30, 2012	No
	Ms Patricia Bellamy	June 30, 2011	No

### **10.5 2010 Election Schedule Summary**

Nomination Period: Friday, January 8, 12:00 noon to Friday January 22, 5:00 p.m.

Campaign Period: Friday, February 19, 1:00 p.m. to Friday, March 12, 5:00 p.m.

Voting Period: Monday, March 1 to Friday, March 12, 5:00 p.m.

Post-Election Period: Friday, April 9, 5:00 p.m. to Friday, April 20, 5:00 p.m.

(Please see the detailed schedule at Section 5 of these *Guidelines*.)

## 10.6 Eligibility

### (1) Constituency and Department/Equivalent Unit

In order to be eligible to be elected as a member of the Academic Board, an individual must:

- (a) be a member of one of the constituencies listed above, as a member of the Teaching Staff or a Librarian, as the case may be, which constituency is currently represented by one or more member(s) of the Academic Board whose term(s) will expire on June 30, 2010 (For the elections in 2010, Librarians and Teaching Staff from the following constituencies: Dentistry, Forestry, Information, Law, Music, Nursing, and Pharmacy are not eligible to become candidates.);
- (b) remain a member of this same constituency from the close of the nomination period to the time when all relevant election-related appeals and recounts, if any, have been finally disposed of, or if there are no appeals or recounts, when winners have been declared elected;
- (c) be a member of a department or equivalent unit, which is not the same as the department of a current member of the Academic Board, whose term will not expire in 2010; and
- (d) remain a member of this same department or a department that will not already be represented on the Academic Board from the close of the nomination period to the time when all relevant election-related appeals and recounts, if any, have been finally disposed of, or if there are no appeals or recounts, when winners have been declared elected.

## 10.7 Nomination Process

### (1) Nomination Period

Nominations open: Friday, January 8, 2010 at 12:00 noon

Nominations close: Friday, January 22, 2010 at 5:00 p.m.

### (2) Nomination Forms

- (a) An individual seeking nomination must use and complete the appropriate official nomination form prescribed by the Office of the Governing Council.
  - (i) Nomination forms will be available at the Office of the Governing Council and on the Elections Section of the Governing Council website:  
<http://www.governingcouncil.utoronto.ca/elections.htm>.
  - (ii) It shall be the responsibility of the individual seeking nomination to ensure that the correct nomination form, i.e., the form for Teaching Staff candidates or the form for Librarian candidates for the Academic Board elections, is used.
- (b) An individual seeking nomination must file a fully completed nomination form at the Office of the Governing Council by hand-delivering the fully completed nomination form to the Office of the Governing Council prior to the close of the nomination period.

(3) Nominators

- (a) To become a candidate in the Academic Board elections, Teaching Staff or Librarians seeking nomination must meet the following requirements with respect to nominators:
- (i) the individual seeking nomination may not nominate herself or himself;
  - (ii) the individual seeking nomination must have on her or his nomination form the signatures of 3 nominators and beside each signature shall be, printed legibly, the full name of the nominator who signed and the name of the department or office in which the nominator is employed;
  - (iii) each nominator of a Teaching Staff nominee or a Librarian nominee, as the case may be, must be a member of the constituency in which the nominee is seeking nomination; and
  - (iv) a nominator must not have, by the end of the nomination period, nominated more individuals for election than there are vacancies on the Academic Board to be filled by Teaching Staff or Librarians, as the case may be, from the nominator's constituency.
- (b) The names of nominators will not be released to the public, to any individual seeking nomination, or to any candidates.

(4) Nominee's Statement

- (a) An individual seeking nomination may, but will not be required to, submit to the CRO a statement biographical in nature or otherwise. If the individual becomes a candidate, the statement will be:
- (i) distributed to voters who will be voting by mail ballots;
  - (ii) provided together with the name of the candidate during the online voting process to voters who will be voting online; and
  - (iii) otherwise distributed or reproduced by the Office of the Governing Council in a manner chosen by the CRO.

Individuals seeking nomination may wish to provide biographical information and address in their statements their motivation for running in the elections and how their background qualifies them for becoming a member of the Governing Council.

- (b) The statement must be 100 words or less in length, subject to the following:
- (i) acronyms and abbreviations will be counted as one word; and
  - (ii) the individual's name will not be counted in the 100-word limit if placed at the beginning of the individual's statement.

If the statement contains more than 100 words, only the first 100 words will be printed.

- (c) The statement must be submitted before the close of the nomination period to the Office of the Governing Council in one of two ways:
- (i) The statement may be submitted with the nomination form.
  - (ii) The statement may also be submitted by e-mail from the personal utoronto.ca e-mail account of the individual seeking nomination to the CRO, separate from the nomination form, as long as it is received prior to the close of the nomination period.

- (d) The statement may not be altered or amended after the close of the nomination period, but the statement may be withdrawn upon the written request of the individual seeking nomination. Individuals seeking nomination are encouraged to submit their statements with their nomination forms, as the reliability of e-mail cannot be guaranteed. Any e-mail not actually received or received by the CRO time-stamped after the close of the nomination period will be rejected, notwithstanding that the e-mail may have been sent prior to the deadline. Individuals submitting statements by e-mail assume any and all risks associated therewith.
- (e) The individual's signature on the nomination form shall signify consent and direction by the individual to the Office of the Governing Council to distribute and reproduce the individual's statement in the manner above described and acceptance of complete responsibility by the individual for any consequences arising from such distribution and reproduction of the statement and for the contents of the statement.
  - (i) For clarity, the CRO, DRO, and the University shall not be responsible for the statement in anyway (other than for physical or electronic reproduction and distribution of the statement in the manner described above), including, but not limited to, any consequences arising from the distribution or reproduction of the statement and the accuracy of the statement.
  - (ii) The statement will not be distributed or otherwise made available if, in the opinion of the Election Overseers, assisted by such advisors as they may retain, the statement is obscene, denigrating, otherwise objectionable, in violation of these *Guidelines* or the University's rules or policies, or it could render the University liable to a suit for libel. The decision of the Election Overseers in this regard shall be final and not subject to any further review or appeal.
- (f) Questions relating to the 100-word statement may be directed to the CRO.

