

UNIVERSITY OF TORONTO
THE GOVERNING COUNCIL
REPORT NUMBER 48 OF THE ELECTIONS COMMITTEE

September 19, 2007

To the University Affairs Board,
University of Toronto.

Your Committee reports that it met on Wednesday, September 19, 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
Mr. Arya Ghadimi

Regrets:
Dr. Shari Graham Fell
Professor William Gough

Secretariat:
Ms Mae-Yu Tan

In Attendance:
Ms Nancy Smart, Chief Returning Officer

In this report, all items are reported to the University Affairs Board for information.

1. Welcome and Orientation

The Chair welcomed members to the meeting and invited them to introduce themselves. He reminded members that the role of the Committee was to develop the Guidelines for Governing Council elections, and to act as overseers to hear complaints about matters related to the election process. He explained to members that the main purpose of the meeting was to review and discuss the report of the Governing Council Elections Process 2007 and the comments on the elections process that had been received.

2. Reports of the Previous Meetings

Reports Number 46 (October 26, 2006) and Number 47 (March 8, 2007) were approved.

3. Business Arising from the Previous Meetings

The Chair explained that there had been one item of business arising from the previous meeting of October 26, 2006. At that meeting, a member had inquired about a review of the definition of the full-time undergraduate constituencies that had been requested by the Committee. Further to that inquiry, the former Secretary of the Committee, Ms Cristina Oke, had sent a memo to Mr. Louis Charpentier, Secretary of the Governing Council, sharing the concerns raised by the Committee. Mr. Charpentier had indicated that the definition of each of the constituencies in the Governing Council would likely be reviewed as part of the *Towards 2030* Task Force process in 2007.

3. Business Arising from the Previous Meetings (cont'd)

During the discussion on the respective size of the full-time undergraduate constituencies, the following points were raised by members of the Committee:

- Perhaps the four seats would be more appropriately distributed between campuses, than between professional and non-professional faculties.
- Professional faculties were distinct from the Faculty of Arts and Science (A&S) so should maintain separate representation.
- The University of Toronto at Scarborough (UTSC) and the University of Toronto at Mississauga (UTM) each have a system of governance through which matters specific to their campus can be addressed.
- It was possible for students from UTSC and UTM to successfully participate in Governing Council elections; Alex Rascanu, a full-time undergraduate student at UTSC had been elected as a student governor for 2007-2008.

4. Report of the Governing Council Elections Process 2007

Ms Tan presented the Report of the Governing Council Elections Process 2007 to the Committee, and highlighted the following points. A copy of the Report is attached hereto as Appendix "A".

- The former Chief Returning Officer (CRO), Dr. Anthony Gray had prepared a revised *Election Guidelines 2007* incorporating suggestions from submissions received from the University community as well as suggestions from the Committee's discussion that had taken place at its meeting of October 10, 2006.
- In January 2007, elections were needed for 13 seats on the Governing Council (four teaching staff seats, eight student seats, and one administrative staff seat) with terms beginning July 1, 2007.
- The nomination period was three weeks in length, one week longer than in 2006.
 - Despite the lengthened nomination period, the number of candidates had remained essentially unchanged from the previous year - in 2006 there were fourteen seats and twenty-six candidates; in 2007 there were thirteen seats and twenty-five candidates.
 - Two teaching staff seats, two full-time undergraduate student seats (professional faculties), and two part-time undergraduate student seats were acclaimed.
- The nomination period was reopened once for two weeks for one of the three teaching staff constituencies (the Faculty of Medicine); that seat was acclaimed.
- The CRO met with candidates in the voting student constituencies and provided information about the respective constituencies, the voting process, and the campaign rules.
- Online voting for the student constituencies was conducted through the University's Repository of Student Information (ROSI), and voting in the administrative and teaching staff constituencies was conducted through the traditional mail.
 - During the online voting period, a few problems were encountered by some students, and the CRO addressed the matters with the Student Information Systems staff.
 - The voter participation rates in the administrative and teaching staff constituencies was lower in 2007 than in 2006 - 17.9% compared with 36% for teaching staff, and 17% compared with 23% for administrative staff.

