



# University of Toronto Governing Council

## Draft Election Guidelines 2009

October 7, 2008

**Election Guidelines 2009**  
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## 1. Introduction to the Governing Council

### 1.a Preamble

#### **ROLE OF GOVERNORS**

- Governors are trustees of the University and are responsible for ensuring that:
  - all decisions are made in the best interests of the University.
  - the University will be handed on to succeeding generations with its strengths intact or improved, and its mission well supported.
  - 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.

#### **EFFECTIVE GOVERNORS**

- Understand and passionately support the mission of the University;
- Are willing to work to understand the context and implications of matters before the Council;
- Understand the overall trusteeship function of a governor and do not focus on one idea or issue;
- Have the capacity for critical thinking;
- Respect the distinct and separate roles of governance and administration: the Governing Council must ensure that the University is managed well, but responsibility for managing the University is delegated to the President and members of the administration.

#### **TIME COMMITMENT**

- Governors are expected to attend the meetings of Council, and normally to sit on two boards/committees of Council.
- Meetings are scheduled from September to June, usually begin either at 4 p.m. or 5 p.m. and continue for two or two and one half hours.
- A normal commitment would consist of preparation and meeting time for eighteen meetings a year. Special meetings and ad hoc committee assignments would be in addition to that commitment.
- Current governors estimate the time averages out to be approximately 4 hours a week, or 176 hours a year, depending on the depth to which you might wish to pursue individual issues.

### 1.b Powers and Duties of the Governing Council

Governing Council is the senior governing body of the University, responsible for overseeing the academic, business, and student affairs of the University. Matters approved by the Council and its Boards include:

- Campus and student services
- Major changes in academic programs and units
- Policies on admissions & awards, tuition & ancillary fees, research, and grading practices
- multi-year budget guidelines and capital plans;
- resource allocation in support of the university's priorities
- appointment of senior administrators;
- acquisition and/or disposal of assets.

Information about the Governing Council and its Boards and Committees, including the meeting schedule, membership, terms of reference, meeting agendas with links to non-confidential material, and meeting reports are available on the Governing Council web-site: <http://www.governingcouncil.utoronto.ca/home.htm>

An *Information Manual* for members of the Governing Council is available on the Governing Council web-site at <http://www.governingcouncil.utoronto.ca/Page154.aspx>.

### 1.c Composition of the Governing Council

The composition of the Governing Council is set out in subsection 2 (2) of the *University of Toronto Act, 1971 (the Act)*.<sup>1</sup> The fifty members are as follows:

<i>Ex Officio</i>	
Chancellor	
President	
<i>Appointed</i>	
Lieutenant-Governor in Council Appointees	16
Presidential Appointees	2
<i>Elected</i>	
Administrative staff	2
Alumni	8
Teaching staff	12
Students:	
graduate students	2
full-time undergraduate students	4
part-time undergraduate students	2

### 1.d Boards and Committees of the Governing Council

Section 29 of *By-law Number 2*<sup>2</sup> of the Governing Council establishes four classes of committees.

1. The **Executive Committee**, the composition of which is set out in section 3 of the *University of Toronto Act, 1971*;
2. The **Academic, Business and University Affairs Boards**;
3. **Standing Committees**, reporting either to the Governing Council or to a Board:

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

4. **Special Committees** which may be established from time to time.

<sup>1</sup> <http://www.governingcouncil.utoronto.ca/Assets/Policies/uoftact.pdf>

<sup>2</sup> <http://www.governingcouncil.utoronto.ca/Assets/Policies/bylaw2.pdf>



## 2. Authority for Elections

### 2.a The University of Toronto Act, 1971

Subsection 2 (14) (nb) of The Act provides that the Governing Council may determine the manner and procedure of election of its members and conduct such elections. Subsection 2 (14) (nc) provides that the Governing Council may define the constituencies for elections and the membership of each constituency.

### 2.b Chief Returning Officer

A Chief Returning Officer (CRO) is appointed by the University Affairs Board on the recommendation of the Secretary of the Governing Council. The CRO may not vote in any election.

The CRO serves as a non-voting assessor to the Elections Committee.

The CRO:

- is responsible for the interpretation and implementation of the Election Guidelines;
- rules on the validity of nominations, violations of campaign rules, voter eligibility, and verification and tabulation of returns;
- has complete charge of all matters with respect to web-based voting in the Governing Council elections and maintains liaison with Student Information Systems on the production of the web-voting procedures;
- creates nomination forms for use in connection with the election.

The CRO's decisions concerning technical invalidation of nominations may be appealed to the Elections Committee.

### 2.c Deputy Returning Officer

A Deputy Returning Officer (or Deputy Returning Officers) may be appointed at the discretion of the Secretary of the Governing Council. The appointment(s) are reported to the University Affairs Board for information.

The Deputy Returning Officers assist the CRO in his/her duties as appropriate, and act in his/her absence as required. Deputy Returning Officers may not vote in any election.

### 2.d Elections Committee

The Elections Committee is responsible for annually considering the *Election Guidelines* and recommending them for approval to the University Affairs Board.

The members of the Elections Committee also serve as the **Election Overseers** and consider any objection to a ruling or decision of the CRO as well as any appeal or any other question arising from the conduct of the election as outlined in the *Guidelines*. The decision of the Election Overseers in such matters is final and not subject to any further review or appeal.

A member of the Elections Committee who is standing for election, involved in an election campaign or endorsing a candidate for election may not act as an Election Overseer, unless quorum is otherwise unavailable. To achieve quorum, the member 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.

### **3. Purpose of the Election Guidelines**

The purpose of the *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.

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.

## 4. Definitions

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;

“**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. Full-time student status 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. Part-time student status will be determined by the definition used in the student’s academic division;

“**Student**” means any person registered at the University for full-time or part-time study in a program that leads to a degree or post-secondary diploma or certificate of the University or in a program designated by the Governing Council as a program of post-secondary study at the University. The Transitional Year Program and the Millie Rotman Shime Academic Bridging Program have been designated by the Governing Council as programs for the purposes of clause 1(1) (l) of *The Act*; <sup>3</sup>

“**Tangible Benefit**” means any service or benefit conferred on a candidate by virtue of their holding any position in any organization. This includes, but is not limited to, office supplies, equipment, advertising space, secretarial services, privileged email lists and other contact information, and funding.

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<sup>3</sup> An individual who is not registered in a program as defined will not meet the definition of student under *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*.

## 2009 Election Schedule

### 5.a Administrative Staff and Teaching Staff

#### Nomination Period

Nominations Open	Friday, January 9	12:00 noon
Nominations Close	Friday, January 23	12:00 noon
Announcement of Candidates	Thursday, January 29	3:00 p.m.
Deadline for filing intent to appeal	Monday, February 2	3:00 p.m.
Appeals completed	Tuesday, February 10	5:00 p.m.
Announcement of Additional Candidates	Wednesday, February 11	12:00 noon
Deadline for withdrawing name from ballot	Friday, February 13	5:00 p.m.

