



## University of Toronto Governing Council

### Election Guidelines 2008

November 6, 2007

To request an official copy of this policy, contact:

The Office of the Governing Council  
Room 106, Simcoe Hall  
27 King's College Circle  
University of Toronto  
Toronto, Ontario  
M5S 1A1

Phone: 416-978-6576

Fax: 416-978-8182

E-mail: [governing.council@utoronto.ca](mailto:governing.council@utoronto.ca)

Website: <http://www.governingcouncil.utoronto.ca/>

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## Election Guidelines 2008

### Chapter I - Interpretation

In these *Guidelines*:

“*The 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 his/her campaign. An organization will be deemed to be an associated party of a candidate if the candidate is a member of the organization;

“Campaigning” means any attempt by an individual, individuals or an organization to encourage a voter to cast a ballot in favour or in opposition of a candidate. This may occur with or without campaign material;

“Campaign material” means any item, design, sound, symbol, or mark that is created or copied in any form in order to and/or likely to influence at least one voter to cast a ballot in favour or in opposition of a candidate;

“Distribute” shall mean 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 are declared elected;

“Fair Market Value of a product or service” shall be the lowest 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;

“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. The status of a student as full-time will be determined by the definition used in the student’s academic division. For purposes 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 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. The status of a student as part time 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 for the purposes of clause 1(1)(l) of *The Act*;

“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 purposes of Governing Council elections, lecturer is understood to include the ranks of Lecturer and Senior Lecturer, Tutor and Senior Tutor. (Lecturer includes associates in the Faculty of Dentistry.) Assistant Professor (conditional), Sessional Lecturer I, Sessional Lecturer II, Athletics Instructor and Senior Athletics Instructor have also been designated by the Governing Council as academic ranks for the purposes of clause 1 (1) (m) of *The Act*.

## Chapter II - Purpose

Subsection 2 (2) of *The Act* established the composition of the Governing Council of the University as follows:

The Governing Council shall be composed of,

- (a) the Chancellor and the President, who shall be *ex officio* members;
- (b) two members appointed by the President from among the officers of the University, University College, the constituent colleges, the federated universities and the federated and affiliated colleges;
- (c) sixteen members, none of whom shall be students, members of the administrative staff or members of the teaching staff, appointed by the Lieutenant Governor in Council;
- (d) twelve members elected by the teaching staff from among the teaching staff;
- (e) eight members, 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;
- (f) two members elected by the administrative staff from among the administrative staff; and
- (g) eight members who are not students or members of the teaching staff or the administrative staff elected by the alumni from among the alumni. 1971, c. 56, s. 2(2); 1978, c. 88, s. 2(1).

The purpose of these *Election Guidelines* is to provide a framework for the conduct of the election of teaching staff, administrative staff and student members to the Governing Council. Clause 2(14)(nb) of *The Act* provides for 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 ...”.

The *Guidelines* covering eligibility and nomination procedures are intended to reflect the provisions of the Act that members be elected by and from among their constituency. These *Guidelines* provide a mechanism for establishing the connection between a candidate and his or her constituency. It is important that the membership of the Governing Council reflects the community that it serves, and that each elected member is part of the community of interest shared by his/her constituency.

Once elected, members become trustees of the University with two key duties: the fiduciary duty and the duty of care and diligence both of which are encapsulated in the subsection 2(3) of *The Act*, which states that members of the Governing Council are to act "with diligence, honestly and with good faith in the best interests of the University..." Members of the Governing Council have a strict obligation in law to act in the best interests of the University of Toronto. While members bring to the table their own perspectives and those of the groups with whom they are associated, members do not act as anyone's delegate or primarily as vehicles for the expression of the concerns of a particular estate. Members are expected to put

the interests of the University above their personal or constituency interests, recognizing and respecting the distinction between representing a community and representing the interests of a community.

### Chapter III - Authority for the Conduct of the Elections

1. The election is conducted by the Governing Council under the authority of *The Act*.
2. In the event of any conflict between these *Guidelines* and the provisions of *The Act*, the provisions of the *Act* prevail.
3. These *Guidelines* pertain to the election of members from the teaching staff, administrative staff and students of the University to the Governing Council. These *Guidelines* may be applied, as appropriate, to the election of teaching staff and librarians to the Academic Board.
4. On the recommendation of the Secretary of the Governing Council, the University Affairs Board shall appoint a Chief Returning Officer who shall be responsible for the interpretation and implementation of these *Guidelines*. The Chief Returning Officer may not vote in any election.
5. The Secretary of the Governing Council, at his or her discretion, shall appoint a Deputy Returning Officer (or Deputy Returning Officers) and the appointment(s) shall be reported to the University Affairs Board for information. Deputy Returning Officers assist the Chief Returning Officer in his/her duties as appropriate, and act in his/her absence as required. Deputy Returning Officers may not vote in any election.
6. The Chief Returning Officer shall rule upon the validity of nominations, violations of campaign rules, voter eligibility, and verification and tabulation of returns, assisted by such legal counsel or such other advice he or she may wish to employ. The Chief Returning Officer's decisions concerning technical invalidation of nominations may be appealed to the Elections Committee.
7. The Chief Returning Officer has complete charge of all matters with respect to web-based voting in the Governing Council Elections and will maintain liaison with Student Information Systems on the production of the web-voting procedures.
8. The Chief Returning Officer may prescribe forms for use in connection with the election which may contain instructions, information and requirements in addition to those set out in these *Guidelines*, so long as they are not inconsistent herewith.
9. In matters of procedure not provided for in these *Guidelines*, the procedure shall be regulated by an analogy to the procedures that were employed in the previous Governing Council election, or if no analogy exists, as the Chief Returning Officer directs.
10. The members of the Elections Committee shall serve as the Election Overseers. The Election Overseers shall consider any objection to a ruling or decision of the Chief Returning Officer, as appropriate, or any appeal or other matter of contention regarding the validity of nominations, eligibility of voters, tabulation and verification of returns or any other question arising from the conduct of the election as outlined in these *Guidelines*. A majority of the Elections Committee sitting as Overseers shall constitute a quorum for the consideration of any such objection, appeal or other matter of contention, and the decision of the Election Overseers in such matters shall be final and not subject to any further review or appeal.
11. No 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 unless observing this principle would result in a failure of quorum. In such circumstances, to achieve quorum, a member of the Elections Committee who is standing for election, involved in an election campaign or endorsing a candidate for election may sit as an Election Overseer provided he or she is not called upon to consider a matter arising from or pertaining to his or her constituency.

## Chapter IV - Description of Constituencies and Terms of Office

### a) Description of constituencies

#### Teaching Staff Constituencies:

“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 purposes of Governing Council elections, lecturer is understood to include the ranks of Lecturer and Senior Lecturer, Tutor and Senior Tutor. (Lecturer includes associates in the Faculty of Dentistry.) Assistant Professor (conditional), Athletics Instructor, Senior Athletics Instructor, Sessional Lecturer I and Sessional Lecturer II have also been designated by the Governing Council as academic ranks for the purposes of clause 1 (1) (m) of *The Act*.

