



TO: University Affairs Board

SPONSOR: Professor Michael R. Marrus, Chair, Elections Committee

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DATE: November 11, 2002 for November 19, 2002

AGENDA ITEM: #3

**ITEM IDENTIFICATION:**

*Election Guidelines 2003*

**JURISDICTIONAL INFORMATION:**

The terms of reference of the University Affairs Board provide that the Board approves editorial or updating amendments to the Election Guidelines. Major amendments to policy or procedures relating to the conduct of elections are considered by the Board and recommended to the Governing Council for approval.

**PREVIOUS ACTION TAKEN:**

The University Affairs Board considers annually the Elections Guidelines. The *Elections Guidelines 2002* were considered by the University Affairs Board on November 5, 2001.

**HIGHLIGHTS:**

Information is provided in the attached memorandum from Cristina Oke, Chief Returning Officer.

**FINANCIAL AND/OR PLANNING IMPLICATIONS:**

There are no significant implications for the University's operating budget.

**RECOMMENDATION:**

It is recommended that the University Affairs Board approve:  
The *Election Guidelines 2003*.



# University of Toronto

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## OFFICE OF THE GOVERNING COUNCIL

To: Members of the University Affairs Board Agenda Planning Group

From: Cristina Oke, Chief Returning Officer

Date: November 11, 2002

**Re: Election Guidelines 2003**

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Attached are the *Election Guidelines 2003* which are being recommended for approval by the Elections Committee. The changes have been identified. The proposed revisions take into account many of the suggestions contained in the submissions received by the Elections Committee and the presentations made at the open meeting on October 2, as well as changes resulting from recently approved policies, and from experience with the current *Guidelines*. The changes indicated were approved by the Elections Committee at its meeting on October 28, 2002.

It is the opinion of the Committee that the proposed changes in the *Election Guidelines 2003* are legislative rather than substantive, and therefore may be approved by the University Affairs Board.

The major proposed revisions to the *Election Guidelines 2003* are as follows:

- Page 4: Definitions of 'close of election' and 'election period' have been added.
- Page 4: The definition of 'student' has been revised to reflect the designation of the Transition Year Program and the Millie Rotman Shime Academic Bridging Program as programs of study for the purposes of Governing Council elections.
- Pages 7-8: The Teaching Staff constituencies have been re-organized. The University of Toronto at Mississauga and the University of Toronto at Scarborough have been separated from within the Faculty of Arts and Science constituencies and are now separate constituencies.
- Pages 9, 10, 11 and 14: A footnote has been added to allow for a modification in dates for eligibility requirements for students of the University of Toronto at Scarborough, pending approval of the trimester system that is being considered for approval effective May 1, 2003.
- Page 10: Clarification of wording regarding students registered in Arts and Science on the St. George campus, and at the University of Toronto at Mississauga and at the University of Toronto at Scarborough.
- Page 12: Clarification with respect to the calling of a by-election.
- Page 13: Schedule for 2003. The campaign period for web-based elections has been reduced from 3 weeks to 2 weeks;
- Page 14: Revision of section on Eligibility of candidate to clarify the verification process for a candidate, and to require that candidates be registered by the end of the nomination period rather than throughout the nomination period. A footnote provides for an alternative verification

mechanism, if a candidate's registration status is not confirmed in the Repository of Student Information (ROS) records.

- Page 22: Equality of Votes in a mail ballot election will be resolved by an additional election;
- Page 24: Equality of Votes in a web election will be resolved by an additional election;
- Page 26: Provision for additional election expenses to be provided in the case of an additional election to resolve an equality of votes;
- Page 26: Increase in reimbursement to 75% of spending over \$100 for student candidates, and corresponding increases in the amount of reimbursement to teaching staff and administrative staff candidates;
- Page 26: Increase in time for filing expense statements from seven to fourteen days
- Page 31: Revision to postering regulations to remove restrictions on the number of posters that may be placed in one place and on the placing of posters on non-University property.
- Page 33: Provision of voting information cards during the election period.
- Page 33: Unrestricted campaign period for mail-ballot election specified for teaching staff and administrative staff.
- Page 33: Reference to regulations for candidate's web-sites to be developed prior to campaign period;
- Page 34: Addition of statement that candidates will be responsible for actions, and violations stemming from such actions, of any non-arm's-length party;
- Page 34: Provision that Chief Returning Officer will investigate any alleged campaign violation;
- Page 35: Reduction of the number of demerit points that will result in disqualification from 40 to 10.