#### (5) Verification of Candidate

The eligibility of a Teaching Staff or Librarian nominee will be assessed by:

- (a) determining whether the nominee is a member of the Teaching Staff or a Librarian of the same constituency as one of the current members of the Academic Board whose term(s) will expire on June 30, 2010;
- (b) determining whether the nominee is from a department or equivalent unit that is not already represented in the Academic Board;
- (c) cross-referencing the nominee's information as it appears on the nominee's nomination form with the records of the Human Resources Information Systems and staff records in the Federated Universities to determine whether the nominee is eligible for election in the constituency in which she or he seeks nomination; and
- (d) reviewing the nominee's nomination form to assess whether:
  - (i) the correct nomination form has been used;
  - (ii) the nomination form has been completed correctly;
  - (iii) the nomination form contains the required number of valid nominators; and
  - (iv) the nominee's signature is present on the nomination form, signifying the nominee's consent to stand for election.

### (6) Verification of Nominators

The validity of each nominator for Teaching Staff or Librarian nominees will be assessed by:

- (a) comparing the nominator's full name and the nominator's department or office of employment, as indicated on the nomination form, against records of the Human Resources Information Systems and staff records in the Federated Universities to determine whether the nominator is eligible to nominate Teaching Staff or Librarians in the nominee's constituency; and
- (b) cross-referencing all nomination forms received to determine whether a nominator nominated more individuals than there are vacancies on the Academic Board to be filled by Teaching Staff or Librarians of the nominator's constituency.

### (7) Errors or Irregularities in the Nomination Form

- (a) Errors or irregularities on the nomination form may be corrected prior to the close of the nomination period.
- (b) The CRO, may, but will not be required to, notify nominees of the existence of any errors or irregularities before the close of the nomination period.

### (8) Technical Invalidation

- (a) Technical grounds upon which the CRO may rely to invalidate a nomination form, include, but are not limited to:
  - (i) the nominee does not meet the eligibility requirements;
  - (ii) insufficient number of valid nominators;
  - (iii) substantive error on the nomination form;
  - (iv) the incorrect nomination form was used;
  - (v) the nomination form is incomplete;
  - (vi) the nomination form is not appropriately verifiable; or
  - (vii) the nomination form does not conform with these *Guidelines*.
- (b) The CRO's decision to invalidate a nomination form on technical grounds may be appealed to the Election Overseers.

## **10.8 Announcement of Candidates**

On Thursday, January 28, 2010 at 3:00 p.m., the names of all candidates will be announced using a method selected by the CRO.

### **10.9 Filing of Notice of Intent to Appeal Decision of Invalidation and Appeals**

- (a) An individual may appeal the decision of the CRO to invalidate her or his nomination form on technical grounds to the Election Overseers by filing a Notice of Intent to Appeal in accordance with the following requirements:
- (i) The form of Notice of Intent to Appeal that must be used will be available at the Office of the Governing Council.
  - (ii) The Notice of Intent to Appeal must be filed by hand-delivery at the Office of the Governing Council by 3:00 p.m. on Monday, February 1, 2010.
- (b) The Election Overseers shall review the appellant's grounds for an appeal of the CRO's decision to invalidate a nomination form as outlined in the Notice of Intent to Appeal filed by the appellant, and the Election Overseers may;
- (i) dismiss the appeal if it decides that the grounds do not have merit;
  - (ii) grant the appeal without a hearing if it decides that the grounds have merit; or
  - (iii) hold a hearing in a manner and in accordance with such procedures as it may determine to be appropriate and render a decision thereafter.
- (c) The Election Overseers shall render a decision by 5:00 p.m. on Tuesday, February 9, 2010.
- (d) The decision of the Election Overseers shall be final and not subject to any further review or appeal.

### **10.10 Announcement of Additional Candidates**

Individuals who successfully appeal the invalidation of their nomination will be announced as candidates on Wednesday, February 10, 2010 at 12:00 noon using a method selected by the CRO.

### **10.11 Withdrawal of Candidacy**

- (a) A candidate may withdraw by submitting to the CRO or the CRO's designee a signed statement on the form prescribed for this purpose.
- (i) The prescribed form will be available in the Office of the Governing Council and on the Elections Section of the Governing Council website:  
<http://www.governingcouncil.utoronto.ca/elections.htm>.
  - (ii) The candidate must sign the statement in person in the Office of the Governing Council, in the presence of the CRO or the CRO's designee, and present photo identification acceptable to the CRO or to the CRO's designee.
- (b) If a candidate wishes to have her or his name removed from the ballot, she or he must withdraw by 5:00 p.m. on Friday, February 12, 2010.
- (i) If a candidate withdraws the nomination after this time, the withdrawal and the fact that her or his name remains on the ballot shall not invalidate the election.
  - (ii) Votes cast for a candidate who has withdrawn shall not be counted and shall be void.



### 10.12 Acclamations

Subject to the provisions of these *Guidelines*, a candidate may be acclaimed, i.e., deemed to be elected, on to the Academic Board by the CRO under the following circumstances:

- (a) any appeals relating to nomination invalidations have been completed;
- (b) the official candidates have been announced;
- (c) the candidate has not withdrawn from the election;
- (d) the number of candidates in the candidate's constituency is equal to or less than the number of vacancies on the Academic Board to be filled by individuals of that constituency;
- (e) the acclamation would not otherwise violate other provisions in these *Guidelines*; and
- (f) either: (1) the candidate is the only candidate from her or his department or equivalent unit; or (2) the candidate received the most votes of all the candidates from her or his department or equivalent unit.

### 10.13 Re-opening of Nominations

- (a) The CRO may re-open nominations for up to two times provided: (1) no verified nomination forms are filed during the nomination period; (2) the number of verified nomination forms is fewer than the number of vacancies on the Academic Board; or (3) the number of verified nomination forms received in respect of a constituency are insufficient such that there are insufficient candidates to ensure that no more than one person on the Academic Board is elected from each department or equivalent unit.
- (b) If the second re-opening of nominations fails to produce a candidate, the CRO may determine the appropriate course of action.

### 10.14 Campaign Period

Campaign Period Begins: Friday, February 19, 2010 at 1:00 p.m.

Campaign Period Ends: Friday, March 12, 2010 at 5:00 p.m.