A teaching staff member's constituency will normally be determined on the basis of his or her major teaching appointment to a faculty, college or school. In the event that a teaching staff member's major appointment does not uniquely determine a single constituency, he or she must select a constituency from among those so determined. Only in the case of a teaching staff member without a teaching appointment to a faculty, college or school, will his or her constituency be determined by another appointment. Teaching staff who hold a concurrent non-academic or academic non-teaching appointment will vote in the appropriate teaching staff constituency.

#### Constituency I - 3 seats divided as follows:

Constituency IA - 1 seat      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)

B. Corman - term expires June 30, 2009

Constituency IB - 1 seat      FOR WHICH AN ELECTION IS REQUIRED

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)

M. Marrus - term expires June 30, 2008

Constituency IC - 1 seat      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)

R. Kluger - term expires June 30, 2010

**Constituency II - 1 seat**

FOR WHICH AN ELECTION IS REQUIRED

all teaching staff who hold their major appointments at the University of Toronto at Mississauga

V. Aivazian - term expires on June 30, 2008

**Constituency III - 1 seat**

all teaching staff members who hold their major appointments at the University of Toronto at Scarborough

W. Gough - term expires June 30, 2009

**Constituency IV – 1 seat**

all teaching staff members in the Faculty of Applied Science and Engineering

D. Reeve - term expires June 30, 2010

**Constituency V - 3 seats**

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.

L. Lemieux-Charles - term expires June 30, 2009

J. Kirsh - term expires June 30, 2010

S. Verma - term expires June 30, 2010

**Constituency VI - 1 seat**

all teaching staff members of the Faculty of Dentistry, Lawrence S. Bloomberg Faculty of Nursing, Leslie Dan Faculty of Pharmacy and the Faculty of Physical Education and Health

E. Hodnett - term expires June 30, 2009

**Constituency VII - 1 seat**

FOR WHICH AN ELECTION IS REQUIRED

all teaching staff members in the Faculty of Architecture, Landscape, and Design, Rotman School of Management, Faculty of Forestry, Faculty of Information Studies, Faculty of Law, Faculty of Music and the Factor-Inwentash Faculty of Social Work

A. Ripstein - term expires June 30, 2008

**Constituency VIII - 1 seat**

FOR WHICH AN ELECTION IS REQUIRED

all teaching staff members in the Ontario Institute for Studies in Education of the University of Toronto (OISE/UT)

G. Jones - term expires June 30, 2008

**Students**

A “Student” is 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 for the purposes of clause 1 (1) (l) of The Act. An individual who is not registered in a program as defined above will not meet the definition of student under *The Act*.

Students from the St. George campus and the University of Toronto at Mississauga (UTM) must be registered in the constituency in which he or she was elected during the period September – May in order to hold his or her seat. Students from the University of Toronto at Scarborough (UTSC) must be registered in at least 2 of the 3 semesters between May of the year in which they were elected, and April of the following year.

Students enrolled in double degree programs may be registered in two different academic divisions during the course of their studies. Such programs include the LLB/MBA, the LLB/PhD, the LLB/MSW and the MD/PhD. For one year, students might be enrolled in the Faculty of Law or the Faculty of Medicine, placing them in the full-time undergraduate professional faculties constituency while in another year, they might be registered in the School of Graduate Studies, making them graduate students by definition for purposes of the elections. Students who undertake combined work for two degrees shall be candidates and hold office in the constituency for which they are eligible at the time of nomination and election.

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

Graduate Student Constituencies:

**Constituency I - 1 seat**

FOR WHICH AN ELECTION IS REQUIRED

all students registered in Division I (Humanities) and Division II (Social Sciences) of the School of Graduate Studies

A. Kenjeev - term expires June 30, 2008

**Constituency II - 1 seat**

FOR WHICH AN ELECTION IS REQUIRED

all students registered in Division III (Physical Sciences) and Division IV (Life Sciences) of the School of Graduate Studies

A. Ghadimi - term expires June 30, 2008

"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. The status of a student as full-time will be determined by the definition used in the student's academic division. For purposes 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 students.

Full-Time Undergraduate Student Constituencies:

**Constituency I - 2 seats**

FOR WHICH AN ELECTION IS REQUIRED

all full-time undergraduate students registered in Arts and Science on the St. George campus, at the University of Toronto at Mississauga (UTM) and at the University of Toronto at Scarborough (UTSC) (with the proviso that both members elected in Constituency I may not be registered in the same college on the St. George

campus, or both registered at either UTM or UTSC, and 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 his or her seat).

S. Deb and A. Rascanu - terms expire June 30, 2008

**Constituency II - 2 seats**

**FOR WHICH AN ELECTION IS REQUIRED**

all full-time undergraduate students registered in the Faculty of Applied Science and Engineering, Faculty of Dentistry, Faculty of Law, Faculty of Medicine, Faculty of Music, Lawrence S. Bloomberg Faculty of Nursing, OISE/UT, Leslie Dan Faculty of Pharmacy, and Faculty of Physical Education and Health (with the proviso that both members elected in Constituency II not be registered in the same faculty, and that 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 his or her seat)

L. Sisca and Y. Weng- terms expire June 30, 2008

"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. The status of a student as part time will be determined by the definition used in the student's academic division.

**Part-Time Undergraduate Student Constituency:**

**Constituency I - 2 seats**

**FOR WHICH AN ELECTION IS REQUIRED**

all registered part-time undergraduate students

E. Toledo and K. Davy - terms expire June 30, 2008

"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.

**Administrative Staff Constituency:**

**Constituency I - 2 seats**

D. Alli - term expires June 30, 2009

P.C. Choo - term expires June 30, 2010

Constituency I - 2 seats D. Alli - term expires June 30, 2009

P.C. Choo - term expires June 30, 2010

**b) Terms of office - July 1 to June 30**

Administrative staff      three years

Students                      one year

Teaching staff three years

If a member is unable to complete his or her term, a by-election will be called to elect a new member to complete the relevant term. (See Chapter VI (h).)

## Chapter V - Election Schedule 2008

### Nominations (same for all elections)

Nominations open	Friday, January 11, 12:00 noon
Nominations close	Friday, January 25, 5:00 p.m.
Announcement of candidates	Thursday, January 31, 1:00 p.m.
Deadline for filing intention to appeal	Friday, February 1, 5:00 p.m.
Appeals completed	Friday, February 8, 4:00 p.m.
Announcement of additional candidates	Friday, February 8, 5:00 p.m.

### Mail Election

#### **Mandatory All-Candidates' Meeting**

Withdrawal deadline (name not on mailed ballot)

Campaign period

Mailing of ballot papers

Close of election

Announcement of results

Deadline for recount requests

Deadline for filing intention to appeal

Appeals completed

Winners declared elected

Deadline for filing sworn statement regarding expenses

Notice of hearings regarding expenses

Hearings regarding expenses completed

**tba**

Tuesday, February 12, 5:00 p.m.

Friday, February 8, 5:01 p.m. – March 14, 5:00 p.m.

Week of February 18

Friday, March 14, 5:00 p.m.

Tuesday, March 18, 4:00 p.m.

Wednesday, March 19, 5:00 p.m.

Tuesday, March 25, 5:00 p.m.

Tuesday, April 1, 4:00 p.m.

Wednesday, April 2, 1:00 p.m.

Friday, April 4, 4:00 p.m.

Friday, April 11, 5:00 p.m.

Friday, April 18, 5:00 p.m.

