

Report of the Governing Council Election Process 2009

1. Introduction

This report is the first step in the development of the *Election Guidelines* for 2010. The purpose of the report is to provide factual information about the 2009 Governing Council elections and to indicate areas for discussion and possible revision in the *Guidelines*.

2. Revision of the *Election Guidelines* for 2009

In October 2008, the Chief Returning Officer (CRO), Ms. Nancy Smart, prepared the *Election Guidelines 2009*, which took into account suggestions received by the Elections Committee as well as suggestions that arose during the Committee’s discussion of the 2008 Election Report at its September 18, 2008 meeting. The information contained in the *Guidelines* was reformatted and reorganized for clarity. Separate sections for administrative staff, teaching staff, and students were created so that information pertaining to one constituency was easily available in one place. The relevant sections were distributed to individuals who requested paper copies from the Office of the Governing Council, and the complete *Guidelines* was available on the Governing Council elections website.

Substantive changes in the *Guidelines*¹ included items such as the removal of the requirement for a notarized withdrawal statement, the clarification of the authority of the CRO to determine the number of times the nomination period may be re-opened, the addition of guidelines on acceptable use of resources by candidates, changes to criteria that determine which student candidates are eligible for election expense reimbursement, and improved language concerning the voting period for online elections.

3. Academic Board Elections

In addition to overseeing the Governing Council elections, the Elections Committee is also responsible for the Academic Board elections. Although the *Election Guidelines* have not explicitly addressed Academic Board elections, procedures outlined in the *Guidelines* have been applied to them, where appropriate².

Sixteen teaching staff³ and one librarian seat were opened for election, each for a three-year term from July 1, 2009 to June 30, 2012. Upon the close of the nomination period, nine of the teaching staff seats were filled by acclamation, and nominations were re-opened by the CRO for the remaining seven seats. An election was held for the librarian seat, as two candidates were nominated – the incumbent, Mrs. Bonnie Horne (Gerstein Science Information Centre), and Ms Mary Ann Mavrincac (UTM Library).

¹ A complete list of changes to the *Election Guidelines* is available from: <http://www.governingcouncil.utoronto.ca/AssetFactory.aspx?did=5600>.

² *The Report of the Chairman’s Advisory Committee on Governance* (Balfour Report), May 10, 1988, Appendix D-1 Academic Board, p. 24, states that teaching staff and librarian elections will be held “by secret ballot conducted by the Governing Council Secretariat in a manner analogous to the present Governing Council elections for teaching staff.”

³ In addition, a School of Graduate Studies (SGS) teaching staff seat was opened for election. However, it has been the practice that the SGS holds a separate election process to fill its seats on the Academic Board. Once the election has been completed and the appointment has been approved by the Graduate Education Council, the SGS Governance Officer informs the Governing Council CRO of the appointment.

4. Promotion of Governing Council and Academic Board Elections

Elections were required in 2009 for 14 seats on the Governing Council (one administrative staff seat, five teaching staff seats⁴, and eight student seats), with terms beginning July 1, 2009. Many steps are taken each year to promote the elections, and these were continued for 2009. In addition, some new strategies were used, including advertising on the CIUT FM radio station, and sending customized letters to divisional leaders asking for assistance and providing them with a valuable list of their members who participated in governance in 2008-09.

The 2009 Call for Nominations was publicized as follows.