#### Campaign Period

Mandatory All-Candidates' Meeting	Thursday, February 12	9:00 a.m.
Campaign Period Begins	Friday, February 13	1:00 p.m.
Campaign Period Ends	Friday, March 20	5:00 p.m.

#### Voting Period

Ballots mailed	February 17 to February 20	
Deadline for Return of Ballots	Friday, March 20, 2009	5:00 p.m.
Counting of Ballots	Tuesday, March 24, Wednesday, March 25	Tba Tba
Announcement of Results	Thursday, March 26	3:00 p.m.
Deadline for Recount Requests	Thursday, April 2	5:00 p.m.
Deadline for filing Intent to Appeal	Friday, April 3	5:00 p.m.
Appeals Completed	Wednesday, April 8	5:00 p.m.
Winners Declared Elected	Thursday, April 9	12:00 noon

#### Post-Election Period

Deadline for Filing Expense Statement	Friday, April 17	5:00 p.m.
Notice of Hearings regarding Expenses	Friday, April 24	5:00 p.m.
Hearings regarding Expenses Completed	Friday May 1	5:00 p.m.

Changes to the election schedule may be made by the CRO if circumstances warrant such changes.

## 2009 Election Schedule

### 5.b Students

#### Nomination Period

Nominations Open	Friday, January 9	12:00 noon
Nominations Close	Friday, January 23	12:00 noon
Announcement of Candidates	Thursday, January 29	3:00 p.m.
Deadline for filing intent to appeal	Monday, February 2	3:00 p.m.
Appeals completed	Tuesday, February 10	5:00 p.m.
Announcement of Additional Candidates	Wednesday, February 11	12:00 noon
Deadline for withdrawing name from mail ballot	Friday, February 13	5:00 p.m.

#### Campaign Period

Mandatory All-Candidates' Meeting	Thursday, February 12	1:00 p.m.
Campaign Period Begins	Friday, February 13	1:00 p.m.
Campaign Period Ends	Friday, March 20	5:00 p.m.

#### Voting Period

Ballots mailed to post-graduate medical students	February 17 to February 20	
Deadline for Return of Ballots	Friday, March 20	5:00 p.m.
Web-based Voting begins	Monday, March 9	12:01 a.m.
Web-based Voting ends	Friday, March 20	5:00 p.m.
Counting of Mail Ballots	Monday, March 23	Tba
Announcement of Results	Thursday, March 26	3:00 p.m.
Deadline for filing Intent to Appeal	Friday, April 3	5:00 p.m.
Appeals Completed	Wednesday, April 8	5:00 p.m.
Winners Declared Elected	Thursday, April 9	12:00 noon

#### Post-Election Period

Deadline for Filing Expense Statement	Friday, April 17	5:00 p.m.
Notice of Hearings regarding Expenses	Friday, April 24	5:00 p.m.
Hearings regarding Expenses Completed	Friday May 1	5:00 p.m.

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

## 6. Constituencies, Terms of Office and Election Process

### 6.a Administrative Staff

The "Administrative Staff" constituency includes all the employees of the University, University College, the constituent colleges and the federated universities who are not members of the teaching staff.

**Term of office** - July 1 to June 30 for three years.

Current Members	Term ends	Election required
D. Alli	June 30, 2009	yes
P.C. Choo	June 30, 2010	no

#### 6.a.i Election Schedule Summary (the detailed Schedule is on page 12)

Nomination Period:	Friday, January 9, 12:00 noon to Friday January 23, 12:00 noon.
Campaign Period:	Friday, February 13, 1:00 p.m. to Friday, March 20, 5:00 p.m.
Voting Period:	Tuesday, February 17 to Friday, March 20, 5:00 p.m.
Post-Election Period:	Friday, April 17, 5:00 p.m. to Friday, May 1, 5:00 p.m.

#### 6.a.ii Eligibility

##### Canadian Citizenship

- A candidate must be a Canadian citizen in accordance with Subsection 2(4) of The Act.
- One of following pieces of documentary **evidence of Canadian citizenship must be presented with the nomination form:**
  - 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 are acceptable** for this purpose.

- If a candidate does not have any of the documents noted above, he/she may complete a notarized statement declaring that he/she is a Canadian citizen.
  - The statement will be available in the Office of the Governing Council and arrangements may be made in the Office for the notarization of the statement.
  - If the candidate is absent from Ontario, the notarized statement may be made on the candidate's behalf by someone whose personal knowledge of the facts is acceptable to the CRO.

### **Constituency**

- 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.
- If an individual is both a member of the administrative staff and a registered student, he or she must declare the constituency in which he or she is seeking election, in accordance with Subsection 2(3a) of *The Act*.<sup>4</sup>

## **6.a.iii Nomination Process**

### **Nomination Forms**

- 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>.
  - Nominations open: **Friday, January 9 at 12:00 noon.**
  - Nominations close: **Friday, January 23 at 12:00 noon.**
- Only the nomination form provided by the CRO will be accepted.
- Nominations must be filed at the Office of the Governing Council by the nomination deadline.
- Nomination forms sent by facsimile (to 416-978-8182) before the deadline will be accepted;
  - the original of the nomination form must follow immediately by hand or mail and be identical to the facsimile.

### **Nominators**

- Candidates may **not** nominate themselves.
- An administrative staff candidate must include on his/her nomination form the signatures of **20 nominators**, each indicating their printed full name and department or office.
- Nominators of an administrative staff candidate must be members of the administrative staff constituency.
- A nominator may not nominate more candidates for election than there are seats vacant in his or her constituency.
- The names of nominators will **not** be released by the CRO to the public or the other candidates.

### **Candidate Statements**

- Candidates 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 mailed ballot.
- The CRO is not 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.
- Candidates may submit the statement electronically, separately from the nomination form, as long as it is received prior to the close of nominations.

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<sup>4</sup> 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.”



- 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 an exact limit. If a statement contains more than 100 words, only the first 100 words will be printed.
- The candidate's signature on the nomination form signifies approval of and responsibility for the statement.
- 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.

#### **Verification of Candidate**

- The eligibility of an administrative staff candidate will be verified by checking the candidate's printed full name and department or office against records of the Human Resources Information Systems and staff records in the federated universities.

A nomination will be certified as valid by the CRO 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 CRO**;
- 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*.

#### **Verification of Nominators**

- Nominators for administrative staff candidates will be verified by comparing the printed full name and department or office against records of the Human Resources Information Systems and staff records in the federated universities.

#### **Errors or irregularities in nominations**

- **The person nominated for election is responsible for filing a correct nomination paper.**
- Errors or irregularities may be corrected prior to the close of nominations.
- The CRO 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.

#### **Technical Invalidation**

- Nomination papers may be automatically invalidated on technical grounds by the CRO if they are:
  - in error;
  - incomplete;
  - not appropriately verifiable;
  - not accompanied by documentation required by these *Guidelines* and the CRO.
- Such decisions may be appealed to the Elections Overseers.

#### **Announcement of Candidates**

- On **Thursday, January 29, 2009** at **3:00 p.m.**, the names of all verified candidates will be announced.

### **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 3:00 p.m. on Monday, February 2, 2009 at the Office of the Governing Council.