4. Report of the Governing Council Elections Process 2007 (cont'd)

- The voter participation rate for full-time undergraduate students (A&S/UTM/UTSC) remained unchanged from the previous year at 7%.
- This was the second year that a new system for considering and handling violations of campaign rules had been used.
 - The CRO received and investigated five formal complaints. The Election Overseers then heard the complaints at a meeting on March 8, 2007.
- Draft Recommendations for 2008 Election Guidelines
 - (i) Review campaigning in residences with a view to determining whether such campaigning is appropriate.
 - (ii) Determine if three serious violations by a candidate should be considered as grounds for immediate disqualification.
 - (iii) Gather ideas and comments from the University community on the election process immediately following the end of the election period in the spring, rather than in the fall.

Members discussed the matter of campaigning in University residences. One member noted that while a complaint of campaign posters placed in unauthorized areas of a residence had been received by the CRO in March, 2007, at the meeting of the Election Overseers, the respondent had stated that she had received permission for placement of the posters from the residence don. Ms Nancy Smart, the CRO, reported that she had been informed by Ms Anne MacDonald, Director, Ancillary Services, that with the exception of the University College residence, residences did not restrict access in public places to candidates who wished to campaign. However, most residences did restrict campaigning on residence floors. The Committee suggested that the CRO determine if there are differences in permitted poster practices between residences, so that they might be addressed in the Election Guidelines 2008, if necessary. Perhaps a more explicit statement with regards to campaigning in residences would be beneficial.

A member noted that in the past, lists of constituents, along with their departmental addresses, had been provided to administrative staff candidates for a small fee, to facilitate contact with constituents during the campaign period. However, that practice had been discontinued by the CRO in 2007. The member suggested that the provision of those lists be reinstated; without such information, it was most difficult for candidates to identify and contact constituents. By providing constituents' departmental addresses, rather than their home addresses, concerns of privacy issues could be avoided.

5. Community Input for 2008 Election Process

The Committee reviewed the submissions that had been received, noting that there was a common theme of a widespread need for increased awareness of the elections process.

Suggestions developed during the discussion of the submissions included:

- Continue to work to increase interest in and knowledge of the elections process, and to encourage participation of potential candidates. There could be a focused effort to promote the process to campus student groups.

5. Community Input for 2008 Election Process (cont'd)

- Examine the possibility of using “utoronto” student email addresses to send broadcast messages to each student in order to raise awareness of Governing Council elections and nomination period, and candidates and voting period.
- Use the www.events.utoronto.ca website to promote the elections process.
- Develop a standard electronic information sheet to be used when promoting elections. A pdf format could include each candidate’s 100-word statement and the address to his/her campaign website.
- Provide clarification in the *Election Guidelines* on the appropriate use of listservs for campaigning.
- Explore the possibility of developing a letter to be distributed to all candidates providing authorization for them to campaign during set hours, and requesting that those in authority (e.g. building/office managers and professors) permit reasonable access to University buildings and electorate in accordance with University policy, provided that operations are not disrupted.
- Increase awareness of the role of Governing Council members among candidates, emphasizing that members are expected to put the interests of the University above their personal or constituency interests.
- Determine whether the election expenses spending limits for administrative and teaching staff are still appropriate or should be adjusted for inflation.
- Develop wording to be used on paper and electronic ballots specifying that voters are being asked to vote for individual candidates, and that there is no requirement to vote for groupings of candidates. Such information might help to clarify any misconceptions on partnering in campaigns.

6. Date of Next Meeting

The Chair noted that the date of the next meeting was scheduled for Wednesday, October 3, 2007. With the agreement of the members present, the time was changed to 3:00 – 5:00 p.m. from 2:00 – 4:00 p.m. in order to accommodate the schedule of a member.

7. Other Business

The Chair noted that, since the previous meeting of the Elections Committee on October 26, 2006, there had been need, because of time constraints, to consider two items by means of an email ballot. He read the motions from the ballot into the record in order to officially record the approvals.

On motion duly moved and seconded,

YOUR COMMITTEE APPROVED

THAT a by-election NOT be held in Teaching Staff Constituency IV of the Governing Council to fill the vacancy resulting from the resignation of Professor Philip Byer.