#### (1) Campaign Guidelines Information Session for Candidates

Thursday, February 11, 2010, 9:00 a.m.

- (a) Candidates are encouraged to attend in person or send an authorized representative to attend the Campaign Guidelines Information Session for Candidates organized by the CRO to review Campaign guidelines.
- (b) A candidate may contact the CRO to receive the information given at the Campaign Guidelines Information Session for Candidates if the candidate is unable to attend the session.
- (c) All candidates, whether present in person or not, shall be responsible for and shall act in accordance with all the information provided at the Campaign Guidelines Information Session for Candidates.

## (2) Campaigning

Candidates for election to the Governing Council shall abide by all the guidelines for Campaigning contained in all of the Appendices of these *Guidelines* and any additional *Guidelines* regarding Campaigning that may be issued by the CRO in writing from time to time. Any violation of the *Guidelines* for Campaigning may result in the imposition of sanctions against a candidate by the Election Overseers, including, but not limited to, disqualification from the election.

### **10.15 Balloting**

#### (1) Eligibility

- (a) No person may cast more than one ballot.
- (b) Teaching Staff may only vote for Teaching Staff candidates in their constituency. For example, Teaching Staff in the Arts and Science constituency may only vote for candidates who are also Teaching Staff within Arts and Science.
- (c) Librarians may only vote for Librarian candidates.
- (d) A Teaching Staff candidate may not vote for any other candidate for election to the Academic Board other than Teaching Staff candidates who are also members of the constituency to which the candidate has declared candidacy, notwithstanding that the Teaching Staff candidate may also be a Librarian or a member of another Teaching Staff constituency.
- (e) A Librarian candidate may not vote for any other candidate for election to the Academic Board other than Librarian candidates, notwithstanding that the Librarian candidate may also be a member of a Teaching Staff constituency.

#### (2) Web-based voting

- (a) Voting for Teaching Staff and Librarian candidates will be conducted primarily through an Election Application on the Governing Council website. Voters who do not have an e-mail account within the utoronto.ca domain will be provided with mail ballots. Information concerning mail ballots is provided in the next subsection.
- (b) Teaching Staff and Librarians, with an e-mail account within the utoronto.ca domain, who decide to cast vote, must vote using the Election Application on the Governing Council website.
- (c) The Election Application for voting will be accessible from the Elections Section of the Governing Council website.
  - (i) To use the Election Application, a voter would log in using the voter's personnel number and date of birth.
  - (ii) Each eligible voter will only be granted access to the Election Application once; a voter may not exit the Election Application and log in another time.

- (iii) Access to the Election Application will be granted if the personnel number and date of birth inputted correspond with the list of eligible voters, compiled using staff records from the Human Resources Information Systems and the Federated Universities.
- (iv) Upon logging in, the Election Application will display the names of the candidates in alphabetical order by surname and their respective 100-word statements will appear beside their names.
- (v) The voter will be given the option to cast a ballot.
  - i) The Election Application will only permit the voter to vote for as many candidates as the number of vacancies on the Academic Board to be filled by candidate(s) in the voter's constituency.
  - ii) Once the voter chooses a candidate or candidates, as the case may be, for whom to vote, clicking the "cast ballot" button will bring up a confirmation screen. The voter may decline confirmation, return to the ballot screen, and modify the ballot. If the voter acknowledges the confirmation, the ballot will be cast.
  - iii) If the voter selects fewer candidates than there are vacancies on the Academic Board to be filled by candidates in the voter's constituency, a warning message will advise the voter that is the voter is entitled to enter votes for multiple candidates. If the voter chooses not to vote for additional candidates, the voter may cast the ballot without choosing an additional candidate.
  - iv) If the voter leaves all candidate choices blank, a warning message will advise the voter that a selection has not been made. If the voter chooses to cast a blank ballot, the voter may do so.
- (vi) Once the ballot is cast, the ballot cannot be changed and the voter cannot obtain access to the Election Application again.

### (3) Verification of Ballots

The eligibility of a voter will be verified using the login process. The personnel number and date of birth inputted will be verified against a list of eligible voters compiled using staff records from the Human Resources Information Systems and the Federated Universities.

### (4) Mail Ballot Voting

- (a) Teaching Staff and Librarians without an e-mail account within the utoronto.ca domain may only vote by mail ballot provided by the Office of the Governing Council.
  - (i) Photocopies of ballots or copies of ballots obtained from other sources will be declared invalid.
  - (ii) Mail ballots will be mailed to Teaching Staff and Librarians who do not have e-mail accounts within the utoronto.ca domain at their addresses within the University according to the records of the Human Resources Information Systems and the Federated Universities.
  - (iii) Individuals who will be absent from their University addresses during the voting period may ask to have their ballots forwarded to them at alternate addresses.
- (b) Each mail ballot will be accompanied by:
  - (i) an information sheet containing:

- i) the names of each of the candidates together with their respective statements;
    - ii) instructions on the correct method to return the ballot;
    - iii) information on eligibility to use that particular ballot;
    - iv) a short description of the Academic Board; and
    - v) instructions on how to obtain the correct ballot for persons who receive an incorrect ballot;
  - (ii) a small secrecy envelope into which the marked ballot should be sealed; and
  - (iii) a pre-addressed return envelope into which the small secrecy envelope should be sealed. (Voters will be instructed to sign and to legibly print their names and the names of the department or office in which they are employed on the upper left corner of this pre-addressed return envelope. Failure to do so will invalidate the ballot.)
- (c) Information about how to obtain a mail ballot will be advertised in the campus media and on the Elections Section of the Governing Council website to target those individuals who are entitled, but did not receive a mail ballot.
- (d) Non-receipt of mail ballots will not invalidate an election.
- (e) Individuals who wish to vote shall cast their ballots in accordance with the following:
- (i) A voter may vote for as many candidates as the number of vacancies on the Academic Board to be filled by candidate(s) from the voter's constituency.
  - (ii) Any kind of mark on the ballot that unambiguously indicates an intention on the part of the voter to cast a vote for a particular candidate shall be acceptable, provided that all other requirements are met.
  - (iii) Ballots must be returned to the Office of the Governing Council in accordance with the instructions provided, including:
    - i) placing the marked ballot into the secrecy envelope;
    - ii) sealing the secrecy envelope;
    - iii) inserting the secrecy envelope into the pre-addressed return envelope;
    - iv) filling in the information required on the pre-addressed return envelope; and
    - v) signing the pre-addressed return envelope.
  - (iv) Ballots must be delivered to the Office of the Governing Council by Canada Post, University Mail, or hand delivery by 5:00 p.m. on Friday, March 12, 2010. Ballots returned by electronic, facsimile or any other means will be invalidated.
- (f) Once a ballot has been received by the Office of the Governing Council, the ballot will not be returned to the voter, shall not be changed, and no additional ballots shall be provided to replace the ballot already received.