### **Appeals**

- Appeals will be completed by **5:00 p.m., Tuesday, February 10, 2009.**
- The decision of the Election Overseers is final and not open to review.

### **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 **Wednesday, February 11, 2009 at 12:00 noon.**

### **Withdrawal of Nomination**

- A person nominated as a candidate in the election may withdraw the nomination by submitting a signed statement to the CRO.
- The statement will be available in the Office of the Governing Council and on the Governing Council Elections web-site <http://www.governingcouncil.utoronto.ca/elections.htm>.
- The candidate must sign the statement in person in the Office of the Governing Council, in the presence of the CRO or designate, and present appropriate photo identification.
- If a person nominated as a candidate wishes to have his or her name removed from the ballot, he or she must withdraw by Friday, February 13, 2009 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.
- Votes cast for a candidate who has withdrawn shall not be counted and are void.

### **Acclamations**

- A candidate will be acclaimed – deemed to be elected – by the CRO 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*.
  - where a person nominated as a candidate has withdrawn his or her nomination and, as a result, the number of remaining candidates duly nominated is equal to or less than the number of members to be elected in the constituency in question.

### **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 CRO may re-open nominations twice.
- If the second re-opening of nominations fails to produce a candidate, the CRO may use his/her discretion to determine the appropriate course of action.

## 6.a.iv Campaign Period

### All candidates' meeting

- Candidates are required to attend in person or send an authorized representative to an all-candidates' meeting organized by the CRO to review campaign regulations.
- In the event that the meeting is missed, the candidate may contact the CRO to receive the information given at the all candidates' meeting.
- The candidate, whether present in person or not, is entirely responsible for all information provided at the all-candidates' meeting.

### Campaigning

- Rules of campaigning are included in Appendix A on page 49 of these Guidelines.
- 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 these rules of campaigning and any additional regulations issued by the CRO. Failure to do so may result in the candidate's disqualification or sanction by the Elections Overseers.

## 6.a.v Balloting

### Eligibility

- No person may cast more than one ballot.<sup>5</sup>
- All eligible voters are entitled to vote using a ballot provided by the CRO for the election.
  - Only ballots provided by the CRO are 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.
- If more than one mail ballot is received from an eligible voter, none of the ballots will be considered valid.

### Method of Balloting

- Ballots will be mailed to each voter at his or her University address as recorded in the University's record systems.
  - Voters who will be absent from their University address during the balloting period may ask to have their ballot forwarded to them.
- Each ballot will be accompanied by a small secrecy envelope into which the marked ballot should be sealed.

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<sup>5</sup> Clause 2 (14) (nb) of The Act

- A return-address envelope will be provided 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.
- 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 voter may vote for as many candidates as there are seats vacant in his or her constituency.
- Any kind of mark on the ballot that indicates an intention on the part of the voter to cast a valid vote is acceptable.
- 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.

#### **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 returned a ballot.
- Administrative staff lists as of approximately January 5th will be used.
- Name, college/faculty/school and signature should be legibly written on the envelope to facilitate verification.
  - Failure to provide the information requested may result in invalidation of the ballot.
  - All mail ballots submitted by ineligible or unverifiable voters will be invalidated.
  - 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 CRO or designate. His or her decisions with respect to validation of ballots are final.

#### **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.
- Scrutineers may also check the completed verification of mail ballot returns prior to tabulation.

#### **Notification of Ballot Counting**

- Prior to the end of the balloting period, the CRO 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 CRO will use his or her best effort to contact all candidates concerned to inform them of the change.

### **Announcement of Results**

- The number of votes received by each candidate, as well as the number of spoiled ballots received will be announced on March 26 at 3:00 pm.

### **Recounts**

- If authorized by the Elections Overseers, a recount will be conducted on the written request received within a period of seven days after the announcement of the election results from any candidate in a constituency.
- The deadline for recount requests is **Thursday April 2, 2009 at 5:00 p.m.**

### **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 CRO will set the new election schedule.
- If the second election also results in an equality of votes the CRO will seek advice from the Elections Committee on how to proceed.

### **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.
- Appeals must be filed in writing at the Office of the Governing Council by **5:00 p.m. on Friday April 3, 2009.**

### **Appeals**

- Appeals will be completed by **5:00 p.m. on Wednesday, April 8, 2009.** The decision of the Election Overseers is final and not open to review.

### **Retention and disposal of ballots and return envelopes**

- All ballots and return envelopes received 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 will then be destroyed.

### **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.

## 6.a.vi Election expenses

### Spending limit

- Spending limits for the administrative staff are set at \$800 with \$600 reimbursable.
- 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 CRO.

### Reimbursement of election expenses

- Expenses eligible for reimbursement include, but are not limited to, the following:
  - paper and office supplies;
  - copying and printing of campaign materials;
  - reasonable transportation costs incurred in connection with campaigning at campuses other than that at which the candidate works;
  - campaign 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 posting 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, whether they are seeking reimbursement or not, are normally expected to submit receipts for all expenses including a statement of all donated goods and services actually used in the candidate's campaign (except voluntary unpaid labour) with their fair market value, within fourteen days of the close of the election.
- Candidates will normally be asked to sign a sworn statement that all expenses have been disclosed and that the total represents the total amount of expenses by the candidate or by anyone acting on his or her behalf or with his or her knowledge and consent.
- Candidates who have no campaign expenses may, at the discretion of the CRO, be exempt from submitting an expense statement.

### Enforcement of the Election Expenses Limit

- 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 CRO 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

CRO to the Elections Committee acting as the Election Overseers.

- a hearing may be held;
- penalties may be imposed, including, but not limited to:
  - for successful candidates: disqualification and loss of seat;
  - for unsuccessful candidates: public announcement and/or disqualification from future Governing Council elections for a year or number of years.
- Within seven days of the deadline for submitting the sworn statement, the CRO must inform the Elections Committee and the concerned candidate(s) of any irregularities that have been discovered.
- 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.

#### **6.a.vii 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.

#### **6.a.viii By-elections**

- By-elections 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 CRO consults the Elections Committee to determine whether a by-election will be held.
  - Notice of the Committee's meeting will be announced publicly 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 take place under the authority and regulations of the CRO, using procedures analogous to those contained elsewhere in these *Guidelines*.

## 6.b. Teaching Staff

### Definition

For purposes of Governing Council elections, "Teaching Staff" are 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, assistant professor (conditional), athletics instructor, senior athletics instructor, lecturer, senior lecturer (including associates in the Faculty of Dentistry), sessional lecturer I, sessional lecturer II, tutor or senior tutor.

### Constituencies

Eight constituencies have been established for Teaching Staff, for purposes of the Governing Council elections. A teaching staff member's constituency is normally 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, the CRO will consult as necessary to determine the appropriate constituency for the individual.