# University of Toronto Governing Council

## Election Guidelines

November 11, 2002

To request an official copy of this policy, contact:

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# The Governing Council of the University of Toronto

## Election Guidelines 2003

### Chapter I – Interpretation

In these Guidelines:

“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;

“Arm’s-length party” means any individual or group who is not a “non-arm’s-length party” (see below);

“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;

“Close of Election” means 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;

“Distribute” shall mean the dissemination of campaign materials by a candidate, or a non-arm’s-length party, to an individual or group;

“Election Period” means the period commencing at 9:00 a.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;

“Non-arm’s-length party” means an individual or group who a candidate knew, or reasonably ought to have known, would assist that candidate with his/her campaign. An organization will be deemed to be non-arm’s-length party of a candidate if the candidate is a member of the organization.

“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 Transition 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 University of Toronto Act, 1971*

“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 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 University of Toronto Act, 1971*. For the purposes of Governing Council elections, lecturer is understood to include the ranks of Lecturer and Senior Lecturer, Tutor and Senior Tutor. (Lecturer includes associates in the Faculty of Dentistry.) Assistant Professor (conditional), Athletics Instructor 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 University of Toronto Act, 1971*.

## Chapter II - Purpose

The purpose of these Election Guidelines is to provide a framework for the conduct of the election of teaching staff, administrative staff and student members to the Governing Council. Section 2.14 (nb) of the *The University of Toronto Act*, 1971 provides for the Governing Council to “determine the manner and procedure of election of its members, including the determination of constituencies, assign students and members of the teaching staff and administrative staff to such constituencies, and conduct such elections ...”. The Guidelines covering eligibility and nomination procedures are intended to reflect the provisions of the *Act* that members be elected by and from among their constituency. These Guidelines provide a mechanism to establish a connection between the candidate and the constituency for the required representation from constituencies addressed in the *Act*. It is important that the membership of the Governing Council reflects the community that it serves, and that each elected member is part of the community of interest shared by his/her constituency.

Once elected, members become trustees of the University with two key duties: the fiduciary duty and the duty of care and diligence both of which are encapsulated in the clause of *the University of Toronto Act*, 1971, which states that members of the Governing Council are to act "with diligence, honestly and with good faith in the best interests of the University...". Members of the Governing Council have a strict obligation in law to act in the best interests of the University of Toronto. While members bring to the table their own perspectives and those of the groups with whom they are associated, members do not act as anyone's delegate or primarily as vehicles for the expression of the concerns of a particular estate.



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

1. The election is conducted by the Governing Council under the authority of *the University of Toronto Act*, 1971 as amended.
2. In the event of any conflict between these Guidelines and the provisions of *the University of Toronto Act*, 1971 as amended, the provisions of the *Act* prevail.
3. These Guidelines pertain to the election of members from the teaching staff, administrative staff and students of the University.
4. The University Affairs Board shall appoint a Chief Returning Officer who shall be responsible for the interpretation and implementation of these Guidelines.
5. The Chief Returning Officer shall rule upon the validity of nominations, violations of campaign rules, voter eligibility, and verification and tabulation of returns, assisted by such legal counsel or such other advice he or she may wish to employ. The Chief Returning Officer's decisions, when concerned with technical matters, may be appealed to the Elections Committee.
6. The Chief Returning Officer may prescribe forms for use in connection with the election which may contain instructions, information and requirements in addition to those set out in these Guidelines, so long as they are not inconsistent herewith or with procedures used in the previous Governing Council elections.
7. In matters of procedure not provided for in these Guidelines, the procedure shall be regulated by an analogy to the procedures that were employed in the previous Governing Council election, or if no analogy exists, as the Chief Returning Officer directs.
8. The members of the Elections Committee shall serve as the Election Overseers. The Election Overseers shall consider any objection to a ruling or decision of the Chief Returning Officer or any appeal or other matter of contention regarding the validity of nominations, eligibility of voters, tabulation and verification of returns or any other question arising in the conduct, or alleged to affect the validity of the election, either generally or in respect of any candidate or constituency. A majority of the Election Overseers shall constitute a quorum for the consideration of any such objection, appeal or other matter of contention, and the decision of the Election Overseers in such matters shall be final and not subject to any further review or appeal.
9. A member of the Elections Committee who is a candidate in the constituency in which an objection, appeal or other matter of contention has been filed may not act as an Election Overseer for that matter.