#### (5) Verification of Ballots

- (a) All mail ballots received by the Office of the Governing Council will be assessed to ascertain their validity by:
  - (i) examining the envelope in which the ballot is sealed to ensure that it has not been compromised;

- (ii) examining each ballot to determine, among other things, its authenticity and whether it was properly marked;
  - (iii) cross-referencing each voter's personal information provided on the pre-addressed return envelope against the staff records provided by the Human Resources Information System and the Federated Universities to determine whether the voter is eligible to vote for the candidate(s) selected by the voter; and
  - (iv) examining the pre-addressed return envelope to determine whether the voter's signature is present and whether all the information required was printed legibly thereon.
- (b) Grounds for invalidating a mail ballot include, but are not limited to:
- (i) the information required on the pre-addressed return envelope is missing or illegible;
  - (ii) the voter casting the mail ballot is not eligible to vote;
  - (iii) the ballot received is not the one provided by the Office of the Governing Council; the voter selected more candidates than as the number of vacancies on the Academic Board to be filled by the candidate(s) in the voter's constituency;
  - (iv) the voter cast more than one ballot, in which case, all ballots of the voter shall be invalidated; and
  - (v) the markings on the ballot are ambiguous.

#### (6) Secrecy of Ballots

The secrecy of the balloting process is maintained:

- (a) with respect to the web-based balloting process, votes cast are kept in a database which is separate from and independent of the list of eligible voters, so that votes cast cannot be identified with any individual voter; and
- (b) with respect to the mail balloting process, mail ballots are removed from their sealed secrecy envelopes and tabulated only after all secrecy envelopes received have been removed from the self-addressed envelopes and accumulated in a manner to ensure that none of the secrecy envelopes can be associated with any particular pre-addressed return envelope. This process ensures that a mail ballot cannot be identified with any individual voter.

#### **10.16 Notification of Ballot Counting and Scrutineering**

- (a) Prior to the end of the voting period, the CRO shall notify each Teaching Staff candidate in writing of the location and the schedule for counting the mail ballots and any subsequent changes thereto.
- (b) Each Teaching Staff candidate or a designee, so designated by the candidate by submitting a signed statement to this effect to the Office of the Governing Council, shall be entitled to:
  - (i) observe the tabulation of mail ballots received from Teaching Staff; and
  - (ii) seek verification that the voters voting by mail ballot are eligible to vote for Teaching Staff.
- (c) Mail ballot counting will proceed at the location and in accordance with the schedule indicated in the written notification sent to the candidates, whether or not candidates or their designees are present.

### **10.17 Announcement of Results**

The number of votes received by each candidate (the total number of votes, including both electronic and mail ballots) will be announced at 3:00 p.m. on Wednesday, March 17, 2010 using a method selected by the CRO.

### **10.18 Recounts**

- (a) As there are no individual ballots in web-based voting, a recount of electronic ballots will not be possible.
- (b) Mail ballots may be subject to a recount.
  - (i) A candidate may request a recount of the mail ballots by filing the form prescribed for this purpose in accordance with the following requirements.
    - i) The prescribed form that must be used will be available at the Office of the Governing Council.
    - ii) The candidate must complete the form, including specifying the grounds upon which the candidate requests a recount, and must file the form by hand-delivery at the Office of the Governing Council by 5:00 p.m. on Friday, March 19, 2010.
  - (ii) The Election Overseers shall review the candidate's grounds for seeking a recount as outlined in the form filed by the candidate, and the Elections Committee may:
    - i) dismiss the recount request if it decides that the grounds do not have merit;
    - ii) authorize the recount without a hearing; or
    - iii) hold a hearing in a manner and in accordance with such procedures as it may determine to be appropriate and render a decision thereafter.
  - (iii) If authorized by the Election Overseers, a recount of the mail ballots shall be conducted.

### **10.19 Equality of Votes**

- (a) If two or more candidates within the same constituency receive equal number of votes, the successful candidate or candidates to fill the vacancies on the Academic Board shall be determined by a second election between or among the candidates receiving an equal number of votes, subject always to the proviso that no more than one person shall be elected from each department or equivalent unit on to the Academic Board.
- (b) If two or more candidates from the same department or equivalent unit receive equal number of votes, which number of votes is sufficient to fill a vacancy on the Academic Board, the successful candidate shall be determined by another election between or among the candidates receiving an equal number of votes.
- (c) The CRO shall set the new schedule for any second or subsequent elections.

- (d) The CRO may set additional elections and consult the Elections Committee on how to proceed at any time to resolve equality of votes.

### **10.20 Filing of Notice of Intent to Appeal and Appeals**

- (a) A candidate may appeal any matter arising from the conduct of elections during the Election Period to the Election Overseers, including the announcement of results, by filing a Notice of Intent to Appeal in accordance with the following requirements:
  - (i) The form of Notice of Intent to Appeal that must be used will be available at the Office of the Governing Council.
  - (ii) The Notice of Intent to Appeal must be filed by hand-delivery in writing at the Office of the Governing Council by 5:00 p.m. on Friday March 19, 2010.
- (b) The Election Overseers shall review the appellant's grounds for an appeal as outlined in the Notice of Intent to Appeal filed by the appellant and the Election Overseers may:
  - (i) dismiss the appeal if it decides that the grounds do not have merit;
  - (ii) grant the appeal without a hearing if it decides that the grounds have merit; or
  - (iii) hold a hearing in a manner and in accordance with such procedures as it may determine to be appropriate and render a decision thereafter.
- (c) The Election Overseers shall render a decision by 5:00 p.m. on Wednesday, March 24, 2010.
- (d) The decision of the Election Overseers shall be final and not subject to any further review or appeal.