### Web-based Election

#### **Mandatory Meeting of All Student Candidates**

Withdrawal deadline (name not on ballot)

Campaign period

Voting period

Announcement of results

Deadline for filing intention to appeal

Appeals completed

Winners declared elected

Deadline for filing sworn statement regarding expenses

Notice of hearings regarding expenses

Hearings regarding expenses completed

#### **Monday, February 11**

Tuesday, February 12, 5:00 p.m.

Monday, February 25, 12:01 a.m. – March 7, 6:00 p.m.

Monday, March 3, 6:00 a.m. – Friday, March 7, 6:00 p.m.

Monday, March 10, 1:00 p.m.

Wednesday, March 12, 5:00 p.m.

Monday, March 24, 5:00 p.m.

Wednesday, March 26, 12:00 noon

Friday, April 4, 4:00 p.m.

Friday, April 11, 5:00 p.m.

Friday, April 18, 5:00 p.m.

**Changes to the election schedule may be made by the Chief Returning Officer if circumstances warrant such changes.**

## Chapter VI – Regulations

### a) Nominations

#### i) Nomination period and deadline

- Nomination forms will be available at the Office of the Governing Council, Room 106, Simcoe Hall, and on the Governing Council web-site (<http://www.governingcouncil.utoronto.ca/elections.htm>).
- Nomination forms will also be available at the University of Toronto at Mississauga (UTM) and at the University of Toronto at Scarborough (UTSC).
- Nominations for four teaching staff, and eight student seats will open on **Friday, January 11, 2008** at 12:00 p.m. and remain open until **Friday, January 25, 2008** at 5:00 p.m.
- Nomination papers **must be filed at the Office of the Governing Council** and nominations received elsewhere or after the nomination deadline will be invalid.
- **Nomination papers sent by facsimile before the deadline will be accepted**; the original of the nomination form must follow immediately by hand or mail and be identical to the form submitted by facsimile. If the original form received after the close of nominations is different from the facsimile form submitted prior to the close of nominations, the nomination will be declared invalid.
- **Nominations must be filed on the nomination form provided by the Chief Returning Officer**; no other nomination form will be accepted.

#### ii) Eligibility of candidate

- Subsection 2(4) of *The Act* states: “No person shall serve as a member of the Governing Council unless he is a Canadian citizen.” Therefore, a candidate must be a Canadian citizen.
- A candidate must be a member of the constituency in which he or she is nominated from the close of nominations to the day when all appeals and recounts, if any, have been finally disposed of and, if none, on the day when winners are declared elected.
- Subsection 2(3a) of *The Act* states: “No person shall be a candidate for election to the Governing Council under more than one clause of subsection 2 in any one election, and, where a person is so eligible, he shall declare the clause under which he seeks election.”
- In the event that a teaching staff member’s major appointment does not uniquely determine a single constituency, he or she must select a constituency from among those so determined.
- The eligibility of a candidate will be verified as follows:
  - all teaching staff constituencies - printed full name and department against Human Resources Information System records.
  - all student constituencies - printed full name and student number against Repository of Student Information (ROSI) records.<sup>1</sup>
  - administrative staff constituency - printed full name and department or office against records of the Human Resources Information Systems and staff records in the federated universities.
- If elected, the candidate must resign the seat if at any time he or she ceases to meet the eligibility requirements (see Chapter IV (a) and Chapter VI (g)).
  - For an undergraduate student governor from the St. George campus or the University of Toronto at Mississauga (UTM), this means meeting the eligibility requirements for the period September to May.

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<sup>1</sup> If a candidate is not registered in ROSI at the close of the nominations, the Chief Returning Officer may confirm the candidate’s registration status with appropriate University staff.

- For an undergraduate student governor from the University of Toronto at Scarborough (UTSC), this means meeting the eligibility requirements in at least two of three full semesters between May of the year in which he or she was elected, and the following April.
- This eligibility requirement for students also applies to co-opted student members of the Boards and Committees of the Governing Council.
- Please note the exception for students registered in double degree programs.
- Teaching staff holding the academic rank of Sessional Lecturer I or Sessional Lecturer II are eligible to hold a seat only if they continue to have an appointment in the constituency in which they were elected.

iii) Eligibility of nominators

- **Nominators must be members of the same constituency** (as defined in Chapter IV (a) above) as the person they are nominating.
- A nominator may **not nominate more candidates for election than there are seats** vacant in his or her constituency.
- Candidates may **not** nominate themselves.

iv) Nomination signatures

- Nominations for **teaching staff** seats must contain the signatures of **10 nominators**, each indicating their printed full name and department or office.
- Nominations for **administrative staff** seats must contain the signatures of **20 nominators**, each indicating their printed full name and department or office.
- Nominations for **graduate, full-time undergraduate and part-time undergraduate student seats** must contain the signatures of **20 nominators**, each indicating their printed full name and student number.

v) Citizenship

- Any person nominated as a candidate for a Governing Council election **must be a Canadian citizen** at the time of their nomination, as required by The Act (see Chapter VI (a) (ii) above).
- Documentary **evidence of Canadian citizenship must be presented with each nomination form** for examination by the Chief Returning Officer.
- Any one of the following will be considered acceptable evidence of citizenship:
  - certificate of birth in Canada
  - certificate of citizenship
  - certificate of naturalization
  - Canadian certificate of registration of birth abroad
  - certificate of retention of Canadian citizenship
  - Canadian passport.

**Photocopies will be deemed sufficient** for this purpose.

- Failing such documentary evidence, a **notarized statement** to the effect that the nominee is a Canadian citizen must accompany the nomination form.
  - The Office of the Governing Council will make available such statements for signature and, if requested a sufficient time in advance, will arrange for their notarization.

- In the absence (other than casual) from Ontario of the candidate, the notarized statement may be made on the candidate's behalf by someone having personal knowledge of the facts where the means of knowledge are stated to the satisfaction of the Chief Returning Officer.

vi) **Candidates' statements**

- Nominees may submit, on their nomination forms, a biographical statement or other comments, up to a limit of 100 words.
  - **The statement is voluntary** and will accompany the paper ballots or be posted with the web ballot.
  - As stated in Chapter VI (a) (viii), the candidate's signature on the nomination form shall signify approval of and responsibility for the candidate's statement.
  - The Chief Returning Officer will not be responsible for the accuracy of the statement.
  - Candidates' statements **must be submitted before the close of the nomination period** and may not be altered or amended after the close of nominations.
- The statement must be **typewritten or clearly printed** to be acceptable.
- **Candidates may submit the statement electronically**, separately from the nomination form, as long as it is received prior to the close of nominations.
- The candidate's name will not be counted in the 100 - word total if placed at the beginning of the statement.
- Acronyms and abbreviations will be counted as **one** word.
- This 100 - word limit is not a guide, but an exact limit.
  - If a statement contains more than 100 words, only the first 100 words will be printed. The statement will not be distributed or otherwise made available if, in the opinion of the Elections Overseers, assisted by such legal counsel as they may wish to employ, it would render the University liable to a suit for libel. The decision of the Overseers in such instances shall be final.
- In the case of a mailed ballot, the candidates' statements will accompany the ballots.
- In the case of web-based elections, candidates' statements will be published in the campus press, be available on the Governing Council election web-site, and be linked to the ballot on ROSI during the voting period.
- In the case of web-based elections, candidates' statements linked to the ballot on ROSI may include an address for candidate web-sites if, in the opinion of the Chief Returning Officer, it is technically feasible to do so.