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

### a) Description of constituencies

#### Teaching Staff Constituencies:

“Teaching Staff” means the employees of the University, University College, the constituent colleges and the arts and science faculties of the federated universities who hold the academic rank of professor, associate professor, assistant professor, full-time lecturer or part-time lecturer, unless 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 University of Toronto Act, 1971*. For the purposes of Governing Council elections, lecturer is understood to include the ranks of Lecturer and Senior Lecturer, Tutor and Senior Tutor. (Lecturer includes associates in the Faculty of Dentistry.) Assistant Professor (conditional), Athletics Instructor 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 University of Toronto Act, 1971*.

In all cases a teaching staff member's constituency will be determined on the basis of his or her major teaching appointment to a faculty, college or school. Only in the case of a teaching staff member without a teaching appointment to a faculty, college or school, will his or her constituency be determined by another appointment. Teaching staff who hold a concurrent non-academic or academic non-teaching appointment will vote in the appropriate teaching staff constituency.

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

##### Constituency IA - 1 seat FOR WHICH AN ELECTION IS REQUIRED

all teaching staff members in the Faculty of Arts and Science who hold their major appointments in the Departments of Classics, East Asian Studies, English, Fine Art, French, German, Italian Studies, Linguistics, Near and Middle Eastern Civilizations, Slavic Languages and Literatures and Spanish and Portuguese (excluding those who are members of Constituency II or III)

B. Corman - term expires June 30th, 2003

Constituency IB - 1 seat 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, Sociology, Psychology and Study of Religion (excluding those who are members of Constituency II or III)

M. Marrus - term expires June 30th, 2005

Constituency IC - 1 seat all teaching staff members in the Faculty of Arts and Science who hold their major appointments in the Departments of Astronomy and Astrophysics, Botany, Chemistry, Computer Science, Geology, Mathematics, Physics, Statistics and Zoology (excluding those who are members of Constituency II or III)

S. Desser - term expires June 30th, 2004

**Constituency II** - 1 seat all teaching staff who hold their major appointments at the University of Toronto at Mississauga

- W.R. Cummins - term expires on June 30th, 2005
- Constituency III** - 1 seat FOR WHICH AN ELECTION IS REQUIRED
- all teaching staff members who hold their major appointments at the University of Toronto at Scarborough
- I. McDonald - term expires June 30th, 2003
- Constituency IV** – 1seat all teaching staff members in the Faculty of Applied Science and Engineering
- P. Byer - term expires June 30th, 2004
- Constituency V** - 3 seats FOR WHICH AN ELECTION IS REQUIRED
- all teaching staff members in the Faculty of Medicine
- L. Girolametto - term expires June 30th, 2003  
D. Jenkins - term expires June 30th, 2004  
J. Wedge - term expires June 30th, 2004
- Constituency VI** - 1 seat FOR WHICH AN ELECTION IS REQUIRED
- all teaching staff members of the Faculty of Dentistry, Faculty of Nursing, Leslie Dan Faculty of Pharmacy and the Faculty of Physical Education and Health
- E. Hodnett - term expires June 30th, 2003
- Constituency VII** - 1 seat FOR WHICH A BY-ELECTION IS REQUIRED
- all teaching staff members in the Faculty of Architecture, Landscape, and Design, Rotman School of Management, Faculty of Forestry, Faculty of Information Studies, Faculty of Law, Faculty of Music and the Faculty of Social Work
- B. Langille - term expires June 30th, 2005
- Constituency VIII** - 1 seat all teaching staff members in the OISE/UT
- M. Beattie - term expires June 30th, 2005

Students

A “Student” is any person registered at the University for full-time or part-time study in a program that leads to a degree or post-secondary diploma or certificate of the University or in a program designated by the Governing Council as a program of post-secondary study at the University. The Transition 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 University of Toronto Act, 1971*. An individual who is not registered in such a program will not meet the definition of student under *The University of Toronto Act, 1971*.