- In memoranda sent from the CRO on December 15, 2008 and January 13, 2009 to the University community. Recipients included the six representative University-wide groups - the University of Toronto Students Union (UTSU), the Association of Part-time Undergraduate Students (APUS), the Graduate Students' Union (GSU), the Scarborough Campus Students' Union (SCSU), the United Steelworkers of America (USWA), and the University of Toronto Faculty Association (UTFA).
- By the Chairs of the Academic Board, Business Board, University Affairs Board, and Governing Council at meetings of the respective bodies in December.
- In the December issue of the electronic newsletter to U of T alumni, News@U of T.
- In the December issue of the electronic newsletter to U of T staff, the eBulletin.
- In December on the ULife website (<http://ulife.utoronto.ca/opportunities>), which is designed to promote campus activities to students.
- In ULife posters in the Zoom frames in washrooms around campus in December.
- On the Governing Council Elections website (<http://www.governingcouncil.utoronto.ca/elections>) and homepage.
- In a mass email sent at the beginning of January, 2009 to all students eligible to participate in the elections.
- In a public service announcement that was run on the CIUT 89.5 FM campus radio station twice daily between January 10th and 23rd.
- In campus newspapers (*The Bulletin*, *The Varsity*, *The Newspaper*, *The Underground*, and *The Medium*) in January.
- In a lead story on the U of T homepage (www.utoronto.ca), which was run three times between January 9th and 22nd.
- On the U of T events webpage (<http://www.events.utoronto.ca>) between January 9th and 22nd.
- On the U of T student portal between January 9th and 23rd.
- In a follow-up email from one of the Deputy Returning Officers (DROs) to seven students who had applied for co-opted positions on the Governing Council in 2008 and had expressed interest in serving on the Council in the future.

Most of the methods listed above were also used to publicize the voting period in March, 2009.

⁴ One of the five teaching staff seats required a by-election for a two-year term, as Professor Michael Marrus stepped down early from his seat in Constituency 1B due to his retirement in June, 2009.

5. Nominations

The two-week nomination period for seats on the Governing Council opened on Friday January 9, 2009 at 12:00 noon and closed on Friday January 23, 2009 at 12:00 noon. Nomination forms for each constituency were available electronically from the Governing Council elections website and in paper form from the Office of the Governing Council. The CRO determined that it was no longer necessary to provide hard copies of nomination forms to the Registrars' Offices of the University of Toronto at Mississauga (UTM) and the University of Toronto at Scarborough (UTSC), given the availability of the forms online, and she discontinued that practice. For 2009, the vast majority of candidates obtained the nomination forms from the internet, with only one or two individuals requesting a hard copy.

Upon the close of the nomination period, it was determined that Governing Council elections were required for seven student seats, one administrative seat, and one teaching staff seat (Constituency VI). Two incumbent teaching staff governors were acclaimed (Professors William Gough and Louise Lemieux-Charles), and one new candidate, Professor Janice Gross Stein, was also acclaimed. Professor Stein's term is for two rather than three years, due to the by-election that was held to fill the seat for Constituency 1B. There were two candidates for the teaching staff seat (Constituency VI) currently held by Ellen Hodnett – the incumbent and Peter Pennefather, and the CRO re-opened nominations for the teaching staff seat in Constituency 1A (Faculty of Arts and Science), as no nominations had been received⁵.

There has been a significant increase in interest on the part of students in participating in University governance. Perhaps this is partly due to the increased efforts of the CRO and DROs to publicize the elections process. Of the thirty-seven students who submitted nomination forms for the 2009 Governing Council elections, thirty-four were eligible to participate, an increase of 55% over the number of eligible student candidates in the 2008 elections (22). The three students who were disqualified had insufficient numbers of nominators (fewer than twenty) from within their constituency. It is interesting to note that six of the student candidates had run in the 2008 elections; of those, four were current student governors.

There were four candidates for the one administrative staff seat: Diana Alli (the incumbent-Faculty of Medicine), Diane Crocker (UTM), Paul Ruppert (Faculty of Applied Science and Engineering), and Donna Wheeler (Faculty of Arts and Science). This also reflects an increase over the number of candidates nominated in the 2007 elections (3).

Table 1 summarizes the details of the nominations received in each constituency.

⁵ A second nomination period was held from Monday, February 9, 2009 at 12:00 noon to Monday, February 23, 2009 at 12:00 noon for Governing Council and Academic Board constituencies in which no nominations had been received.

5. Nominations (cont'd)

Constituency	# of seats available	# of nominations received	# of times nominations were re-opened
Administrative Staff	1	4	0
Teaching Staff			
Constituency IA (Faculty of Arts and Science ⁶)	1	1	1
Constituency IB (Faculty of Arts and Science ⁷)	1	1	0
Constituency III (UTSC)	1	1	0
Constituency V (Faculty of Medicine)	1	1	0
Constituency VI (Professional Faculties ⁸)	1	2	0
Full-time Undergraduate Students			
Constituency I (Arts and Science, UTM, UTSC)	2	23 (three withdrew; two were disqualified)	0
Constituency II (Professional Faculties)	2	3	0
Part-time Undergraduate Students	2	3	0
Graduate Students			
Constituency I	1	4 (one was disqualified)	0
Constituency II	1	3	0
TOTAL	14	46	1

Table 1: Summary of Nominations for the Governing Council Elections 2009

⁶ 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.