vii) **Candidate's contact information**

- Contact information — including the Candidate's name, mailing address, phone number and University of Toronto e-mail address — is required on the nomination form and will be used only by, or at the direction of, the CRO and any Deputies in connection with official elections business.
- A statement explaining the purpose for which contact information is being collected must appear on the nomination form.
- **The Chief Returning Officer will communicate primarily via email with candidates.**

viii) **Candidate's signature**

- **Nomination papers shall be signed by the candidate.**

- The signature of the candidate on the nomination form signifies his or her willingness to stand as a candidate, the possession of Canadian citizenship, and his or her approval of and responsibility for the candidate's statement, if any, made on the form.
  - The signature of the candidate on the nomination form also signifies:
    - the candidate's agreement to abide by the rules and provisions outlined in these *Guidelines* and
    - the candidate's agreement that all those who work for him or her, both formally and informally, similarly agree to abide by the rules and provisions outlined in these *Guidelines*.
  - In the case of absence (other than casual) from Ontario of the candidate, the Chief Returning Officer may at his or her discretion accept verification of the candidate's willingness to stand, the possession of Canadian citizenship and approval of the candidate's statement by means of a cabled, telegraphed, telexed, faxed or e-mail message or a telephone call followed by written confirmation where the Chief Returning Officer is satisfied as to the authenticity of such message.
- ix) Verification process
- All nomination papers must be received in the Office of the Governing Council by **5:00 p.m. on Friday, January 25, 2008**.
  - Nominations received by **5:00 p.m. on Friday, January 25, 2008** will be subject to a verification process. The eligibility of nominators will be verified as follows:
    - all teaching staff constituencies - printed full name and department against Human Resources Information System records
    - all student constituencies - printed full name and student number against Repository of Student Information (ROSI) records
    - administrative staff constituency - printed full name and department or office against records of the Human Resources Information Systems and staff records in the federated universities.
  - In the event that one or more of a nominee's nominators cannot be verified, they may be replaced by the nominee if, in the judgment of the CRO, the error was made in good faith.
    - The deadline for this process will be the time of announcement of candidates (**Thursday, January 31, 1:00 p.m.**)
- x) Certification of nomination
- A nomination will be certified as valid by the Chief Returning Officer only if:
    - a **candidate is eligible** for election in the constituency in which he or she is nominated;
    - the **nomination form is the one provided by the Chief Returning Officer** either in the Governing Council Office or on the web;
    - the nomination form contains at least the **minimum number of verified nominators**;
    - the **nominee's signature is present**, indicating his/her consent to stand for election; and
    - the **form is accompanied by the citizenship papers** required by these *Guidelines* and by the Chief Returning Officer.
  - Following the close of nominations, **no alterations can be made to the nomination papers**.
- xi) Errors or irregularities in nominations
- **The onus is on the person nominated for election to file a *bona fide* nomination paper.**
    - Errors and irregularities in these papers constitute grounds for rejection of the nomination.
    - Errors or irregularities may be corrected prior to the close of nominations.



- The Chief Returning Officer will attempt to notify candidates of the existence of any errors or irregularities before the close of the nominations period, but is not bound to do so.
  - Candidates are advised to complete and submit their nomination papers early in the nomination period.
- xii) Technical invalidation
- Nomination papers may be automatically invalidated on technical grounds by the Chief Returning Officer if they are:
    - in error
    - incomplete
    - not appropriately verifiable
    - not accompanied by the other papers required by these *Guidelines* and by the Chief Returning Officer.
  - Such decisions may be appealed to the Elections Overseers.
- xiii) Announcement of candidates for office
- On **Thursday, January 31, 2008 at 1:00 p.m.**, the names of all candidates for office will be announced.
- xiv) Filing of notice to appeal decision of invalidation
- Those whose nomination papers have been invalidated on technical grounds because their papers were found to be irregular or in error, may file a notice of intention to appeal to the Election Overseers. This notice must be filed in writing by **5:00 p.m. on Friday, February 1, 2008** at the Office of the Governing Council.
- xv) Appeals
- Appeals will be completed by **4:00 p.m., Friday, February 8, 2008**.
  - The decision of the Election Overseers shall be final and not open to review.
- xvi) Announcement of additional candidates
- The names of those who have successfully appealed the invalidation or rejection of their nomination, and are consequently candidates for office, will be announced on **Friday, February 8, 2008 at 5:00 p.m.**
- xvii) Names of candidates
- The names of candidates nominated for election will be **made public on Thursday, January 31, 1:00 p.m.**
  - The **names of nominators will not be released** by the Chief Returning Officer to the public or the other candidates.
- xiii) Withdrawal of nomination
- A person nominated as a candidate in the election may withdraw the nomination by submitting a notarized statement to the Chief Returning Officer.
    - The Office of the Governing Council will make available such a document for completion and, if requested a sufficient time in advance, will arrange for its notarization.
  - If a person nominated as a candidate wishes to have his or her name removed from the ballot, he or she must withdraw by **Tuesday, February 12, 2008 at 5:00 p.m.**



- Where a candidate withdraws the nomination after this time, the withdrawal and the fact that his or her name remains on the ballot do not invalidate the election and votes cast for the candidate who has withdrawn shall not be counted and are void.
- In the case of elections in the Full-time Undergraduate Student Constituency II, when post-graduate medical students receive a mail ballot while all other students in the constituency vote in the web-based election, the fact that the names of candidates who have withdrawn after the mail ballot deadline but before the web-based ballot deadline remain on the mailed ballot does not invalidate the election and votes cast for the candidates who have withdrawn shall not be counted and are void.

xix) **Acclamations**

- A candidate will be acclaimed – deemed to be elected – by the Chief Returning Officer when:
  - Following the completion of all verification and appeals procedures and the announcement of official candidates, the number of candidates nominated for election in any constituency is equal to or less than the number of members to be elected in that constituency, except when the acclamation would violate other provisions in these *Guidelines* (see, for example, the description of the Full-Time Undergraduate Constituencies in Chapter IV (a)).
  - where a person nominated as a candidate has withdrawn his or her nomination and, as a result, the number of the remaining candidates duly nominated is equal to or less than the number of members to be elected in the constituency in question, except where the acclamation would violate other provisions in these *Guidelines* (see, for example, the description of the Full-Time Undergraduate Constituencies in Chapter IV (a)).

b) **Campaign period**

i) **Mandatory all candidates' meeting**

- **Candidates must attend in person or send an authorized representative to an all-candidates' meeting** organized by the Chief Returning Officer to review campaign regulations.
  - If a candidate fails to attend this meeting, or to send an authorized representative, she/he will be declared ineligible to run in the election.
  - In the event that the meeting is missed due to illness, unforeseen transportation problems, a death or serious illness in the family, or other extenuating circumstances, the candidate can meet with CRO at another time to receive the information given at the all candidates' meeting, without being disqualified.
  - The candidate, whether present in person or not, is entirely responsible for all information provided at the all-candidates' meeting.