Students must be registered in the constituency in which he or she holds his or her seat during the period September – May in order to hold his or her seat.<sup>1</sup>

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

"Graduate Student" means all students registered in program of part-time or 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 in the School of Graduate Studies.

Graduate Student Constituencies:

**Constituency I - 1 seat**

FOR WHICH AN ELECTION IS REQUIRED

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

M. Braun - term expires June 30th, 2003

**Constituency II - 1 seat**

FOR WHICH AN ELECTION IS REQUIRED

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

E. Ohayon - term expires June 30th, 2003

"Full-Time Undergraduate Student" means all students (except students registered in the Toronto School of Theology) 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 are not registered in the School of Graduate Studies. All students in Arts and Science on the St. George campus, the University of Toronto at Mississauga and the University of Toronto at Scarborough, for electoral purposes, will be considered full time if enrolled in four or more full-course equivalents over any two terms in an academic session (including the previous summer session).<sup>2</sup>

<sup>1</sup> This requirement may be modified for students of the University of Toronto at Scarborough to reflect the dates of the trimester system which, if approved, will take effect on May 1, 2003.

<sup>2</sup> This requirement may be modified for students of the University of Toronto at Scarborough to reflect the dates of the trimester system which, if approved, will take effect on May 1, 2003.

## Full-Time Undergraduate Student Constituencies:

**Constituency I - 2 seats****FOR WHICH AN ELECTION IS REQUIRED**

all students registered in Arts and Science on the St. George campus, at the University of Toronto at Mississauga (UTM) and at the University of Toronto at Scarborough (UTSC) (with the proviso that both members elected in Constituency I may not be registered in the same college on the St. George campus, or both registered at either UTM or UTSC, and in the event that a member elected while registered in one college or campus later registers in the college or on the campus in which the other elected member is registered, the transferring member shall resign his or her seat).

D. Hanif and S. Mullin - terms expire June 30th, 2003

**Constituency II - 2 seats****FOR WHICH AN ELECTION IS REQUIRED**

all students registered in the Faculty of Applied Science and Engineering, Faculty of Dentistry, Faculty of Law, Faculty of Medicine, Faculty of Music, Faculty of Nursing, OISE/UT, Leslie Dan Faculty of Pharmacy, and Faculty of Physical Education and Health (with the proviso that both members elected in Constituency II not be registered in the same faculty, and that in the event that a member elected while registered in one faculty or school later registers in the faculty or school in which the other elected member is registered, the transferring member shall resign his or her seat)

C. Murphy and tba - terms expire June 30th, 2003

"Part-Time Undergraduate Student" means all students (except students registered in the Toronto School of Theology) 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 are not registered in the School of Graduate Studies. All students in Arts and Science on the St. George campus, at the University of Toronto at Mississauga and at the University of Toronto at Scarborough will be considered part-time if enrolled in fewer than four full-course equivalents over any two terms in an academic session (including the previous summer session).<sup>3</sup>

## Part-Time Undergraduate Student Constituency:

**Constituency I - 2 seats****FOR WHICH AN ELECTION IS REQUIRED**

all registered part-time undergraduate students

D. Melville and C. Ramsaroop - terms expire June 30th, 2003

"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.

<sup>3</sup> This requirement may be modified for students of the University of Toronto at Scarborough to reflect the dates of the trimester system which, if approved, will take effect on May 1, 2003.

Administrative Staff Constituency:

**Constituency I** - 2 seats                      FOR WHICH AN ELECTION IS REQUIRED

B. Davis - term expires June 30th, 2003

K. Lewis - term expires June 30th, 2004

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

Administrative staff                      three years

Students                                      one year

Teaching staff                              three years

If a member is unable to complete his or her term, a by-election will be called to complete the term.