⁷ Departments of Anthropology, Economics, Geography, History, Philosophy, Political Science, Psychology, Sociology, and the Centre for The Study of Religion.

⁸ Faculty of Dentistry, Lawrence S. Bloomberg Faculty of Nursing, Leslie Dan Faculty of Pharmacy, and the Faculty of Physical Education and Health.

6. Elections Process 2009

Information Meeting for Candidates

The CRO held two information meetings for candidates on Thursday, February 12, 2009 - one for the student candidates, and one for the administrative staff and teaching staff candidates for Governing Council, and librarian candidates for Academic Board. The purpose of the meetings was to provide candidates with information regarding their respective constituencies, the voting process, and the campaign rules as outlined in the *Election Guidelines 2009*. It was made clear that each candidate's signature on the nomination form indicated his/her agreement to be bound by the rules of the *Election Guidelines*. Candidates were also asked to review their statements, which would be published in campus newspapers and would accompany all election ballots. Some candidates who were unable to attend the meeting in person sent representatives, while others met separately with the CRO to review the campaign rules.

This was the first year in which the administrative staff, teaching staff, and librarian candidates were each provided with both a hard copy and a soft copy of the names and email addresses of their constituents so that they could easily contact them for campaign purposes. Some chose to send mass emails as part of their campaign strategy, while others did not. Candidates were also provided with the campus addresses of constituents for whom a University email address was not available.

Student Voting

The five-week campaign period for students, which overlapped with the voting period, was held from Friday, February 13, 2009, to Friday, March 20, 2009. All students, except post-graduate medical residents, voted online through the University's Repository of Student Information (ROSI) system. Post-graduate medical residents voted by mail ballot, as they do not have access to ROSI. This was the second year that the student online voting period was two weeks, rather than one week (Monday, March 9th to Friday, March 20th). The voting period for post-graduate medical residents was four and a half weeks long (Monday, February 17th to Friday, March 20th) to allow time for the ballots to be delivered and returned by mail.

The size of each student constituency and the number of valid votes cast over the past five years is shown in Table 2. The absolute number of valid votes cast within the full-time undergraduate student Constituency I increased significantly over 2008 (an increase of 36% or 1,616 votes). However, it is not possible to determine the change in voter participation, as each student within that constituency could vote for two representatives. Clearly, the increased number of student candidates helped to raise awareness of the elections process and likely contributed to the increase in the number of votes cast. The number of candidates within the full-time undergraduate student Constituency II (3) fell by half in 2009, and there was a corresponding decrease (almost 50%) in the number of valid votes cast in that constituency. An election had not been held for the part-time undergraduate student constituency in three years, so it is difficult to make a comparison with past participation rates. While the participation rate remained relatively constant for the graduate student Constituency I, there was a dramatic increase in Constituency II from 8% in 2008 to 15.4% in 2009, despite a 50% decrease in the number of candidates. The existing profile of one of the candidates as a member of the executive of a student union, together with the efforts of all of the candidates to campaign on all three campuses, may have contributed to the increased participation in this constituency this year.