**Term of office** - July 1 to June 30 for three years.

Constituency	Current Member(s)	Term ends	Election required in 2009
<b>1A:</b> 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>Prof. Brian Corman</b>	<b>June 30, 2009</b>	<b>yes</b>
<b>1B:</b> 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)	<b>Prof. Michael Marrus</b>	<b>June 30, 2009</b>	<b>yes</b>
<b>1C:</b> all teaching staff members in the Faculty of Arts and Science who hold their major appointments in the Departments of Astronomy and Astrophysics, Cell and Systems Biology, Chemistry, Computer Science, Ecology and Evolutionary Biology, Geology, Mathematics, Physics and Statistics and Actuarial Science (excluding those who are members of Constituency II or III)	<b>Professor Ronald Kluger</b>	<b>June 30, 2010</b>	<b>no</b>



<b>Constituency</b>	<b>Current Member(s)</b>	<b>Term ends</b>	<b>Election required in 2009</b>
<b>II:</b> all teaching staff who hold their major appointments at the University of Toronto at Mississauga	Prof. Varouj Aivazian,	June 30, 2011	no
<b>III:</b> all teaching staff members who hold their major appointments at the University of Toronto at Scarborough	<b>Prof. William Gough</b>	<b>June 30, 2009</b>	<b>yes</b>
<b>IV:</b> all teaching staff members who hold their major appointments in the Faculty of Applied Science and Engineering	Prof. Doug Reeve	June 30, 2010	no
<b>V:</b> 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	Prof. Joel Kirsh	June 30, 2010	no
	<b>Prof. Louise Lemieux-Charles</b>	<b>June 30, 2009</b>	<b>yes</b>
	Prof. Sarita Verma	June 30, 2010	no
<b>VI:</b> all teaching staff members who hold their major appointments in the Faculty of Dentistry, Lawrence S. Bloomberg Faculty of Nursing, Leslie Dan Faculty of Pharmacy and the Faculty of Physical Education and Health	<b>Prof. Ellen Hodnett</b>	<b>June 30, 2009</b>	<b>yes</b>
<b>VII:</b> all teaching staff members who hold their major appointments in the John H. Daniels Faculty of Architecture, Landscape, and Design, Joseph L. Rotman School of Management, Faculty of Forestry, Faculty of Information, Faculty of Law, Faculty of Music and the Factor-Inwentash Faculty of Social Work	Prof. Arthur Ripstein	June 30, 2011	no
<b>VIII:</b> all teaching staff members who hold their major appointments in the Ontario Institute for Studies in Education of the University of Toronto (OISE/UT)	Prof. Elizabeth Smyth	June 30, 2011	no

**6.b.i Election Schedule Summary** (the detailed Schedule is on page 12)

Nomination Period: Friday, January 9, 12:00 noon to Friday January 23, 12:00 noon.

Campaign Period: Thursday, February 12, 1:00 p.m. to Friday, March 20, 5:00 p.m.

Voting Period: Tuesday, February 17 to Friday, March 20, 5:00 p.m.

Post-Election Period: Friday, April 17, 5:00 p.m. to Friday, May 1, 5:00 p.m.

## 6.b.ii Eligibility

### Canadian Citizenship

- A candidate must be a Canadian citizen in accordance with Subsection 2(4) of The Act.
- One of following pieces of documentary **evidence of Canadian citizenship must be presented with the nomination form:**
  - 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 are acceptable** for this purpose.

- If a candidate does not have any of the documents noted above, he/she may complete a notarized statement declaring that he/she is a Canadian citizen.
  - The statement will be available in the Office of the Governing Council and arrangements may be made in the Office for the notarization of the statement.
  - If the candidate is absent from Ontario, the notarized statement may be made on the candidate's behalf by someone whose personal knowledge of the facts is acceptable to the CRO.

### Constituency

- 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.

## 6.b.iii Nomination Process

### Nomination Forms

- 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>)
  - Nominations open: **Friday, January 9 at 12:00 noon.**
  - Nominations close: **Friday, January 23 at 12:00 noon.**
- Only the nomination form provided by the CRO will be accepted.
- Nominations must be filed at the Office of the Governing Council by the nomination deadline.
- Nomination forms **sent by** facsimile (to 416-978-8182) before the deadline will be accepted;
  - the original of the nomination form must follow immediately by hand or mail and be identical to the facsimile.

### **Nominators**

- Candidates may **not** nominate themselves.
- A teaching staff candidate must include on his/her nomination form the signatures of **10 nominators**, each indicating their printed full name and department or office.
- Nominators of a teaching staff candidate must be members of the same teaching staff constituency as the person being nominated.
- A nominator **may** not nominate more candidates for election than there are seats vacant in his or her constituency.
- The names of nominators will **not** be released by the CRO to the public or the other candidates.

### **Candidate Statements**

- Candidates 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 mailed ballot.
- The CRO is not 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.
- 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 an exact limit. If a statement contains more than 100 words, only the first 100 words will be printed.
- The candidate's signature on the nomination form signifies approval of and responsibility for the statement.
- 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.

### **Verification of Candidate**

- The eligibility of a teaching staff candidate will be verified by checking the candidate's printed full name and department against records of the Human Resources Information Systems.
- A nomination will be certified as valid by the CRO 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 CRO;
  - 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*.

### **Verification of Nominators**

- Nominators for teaching staff candidates will be verified by comparing the printed full name and department against records of the Human Resources Information Systems.

### **Errors or irregularities in nominations**

- **The person nominated for election is responsible for filing a correct nomination paper.**
- Errors or irregularities may be corrected prior to the close of nominations.
- The CRO 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.

### **Technical Invalidation**

- Nomination papers may be automatically invalidated on technical grounds by the CRO if they are:
  - in error;
  - incomplete;
  - not appropriately verifiable;
  - not accompanied by documentation required by these *Guidelines* and by the CRO.
- Such decisions may be appealed to the Elections Overseers.

### **Announcement of Candidates**

- On **Thursday, January 29, 2009 at 3:00 p.m.**, the names of all verified candidates will be announced.

### **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 3:00 p.m. on Monday, February 2, 2009 at the Office of the Governing Council.

### **Appeals**

- Appeals will be completed by **5:00 p.m., Tuesday, February 10, 2009.**
- The decision of the Election Overseers is final and not open to review.

### **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 **Wednesday, February 11, 2009 at 12:00 noon.**

### **Withdrawal of Nomination**

- A person nominated as a candidate in the election may withdraw the nomination by submitting a signed statement to the CRO.
- The statement will be available in the Office of the Governing Council and on the Governing Council Elections web-site <http://www.governingcouncil.utoronto.ca/elections.htm>.
- The candidate must sign the statement in person in the Office of the Governing Council, in the presence of the CRO or designate, and present appropriate photo identification.
- If a person nominated as a candidate wishes to have his or her name removed from the ballot, he or she must withdraw by **Friday, February 13, 2009 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.
- Votes cast for a candidate who has withdrawn shall not be counted and are void.

### **Acclamations**

- A candidate will be acclaimed – deemed to be elected – by the CRO 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*.
  - where a person nominated as a candidate has withdrawn his or her nomination and, as a result, the number of remaining candidates duly nominated is equal to or less than the number of members to be elected in the constituency in question.

### **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 CRO may re-open nominations twice.
- If the second re-opening of nominations fails to produce a candidate, the CRO may use his/her discretion to determine the appropriate course of action.