### **10.21 Elections Not Necessarily Invalidated by Irregularities**

An irregularity, failure, non-compliance or mistake in any way related to the elections, or to an election in any constituency, shall not invalidate the elections if the Election Overseers decide that the elections were conducted in accordance with the principles of these *Guidelines* and that the irregularity, failure, non-compliance or mistake would not have been reasonably likely to have affected the results of the elections.

### **10.22 Election expenses**

#### **(1) Spending Limit**

- (a) The limit for election related expenses, including Campaign expenses, for each Teaching Staff and Librarian candidate is \$400, of which the University will reimburse the Teaching Staff or Librarian candidate \$300.
  - (i) If an additional election is required as a result of an equality of votes in the first election, the CRO shall establish a separate spending limit will be established by the CRO.

## (2) Reimbursement of Election Expenses

- (a) Expenses eligible for reimbursement include, but are not limited to, the following:
- (i) paper and office supplies;
  - (ii) copying and printing of Campaign Materials;
  - (iii) reasonable transportation costs incurred in connection with Campaigning at campuses other than that at which the candidate works;
  - (iv) Campaign advertisements;
  - (v) web design and domain expenses explicitly related to the election;
  - (vi) refreshments, excluding alcoholic beverages (beer, wine, coolers, etc.); and
  - (vii) the Fair Market Value of all donated goods and services actually used in the candidate's Campaign, except voluntary unpaid labour.
- (b) Expenses ineligible for reimbursement include, but are not limited to, the following:
- (i) expenses incurred prior to the announcement of candidates;
  - (ii) parking fines incurred during Campaign-related activity;
  - (iii) costs resulting from the removal of posters from University or non-University property as a result of illegal postering for the election;
  - (iv) alcoholic beverages (beer, wine, coolers, etc.);
  - (v) interest/financing costs for the election Campaign;
  - (vi) costs which could be considered of a personal nature and unrelated to the Campaign;
  - (vii) web design and domain expenses not explicitly related to the election; and
  - (viii) medical expenses including prescription and non-prescription drugs.
- (c) Candidates, whether they are seeking reimbursement or not, are normally expected to submit receipts for all expenses including a statement of all donated goods and services actually used in the candidate's Campaign (except voluntary unpaid labour) with their Fair Market Value, within fourteen days of the close of the election.
- (i) Candidates will normally be asked to sign a statement that all expenses have been disclosed and that the total represents the total amount of expenses by the candidate or by anyone acting on her or his behalf or with her or his knowledge and consent.
  - (ii) Candidates who have no Campaign expenses may, at the discretion of the CRO, be exempt from submitting an expense statement.

## (3) Enforcement of the Election Expenses Limit

- (a) There will be no circumstances under which the limit may be exceeded.
- (b) If the sworn statement indicates that the limit has been exceeded, or if an allegation is made to the CRO that a candidate has exceeded the limit, the CRO will investigate the matter and, if warranted, take the alleged violation to the Elections Committee acting as the Election Overseers.
- (i) A hearing will be held.
  - (ii) The decision of the Election Overseers shall be final and not subject to any further review or appeal.



- (iii) If the candidate is found guilty, and has been successful in the election, she or he will be disqualified and will not become a member of the Governing Council.
- (c) Failure to submit the sworn statement concerning election expenses may be referred by the CRO to the Elections Committee acting as the Election Overseers.
  - (i) a hearing may be held;
  - (ii) penalties may be imposed, including, but not limited to:
    - i) for successful candidates: disqualification and ceasing to be members of the Governing Council;
    - ii) for unsuccessful candidates: public announcement and/or disqualification from future Academic Board elections for a year or number of years.
- (d) Within seven days of the deadline for submitting the sworn statement, the CRO must inform the Elections Committee and the concerned candidate(s) of any irregularities that have been discovered.
- (e) If a hearing is necessary, it should be held as soon as possible and should be completed by Friday April 23, 2010.

### **10.23 Resignation for Ineligibility**

- (a) A candidate will be declared ineligible if, at any time during the Election Period, she or he ceases to meet the eligibility requirements.
- (b) Teaching Staff holding the academic rank of Sessional Lecturer I or Sessional Lecturer II are eligible to be a member of the Academic Board only if they continue to have an appointment in the constituency in which they were elected.
- (c) An elected Teaching Staff or Librarian member of the Academic Board must resign if, at any time during her or his term:
  - (i) he member ceases to be a member of the constituency in which she or he was elected; or
  - (ii) the member leaves the department or equivalent unit for another department or equivalent unit that is already represented on the Academic Board.

#### (1) By-elections

- (a) A by-election shall be held to fill any vacancy arising from the departure of an elected member of the Academic Board, unless the vacancy occurs within eight months of the end of the departing member's term.
- (b) If a vacancy arising from the departure of an elected member of the Academic Board occurs within eight months of the end of the departing member's term, the CRO shall consult the Elections Committee to determine whether a by-election will be held.
  - (i) The Elections Committee shall meet to determine whether a by-election shall be held.

- (ii) Advance notice of such meeting of the Elections Committee shall be announced on the website of the Office of the Governing Council so that there is sufficient time to allow comments to be submitted to the Elections Committee.
  - (iii) Comments relating to whether a by-election should be held may be submitted to the Elections Committee in writing via the Office of the Governing Council on the form prescribed for this purpose, which will be available at the Office of the Governing Council.
  - (iv) The decision of the Elections Committee on whether a by-election should be held shall be final and not subject to any further review or appeal.
- (c) A by-election shall be administered by the CRO and shall be conducted in a manner and in accordance with procedures which are substantially similar to these *Guidelines*.

