

**THE BOARD OF GOVERNORS OF  
SAULT COLLEGE OF APPLIED ARTS AND TECHNOLOGY**

**BY-LAW NO. 3**

**Nomination/Election Procedures for Constituent Representation**

BE IT ENACTED as a by-law of THE BOARD OF GOVERNORS of THE SAULT COLLEGE OF APPLIED ARTS AND TECHNOLOGY (hereinafter called the "Corporation") for the process for the nomination/election of Constituent Representatives on the Board as follows

**1. Composition of the Board**

The composition of the Board of Governors shall be in accordance with Ontario Regulation 34/03, Section 4 (1) (a) through (c).

- a) an even number of members, as established by the by-laws of the Corporation, but shall be composed of not less than 12 and not more than 20 members exclusive of the president and members elected under clause (c);
- b) the president of the college, by virtue of office, as a voting member; and
- c) one student, one academic staff member, one administrative staff member and one support staff member, each of whom shall be appointed by the students or elected by the relevant staff group.

**2. Definition of Elected Member Constituent Group**

The following definitions and procedures apply to the elected Board members as identified above:

- 2.1 An academic staff member is a person who is employed by the Corporation as full-time faculty.
- 2.2 A support staff member is a person who is employed by the Corporation as full-time support.
- 2.3 An administrative staff member is a person who is employed full-time by the Corporation who does not fit the definition of an academic staff member or a support staff member.
- 2.4 A student is a person who is enrolled in a program of instruction in the College. This includes a person enrolled on a full-time or a part-time basis in a "postsecondary" or "adult training" program who pays in full the ancillary fees approved by the Corporation and the Sault College Board of Governors. A program of instruction means a group of related courses leading to a diploma, certificate or other document awarded by the Corporation.

**Motion 14-11-A-1**

**3. Terms of Office**

- 3.1 Members elected by academic, administrative and support staff have a three year term subject to Section 3 (5), and are eligible for immediate re-election once. Following a lapse of two years, a member is eligible for a further term;
- 3.2 A member appointed by the Sault College Students' Union has a one-year term and is eligible for immediate re-appointment in accordance with the Student

## Constitution.

Motion 11-11-A-3

- 3.3 An elected member who ceases to be a member of the administrative staff group, support staff group, or academic group automatically ceases to be a member of the Board. Motion 10-02-A-3
- 3.4 One member elected by academic, administrative or support staff shall change each year on a rotational basis.
- 3.5 In the event an internal Board member resigns mid-term, the following guidelines will be followed:
- 3.5.1 If the internal Board member resigns in the first six months of his/her term, the runner up will move into the position.
- 3.5.2 If the internal Board member resigns after six months, an election will be held and the term of office will be determined by the Corporation prior to a new election being called.
- 3.5.3 If the internal Board member resigns in the last six months of his/her term, the position will remain vacant until it is time for the next election.

## 4. Role and Responsibilities of Elected Members

- 4.1 Elected members to the Board of Governors shall serve in a voluntary capacity as members and are bound by established legislation, all applicable Provincial Regulations and local Board by-laws and standing resolutions, and conflict of interest guidelines as established for public boards in the Province of Ontario;
- 4.2 Elected members shall serve in a voting capacity at Board meetings;
- 4.3 Elected members shall serve in a voting capacity on all standing committees of the Board to which they may be appointed;
- 4.4 Elected members may hold the position of Chair of the standing committees, but cannot hold the position of Chair or Vice-Chair of the Board.

## 5. Elections

- 5.1 All elections for constituent groups for academic, administrative, support staff, shall be by secret preferential ballot with voters identifying a first and second choice from the names on the ballot;
- 5.2 Elections shall be held on or about April 15<sup>th</sup> annual for the following constituencies:
- Academic
  - Administrative
  - Support Staff
- 5.3 Student appointments shall be held within the provisions of the Constitution of the Student Administrative Council.

## 6. Nominations

- 6.1 Nominations shall open twenty working days and close ten working days prior to the scheduled date of the election. If no nominations are received, the nomination period shall be extended for three working days.
- 6.2 Nominations shall be submitted on the appropriate nomination form with a nominator and seconder from the appropriate constituent group and delivered to the Vice-President of Corporate and Student Services, who will confirm eligibility of academic, administrative, and support staff constituencies or the Director of Student Life, who will confirm eligibility of the student constituency.
- 6.3 Copies of all completed nomination forms including a brief biography and a Consent to Release Information to Third Party statement shall be submitted to the Vice-President, Corporate and Student Services. Motion 11-11-A-3
- 6.4 Campaigning shall begin with the closing of nominations and end ten hours prior to the opening of polls for academic, administrative, and support staff constituents. Motion 11-11-A-3
- 6.5 In the event there is only one person nominated at the close of nominations, that person is acclaimed.