6. Elections Process 2009 (cont'd)

	2005	2006	2007	2008	2009
Full-Time Undergraduate Students					
<u>Constituency I</u>					
Constituency Size	37,212	40,460	40,808	40,914	40,815
# of Valid Votes Cast (% Voters)	8,283	3,399 (7%)	5,083 (7.5%)	4,538	6,154
<u>Constituency II</u>					
Constituency Size	10,696	11,700	N/A	12,160	12,357
# of Valid Votes Cast (% Voters)	1,611	940 (6%)	Both seats acclaimed	1 st seat acclaimed 2 nd seat: 716 (5.9%)	1 st seat acclaimed 2 nd seat: 373 (3.0%)
Part-Time Undergraduate Students					
Constituency Size	7,498	N/A	N/A	6,399	5,256
# of Valid Votes Cast	508	Both seats acclaimed	Both seats acclaimed	Both seats acclaimed	393
Graduate Students					
<u>Constituency I</u>					
Constituency Size	6,599	N/A	6,271	7,058	7,298
# of Valid Votes Cast (% Voters)	308 (4.7%)	Seat acclaimed	317 (5.1%)	484 (6.9%)	472 (6.5%)
<u>Constituency II</u>					
Constituency Size	5,896	N/A	5,984	6,442	6,622
# of Valid Votes Cast (% Voters)	Seat acclaimed	Seat acclaimed	144 (2.4%)	521 (8.1%)	1,020 (15.4%)
Teaching Staff					
Constituency Size		(Constituency VI) 190	(Constituency IC) 319	(Constituency II) 396	(Constituency VI) 192
# of Valid Votes Cast (% Voters)		68 (35.8%)	57 (17.9%)	75 (19%)	54 (28.1%)
Administrative Staff					
Constituency Size		5,663	6,063	N/A	6396
# of Valid Votes Cast(% Voters)		1,316 (23%)	1,051 (17.3%)		933 (14.6%)
Academic Board - Librarians					
Constituency Size				N/A	168
# of Valid Votes Cast (% Voters)					46 (27.4%)

Table 2: Voting Results 2005-2009

6. Elections Process 2009 (cont'd)

Staff Voting

Online voting for teaching staff and administrative staff Governing Council elections and librarian Academic Board elections was introduced for 2009, on the recommendation of the Elections Committee.⁹ The Committee had, on previous occasions, discussed the desirability of holding online elections for all constituencies; online voting through ROSI had been initiated in 2001 for full-time undergraduate student and had been fully implemented for all student constituencies by 2002.

Ontario Institute for Studies in Education (OISE) computing staff agreed to adapt their online election application for use in Governing Council and Academic Board elections, and minimal technical problems were encountered. Lists of eligible voters were obtained from the central and federated universities' human resources offices, together with electors' email addresses, date of birth, and personnel numbers. The date of birth (month and day only) and personnel number were used in a secure electronic environment for voter identification purposes. Emails outlining the online election process were sent to all staff eligible to vote, and ballots were mailed to the departmental address of those who had no email address listed in the Human Resources Information System (H.R.I.S.)

It appears that, within at least one division, there was a delay in the delivery of mail ballots to the caretaking staff. One of the DROs was informed by the Manager of Facilities and Services that the supervisors delivered mail sent to their department by hand to caretaking staffing located in various buildings; perhaps that contributed to the reported delay. However, it is not clear whether this method of delivery of paper ballots led to the low voter participation (1%) in this group of administrative staff, or whether other factors affected their level of engagement.

Constituency	Mail Ballots	Email Ballots	Total Ballots
GC Full-time Undergraduate Students Constituency II (post-graduate medical residents)	1679	0	1679
GC Teaching Staff Constituency VI	2	190	192
Number of Votes Cast	0	54	54
% Voters	0	28.4	28.1
GC Administrative Staff	697	5699	6396
Number of Votes Cast	70	863	933
% Voters	1.0	15.1	14.6
AB Librarians	0	168	168
Number of Votes Cast		46	46
% Voters		27.4	27.4
Total	2378	6057	8435

Table 3: Data on 2009 Mail and Online Ballots

⁹ See Report Number 55 of the Elections Committee (February 12, 2009) available online at <http://www.governingcouncil.utoronto.ca/Assets/Governing+Council+Digital+Assets/Boards+and+Committees/Elections+Committee/2008/r0212.pdf>.

6. Elections Process 2009 (cont'd)

Staff Voting (cont'd)

Anecdotal reports indicated that many staff found the online voting process simple to use and preferred that method over the use of a paper ballot. A small number of voters encountered difficulty voting online and contacted the CRO and DROs for assistance. In some instances, the date of birth or personnel number had been entered incorrectly. A few cases identified questions of eligibility which would require clarification for future elections. These included casual administrative staff on contract, staff on long-term disability leave, and staff on release to other organizations, such as the United Steel Workers.