## **APPENDIX A: Guidelines for Campaigning and Enforcement of the *Election Guidelines 2010***

### **Campaign and Election Responsibilities of Candidates**

- (a) Candidates shall conduct honourable Campaigns in accordance with the rules of fair play:
  - (i) Fair play includes, but is not limited to, behaving in accordance with generally accepted community standards, being respectful of other candidates and their Campaigns and representing facts accurately.
- (b) Candidates shall familiarize themselves with and abide by all the guidelines contained in all the Appendices of these *Guidelines*.
- (c) Candidates shall review and familiarize themselves with the definitions of “Associated Party”, “Campaigning”, “Campaign”, “Campaign Material”, and “Distribute” as well as all the definitions of the other terms listed in the Definitions section of these *Guidelines*.
- (d) Candidates shall advise the CRO in writing prior to the beginning of the Campaign Period of any University organization in which they hold an executive position.
- (e) Candidates shall ensure that all Campaigning and Campaign Materials, conform to all policies and regulations of the University, and with all applicable laws.
- (f) Candidates shall not remove, deface or unreasonably inhibit the viewing of each other’s Campaign Materials.
- (g) Candidates shall not interfere with a voter’s freedom to cast a ballot for the candidate of her or his choice or compromise the secrecy of the ballot process.
- (h) Candidates shall respect the privacy of voters and shall not be present when votes are being cast.
- (i) Candidates shall be responsible for the actions, and violations stemming from such actions, of any Associated Party, however occurring.

### **Campaign Period**

- (a) The Campaigning Period for all elections begins at 1:00 p.m. on Friday, February 19, 2010, and will end at 5:00 p.m. on Friday, March 12, 2010.
- (b) Candidates shall not Campaign until 1:00 p.m. on Friday, February 19, 2010

### **Access to Members of the Candidate’s Constituency**

All candidates must be allowed reasonable access to members of their constituency during the Campaign Period. Such access shall not be unreasonably withheld.

### **Campaign Material**

- (a) The display and the distribution of Campaign Material shall be done in accordance with the policies and regulations of the University, including, but not limited to, those of the Facilities and Services

department of the University<sup>24</sup> and those of each building, faculty, department, residence and administrative service of the University; and with all applicable laws.

- (b) The University crest shall not appear on any Campaign Materials. Candidates may use the University's name.
- (c) Candidates shall abide by the guidelines regarding the placement of posters in Appendix B.
- (d) Candidates shall not post or Distribute Campaign Material that might reasonably be considered libellous.
- (e) Candidates shall remove all Campaign Material on University property as soon as reasonably possible after the Campaign period.

### **Use of Web and Electronic Media**

- (a) Candidates shall ensure that their electronic Campaign Materials, including, but not limited to websites, blogs, social networking tools, or other electronic media that might reasonably be attributed to them, conform with all applicable University policies and regulations regarding information and communication technology<sup>25</sup> and with the relevant regulations of each building, faculty, department, residence, administrative service, and other divisions on each of the three campuses.
- (b) Candidates shall inform the CRO in writing of any web-based Campaign Material, including, but not limited to, any website, blog, social networking tool.
- (c) Candidates shall provide the CRO viewing access to all such web-based Campaign Material, including, but not limited to, any social networking tools used for Campaign purposes.

### **Use of Resources**

- (a) With the exception of the permitted uses listed below, candidates shall not utilize resources, electronic or otherwise (e.g. photocopiers, computers, supplies), to which they have access by virtue of their membership in (or affiliation with) any University organization or group.
- (b) Candidates are permitted to use E-mail Lists belonging to University organizations in which they are members provided that:
  - (i) They have obtained permission from the University organization; and
  - (ii) The communication follows the CRO-approved template that will be provided at the Campaign Guidelines Information Session for Candidates.

“E-mail Lists” refer to electronic mailing lists that are intended to reach large numbers of subscribers, often through the use a database. The LISTERV program is one example.

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<sup>24</sup> The Procedure on the Distribution of Publications, Posters, and Banners at the University of Toronto St. George Campus is available at <http://www.fs.utoronto.ca/aboutus/policies/posters.htm>.

<sup>25</sup> The University of Toronto’s guideline on the “Appropriate Use of Information and Communication Technology” is available from the website of the Office of the Vice-President and Provost at <http://www.provost.utoronto.ca/policy/use.htm>

### **Advertising**

- (a) Candidates may place advertisements in the campus press to appear during the Campaign Period.
- (b) Candidates' statements submitted on the nomination forms will be disseminated by the Governing Council by means chosen by the CRO.

### **Additional Guidelines**

- (a) The CRO may issue additional guidelines in writing from time to time, as may be required to clarify specific situations.

### **Authority to Enforce Provisions of these *Guidelines***

- (a) The Elections Committee, the CRO, and the DRO have sole authority to enforce the provisions of these *Guidelines*.
- (b) No candidate may attempt to enforce the provisions of these *Guidelines*.

### **Allegations of Violations of Campaign Rules**

- (a) Allegations of violation of these *Guidelines* by a candidate or one of the candidate's workers shall be submitted in writing to the CRO who shall decide on the charge.
- (b) An allegation of a violation must be given in writing to the CRO within five days of the alleged violation.
- (c) The CRO may lay charges of violations of Campaign rules on her or his own initiative.

### **Investigation of Alleged Campaign Violations**

The CRO will investigate each allegation, assisted by such staff that she or he may wish to employ.

### **Frivolous and/or Vexatious Allegations of Campaign Violations**

- (a) In the case that the CRO receives frivolous and/or vexatious complaints, she or he may:
  - (i) Warn the candidate complainant that, in her or his opinion, the complaints are frivolous and/or vexatious, and request that the complaints be withdrawn.
  - (ii) If the complainant refuses to withdraw the complaints, the CRO may assign a neutral party to investigate whether the complaint is frivolous and/or vexatious.
  - (iii) If the neutral investigator determines that complaints received are frivolous and/or vexatious, the CRO is empowered to choose one of the following:
    - i) If the complainant is a candidate, recommend a sanction to the Election Overseers;
    - ii) Refuse to hear the complaint;
    - iii) Recommend charges under the Code of Student Conduct or appropriate action under other relevant policies of the University including the Statement on Prohibited Discrimination and Discriminatory Harassment.

- (iv) Decisions made by the CRO in this regard are subject to appeal to the Elections Committee.