On motion duly moved and seconded,

YOUR COMMITTEE APPROVED

THAT a by-election NOT be held in the Part-time Undergraduate Student Constituency I of the Governing Council to fill the vacancy resulting from the resignation of Mr. Terry Buckland.

7. Other Business (cont'd)

Ms Smart informed the Committee that the *Election Guidelines 2007* (p. 26) required 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.” Ms Smart had checked the registration status of the Governing Council student members and had found that one full-time undergraduate student was registered as part-time. She had attempted to contact the student, but had not yet been successful. During the Committee’s discussion of the matter, it was suggested that the student might be in the process of finalizing course selection. In that case, a more appropriate deadline for determining registration status for student governors should be the deadline to add courses in the student’s division, rather than the September 17, 2007 deadline. The Committee directed the CRO to inform the student of the deadline, and to report on the matter at the next meeting.

The meeting adjourned at 4:20 pm.

Secretary

Chair

September 26, 2007

Report of the Governing Council Election Process 2007

1. Introduction

This report is the first step in the development of the *Election Guidelines* for 2008. The purpose of the report is to provide factual information about the 2007 Governing Council election and to indicate areas for discussion and possible revision in the *Guidelines*.

2. Statistical Information about the 2007 Governing Council Election

In January 2007, elections were required for 13 seats on the Governing Council, with terms beginning July 1, 2007. There were elections for four teaching staff seats, eight student seats, and one administrative staff seat. Voting was necessary in one teaching staff constituency, four student constituencies, and in the single administrative staff constituency.

Table 0 summarizes the details of the nominations received in each constituency.

Table 0: Summary of Nominations for the Governing Council Elections, 2007

| Constituency | # of seats available | # of nominations received | # of times nominations were re-opened |
|---|----------------------|---------------------------|---------------------------------------|
| Teaching Staff | | | |
| Constituency IC (Faculty of Arts and Science) | 1 | 2 | 0 |
| Constituency IV (Faculty of Applied Science and Engineering) | 1 | 1 | 0 |
| Constituency V (Faculty of Medicine) | 2 | 2 | 1 |
| Full-time Undergraduate Students | | | |
| Constituency I (Arts and Science, UTM, UTSC) | 2 | 7 (one withdrew) | 0 |
| Constituency II (Professional Faculties) | 2 | 2 | 0 |
| Part-time Undergraduate Students | 2 | 2 | 0 |
| Graduate Students | | | |
| Constituency I | 1 | 3 | 0 |
| Constituency II | 1 | 3 | 0 |
| Administrative Staff | 1 | 3 | 0 |
| TOTAL | 13 | 25 | 1 |

Table 1 summarizes the details of the voting in each constituency in the 2007 Governing Council Elections.

Table 1: Summary of Voting in the Governing Council Elections, 2007

| Constituency | # of seats | # of seats acclaimed | # of seats elected | # in Constituency | # of valid votes cast | # of voters | % voting |
|---|------------|----------------------|--------------------|-------------------|-----------------------|-------------|----------|
| Administrative Staff | 1 | 0 | 1 | 6,063 | 1,051 | 1051 | 17.3% |
| Teaching Staff | | | | | | | |
| Constituency IC (Faculty of Arts and Science) | 1 | 0 | 1 | 319 | 57 | 57 | 17.9% |
| Constituency IV (Faculty of Applied Science and Engineering) | 1 | 1 | | | | | |
| Constituency V (Faculty of Medicine) | 2 | 2 | | | | | |
| Full-time Undergraduate Students | | | | | | | |
| Constituency I (Arts and Science, UTM, UTSC) | 2 | 0 | 2 | 40,808 | 5,083 | 3078 | 7.5% |
| Constituency II (Professional Faculties) | 2 | 2 | | | | | |
| Part-Time Undergraduate Students | 2 | 2 | | | | | |
| Graduate Students | | | | | | | |
| Constituency I | 1 | 0 | 1 | 6,271 | 317 | 317 | 5.1% |
| Constituency II | 1 | 0 | 1 | 5,985 | 144 | 144 | 2.4% |
| TOTAL | 13 | 7 | 6 | | | | |

Table 2 shows the size of each student constituency and the number of valid votes cast within each constituency over the past five years.