ii) **Campaigning**

- **Candidates for election to the Governing Council are expected to conduct honourable campaigns, in accordance with the rules of fair play.**
  - 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.
- **Candidates for election to the Governing Council are required to follow the rules of campaigning as set out in these Guidelines and any additional regulations issued by the Chief Returning Officer. Failure to do so may result in the candidate's disqualification or sanction by the Elections Overseers.**

- **Campaigning for elections held by mail ballot** in teaching staff and administrative staff constituencies may not begin until all candidates have been announced. – **5:01 p.m. on Friday, February 8, 2008**, and will end at **5:00 p.m. Friday, March 14, 2008**.
- Campaigning for web-based elections may not begin before **12:01 a.m. on Monday, February 25, 2008**, and will end at the close of the voting period: **6:00 p.m. on Friday, March 7, 2008**.
  - **During the specified web-voting period, candidates will refrain from any behaviour that would interfere with a voter’s freedom to cast a ballot for the candidate of his or her choice.**
- Campaigning displays and the distribution of campaign material must be done in accordance with the regulations of Facilities and Services, and with the relevant regulations of each building, faculty, department, residence and administrative service on each of the three campuses.<sup>2</sup>
- Candidates’ web-sites and electronic media must similarly accord with the University’s policies and procedures regarding information and communication technology, and also with the relevant regulations of each faculty, department, residence and administrative service on each of the three campuses.<sup>3</sup>
- **It is the responsibility of the candidates to familiarize themselves with the rules which govern the distribution and display of campaign material and the use of electronic media for campaigning.**
- **It is the responsibility of the candidate to ensure that all campaign tactics, materials and/or advertisements, electronic or otherwise, conform to all policies and regulations of the University of Toronto, and with all municipal, provincial and federal laws.**
  - Candidates shall be responsible for the actions, and violations stemming from such actions, of any associated party, however occurring.
- Candidates are not allowed to use in their campaign any service or tangible benefit conferred on them by virtue of their holding any position in any organization on campus. This includes, but is not limited to, office supplies, equipment, advertising space, secretarial services, privileged email lists and other contact information, and funding.
- A candidate may not campaign in any classroom without the expressed permission of the presiding faculty member(s).
  - To campaign in a classroom during class hours, a candidate must obtain consent from the presiding faculty member(s) before the start of class.
- Regulations issued by the Chief Returning Officer with regard to the placement of posters and the use of electronic media are attached as Appendix B.
- Guidelines for Campaigning are attached as Appendix C.
- The Chief Returning Officer shall have authority to issue supplementary regulations as may be required to clarify specific situations.
- 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/Policy/studentc.html>) and the *Statement on Prohibited Discrimination and Discriminatory Harassment* (<http://www.governingcouncil.utoronto.ca/Assets/Policies/Policy/harass.html>).

<sup>2</sup> Procedure on Distribution of publications, posters, and banners at the University of Toronto, is available at [http://www.facilities.utoronto.ca/general/Poster\\_procedure.htm](http://www.facilities.utoronto.ca/general/Poster_procedure.htm).

<sup>3</sup> The University of Toronto’s Policy on the “Appropriate Use of Information and Communication Technology” is available from the web-site of the Office of the Vice President and Provost at <http://www.provost.utoronto.ca/policy/use.htm>.

## c) Balloting

### i) Eligibility

- Clause 2(14)(nb) of *The Act* states that: "...no person shall be eligible to cast more than one ballot".
- All eligible voters are entitled to vote using a ballot provided by the Chief Returning Officer for the election.
- Only ballots provided by the CRO may be considered valid; photocopies of ballots or copies of ballots obtained from other sources will be declared invalid.
- Candidates for election to the Governing Council who are eligible to vote in more than one constituency shall vote in the constituency in which they have declared their candidacy *per* subsection 2(3a) of *The Act* and Chapter VI(a)(ii) of these Guidelines. Otherwise, eligible voters shall vote according to the following rules:
  - Members of the teaching staff who hold a non-academic appointment will vote in the appropriate teaching staff constituency.
  - Sessional Lecturers I or Sessional Lecturers II who are employed by the University in any other way will vote in the appropriate teaching staff constituency.
  - Full-time students who are employed by the University as teaching assistants, research assistants, temporary library help, or in any other way, will vote in the appropriate student constituency.
  - Part-time students who are administrative staff employees of the University or teaching staff of the University may choose the constituency in which to vote, but they may vote in only one constituency.
- If more than one mail ballot is received from any one voter in a constituency in which the voter is entitled to vote, none of such ballots will be considered valid.

### ii) By mail ballot

- teaching staff
- administrative staff
- post-graduate medical students

#### 1. Method

- Ballots will be mailed to each voter at his or her sessional home address or the University address as recorded in the University's record systems. Where the Chief Returning Officer has good reason to believe that a voter can be reached at a campus address as opposed to an off-campus address recorded in the University's record system, he or she may direct a ballot to the campus address.
- Each ballot will be accompanied by a small secrecy envelope into which the marked ballot should be sealed.
- Also provided will be a return-address envelope into which the small secrecy envelope should be sealed.
- Voters will be required to provide, on the upper left-hand corner of the return envelope, information sufficient to allow verification of their ballot return.
- All mail ballots submitted by ineligible or unverifiable voters will be invalidated.
- Each ballot will also be accompanied by an information sheet containing candidates' statements, information on the correct method to return the ballot, information on eligibility to use that particular ballot, and a short description of the powers and duties of the Governing Council.

- The information sheet will include instructions on how to obtain the correct ballot for persons who receive an incorrect ballot.
  - Persons who receive no ballot will be advised, through advertisements in the campus media and on the Governing Council elections web-site, how to obtain a ballot. Non-receipt of mailed ballots will not invalidate an election.
  - A person who indicates that he or she has not received a ballot by mail may obtain one ballot from the Chief Returning Officer in person, by mail or by written proxy.
2. Voting in multiple seat constituencies
    - A voter may vote for as many candidates as there are seats vacant in his or her constituency.
  3. Marking the ballot
    - **Any kind of mark** on the ballot that indicates an intention on the part of the voter to cast a valid vote is acceptable.
  4. Balloting by absent voters
    - It is suggested that voters who will be absent from their recorded address during the balloting period arrange to have their ballot forwarded to them.
  5. Returning ballots
    - Ballots may be returned through either Canada Post or University delivery or by hand to the Office of the Governing Council, Simcoe Hall, Room 106.
    - Ballots returned by electronic means such as facsimile or e-mail will be invalidated.
    - **Once submitted, a ballot will not be returned to the voter, and may not be changed. A second ballot will not be provided.**
  6. Verification of ballots
    - All mail ballots received by the Office of the Governing Council will be verified to ascertain the eligibility of the voter to vote in the constituency for which he or she has marked a ballot.
      - Teaching and Administrative Staff lists as of approximately February 11th will be used.
      - Name, college/faculty/school and signature should be provided on the envelope as requested.
      - Failure to provide the information requested may result in invalidation of the ballot.
      - If more than one ballot is received from a voter, all such ballots shall be invalidated.
    - Verification of the ballots occurs as the ballots are received and is conducted under the supervision of the Chief Returning Officer. His or her decisions with respect to validation of ballots are final.
  7. Counting of ballots
    - i) Scrutineering
      - Each candidate for election may serve as his or her own scrutineer or appoint in writing a scrutineer for the tabulation of mailed returns in the constituency to which the candidate belongs, and such scrutineers may also check the completed verification of mail ballot returns prior to tabulation.
    - ii) Notification
      - Prior to the end of the balloting period, the Chief Returning Officer will inform each candidate in writing of the place and schedule for counting ballots.
      - Counting will begin at the given time whether or not candidates and/or scrutineers are present.
      - In the event that a count time has to be changed, the Chief Returning Officer will use his or her best effort to contact all candidates concerned to inform them of the change.