### **Hearings of Alleged Campaign Violations**

- (a) When an investigation confirms a Campaign violation, the CRO will call a meeting of the Election Overseers to discuss the charges of violations to the Campaign rules and to decide on the appropriate action to be taken.
  - (i) The CRO will invite both the candidate making the allegation and the candidate alleged to have committed the offense to the meeting where the alleged violation will be addressed.
  - (ii) Each candidate will have an opportunity to present her or his case.
  - (iii) A written report of the meeting will be made available within a forty-eight (48) hour period to all those in attendance at the meeting.

### **Serious and Severe Violations**

- (a) Violations of these *Guidelines* and the policies and regulations of the University, its faculties, buildings and residences fall into two categories, Serious violations and Severe violations as interpreted by the Election Overseers.
  - (i) The Election Overseers have the sole authority to determine the category into which a particular violation falls
  - (ii) The degree of a violation may influence its classification
- (b) A Serious violation is one which contravenes the spirit and letter of these *Guidelines* in an attempt to gain an unfair advantage in the elections process but does not itself constitute a substantial effort to undermine that process.
  - (i) The Election Overseers may also determine that a serious violation has been committed even if it appears that the candidate did not intentionally seek to gain unfair advantage in the electoral process.
  - (ii) Serious violations might include, but are not limited to:
    - i) violations of the regulations concerning posters and information technology outlined in Appendix B of these *Guidelines*;
    - ii) interfering with a voter's freedom to cast a ballot for the candidate of her or his choice or compromising the secrecy of the ballot process;
    - iii) using material, in the course of a Campaign, explicitly forbidden by these *Guidelines* (e.g. University Crest);
    - iv) violations of any restrictions imposed by University faculties, departments, or administrative services;
    - v) unauthorized solicitation of votes, including but not limited to speaking in class without the prior permission of the instructor;
    - vi) the use in a Campaign of any tangible benefit (see Use of Resources, p.100);
    - vii) deliberate misrepresentation of facts;
    - viii) spending marginally over the maximum spending limit as set by the Election *Guidelines*;
    - ix) making frivolous and/or vexatious Campaign violation allegations.

- (c) A Severe violation is one characterized by a deliberate and substantial effort to undermine the elections process;
- (i) Severe violations might include, but are not limited to:
- i) contravening or undermining the secrecy of the balloting/voting process;
  - ii) spending grossly over the maximum spending limit as set by the *Election Guidelines*;
  - iii) intentionally misrepresenting Campaign expenditures;
  - iv) attempting to interfere in the election process, including the online voting process, as regulated by these *Guidelines*.

### Sanctions

- (a) Sanctions imposed for a confirmed violation may include:
- (i) Disqualification from the election;
  - (ii) Reduction or elimination of a candidate's reimbursement;
  - (iii) A declaration that an election in a particular constituency or the election of a specific candidate be ruled void.
- (b) The University of Toronto reserves the right to charge any person who violates these *Guidelines* under the provisions of these *Guidelines* and under any other applicable Codes, including the Code of Student Conduct (<http://www.governingcouncil.utoronto.ca/Assets/Policies/PDF/studentc.pdf>) and the Statement on Prohibited Discrimination and Discriminatory Harassment (<http://www.governingcouncil.utoronto.ca/Assets/Policies/PDF/Statement+on+Prohibited+Discrimination+and+Discriminatory+Harassment.pdf>).
- (c) The Election Overseers may disqualify from the election (or void the election of) any candidate found to have committed a single Severe violation or two Serious violations of these *Guidelines*, or the policies and regulations of the University, its faculties, buildings and residences.
- (i) At their discretion, the Election Overseers may choose not to disqualify (or void the election of) a candidate found to have committed two Serious violations if the cumulative effect of those violations does not, in their view, warrant disqualification (or voiding).
- (d) Declaration of Winning Candidate in the Event of a Disqualification ----
- (i) In the event a winning candidate in any election is disqualified (or the election of a candidate is voided), the candidate with the next greatest number of votes will be declared elected, provided that this does not violate the proviso that no two elected candidates may be from the same college, campus or faculty in certain constituencies.

### Publication of Confirmed Violations

Details of confirmed violations, including the offending candidate's name, will be highlighted on the Governing Council's elections website and, in web-based elections, on the voting website, for such time as the Election Overseers deem appropriate. The reports of the Elections Committee, which may contain details of alleged and confirmed violations, are publicly and permanently available on the Elections Committee's website listed below<sup>26</sup>.

<http://www.governingcouncil.utoronto.ca/bac/ec.htm>

<sup>26</sup> Reports as of 2000-2001 are available on the Elections Committee's website.

## **APPENDIX B: Guidelines for Posters and the Use of Information and Communication Technology**

- Posters of any sort may NOT be posted before 1:00 p.m. on Friday, February 12, 2010.
- Posters must be removed by Friday, March 26, 2010.

### General

The placing of posters on University property and the use of information and communication technology must be done in accordance with the University's policies and procedures, with the regulations of Facilities and Services, and with the relevant regulations of each building on the three campuses. A candidate who violates any restriction imposed by the University, its faculties, departments, or administrative services may be disqualified or sanctioned by the Election Overseers:

- (1) Candidates must advise the CRO in writing of the approval received from the Manager, Property Management for the placement of posters in locations other than public bulletin boards, the planting or display of signs on University grounds, or the installation of a banner, within 2 days of obtaining such approval.
- (2) Any charges for labour and/or material costs related to the removal of posters from University or non-University property, or fines levied as a result of illegal postering, are the sole responsibility of the candidate. Such charges will not be eligible for reimbursement.
- (3) Candidates are responsible for determining the specific regulations concerning the placement of posters in the various buildings on all three campuses. Failure to abide by these regulations may result in a candidate being sanctioned by the Election Overseers.
- (4) Candidates may not remove, cover or unreasonably obscure from view other candidates' posters during the Campaign Period.
- (5) Candidates are responsible for determining the specific policies and regulations concerning the use of information and communication technology of the various faculties, buildings and residences in which a candidate chooses to deploy such technology. Failure to abide by these policies and regulations may result in a candidate being sanctioned by the Election Overseers.



### APPENDIX C: Joint Statement on Campaigning in St. George Campus Residences

To: University Affairs Board  
 From: Council of Deans of Students and Deans of Residence  
 Date: August 24, 2009  
 Re: Joint Statement on Campaigning in Residences

As Deans of Students and Deans of Residence on the St. George campus, we are committed to making every effort to allow our residence students access to information about and opportunities to participate in, democratic processes.