Table 2: Voting Results from Student Constituencies

| | 2003 | 2004 | 2005 | 2006 | 2007 |
|---|---------------|---------------|---------------|---------------|---------------|
| Full-Time Undergraduate Students | | | | | |
| Constituency I: | | | | | |
| Constituency Size | <i>25,489</i> | <i>34,390</i> | <i>37,212</i> | <i>40,460</i> | <i>40,808</i> |
| Number of Valid Votes Cast | 4,900 | 5,571 | 8,283 | 3,399 | 5,083 |
| Constituency II | | | | | |
| Constituency Size | <i>10,099</i> | <i>10,561</i> | <i>10,696</i> | <i>11,700</i> | <i>N/A</i> |
| Number of Valid Votes Cast | 1,899 | 1,984 | 1,611 | 940 | Acclamation |
| Part-Time Undergraduate Students | | | | | |
| Constituency Size | <i>11,461</i> | <i>7,499</i> | <i>7,498</i> | <i>N/A</i> | <i>N/A</i> |
| Number of Valid Votes Cast | 995 | 300 | 508 | Acclamation | Acclamation |
| Graduate Students | | | | | |
| Constituency I: | | | | | |
| Constituency Size | <i>6,363</i> | <i>6,522</i> | <i>6,599</i> | <i>N/A</i> | <i>6,271</i> |
| Number of Valid Votes Cast | 225 | 87 | 308 | Acclamation | 317 |
| Constituency II | | | | | |
| Constituency Size | <i>5,586</i> | <i>5,798</i> | <i>5,896</i> | <i>N/A</i> | <i>5,985</i> |
| Number of Valid Votes Cast | 182 | Acclamation | Acclamation | Acclamation | 144 |

3. Election Process 2007

I. Changes to *Election Guidelines 2006*

In October 2006, the Chief Returning Officer (CRO), Dr. Anthony Gray, prepared a revised *Election Guidelines 2007* that took into account the suggestions from the community contained in the submissions received by the Elections Committee. Suggestions that arose from the Committee's discussion of the report of the 2006 Elections Process at its October 10, 2006 meeting were also incorporated, as were changes resulting from new policies and legislation and from experience with the *Election Guidelines 2006*.

In past years, a meeting of the University community had been held to obtain comments on the election process and the *Election Guidelines*. This election year, no meeting was required by the Elections Committee. Instead, a memo soliciting comments on the Governing Council election process was sent to the University community, and three written submissions were received.

Table 3 summarizes the response received from the University community since the first formal request for community input was issued in 2002.

Table 3: Community Input into Elections Guidelines

| | 2002 | 2003 | 2004 | 2005 | 2006 |
|---|------|------|------|------|------|
| Number of written submissions received | 7 | 7 | 5 | 5 | 3 |
| Number of individuals attending open meeting on elections | 8 | 4 | 1 | 3 | N/A |

II. Election Posters

A series of posters with the message '*Make a difference: Get involved with the Governing Council*' was widely distributed throughout the University community, immediately prior to the opening of nominations. These posters were redesigned for the 2007 Governing Council election (though their general content was not changed).

III. Nominations

Nominations opened on Monday January 8, 2007 and closed on Friday January 26, 2007. (The nomination period lasted one week longer in 2007 than it did in 2006.) All nomination forms were available electronically on the Governing Council website and in paper form from the Governing Council Office and the University of Toronto at Mississauga (UTM) and the University of Toronto at Scarborough (UTSC) Registrar's Offices. The Call for Nominations was publicized in campus media (*the Bulletin*, *the Varsity*, *the Underground*, and *the Medium*), and was sent to the six representative campus-wide groups: the Students' Administrative Council (SAC), the Association of

3. Election Process 2007 (cont'd)

III. Nominations (cont'd)

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).

IV. Election

The Call for Nominations resulted in acclamations in three constituencies (one of the three teaching staff constituencies and two of the five student constituencies). The nominations period had to be reopened once in one of the teaching staff constituencies.