## **6.b.iv Campaign Period**

### **All candidates' meeting**

- Candidates are required to attend in person or send an authorized representative to an all-candidates' meeting organized by the CRO to review campaign regulations.
- In the event that the meeting is missed, the candidate may contact the CRO to receive the information given at the all-candidates' meeting.
- The candidate, whether present in person or not, is entirely responsible for all information provided at the all-candidates' meeting.

### **Campaigning**

- Rules of campaigning are included in Appendix A on page 49 of these Guidelines.
- 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 these rules of campaigning and any additional regulations issued by the CRO. Failure to do so may result in the candidate's disqualification or sanction by the Elections Overseers.

## 6.b.v Balloting

### Eligibility

- No person may cast more than one ballot.<sup>6</sup>
- All eligible voters are entitled to vote using a ballot provided by the CRO for the election.
- Only ballots provided by the CRO are 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
- If more than one mail ballot is received from an eligible voter, none of the ballots will be considered valid.

### Method of Balloting

- Ballots will be mailed to each voter at his or her University address as recorded in the University's record systems.
  - Voters who will be absent from their University address during the balloting period may ask to have their ballot forwarded to them.
- Each ballot will be accompanied by a small secrecy envelope into which the marked ballot should be sealed.
- A return-address envelope will be provided 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.
- 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 voter may vote for as many candidates as there are seats vacant in his or her constituency.
- Any kind of mark on the ballot that indicates an intention on the part of the voter to cast a valid vote is acceptable.
- 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.

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<sup>6</sup> Clause 2(14)(nb) of The Act

### **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 returned a ballot.
- Teaching Staff lists as of approximately February 11th will be used.
- Name, college/faculty/school and signature should be legibly written on the envelope to facilitate verification.
  - Failure to provide the information requested may result in invalidation of the ballot.
  - All mail ballots submitted by ineligible or unverifiable voters will be invalidated.
  - 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 CRO or designate. His or her decisions with respect to validation of ballots are final.

### **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.
- Scrutineers may also check the completed verification of mail ballot returns prior to tabulation.

### **Notification of Ballot Counting**

- Prior to the end of the balloting period, the CRO 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 CRO will use his or her best effort to contact all candidates concerned to inform them of the change.

### **Announcement of Results**

- The number of votes received by each candidate will be announced, as will the number of spoiled ballots received.

### **Recounts**

- If authorized by the Elections Overseers, a recount will be conducted on the written request received within a period of seven days after the announcement of the election results from any candidate in a constituency.
- The deadline for recount requests is **Thursday April 2, 2009 at 5:00 p.m.**

### **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 CRO will set the new election schedule.
- If the second election also results in an equality of votes the CRO will seek advice from the Elections Committee on how to proceed.

### **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.
- Appeals must be filed in writing at the Office of the Governing Council by **5:00 p.m. on Friday April 3, 2009**.

### **Appeals**

- Appeals will be completed by **5:00 p.m. on Wednesday, April 8, 2009**. The decision of the Election Overseers is final and not open to review.

### **Retention and disposal of ballots and return envelopes**

- All ballots and return envelopes received 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 will then be destroyed.

### **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.

## **6.b.vi Election expenses**

### **Spending Limit**

- Spending limits for teaching staff are set at \$400 with \$300 reimbursable.
- 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 CRO.

### **Reimbursement of Election Expenses**

- Expenses eligible for reimbursement include, but are not limited to, the following:
  - paper and office supplies;
  - copying and printing of campaign materials;
  - reasonable transportation costs incurred in connection with campaigning at campuses other than that at which the candidate works;
  - campaign 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 posting 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, whether they are seeking reimbursement or not, are normally expected to submit receipts for all expenses including a statement of all donated goods and services actually used in the candidate's campaign (except voluntary unpaid labour) with their fair market value, within fourteen days of the close of the election.
- Candidates will normally be asked to sign a statement that all expenses have been disclosed and that the total represents the total amount of expenses by the candidate or by anyone acting on his or her behalf or with his or her knowledge and consent.
- Candidates who have no campaign expenses may, at the discretion of the CRO, be exempt from submitting an expense statement.

#### **Enforcement of the Election Expenses Limit**

- 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 CRO 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 CRO to the Elections Committee acting as the Election Overseers.
  - a hearing may be held;
  - penalties may be imposed, including, but not limited to:
    - for successful candidates: disqualification and loss of seat;
    - for unsuccessful candidates: public announcement and/or disqualification from future Governing Council elections for a year or number of years.
- Within seven days of the deadline for submitting the sworn statement, the CRO must inform the Elections Committee and the concerned candidate(s) of any irregularities that have been discovered.
- 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.

#### **6.b.vii 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.
- 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.
- 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.

#### **6.b.viii By-elections**

- By-elections 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 CRO consults the Elections Committee to determine whether a by-election will be held.
  - Notice of the Committee's meeting will be announced publicly 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 take place under the authority and regulations of the CRO, using procedures analogous to those contained elsewhere in these *Guidelines*.

## 6.c. Students

### Full-time Undergraduate Students

"Full-Time Undergraduate Student" is 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 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.

Term of office: July 1 to June 30 for one year.

Constituency	Current Member(s)	Term ends	Election required in 2009
<p><b>I:</b> 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).</p> <p>Both members elected in Constituency I may not be registered in the same college on the St. George campus, or both registered at either UTM or UTSC.</p> <p>In the event that a member elected while registered in one college or campus later registers in the college or on the campus in which the other elected member is registered, the transferring member shall resign his or her seat.</p>	<p><b>Grant Gonzales</b> <b>Anna Okorokov</b></p>	<p><b>June 30, 2009</b> <b>June 30, 2009</b></p>	<p><b>Yes</b> <b>Yes</b></p>
<p><b>II:</b> 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.</p> <p>Both members elected in Constituency II must not be registered in the same faculty.</p> <p>In the event that a member elected while registered in one faculty or school later registers in the faculty or school in which the other elected member is registered, the transferring member shall resign his or her seat.</p>	<p><b>Ryan Campbell</b> <b>Joseph Koo</b></p>	<p><b>June 30, 2009</b> <b>June 30, 2009</b></p>	<p><b>Yes</b> <b>Yes</b></p>

### Part-time Undergraduate Students

"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.

Term of office: July 1 to June 30 for one year.

Constituency	Current Member(s)	Term ends	Election required in 2009
All students registered at the University in a program of part-time study leading to a degree or post-secondary diploma or certificate of the University or in a program designated by the Governing Council as a program of post-secondary study at the University.	<b>Ken Davy</b>	<b>June 30, 2009</b>	<b>Yes</b>
	<b>Jeff Peters</b>	<b>June 30, 2009</b>	<b>Yes</b>

### Graduate Students

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

Term of office: July 1 to June 30 for one year.