We agree to the following principles with regards to campaigning in residences for Governing Council elections. Any candidate wishing to share information with students in residence will be allowed to do so in the following ways:

- (1) **Postering** – Posters may be distributed throughout the residence (up to a maximum of one poster per floor or house) with prior approval of the Residence Office.
- (2) **Information Tables/ Meeting with Students** – Candidates will be allowed, with prior approval from the Residence Office, to hand out informational materials and speak with students in public areas of the residence halls.
- (3) **Door to Door Campaigning** – Candidates will *not* be allowed to conduct door to door campaigning within the residence halls.

Exception: The one exception to this is at University College where, with prior approval of the Residence Office and when accompanied by a resident, candidates may be allowed to conduct door to door campaigning during specific evening hours. (see UC policy attached)

Sincerely,

Josephine Mullally, Dean of Residence, 89 Chestnut

On behalf of:

**New College, Woodsworth College, University College, Graduate House, and Innis College**

Jen McMillen	Director of Residence & Student Life	New College
Liza Nassim	Dean of Students	Woodsworth College
Nona Robinson	Dean of Students	University College
Rebecca Spagnolo	Dean	Graduate House
Tim Worgan	Dean of Students & Residence	Innis College

**Loretto College**

Angela Convertini	Dean of Residence	Loretto College
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**St. Michael's College**

Duane Rendle	Dean of Students	St. Michael's College
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**Trinity College**

Jonathan Steels	Acting Dean of Students	Trinity College
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**Victoria College**

Gillian Mainguy	Acting Dean of Students	Victoria University
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**APPENDIX D: Policy on Campaigning in Residence (University College)****Rationale:**

In the spring of 2003 an ad-hoc committee of the UCRC was formed to discuss the issue of campaigners in residence during student elections. Residence students had brought forward concerns regarding building security, and invasion of privacy associated with door-to-door campaigning in the residences. The committee was comprised of members of the UCRC, the UCLIT, SAC, and the Residence Life Coordinator. The following guidelines were developed in an effort to strike a balance between ensuring the comfort and safety of all University College Residence students, while continuing to provide support and encouragement for student participation in the electoral process.

**Guidelines:**

- (1)
  - (a) Groups which are allowed to campaign in the UC Residences are limited to the UCRC, UC LIT, SAC (including all recognized clubs by Student Affairs), and Governing Council. All referenda under the mandate of the UCRC, UCLIT, and SAC are considered eligible as a campaign group.
  - (b) Campaigning door-to-door in residence is permitted Monday through Friday (incl.) 5-9 p.m.
  - (c) Times for posting campaigning material in designated areas in residence is not restricted.
- (2) All campaigners entering any of the UC Residences must either be a resident of the building themselves, or be accompanied by a resident of that building.
- (3) Residents may opt-out of door-to-door campaigning disturbances by using the opt out notice supplied by the Residence Office.

**Consequences:**

If campaigners do not follow these guidelines, they will be asked to leave the residence and a complaint will be lodged with the elections committee.

**APPENDIX E: Contact Information for University of Toronto St. George Campus Residence Offices**

<b>College/ Residence</b>	<b>Contact Name</b>	<b>Title</b>	<b>Telephone</b>	<b>E-mail</b>
89 Chestnut Residence	Laura Cleland	Admissions & Programming Assistant	416-978-8863	<a href="mailto:laura.cleland@utoronto.ca">laura.cleland@utoronto.ca</a>
Graduate House	Tara Bunting	Coordinator, Operations, Services & Programs	416-946-8886	<a href="mailto:information.gradhouse@utoronto.ca">information.gradhouse@utoronto.ca</a>
New College (Public areas only)	Nikki Barbe	Residence Services Coordinator	416-946-3087	<a href="mailto:n.barbe@utoronto.ca">n.barbe@utoronto.ca</a>
University College	Nona Robinson	Dean of Students	416-978-7246	<a href="mailto:nona.robinson@utoronto.ca">nona.robinson@utoronto.ca</a>
Victoria College	Wanda Hughes	Residence Operations Assistant	416-585-4494	<a href="mailto:vic.dean@utoronto.ca">vic.dean@utoronto.ca</a>
Loretto College	Angela Convertini	Dean of Residence	416-925-2833	<a href="mailto:loretto.college@utoronto.ca">loretto.college@utoronto.ca</a>
Innis College	Paula Greenwood	Assistant to the Dean	416-946-7258	<a href="mailto:paula.greenwood@utoronto.ca">paula.greenwood@utoronto.ca</a>
Woodsworth College	Justin Fisher	Assistant to the Dean / RLC	416-623-1685 x2991	<a href="mailto:justinp.fisher@utoronto.ca">justinp.fisher@utoronto.ca</a>
St. Michael's College	Kevin Dancy	Assistant to the Dean	416-926-1300 x3289	<a href="mailto:kevin.dancy@utoronto.ca">kevin.dancy@utoronto.ca</a>
Trinity College	Posters can be put up at St. Hilda's residence public areas only			

## **APPENDIX F: University of Toronto at Scarborough – Campaigning in Residences**

To: University Affairs Board  
From: Michelle Verbrugghe, Director, Student Housing & Residence Life, University of Toronto Scarborough  
Date: October 7, 2009  
Re: Campaigning in Residences

The following are guidelines regarding campaigning for Governing Council elections in the residences at the University of Toronto Scarborough. Any candidate wishing to share information with students in residence will be allowed to do so in the following ways:

- (1) **Postering** – Posters can be delivered to Student Housing & Residence Life. Once posters are approved the posters can be distributed throughout the residence (maximum of one poster per floor or hall).
- (2) **Information Tables/ Meeting with Students** – Candidates will be allowed, with prior approval from Student Housing & Residence Life, to hand out informational materials and speak with students in public areas of the residence halls. (Residence Centre and lobby of Joan Foley Hall.)
- (3) **Door to Door Campaigning** – Candidates will not be allowed to conduct door to door campaigning within the residence halls (suites or townhouses).

If campaigners do not follow these guidelines, they will be asked to leave the residence and the violation will be reported to the elections committee.

Sincerely,

Michelle Verbrugghe