Implementing online voting for the teaching staff and administrative staff Governing Council elections and librarian Academic Board elections significantly reduced the demands on staff time and consumption of paper required in the preparation of mail ballots. Only 699 mail ballots were sent, instead of a possible 6,756 (see Table 3 above). It is expected that, in the future, the annual cost of providing online staff elections will result in a reduction in costs in comparison with that of elections held by mail ballot. However, the CRO's responsibilities have been increased due to the need to set up and maintain the online elections and create customized webpages for each constituency that required an election.

7. Appeals and Campaign Violations

The CRO investigated four allegations of campaign violations within the student constituency. They dealt with matters such as campaigning prior to the permitted period, failing to provide the CRO with access to personal social networking tools (specifically, Facebook pages), unauthorized campaigning within a residence, and improper campaigning methods. Of those, one allegation and one appeal of a technical invalidation were referred to the Election Overseers. The Election Overseers were convened on January 27, 2009 to discuss the charges of violations to the campaign rules and to decide on the appropriate action to be taken¹⁰. The Election Overseers also considered an appeal electronically; the details of the appeal and its outcome are available in Report Number 54 of the Elections Committee (February 5, 2009)¹¹.

In addition to the investigations referred to above, the CRO also considered the matter of student candidates who had covered the posters of others with their own campaign material on campus. The CRO sent a warning to all candidates to cease from engaging in such behaviour and instructed them to remove such posters immediately.

The number of allegations of campaign violations and appeals that have been made since 2003 are summarized in Table 5. Note that between 2003 and 2005 the demerit point system was in force. In 2006 it was replaced by the present system of serious and severe violations. Despite this change, the number of campaign violation allegations which have been referred to the Election Overseers has remained fairly steady over the years.

¹⁰ See Report Number 53 of the Elections Committee (January 27, 2009) for details. The report is available at <http://www.governingcouncil.utoronto.ca/Assets/Governing+Council+Digital+Assets/Boards+and+Committees/Elections+Committee/2008/r0127.pdf>.

¹¹ <http://www.governingcouncil.utoronto.ca/Assets/Governing+Council+Digital+Assets/Boards+and+Committees/Elections+Committee/2008/r0205.pdf>

7. Appeals and Campaign Violations (cont'd)

	2003	2004	2005	2006	2007	2008	2009
Number of allegations of campaign violations	8	0	1	10	6	0	4
Number of appeals of election process/results	0	1	0	0	0	1	0
Number of appeals of technical invalidation	0	0	1	0	0	0	1
Number of allegations and appeals referred to Election Overseers	2	1	2	6	5	1	2
Number of Demerit points imposed by Elections Committee or, after 2005, number of <i>serious/severe</i> violations found	0	0	1	3	3	0	2

Table 5: Summary of Campaign Violation Allegations and Appeals, 2003-2009

8. Recommendations for the Governing Council Election Process for 2010

A memorandum from the Chair of the Elections Committee requesting ideas and comments on the 2009 elections process was sent to the University community via email between April 17 and 20, 2009, upon the completion of the elections process. This was the second year in which individuals were invited to complete an online form, which contained four open-ended questions and space for additional comments. Although there was a decline in the number of responses received this year in comparison with that of 2008, the response remains significantly greater than that of previous years, as seen in Table 6 below. It is clear that the online form is a valuable tool.

	2004-2005	2005-2006	2006-2007	2007-2008	2008-2009	2009-2010
Number of written submissions received	5	5	3	12	69	51

Table 6: Community Submissions on 2009 Governing Council Elections Process

Upon review of the community responses and of the elections process for the past year, the following recommendations for the 2010 elections have been developed for consideration by the Elections Committee.

- (a) Continue to provide the opportunity for teaching staff, administrative staff, and librarians to vote online in Governing Council and Academic Board elections.
- (b) Continue to seek ways to convey to members of all constituencies the benefit and importance of participating in University governance and Governing Council and Academic Board elections.
- (c) Address the Academic Board election procedures in the *Election Guidelines*.
- (d) Clarify in the *Election Guidelines* the definition of administrative staff who are eligible to vote in Governing Council elections.

Mae-Yu Tan,
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September 10, 2009