Constituency	Current Member	Term ends	Election required in 2009
<b>I:</b> All students registered in Division I (Humanities) and Division II (Social Sciences) of the School of Graduate Studies.	<b>Olivier Sorin</b>	<b>June 30, 2009</b>	<b>Yes</b>
<b>II:</b> All students registered in Division III (Physical Sciences) and Division IV (Life Sciences) of the School of Graduate Studies.	<b>David Ford</b>	<b>June 30, 2009</b>	<b>Yes</b>

### 6.c.i Election Schedule Summary (the detailed Schedule is on page 13)

Nomination Period: Friday, January 9, 12:00 noon to Friday January 23, 12:00 noon.

Campaign Period: Friday, February 13, 1:00 p.m. to Friday, March 20, 5:00 p.m.

Web Voting Period: Monday, March 9 to Friday, March 20, 5:00 p.m.

Post-Election Period: Friday, April 17, 5:00 p.m. to Friday, May 1, 5:00 p.m.

## 6.c.ii Eligibility

### Canadian Citizenship

- A candidate must be a Canadian citizen in accordance with Subsection 2(4) of *The Act*.
- One of following pieces of documentary **evidence of Canadian citizenship must be presented with the nomination form:**
  - 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 are acceptable** for this purpose.

- If a candidate does not have any of the documents noted above, he/she may complete a notarized statement declaring that he/she is a Canadian citizen.
- The statement will be available in the Office of the Governing Council and arrangements may be made in the Office for the notarization of the statement.
- If the candidate is absent from Ontario, the notarized statement may be made on the candidate's behalf by someone whose personal knowledge of the facts is acceptable to the CRO.

### Constituency

- 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.
- 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.
- If an individual is both a member of the administrative staff and a registered student, he or she must declare the constituency in which he or she is seeking election, in accordance with Subsection 2(3a) of *The Act*.<sup>7</sup>

### Double Degree Programs

- 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, a student's registration in the Faculty of Law or the Faculty of Medicine will make him/her eligible to run in the full-time undergraduate professional faculties constituency while, in another year, his/her registration in the School of Graduate Studies will make him/her eligible to run in one of the graduate student constituencies.
- 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.

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<sup>7</sup> 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.”

## 6.c.iii Nomination Process

### Nomination Forms

- 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>
  - Nominations open: **Friday, January 9 at 12:00 noon.**
  - Nominations close: **Friday, January 23 at 12:00 noon.**
- Only the nomination form provided by the CRO will be accepted.
- Nominations must be filed at the Office of the Governing Council by the nomination deadline.
- Nomination forms sent by facsimile (to 416-978-8182) before the deadline will be accepted;
  - the original of the nomination form must follow immediately by hand or mail and be identical to the facsimile.

### Nominators

- Candidates may not nominate themselves.
- A student candidate must include on his/her nomination form the signatures of **20 nominators**, each indicating their printed full name and student number.
- Nominators of a student candidate must be members of the student constituency of the candidate.
- A nominator may not nominate more candidates for election than there are seats vacant in his or her constituency.
- The names of nominators will not be released by the CRO to the public or the other candidates.

### Candidate Statements

- Candidates 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 be posted with the web ballot and, in the case of Full-time Undergraduate Constituency II, accompany the ballot mailed to post-graduate medical students.
- The CRO is not 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.
- 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 an exact limit. If a statement contains more than 100 words, only the first 100 words will be printed.
- The candidate's signature on the nomination form signifies approval of and responsibility for the statement.
- 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.

### **Verification of Candidate**

- The eligibility of a student candidate will be verified by checking the candidate's printed full name and student number against Repository of Student Information (ROSI) records.<sup>8</sup>
- A nomination will be certified as valid by the CRO 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 CRO**;
  - 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*.

### **Verification of Nominators**

- Nominators for student candidates will be verified by comparing printed full name and student number against Repository of Student Information (ROSI) records.

### **Errors or irregularities in nominations**

- The person nominated for election is responsible for filing a correct nomination paper.
- Errors or irregularities may be corrected prior to the close of nominations.
- The CRO 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.

### **Technical Invalidation**

- Nomination papers may be automatically invalidated on technical grounds by the CRO if they are:
  - in error;
  - incomplete;
  - not appropriately verifiable;
  - not accompanied by the other papers required by these *Guidelines* and by the CRO.
- Such decisions may be appealed to the Elections Overseers.

### **Announcement of Candidates for Office**

- On **Thursday, January 29, 2009 at 3:00 p.m.**, the names of all verified candidates will be announced.

### **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.

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<sup>8</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.

- This notice must be filed in writing by 3:00 p.m. on Monday, February 2, 2009 at the Office of the Governing Council.

### **Appeals**

- Appeals will be completed by **5:00 p.m., Tuesday, February 10, 2009.**
- The decision of the Election Overseers is final and not open to review.

### **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 **Wednesday, February 11, 2009 at 12:00 noon.**

### **Withdrawal of Nomination**

- A person nominated as a candidate in the election may withdraw the nomination by submitting a signed statement to the CRO.
- The statement will be available in the Office of the Governing Council and on the Governing Council Elections web-site <http://www.governingcouncil.utoronto.ca/elections.htm>.
- The candidate must sign the statement in person in the Office of the Governing Council, in the presence of the CRO or designate, and present appropriate photo identification.
- If a person nominated as a candidate wishes to have his or her name removed from the ballot, he or she must withdraw by **Friday, February 13, 2009 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.
- Votes cast for a candidate who has withdrawn shall not be counted and are void.

### **Acclamations**

- A candidate will be acclaimed – deemed to be elected – by the CRO 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*.
  - where a person nominated as a candidate has withdrawn his or her nomination and, as a result, the number of remaining candidates duly nominated is equal to or less than the number of members to be elected in the constituency in question.

### **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 CRO may re-open nominations twice.
- If the second re-opening of nominations fails to produce a candidate, the CRO may use his/her discretion to determine the appropriate course of action.



## 6.c.iv Campaign Period

### All candidates' meeting

- Candidates are required to attend in person or send an authorized representative to an all-candidates' meeting organized by the CRO to review campaign regulations.
- In the event that the meeting is missed, the candidate may contact the CRO to receive the information given at the all candidates' meeting.
- The candidate, whether present in person or not, is entirely responsible for all information provided at the all-candidates' meeting.

### Campaigning

- Rules of campaigning are included in Appendix A on page 49 of these Guidelines.
- 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 these rules of campaigning and any additional regulations issued by the CRO. Failure to do so may result in the candidate's disqualification or sanction by the Elections Overseers.

## 6.c.v Web-based Voting

- Voting in student constituencies – Full-time undergraduate Constituency I and Constituency II, Part-time Undergraduate Constituency, Graduate Student Constituency I and Graduate Student Constituency II – is done on the web through the Repository of Student Information (ROSI).<sup>9</sup>

### Date of election

- The election will be held over a minimum of five consecutive days chosen by the CRO in the period between the beginning of February and the end of March.

### Hours of voting

- Web voting will be held during the hours ROSI is accessible as follows:
  - 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.,
  - Saturday 12:00 a.m. to Sunday, 11:45 p.m.

### 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.

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<sup>9</sup> Post-graduate medical students in the Full-Time Undergraduate Student Constituency II vote using a mail ballot, as they are not registered via ROSI. Information concerning mail ballots in this constituency is included on page 43.