- iii) Equality of votes
    - 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 to be filled in any constituency, the successful candidate or candidates shall be determined by a second election between or among the candidates receiving an equal number of votes.
      - The Chief Returning Officer will set the new election schedule.
      - Ballots for this election will be mailed out within two weeks of the close of the first election.
      - If the second election also results in an equality of votes the Chief Returning Officer will seek advice from the Elections Committee on how to proceed.
  - iv) Announcement of results
    - The number of votes received by each candidate will be announced, as will the number of spoiled ballots received.
  - v) Recounts
    - If authorized by the Elections Overseers, a recount will be conducted on the written request of any candidate in a constituency, received within a period of seven days after the announcement of the election results.
  - vi) Retention and disposal of ballots and return envelopes
    - All ballots received, and all return envelopes, will be held in security by the Office of the Governing Council for a period of twenty-one days after the announcement of election results or until the determination of all appeals, whichever is later, and shall thereafter be destroyed.
- iii) By web-based voting
- all graduate and undergraduate students
    1. Date of election
      - The election will normally be held over five consecutive days (Monday to Friday), chosen by the Chief Returning Officer in the period between the beginning of February and the end of March.
      - The Chief Returning Officer may establish advance web polls where it appears that because of a lack of scheduled University activities, a significant number of voters in a division may not have a fair opportunity to vote.
    2. Hours of voting
      - Web voting will be held from Monday to Friday during the hours ROSI is accessible (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 p.m.).
    3. Web-voting stations
      - Web access is available free on computers in the Information Commons and its satellite facilities on all three campuses and in many colleges, faculties and libraries. Some students will have web access through their personal computers.
    4. Voting
      - At the time the voter logs into ROSI, he/she will be asked to provide his/her student number and personal identification number.

- After successfully logging in to ROSI, the voter may click on the election button on the ROSI homepage. ROSI can be accessed either directly or through the Governing Council or the Information Commons homepages during the election period; verification of eligibility of the student to vote in the various constituencies will be determined by records in ROSI.
  - Once recognized as a valid voter, the voter will then be informed of the constituency in which he/she is eligible to vote and provided with a list of options, including casting a ballot and reading the candidate statements.
  - The candidates will be listed in alphabetical order by surname.
  - The voter may vote for the number of candidates that corresponds with the number of vacant seats in the constituency, and may change his/her vote at will until the vote is recorded.
  - The voter may choose not to vote at this point and may exit the election site and return to the process at another time.
  - Once the voter has decided for whom to vote, clicking the “cast ballot” button brings up a confirmation screen. You may still correct your ballot at this point by returning to the ballot screen. Clicking the “cast your ballot” button will record your vote.
  - If the voter marked no candidate or more than the maximum number allowed, a message will indicate that the ballot is marked is invalid and ask 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.
  - If the voter leaves all candidate choices blank, and then chooses to cast his/her ballot, he/she is advised that he/she has not selected any candidates, and at that point can choose the ‘Spoil Your Ballot’ button.
  - A student who has already voted will not be accepted by ROSI as an eligible voter a second time.
5. Verification of ballots
- In web-based voting, verification of the voters eligible to cast ballots is part of the process of allowing the voter to cast a ballot. Separate verification is not required.
6. Counting of ballots
- i) Notification
    - The Chief Returning Officer will receive a confidential report of the results that will be shared with the candidates at a scheduled meeting and then made public.
  - ii) Equality of votes
    - 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 to be filled in any constituency, the successful candidate or candidates shall be determined by second election between or among the candidates receiving an equal number of votes which will be held no later than two weeks after the close of the first election. The Chief Returning Officer will set the new election schedule.
    - If the second election also results in an equality of votes, the Chief Returning Officer will seek advice from the Elections Committee on how to proceed.
  - iii) Announcement of results
    - The number of votes received by each candidate will be announced, as will the number of spoiled ballots recorded.
  - iv) Recounts
    - As there are no individual ballots in web-based voting, a recount is not possible.
  - v) Retention of results

- The results of web voting will be kept on the ROSI system for twenty-one days after the announcement of election results or until the determination of all appeals, whichever is later, and shall thereafter be destroyed.

#### d) Appeals

##### i) Appeals concerning nominations

- See Chapter VI (a)(xv) and (xvi) for information concerning appeals concerning nominations.

##### ii) Filing of notice to appeal

- Candidates may file a notice of intention to appeal any matter arising in the conduct of elections, including the announcement of results but excepting a matter for which no appeal is provided. Appeals must be filed in writing at the Office of the Governing Council by **5:00 p.m.** on **Wednesday, March 12, 2008** for web-based elections, and **5:00 p.m.** on **Tuesday, March 25, 2008** for mail ballot elections.

##### iii) Appeals

- Appeals will be completed by **5:00 p.m.** on **Monday, March 24, 2008**, for web-based elections and **4:00 p.m.** on **Tuesday, April 1, 2008** for mail ballot elections. The decision of the Election Overseers shall be final and not open to review.

#### e) Elections not necessarily invalidated by irregularities

An irregularity, failure, non-compliance or mistake in any proceedings relating to the election, or to the election in any constituency, does 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 is not reasonably likely to have affected the result of the election.

#### f) Election expenses

##### i) Spending limit

- Spending limits for the teaching staff are set at \$400 with \$300 reimbursable.
- Spending limits for the administrative staff are set at \$800 with \$600 reimbursable.
- Each year a separate spending limit will be set for each constituency in the student elections. The limit will be calculated on the basis of \$50 per thousand students enrolled as of November 1, with a minimum \$400.
- In 2007, the spending limits were:

Full-time undergraduates, Faculty of Arts and Science, UTSC and UTM	\$ 2023
Full-time undergraduates, professional faculties	\$ 585
Part-time undergraduates	\$ 400
Graduate students – Constituency I	\$ 400
Graduate students – Constituency II	\$ 400

(See Chapter VI (f)(iii) below for procedures concerning enforcement of this limit and Appendices B and C concerning posters and campaigning.)



