

**UNIVERSITY OF TORONTO
THE GOVERNING COUNCIL**

REPORT NUMBER 49 OF THE ELECTIONS COMMITTEE

October 16, 2007

To the University Affairs Board,
University of Toronto.

Your Committee reports that it met on Tuesday, October 16, 2007 at 2:00 p.m. in the Falconer Room, Simcoe Hall, with the following members present:

Mr. Stephen Smith (In the Chair)
Mr. P.C. Choo
Dr. Shari Graham Fell
Mr. Arya Ghadimi
Professor William Gough

Secretariat:
Ms Mae-Yu Tan

In Attendance:
Ms Nancy Smart, Chief Returning Officer

In this report, item 3 is recommended to the University Affairs Board for approval; all other items are reported for information.

1. Approval of the Report of the Previous Meeting

A member referred to a matter that had been raised at the previous meeting concerning the provision of lists of constituents by the Chief Returning Officer (CRO) to administrative staff candidates. The member requested that the discussion be added to the report. Report Number 48 of the meeting held on September 19, 2007 was approved, with the understanding that the suggested addition would be included.

2. Business Arising from the Previous Meeting

There was no business arising from the Report of the previous meeting.

3. *Election Guidelines 2008*

The Chair stated that the Elections Committee recommended approval of the *Election Guidelines* to the University Affairs Board (UAB). The *Election Guidelines 2008* would be considered for approval by the UAB at its meeting on Tuesday, November 6, 2007 at 4:30 pm.

A number of items with respect to the *Election Guidelines* had been discussed at the previous meeting. Among the issues that arose in further discussion were the following.

3. Election Guidelines 2008 (cont'd)

(a) Election Expenses Spending Limits

The Chair noted that at the meeting of September 19, 2007, a member had inquired when last election expenses spending limits had been adjusted for administrative and teaching staff. The Chair informed members that administrative and teaching staff spending limits had been set at \$400 with \$200 reimbursable at least since 1999. In 2003, the amount of the teaching staff reimbursable had been increased to \$300, however the spending limit of \$400 had remained the same. In 2004, the administrative staff spending limit had been increased to \$800 with \$600 reimbursable.

A member asked who was responsible for setting the spending limits and was informed that changes in limits were approved by the Elections Committee.

(b) Registration Status of a Student Governor

The CRO reminded members that she had previously informed them that as of September 17, 2007, one full-time undergraduate student governor had been registered as part-time rather than full-time. The *Elections Guidelines 2007* (p. 26) contains a requirement that "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 17, 2007." Since the meeting of the Committee, the CRO had learned that the student governor, who was a member of the University of Toronto at Scarborough, was registered in a work term. Under the *Elections Guidelines 2007* (p. 4), the student was therefore considered to be registered as full-time and was not required to resign from the Governing Council.

(c) Campaigning in Residences

Ms Smart informed members that since the Committee's last meeting, she had consulted again with Ms Anne MacDonald, Director, Ancillary Services, with respect to the recommendation that campaigning in residences be reviewed. Ms Smart reported that the Deans of the University's residences were currently preparing a joint statement that addressed campaigning in residences; the statement would likely be available by the end of November 2007. Once approved by the Elections Committee, the statement would then be appended to the *Elections Guidelines 2008*.

Ms Smart noted that the following matters would be considered by the Residence Deans:

- Access to residences for the purpose of campaigning. Who would be permitted to canvass in residences? Candidates, as well as their staff? Would candidates be permitted to canvass from door-to-door or only in publicly accessible rooms in residences?
- Regulations on campaigning displays in residences. Would candidates be restricted to posting posters only in public spaces?
- Which residence staff member(s) would be authorized to provide permission for posting posters in places other than publicly accessible locations?
- All candidates would be required to abide by the residence statement, regardless of whether or not they live in a University residence.

3. *Election Guidelines 2008* (cont'd)

(d) **Full-time Undergraduate Student Constituencies**

A member responded to points in the reported discussion on the respective size of the full-time undergraduate student constituencies in Report Number 48 (p. 3).

- The member suggested that there appeared to be unequal representation of the student constituencies. Although there were approximately 20,000 students in total registered at the University of Toronto at Mississauga (UTM) and the University of Toronto at Scarborough (UTSC), there were no designated seats on the Governing Council for students from either campus. In contrast, there were two seats each for full-time undergraduate students from the professional faculties and from the Faculty of Arts and Science on all three campuses.³
- The member questioned whether the characterization of UTSC students as “Arts and Science” was suitable, given the large number of students in Management/Business Administration programs.
- The member commented that the UTSC Council was more comparable to a faculty council than a campus council, as it was not responsible for matters typically delegated to a campus council.
- The member stated that it would be useful to determine the number of past student governors who had been from UTM or UTSC.