### **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.
- 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.

### **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.

### **Notification of Results**

- The CRO will receive a confidential report of the results that will be shared with the candidates at a scheduled meeting and then made public.

### **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 CRO will set the new election schedule.
- If the second election also results in an equality of votes, the CRO will seek advice from the Elections Committee on how to proceed.

### **Announcement of results**

- The number of votes received by each candidate will be announced, as will the number of spoiled ballots recorded.
- Results for the Full-time Undergraduate Student Constituency II will be the total of web votes cast plus mail votes received.

### **Recounts**

- As there are no individual ballots in web-based voting, a recount is not possible.

### **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.

### **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.
- Appeals must be filed in writing at the Office of the Governing Council by **5:00 p.m. on Friday April 3, 2009**.

### **Appeals**

- Appeals will be completed by **5:00 p.m. on Wednesday, April 8, 2009**. The decision of the Election Overseers is final and not open to review.

## **6.c.vi Ballot-based Voting (Post-Graduate Medical Students)**

### **Eligibility**

- No person may cast more than one ballot.<sup>10</sup>
- All eligible voters are entitled to vote using a ballot provided by the CRO for the election.
  - Only ballots provided by the CRO are valid; photocopies of ballots or copies of ballots obtained from other sources will be declared invalid.
- If more than one mail ballot is received from an eligible voter, none of the ballots will be considered valid.

### **Method of Balloting**

- Ballots will be mailed to each post-graduate medical student at the address provided by the appropriate Office in the Faculty of Medicine.
- Each ballot will be accompanied by a small secrecy envelope into which the marked ballot should be sealed.
- A return-address envelope will be provided into which the small secrecy envelope should be sealed.

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<sup>10</sup> Clause 2(14)(nb) of The Act

- Voters will be required to provide, on the upper left-hand corner of the return envelope, information sufficient to allow verification of their ballot.
- 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 voter may vote for as many candidates as there are seats vacant in his or her constituency.
- Any kind of mark on the ballot that indicates an intention on the part of the voter to cast a valid vote is acceptable.
- 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.

#### **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 returned a ballot.
- A list of post-graduate medical students provided by the appropriate Office of the Faculty of Medicine will be used to verify the eligibility of voters.
- Name and signature should be legibly written on the return envelope to facilitate verification.
  - Failure to provide the information requested may result in invalidation of the ballot.
  - All mail ballots submitted by ineligible or unverifiable voters will be invalidated.
  - 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 CRO or designate. His or her decisions with respect to validation of ballots are final.

#### **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.
- Scrutineers may also check the completed verification of mail ballot returns prior to tabulation.

#### **Notification of Ballot Counting**

- Prior to the end of the balloting period, the CRO 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 CRO will use his or her best effort to contact all candidates concerned to inform them of the change.

### **Announcement of Results**

- The total number of votes received by each candidate in the Full-time Undergraduate Constituency II from both web ballots and mail ballots will be announced, as will the number of spoiled ballots received.

### **Recounts**

- If authorized by the Elections Overseers, a recount will be conducted on the written request received within a period of seven days after the announcement of the election results from any candidate in a constituency.
- The deadline for recount requests is Thursday April 2, 2009 at 5:00 p.m.
- Appeals must be filed in writing at the Office of the Governing Council by 5:00 p.m. on Friday April 3, 2009.

### **Appeals**

- Appeals will be completed by 5:00 p.m. on Wednesday, April 8, 2009. The decision of the Election Overseers is final and not open to review.

### **Retention and disposal of ballots and return envelopes**

- All ballots and return envelopes received 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 will then be destroyed.

### **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.

## **6.c.vii Election expenses**

### **Spending limit**

- Each year a separate spending limit is set for each constituency in the student elections. The limit is calculated on the basis of \$50 per thousand students enrolled as of November 1, with a minimum \$400.
- In 2008, the spending limits were:
  - Full-time undergraduates, Faculty of Arts and Science, UTSC and UTM \$ 2047
  - Full-time undergraduates, professional faculties \$ 608
  - Part-time undergraduates \$ 400
  - Graduate students – Constituency I \$ 400
  - Graduate students – Constituency II \$ 400
- 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 CRO.

### **Reimbursement of election expenses**

- Expenses eligible for reimbursement include, but are not limited to, the following:
  - paper and office supplies;
  - copying and printing of campaign materials;

- reasonable transportation costs incurred in connection with campaigning at campuses other than that at which the candidate works;
  - campaign 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.
- A student candidate will be refunded an amount equal to the lesser of:
    - (a) the first \$100 of spending, plus seventy-five percent of additional spending of amounts above \$100 and less than the spending limit for the candidate's constituency,
    - or
    - (b) actual expenses.
- Candidates, whether they are seeking reimbursement or not, are normally expected to submit receipts for all expenses including a statement of all donated goods and services actually used in the candidate's campaign (except voluntary unpaid labour) with their fair market value, within fourteen days of the close of the election.
  - Candidates will normally be asked to sign a sworn statement that all expenses have been disclosed and that the total represents the total amount of expenses by the candidate or by anyone acting on his or her behalf or with his or her knowledge and consent.
  - Candidates who have no campaign expenses may, at the discretion of the CRO, be exempt from submitting an expense statement.

#### **Enforcement of the Election Expenses Limit**

- 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 CRO 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.
- Within seven days of the deadline for submitting the sworn statement, the CRO must inform the Elections Committee and the concerned candidate(s) of any irregularities that have been discovered.
- 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.

### **6.c.viii 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.
- 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 21, 2009.
- If an undergraduate student governor from the University of Toronto at Scarborough is not registered in the fall semester (September – December 2009), he/she must have been registered in the May – August 2009 semester, and must sign a letter of intent declaring that he/she will be registered in the January – April 2010 semester.
  - Please note the exception for students registered in double degree programs

### **6.c.ix By-elections**

- By-elections 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 CRO consults the Elections Committee to determine whether a by-election will be held.
  - Notice of the Committee's meeting will be announced publicly 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 take place under the authority and regulations of the CRO, using procedures analogous to those contained elsewhere in these *Guidelines*.

## APPENDIX A: Guidelines for Campaigning

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

### Campaign Responsibility of Candidates

- Candidates are required to observe all of the rules and regulations regarding campaigning as outlined in these *Guidelines*, including the regulations concerning posters (Appendix B).
- 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.
- Candidates are required to advise the CRO in writing prior to the beginning of the campaign period of organizations in which they hold an executive position.
- 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.
- It is expected that candidates will not remove, deface or unreasonably inhibit from viewing each other's campaign material.
- 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.
- Candidates are responsible for the actions, and violations stemming from such actions, of any associated party, however occurring.

### Campaign Period

- **Campaigning for all elections** may not begin until **1:00 p.m. on Friday, February 13, 2009**, and will end at **5:00 p.m. Friday, March 20, 2009**.
- Candidates are responsible for removing all campaign material after the close of the election.

### Campaign Displays and Material

- 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>11</sup>
- The University crest may not appear on campaign literature, materials or web-sites. Candidates may use the University's name.
- Regulations regarding the placement of posters are attached as Appendix B.
- Candidates may not post or distribute, electronically or otherwise, campaign literature that might reasonably be considered libellous by the CRO.