The CRO met with the candidates in each voting student constituency. The purpose of the meeting was to provide candidates with information about their constituency and about the voting process, and to explain the campaign rules. It was made clear that each candidate's signature on the nomination form would indicate his/her agreement to be bound by the rules of the *Election Guidelines*.

Each of the candidates in Teaching Staff Constituency IC and the Administrative Staff Constituency received information about the relevant constituency, the voting process, and the election rules. By signing the nomination form, each candidate agreed to be bound by those rules.

Voting for the student constituencies was conducted on the web through the University's Repository of Student Information (ROSI) system. Voting in the administrative and teaching staff constituencies was conducted through the traditional mail.

The campaign period for ROSI-based elections ran for two weeks, from February 26, 2007, to March 9, 2007 and included the voting period (for the fourth year). There was a system-wide access problem with the ROSI elections web-page for a few hours on the first day of the voting period, however, it was quickly resolved. A few other technical problems were encountered by some students during the voting period, and the Chief Returning Officer addressed the matters with the Student Information Systems staff.

Campaigning and voting in the Students' Administrative Council (SAC) elections coincided with the Governing Council campaign period. However, SAC conducted a paper-ballot election, rather than a ROSI-based election as they had done in the past¹

The results of the Governing Council elections for the student constituencies were announced to candidates at 6:00 p.m. on March 9, 2007. Counting of the administrative and teaching staff Constituency IC ballots took place on March 23, 2007, with results released to candidates that day.

¹ Since simultaneous electronic elections for SAC and Governing Council positions can assist to increase voter participation, such coordination efforts would be beneficial in the future.

3. Election Process 2007 (cont'd)

V. Campaign Violations

This was the second year that a new system for considering and handling violations of campaign rules was used². The system, which is described in the *Election Guidelines, 2007, Appendix C*, divides violations broadly into two categories - *serious* and *severe*. A candidate found to have committed two *serious* or one *severe* violation could, at the discretion of the Elections Overseers, be disqualified from the election.

In the 2007 Governing Council election, the CRO received 5 formal complaints, each of which led to an investigation by the CRO. (The CRO received 1 additional informal complaint not leading to an investigation.)

The Elections Overseers were called once, on March 8, 2007, to hear the complaints. As a result of the hearing, one candidate in the Full-Time Undergraduate Constituency I was found to have committed two *serious* violations of the campaign rules. The Committee used its discretion not to disqualify the candidate from the election and applied alternate sanctions. A second candidate in the Full-Time Undergraduate Constituency I was found to have committed one *serious* violation of the campaign rules. In the case of a third candidate in the Full-Time Undergraduate Constituency I, the Committee determined that no violation of the *Election Guidelines, 2007* had occurred. The details of the violations and the names of the offenders were published on the University's elections website for the remainder of the voting period (approximately 24 hours). Complete information about the complaints, investigations, hearings, and sanctions can be found in Report Number 47 of the Elections Committee.

Table 4 summarizes the allegations of campaign violations and appeals that have been made since 2002. Note that between 2002 and 2005 the demerit point system was in force and in 2006 it was replaced by the present system of *serious* and *severe* violations.

Table 4: Summary of Campaign Violation Allegations and Appeals, 2002-2007

| | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 |
|--|------|------|------|------|------|------|
| Number of allegations of campaign violations | 2 | 8 | 0 | 1 | 10 | 6 |
| Number of appeals of election process/results | 0 | 0 | 1 | 0 | 0 | 0 |
| Number of appeals of technical invalidation | 0 | 0 | 0 | 1 | 0 | 0 |
| Number of allegations and appeals referred to Elections Committee | 1 | 2 | 1 | 2 | 6 | 5 |
| Number of Demerit points imposed by Elections Committee or, after 2005, number of <i>serious/severe</i> violations found | 0 | 0 | 0 | 1 | 3/0 | 3/0 |

² The system was first implemented for the 2006 Governing Council elections.

4. Draft Recommendations for Discussion by the Committee Regarding the Governing Council Election Process for 2008

- (a) Review campaigning in residences with a view to determining whether such campaigning is appropriate.
- (b) Determine if three serious violations by a candidate should be considered as grounds for immediate disqualification.
- (c) Gather ideas and comments from the University community on the election process immediately following the end of the election period in the spring, rather than in the fall.