- In the event that an additional election is required, as a result of an equality of votes in the previous election, a separate spending limit will be established by the Chief Returning Officer.

ii) Reimbursement of election expenses

- A student candidate who obtains at least 25 percent of the votes obtained by the candidate elected in the constituency with the lesser number of votes will be refunded an amount equal to the lesser of:
  - (a) the first \$100 of spending, plus seventy-five percent of any additional spending of amounts above \$100 and less than the spending limit for the candidate's constituency,
  - or
  - (b) actual expenses.
- Expenses eligible for reimbursement include, but are not limited to, the following:
  - paper and office supplies
  - copying and printing
  - reasonable transportation costs incurred in connection with campaigning at campuses other than that at which the candidate is registered
  - advertisements
  - web design and domain expenses explicitly related to the election
  - refreshments, excluding alcoholic beverages (beer, wine, coolers, etc.)
  - the fair market value of all donated goods and services actually used in the candidate's campaign, except voluntary unpaid labour.
- Expenses ineligible for reimbursement include, but are not limited to, the following:
  - expenses incurred prior to the announcement of candidates
  - parking fines incurred during campaign-related activity
  - costs resulting from the removal of posters from University or non-University property as a result of illegal postering for the election
  - alcoholic beverages (beer, wine, coolers, etc.)
  - interest/financing costs for the election campaign
  - costs which could be considered of a personal nature and unrelated to the campaign
  - web design and domain expenses not explicitly related to the election
  - medical expenses including prescription and non-prescription drugs.
  - Candidates who do not receive the required number of votes will not be eligible for any reimbursement.
  - All candidates, whether they are seeking reimbursement or not, are required 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 thereof, within fourteen days of the close of the election.
  - Candidates will be required 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 his or her behalf or with his or her knowledge and consent.

iii) Enforcement of the election expenses limit

- Enforcement of the election expenses limit will be effected by the requirement to submit the sworn statement. There will be no circumstances under which the limit may be exceeded.



- If the sworn statement indicates that the limit has been exceeded, or if an allegation is made that a candidate has exceeded the limit, the Chief Returning Officer will investigate the matter and, if warranted, take the alleged violation to the Elections Committee acting as the Election Overseers.
  - A hearing will be held.
  - The decision of the Election Overseers will be final and binding.
  - If the candidate is found guilty, and has been successful in the election, he/she will be disqualified and lose his/her seat.
- Failure to submit the sworn statement concerning election expenses may be referred by the Chief Returning Officer to the Elections Committee which acting as the Election Overseers may conduct a hearing and impose penalties including, but not limited to, public announcement, disqualification from future Governing Council elections for a year or number of years, or, if the candidate has been successful in the election, disqualification and loss of seat.
- Within seven days of the deadline for submitting the sworn statement, the Chief Returning Officer must inform the Elections Committee and the concerned candidate(s) of any irregularities that have been discovered. If a hearing is necessary, it should be held as soon as possible and should be completed no later than five weeks following the close of the election.

#### g) Resignation for ineligibility

- A candidate will be declared ineligible if at any time during the election period he or she ceases to meet the eligibility requirements for that seat.
- An elected governor must resign if, at any time during his or her term, he or she ceases to be a member of the constituency in which he or she was elected.
  - Teaching staff holding the academic rank of **Sessional Lecturer I or Sessional Lecturer II must continue to have an appointment in the constituency in which they were elected.**
  - **A student member of Governing Council must be registered in the constituency in which he or she holds his or her seat by Monday, September 15, 2008.**
  - If an undergraduate student governor from the University of Toronto at Scarborough is not registered in the fall semester (September – December 2008), he/she must have been registered in the May – August 2008 semester, and must sign a letter of intent declaring that he/she will be registered in the January – April 2009 semester.
- Please note the exception for students registered in double degree programs, page 10.

#### h) By-elections

- By-elections shall take place automatically unless the vacancy occurs within eight months of the end of a member's term.
- If the vacancy occurs in that period, the Chief Returning Officer shall consult the Elections Committee as to whether a by-election shall be held.
  - Notice of the Committee's meeting will be given to the appropriate recognized constituency organization in sufficient time to allow comments to be made to the Committee.
  - The decision of the Committee on whether a by-election should be held is final and binding.
- By-elections shall take place under the authority and regulations of the Chief Returning Officer, using procedures analogous to those contained elsewhere in these *Guidelines*.

i) Re-opening of nominations

- If no verified nomination papers are filed during the nomination period, or the number of verified nomination papers is fewer than the number of available seats, the Chief Returning Officer may re-open nominations twice.
- If the second re-opening of nominations fails to produce a candidate, the Chief Returning Officer will seek advice from the Elections Committee on how to proceed.

Web Copy

## APPENDIX A Powers and Duties of the Governing Council

### a) The University of Toronto Act

The *Act* vests in the Governing Council, the government, management and control of the University and of University College, and property, revenues, business and affairs therefore, and the powers and duties of the former Board of Governors and Senate of the University.

### b) Composition

The composition of the Governing Council is set out in subsection 2 (2) of *The University of Toronto Act*. The fifty members are as follows:

- 1 Chancellor (*ex officio*)
- 1 President (*ex officio*)
- 2 Presidential Appointees
- 16 Lieutenant-Governor in Council Appointees
- 12 Teaching staff
- 8 Students:
  - 2 graduate students
  - 4 full-time undergraduate students
  - 2 part-time undergraduate students
- 2 Administrative staff
- 8 Alumni

### c) Boards and Committees of the Governing Council

In view of the size and complexity of the University and the extensive duties of the Governing Council, it has delegated many of its review powers to working boards. In addition to an Executive Committee, the Council has established an Academic Board, a Business Board, and a University Affairs Board. Members of Council normally sit on at least one of these boards. The working structure is outlined briefly below.

#### i) Academic Board

The Board is responsible for consideration of policy of an academic nature and for monitoring matters within its area of responsibility. The Committee on Academic Policy and Programs and the Planning and Budget Committee report to the Academic Board.

Specific areas of responsibility include:

- Admissions
- Awards
- Curriculum and academic regulations
- Academic appeals
- Academic discipline
- Budget guidelines and budget plans
- Endowed chairs, professorships and visiting lectureships
- Academic priorities for fundraising
- Capital plans, projects and space policy
- Continuing studies

- Enrolment policy
- Examinations and grading practices
- Planning policy
- University objectives
- Earned degrees, diplomas and certificates
- Establishment, termination or restructuring of academic units
- Research
- Submissions to external agencies
- Academic appointments policies
- Constitutions of divisional councils

## ii) Business Board

The Board is responsible for consideration of policy and for monitorial functions for matters affecting the business affairs of the University. The Audit Committee reports to the Business Board.

Specific areas of responsibility include:

- Fiscal policy and financial transactions not in the normal course of business
- Policy on financing and execution of capital projects and approval of any transactions as required by policy
- University owned or leased property, physical plant, equipment and related matters
- University policy on ancillary operations and monitoring of business ancillaries
- Policy on fundraising
- Alumni affairs
- Relations with the external community
- Communications
- Policy on organization of business functions
- Personnel policy for administrative staff (except librarians)
- Employee benefits
- Contractual relations with employee groups
- Tuition fees/policy on ancillary fees

## iii) University Affairs Board

The Board is responsible for consideration of policy of a non-academic nature concerning the University community and the public, and for monitoring matters within its area of responsibility. The Elections Committee reports to the University Affairs Board.