### Use of Web and Electronic Media

- Candidates' web-sites and electronic media must 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>12</sup>

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<sup>11</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>12</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>.



- Candidates are required to copy the CRO on all campaign email messages sent to electronic mailing lists or listserves.
- Candidates are required to inform the CRO of their election web-site, election blog and/or social networking tool, if they use any of these for campaign purposes.
- Candidates are required to provide to the CRO viewing access to social networking tools used for campaign purposes.
  - Private networking tools may **not** be used for campaign purposes.

### **Tangible Benefits**

- Candidates may **not** benefit from information or material to which they have access not by virtue of their candidacy in the election, but by virtue of their membership in (or affiliation with) some organization or group.

### **Advertising**

- Candidates may place advertisements in the campus press to appear during the campaign period.
- Candidates' statements submitted on the nomination forms will be disseminated by the Governing Council by means chosen by the CRO.

### **Supplemental Regulations**

- The CRO may issue supplementary regulations as required to clarify specific situations.

### **Authority to Enforce Provisions of the Election Guidelines**

- The CRO has the sole authority to enforce the provisions of the *Election Guidelines*.
  - No candidate may attempt to enforce the provisions of the Election Guidelines.

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

- 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.
  - A charge of a violation must be given in writing to the CRO within five days of the alleged violation.
- The CRO may lay charges of violations of campaign rules on his/her own initiative.

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

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

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

- In the case that the CRO receives frivolous and/or vexatious complaints, he/she may:
  - Warn the candidate complainant that, in his/her opinion, the complaints are frivolous and/or vexatious, and request that the complaints be withdrawn.
  - 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.

- If the neutral investigator determines that complaints received are frivolous and/or vexatious, the CRO is empowered to choose one of the following:
  - If the complainant is a candidate, recommend a sanction to the Elections Overseers;
    - Refuse to hear the complaint;
    - 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*.
- Decisions made by the CRO in this regard are subject to appeal to the Elections Committee.

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

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

### **Serious and Severe Violations**

- 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.
  - The Elections Overseers have the sole authority to determine the category into which a particular violation falls
  - The degree of a violation may influence its classification
- 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.
- **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;
  - 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 tangible benefit;
  - 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.
- A **Severe** violation is one characterized by a deliberate and substantial effort to undermine the elections process;

- **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*;

### **Sanctions**

- Sanctions imposed for a confirmed violation may include:
  - Disqualification from the election;
  - Reduction or elimination of a candidate's reimbursement;
  - A declaration that an election in a particular constituency or the election of a specific candidate be ruled void.
- The University of Toronto reserves the right to charge any person who violates these *Guidelines* under the provisions of these *Guidelines* and under any other applicable Codes, including the *Code of Student Conduct* (<http://www.governingcouncil.utoronto.ca/Assets/Policies/PDF/studentc.pdf>) and the *Statement on Prohibited Discrimination and Discriminatory Harassment* (<http://www.governingcouncil.utoronto.ca/Assets/Policies/PDF/Statement+on+Prohibited+Discrimination+and+Discriminatory+Harassment.pdf>).

### **Disqualification**

- 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).

### **Declaration of Winning Candidate in the Event of a Disqualification**

- In the event a winning candidate in any election is disqualified (or the election of a candidate is voided), the candidate with the next greatest number of votes will be declared elected, provided that this does not violate the proviso that no two elected candidates may be from the same college, campus or faculty in certain constituencies.

### **Publication of Confirmed Violations**

- Details of confirmed violations, including the offending candidate's name, will be posted to the Governing Council web-site and, in web-based elections, to the voting web-site, for such time as the Elections Overseers deem appropriate.

## APPENDIX B: Posters

- Posters of any sort **may NOT be posted before 1:00 p.m. on Friday, February 13, 2009.**
- Posters must be removed by **Friday, April 3, 2009.**

### 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:

1. Candidates must advise the CRO in writing of the approval received from the Manager, Property Management for the placement of posters in locations other than public bulletin boards, the planting or display of signs on University grounds, or the installation of a banner, within 2 days of obtaining such approval.
2. Any charges for labour and/or material costs related to the removal of posters from University or non-University property, or fines levied as a result of illegal postering, are the sole responsibility of the candidate. Such charges will not be eligible for reimbursement.
3. Candidates are responsible for determining the specific regulations concerning the placement of posters in the various buildings on all three campuses. Failure to abide by these regulations may result in a candidate being sanctioned by the 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 copy the CRO on all campaign email messages sent to electronic mailing lists or listserves.

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

To: University Affairs Board  
From: Council of Deans of Students and Deans of Residence  
Date: November 12, 2007  
Re: Joint Statement on Campaigning in Residences

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

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

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

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

Sincerely,  
Josephine Mullally, Dean of Residence, 89 Chestnut

On behalf of:

Jason Hunter, Dean of Students, Victoria University

Liza Nassim, Dean of Students, Woodsworth College

Duane Rendle, Dean of Students, Saint Michael's College

Nona Robinson, Dean of Students, University College

Rebecca Spagnolo, Assistant Dean, SGS

Garry Spencer, Dean of Residence, Innis College

Ann Yeoman, Dean of Students, New College

## **APPENDIX D: Policy on Campaigning in Residence (University College)**

### **Rationale:**

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

### **Guidelines:**

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

### **Consequences:**

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

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

College/Residence	Contact Name	Title	Phone #	Email
89 Chestnut Residence	Maria Abrantes	Main Receptionist	416-978-8863	<a href="mailto:Chestnut.residence@utoronto.ca">Chestnut.residence@utoronto.ca</a>
New College (Public areas only)	Nikki Barbe	Residence Services Coordinator	416-946-3087	<a href="mailto:n.barbe@utoronto.ca">n.barbe@utoronto.ca</a>
University College	Jason MacIntyre	Residence Life Coordinator	416-946-8408	<a href="mailto:Jason.macintyre@utoronto.ca">Jason.macintyre@utoronto.ca</a>
Victoria College	Tanya McCormick	Residence Life Coordinator	416-585-4578	<a href="mailto:Vic.dean@utoronto.ca">Vic.dean@utoronto.ca</a>
Loretto College	Angela Convertini	Dean of Residence	416-925-2833	<a href="mailto:Loretto.college@utoronto.ca">Loretto.college@utoronto.ca</a>
Innis College	Myrtle Millares	Assistant to the Dean	416-946-7258	<a href="mailto:Myrtle.millares@utoronto.ca">Myrtle.millares@utoronto.ca</a>
Woodsworth College	Justin Fisher	Assistant to the Dean / RLC	416-623-1685 x2991	<a href="mailto:Justinp.fisher@utoronto.ca">Justinp.fisher@utoronto.ca</a>
St. Michael's College	Kevin Dancy	Assistant to the Dean	416-926-1300 x3289	<a href="mailto:Kevin.dancy@utoronto.ca">Kevin.dancy@utoronto.ca</a>
Trinity College	<b>Posters can be put up at St. Hilda's residence public areas only</b>			