## **7. Candidate and Voter Eligibility**

- 7.1 All members of constituent groups as defined in Section 2 of this by-law are eligible to be a candidate and/or voter in any election related to their constituency.
- 7.2 A Voter/Nomination List shall be posted on the day nominations open and shall include all employed and/or registered members of the constituency group.
- 7.3 Amendments and challenges to the Voters List shall be received and responded to by the Vice-President, Corporate and Student Services. Motion 11-11-A-3

## **8. Polling Period**

- 8.1 Polls shall be open on election days from 9:30 a.m. to 7:00 p.m. In the case where there may be a satellite campus of the College, a ballot shall be sent by registered mail to each employee with a return envelope and a date of return indicated on the ballot.
- 8.2 An advance poll shall be held from 11:00 a.m. to 2:00 p.m. four (4) working days or on a different day of the week prior to the election date.
- 8.3 Potential voters may be asked for proof of employment and/or student registration, and for suitable identification to ensure eligibility for voting.
- 8.4 Voters shall be asked to sign the voter/nomination list at the time of voting.
- 8.5 An identified voter shall be given an appropriate ballot. The voter will then mark the ballot and return it to the polling officer who will deposit the ballot in a sealed container.

## **9. Vote Tally**

- 9.1 The counting of votes shall be done at a time and place set by the Vice-President, Corporate and Student Services and notification of the counting of votes shall be posted at each poll during the polling period. A candidate or

- representative of the candidate may be present at the counting. Motion 11-11-A-3
- 9.2 All ballots shall be sorted by preference as indicated by a number 1, 2, or 3, or any other mark such as (\*) or (x), etc. that indicates identifiable preference; "1" being the first choice. A ballot, where a preference for only one candidate, or a preference for less than the maximum number of candidates is identified, shall be a valid ballot.
- 9.3 Should a tie occur for first place, the candidates(s) receiving the least number of votes shall be disqualified and the ballots for the disqualified candidates distributed according to the voter's preference, if any, as indicated by a number 2, 3 or any other mark, such as (\*) or (x) etc., that indicates identifiable preference to the other candidates, "2" being the first choice in the second count etc.
- 9.4 If a tie remains after the second count following the vote counting, the candidate elimination process identified in 9.3, the tie shall be broken by a toss of the coin by the Vice-President, Corporate and Student Services in the presence of the candidates. Motion 11-11-A-3
- 9.5 Recount: A recount may be requested by any candidate. Such a request must be made in writing to the Vice-President, Corporate and Student Services within 24 hours of the official count, and the recount shall be held within 48 hours of the request. Motion 11-11-A-3
- 9.6 The number of ballots printed shall be recorded and a procedure established such that all ballots may be accounted for. Providing there is no appeal, all ballots shall be destroyed within five (5) days following the posting of the results.
- 9.7 Election Results: The Vice-President of Corporate and Student Services shall communicate and post the results of the elections on an Election Bulletin Board or Intercom, and advise the Secretary to the Board of Governors within 48 hours following the closing of the polls, or where a recount has been requested, within 24 hours of the recount. Motion 11-11-A-3
- 9.8 The Vice-President, Corporate and Student Services will file with the Secretary of the Board, the name of the runner-up in the election for use in filling a vacancy, should one occur in that constituency group before the expiration of the constituency term. Motion 11-11-A-3

## 10. Appeals Procedures

- 10.1 Appeals to any action or decision related to the nomination and/or election process shall be made in writing to the Chair of the Board or his/her designate.
- 10.2 The Chair of the Board shall establish a "Board of Complaint" comprised of three members of the Board of Governors, to rule on the complaint.

## 11. Calling of Elections

- 11.1 The Board of Governors, at their February meeting, shall identify the position eligible for election, and issue an invitation for nominations.
- 11.2 The Vice-President, Corporate and Student Services shall be responsible for the following:
- ensuring that the nomination and election procedures for constituent representative on the Sault College Board of Governors are followed;
  - ensuring all potentially interested nominees are informed of and have

- access to the roles and responsibilities of members of the Board;
- ensuring election dates and locations of polling booths are published throughout the College community; and
- ensuring the edibility of all candidates nominated. Motion 11-11-A-3

Revised this 20<sup>th</sup> day of November, 2014

 ...  
Chair

  
Secretary-Treasurer