Upon discussion, members agreed that further study of the issue of student representation on the Governing Council would be beneficial. While the *University of Toronto Act* outlined the number of representatives from each estate of the University community, it did not allocate the four full-time undergraduate constituency seats to specific divisions. As such, any necessary changes to that governance structure could be implemented with Governing Council approval. Members determined that it would be appropriate for the Committee to make a submission to the Task Force on Governance as part of the *Towards 2030* initiative.

(e) **Community Input for the 2008 Election Process**

The Chair stated that a few additional written submissions on the electoral process, which had been received after the meeting of September 19, 2007, had been included in members' agenda packages. One of the submissions drew attention to the conflict of interest that would result if a member of the Election Overseers endorsed a candidate who might be required to attend a meeting of the Election Overseers. Members of the Committee recommended that in the future, the Chair invite any member with a conflict of interest to excuse him/herself at the start of a meeting of the Election Overseers⁴.

The following matters arose in the discussion of the *Election Guidelines 2008*.

- The CRO said that, in her view, the existing statement on use of tangible benefits, including email lists, was sufficiently clear (*Election Guidelines 2008*, p. 32, Appendix C,

³ In 2006, the constituency size for full-time undergraduate students from the professional faculties was 11,700 and that for students from the Faculty of Arts and Science on all three campuses was 40,460.

⁴ The *Elections Guidelines 2007* (p. 7, Chapter III, 11.) states that ‘No member of the Elections Committee who is standing for election, involved in an election campaign or endorsing a candidate for election may act as an Election Overseer unless observing this principle would result in a failure of quorum. In such circumstances, to achieve quorum, a member of the Elections Committee who is standing for election, involved in an election campaign or endorsing a candidate for election may sit as an Election Overseer provided he or she is not called upon to consider a matter arising from or pertaining to his or her constituency.’

3. *Election Guidelines 2008* (cont'd)

- 12). The CRO suggested that rather than provide a more extensive list of examples of serious violations, it might be more effective to emphasize at the all-candidates meeting that candidates may not benefit from their associations, and specifically, they may not use email list serves for campaign purposes.
- The CRO reported that she had consulted with a staff member of the Computer and Network Services on ways of using technology at the University to help increase awareness of and participation in Governing Council elections. Her suggestion of sending batches of staggered emails directly to students' "utoronto" accounts to avoid overloading the system had been well-received and was considered feasible. The CRO also suggested that a link to the Elections website be included in the email, so that students could easily view additional information about elections.
 - Following a discussion on possible changes in the elections advertising strategy, members agreed to suspend the use of posters for 2008, and to focus instead on the increased use of electronic advertising. In that way, any changes in participation rates could more easily be attributed to the use of email advertising.
 - Members decided to retain the sanction of disqualification from an election if a candidate is found to have committed a single *Severe* violation or two *Serious* violations. The Committee felt that it was unnecessary to introduce a sanction of "automatic disqualification" if a candidate is found to have committed three *Serious* violations. It was noted that the Election Overseers may, at their discretion, choose not to disqualify a candidate found to have committed a single *Severe* violation or two *Serious* violations.
 - The appeal process available to candidates was discussed. Members were reminded that the Election Overseers would hear appeals filed by candidates on matters arising in the conduct of elections, and that the decision of the Election Overseers was final and not open to review (*Election Guidelines 2008*, p. 24, d. iii). The Chair noted that the Elections Committee reported to the University Affairs Board, so was accountable to the Board for decisions made as the Election Overseers.
 - A member noted that Toronto School of Theology students were ineligible to participate in elections of the Governing Council.

Members suggested a minor revision to the draft *Guidelines* for clarification.

On motion duly moved and seconded,

YOUR COMMITTEE RECOMMENDS

THAT the *Election Guidelines 2008* as amended, and attached hereto as "[Appendix A](#)", be approved.

4. **Date of Next Meeting**

No further meetings of the Committee were scheduled.

5. **Other Business**

There were no items of Other Business.

The meeting adjourned at 3:50 pm.

Secretary
October 23, 2007

Chair