Specific areas of responsibility include policy on

- Campus and student services
- Compulsory non-academic incidental fees
- Student societies and campus organizations
- Ceremonials (excluding convocation)
- Extra-curricular programs and use of facilities
- Use of the University of Toronto name
- Campus security
- Day care
- Non-financial aspects of University investments
- Governing Council elections

- Relations within the University community, including non-academic discipline

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## APPENDIX B Regarding Posters and the Use of Information Technology

**Timing** (For elections for Teaching Staff and Administrative Staff conducted by mail ballots)

Posters of any sort **may NOT be posted before 5:01 p.m. on Friday, February 8, 2008.**

Posters must be removed by **Thursday, April 3, 2008.**

**Timing** (For elections conducted by web voting)

Posters of any sort **may NOT be posted before 12:01 a.m. on Monday, February 25, 2008.**

Posters must be removed by **Thursday, April 3, 2008.**

### 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 Elections Overseers<sup>4</sup>:

1. Candidates must advise the Chief Returning Officer 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 Elections 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 Elections Overseers.
6. Candidates are required to inform the CRO of their election web-site, if they choose to create one.
7. Candidates are required to blind copy (bcc) the CRO on all campaign email messages sent to electronic mailing lists or listserves.

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<sup>4</sup> Procedure on Distribution of publications, posters, and banners at the University of Toronto, is available at [http://www.facilities.utoronto.ca/general/Poster\\_procedure.htm](http://www.facilities.utoronto.ca/general/Poster_procedure.htm).

The University of Toronto's Policy on the "Appropriate Use of Information and Communication Technology" is available from the web-site of the Office of the Vice President and Provost at <http://www.provost.utoronto.ca/policy/use.htm>.

## APPENDIX C

### Guidelines for Campaigning

**Candidates for election to the Governing Council are expected to conduct honourable campaigns.**

Candidates are required to observe all of the rules and regulations regarding campaigning as outlined in these *Guidelines*, including the regulations concerning posters and the use of information technology (Appendix B). Infractions of the regulations and guidelines may result in a candidate's disqualification or sanction by the Elections Overseers. 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/Policy/studentc.html>) and the *Statement on Prohibited Discrimination and Discriminatory Harassment*

(<http://www.governingcouncil.utoronto.ca/Assets/Policies/Policy/harass.html>).

1. The 2007, campaign spending limits were:
 

Full-time undergraduates, Faculty of Arts and Science, UTSC and UTM	\$ 2023
Full-time undergraduates, professional faculties	\$ 585
Part-time undergraduates	\$ 400
Graduate students - Constituency I	\$ 400
Graduate students - Constituency II	\$ 400
Teaching staff	\$ 400
Administrative staff	\$ 800

Please see Chapter VI (f) for complete details about spending limits, reimbursement provisions and enforcement of the limit.

2. Campaigning for elections held by mail ballot in teaching staff and administrative staff constituencies may not begin until all candidates have been announced.
3. Campaigning for web-based elections may not start before 12:01 a.m., Monday, February 25, 2008 and will cease at the end of the voting period (6:00 p.m., Friday, March 7, 2008).
4. Candidates are required to inform the Chief Returning Officer of their election web-site, if they choose to create one.
5. The University crest may not appear on campaign literature, materials or web-sites. Candidates may use the University's name.
6. Candidates may place advertisements in the campus press to appear during the campaign period.
7. Candidates are responsible for removing all campaign material after the close of the election.
8. It is expected that candidates will not remove, deface or unreasonably inhibit from viewing each other's campaign material.
9. Candidates shall be responsible for the actions, and violations stemming from such actions, of any associated party, however occurring.
10. Candidates may not post or distribute, electronically or otherwise, campaign literature that might reasonably be considered libelous by the Chief Returning Officer.
11. Candidates' statements submitted on the nomination forms will be disseminated at the expense of the Governing Council as set out in the *Election Guidelines* and by any other means chosen by the Chief Returning Officer.

12. Candidates may not use in their campaign any service or tangible benefit conferred on them by virtue of their holding any position in any organization on campus. This includes, but is not limited to, office supplies, equipment, advertising space, secretarial services and email lists and other privileged information
13. **Violation of Campaign Rules**
  - (a) The Chief Returning Officer (CRO) shall have the sole authority to enforce the provisions of the *Election Guidelines*.
  - (b) No candidate may attempt to enforce the provisions of the *Election Guidelines*.
  - (c) Allegations of violation of the *Election 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.
  - (d) The CRO may lay charges of violations of campaign rules on his/her own initiative.
  - (e) A charge of a violation must be given in writing to the CRO within five days of the alleged violation. The CRO will investigate each allegation, assisted by such staff that he or she may wish to employ.
  - (f) In the case that the CRO receives frivolous and/or vexatious complaints, he/she may:
    - (i) Warn the candidate complainant that, in his/her 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:
      - a. If the complainant is a candidate, recommend a sanction to the Elections Overseers;
      - b. Refuse to hear the complaint;
      - c. 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.
  - (g) The Elections Committee shall meet from time to time as the Election Overseers at the call of the CRO to discuss any charges of violations to the campaign rules and to decide on the appropriate action to be taken, with such meeting being subject to the following:
    - (i) The CRO shall 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. Each candidate will have an opportunity to present his/her case.
    - (ii) A written report of the minutes of the said meeting will be made available within a forty-eight (48) hour period to all those in attendance at the meeting.
  - (h) It will be the responsibility of the candidate to ascertain his/her position with respect to decisions made by the Election Overseers regarding alleged violations committed by the candidate. This must be done on a daily basis by consulting the CRO, a published list, or minutes posted on a designated elections space in the Office of the Governing Council or on its web-site.
  - (i) Details of confirmed violations, including the offending candidate's name, will be posted to the Governing Council web-site and, in web-based elections, to the voting web-site, for



the duration of the election or until such time as the Elections Overseers determine, whichever is shorter.

- (j) Sanctions assessed 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.
  - (iv) Publication of the violation, its details and the name of the offender on the elections web-site for the duration of the election
- (k) 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 Elections Overseers. In principle, a *Severe* violation is one characterized by a deliberate and substantial effort to undermine the elections process; in contrast, 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. The Elections Overseers have the sole authority to determine the category into which a particular violation falls, guided by the following observations, and acknowledging that the degree of a violation may influence its classification:
- (i) *Serious* violations might include, but are not limited to:
    - violations of the regulations concerning posters and information technology outlined in Appendix B of these *Guidelines*;
    - including, in the course of a campaign, material explicitly forbidden by these *Guidelines* (e.g. University Crest);
    - violations of any restrictions imposed by University faculties, departments, or administrative services;
    - inappropriate use of property, including but not limited to chalk messages on sidewalks, adhesive stickers/signs affixed to furniture and/or equipment;
    - unauthorized solicitation of votes, including but not limited to speaking in class without the prior permission of the instructor;
    - the use in a campaign of any service or tangible benefit conferred on a candidate by virtue of his/her holding any position in any organization on campus. This includes, but is not limited to, office supplies, equipment, advertising space, secretarial service, email lists and other privileged information, and funding;
    - unauthorized use of University resources, including but not limited to printing, copying, office supplies, equipment and secretarial service;
    - deliberate misrepresentation of facts;
    - spending marginally over the maximum spending limit as set by the *Election Guidelines*;
    - making frivolous and/or vexatious campaign violation allegations.
  - (ii) *Severe* violations might include, but are not limited to:
    - spending grossly over the maximum spending limit as set by the *Election Guidelines*;
    - intentionally misrepresenting campaign expenditures;
    - attempting to interfere in the election process, including the online voting process, as regulated by these *Guidelines*;

- (l) The Elections 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. At their discretion, the Elections 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).
- (m) 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 not be from the same college, campus or faculty in certain constituencies. (See the section on the student constituencies in Chapter IV.)

November 6, 2007

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