## Chapter V - Election Schedule 2003

### Nominations (same for both elections)

Nominations open	Tuesday, January 28th, 9 a.m.
Nominations close	Monday, February 10th, 12:00 noon
Announcement of irregular nominations	Wednesday, February 12th, 12:00 noon
Filing of corrected papers	Thursday, February 13th, 5:00 p.m.
Announcement of candidates	Friday, February 14th, 12:00 noon
Filing of intention to appeal	Monday, February 17th, 5:00 p.m.
Appeals completed	Thursday, February 20th, 5:00 p.m.
Announcement of additional candidates	Friday, February 21st, 12:00 noon

### **Mandatory Meeting of all student candidates      Monday February 24th**

### Mail Election

Withdrawal deadline (name not on mailed ballot)	Thursday, February 20th , 5:00 p.m..
Mailing of ballot papers	Week of February 24th
Close of election	Friday, March 14th, 5:00 p.m.
Announcement of results	Tuesday, March 18th
Filing of intention to appeal	Thursday, March 20th, 5:00 p.m.
Appeals completed	Thursday, March 27th, 5:00 p.m.
Winners declared elected	Friday, March 28th
Deadline for recount request	Friday, April 4th, 5:00 p.m.
Filing of sworn statement re expenses	Friday April 11th, 5:00 p.m.
Notice of hearings re expenses	Wednesday, April 23rd, 12 noon
Hearings re expense completed	Friday, April 25th

### Web-based Election

Withdrawal deadline (name not on ballot)	Friday, March 7th, 12 noon.
Voting period	Monday, March 10th - Friday, March 14th
Announcement of results	Tuesday, March 18th
Filing of intention to appeal	Thursday, March 20th, 5:00 p.m.
Appeals completed	Thursday, March 27th, 5:00 p.m.
Winners declared elected	Friday, March 28th
Filing of sworn statements re expenses	Friday April 11th, 5:00 p.m.
Notice of hearings re expenses	Wednesday, April 23rd, 12 noon
Hearings re expense completed	Friday, April 25th

- **Changes to the dates and hours of polling may be made by the Chief Returning Officer as the procedures are finalized.**

## Chapter VI - Regulations

- a) Nominations
  - i) Nomination period and deadline

Nomination forms will be available at the Office of the Governing Council, Room 106, Simcoe Hall, and on the Governing Council web-site (<http://www.utoronto.ca/govcncl/>). Nominations for five teaching staff (including one by-election), one administrative staff and eight student seats will open on Tuesday January 28th, 2003 at 9:00 a.m. and remain open until Monday February 10th, 2003 at 12:00 noon. Nomination papers must be filed at the Office of the Governing Council and nominations received elsewhere or after that time will be invalid. Nomination papers sent by facsimile before the deadline will be accepted; the original of the nomination form must follow immediately by hand or mail and be identical to the form submitted by facsimile. If the original form received after the close of nominations is different from the facsimile form submitted prior to the close of nominations, the nomination will be declared invalid. Nominations must be filed on the nomination form provided by the Chief Returning Office; no other nomination form will be accepted.

ii) **Eligibility of candidate**

A candidate must be a Canadian citizen and a member of the constituency in which he or she is nominated from the close of nominations to the close of the election period. The election period is defined as the period commencing at 9:00 a.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.

The eligibility of a candidate will be verified as follows:

- all teaching staff constituencies - printed full name and department against Human Resources Information System records.
- all student constituencies - printed full name and student number against Repository of Student Information (ROSI) records.<sup>4</sup>
- administrative staff constituency - printed full name and department or office against records of the Human Resources Information Systems and staff records in the federated universities.

If elected, the candidate must resign the seat if at any time he or she ceases to meet the eligibility requirements (see Chapter IV, section (a)). For a student governor, this means meeting the eligibility requirements for the period September to May.<sup>5</sup> Please note the exception for students registered in double degree programs, page 10.

iii) **Eligibility of nominators**

All nominators must be members of the same constituency (as defined in IV (a) above) as the nominee. A nominator may not nominate more candidates for election than there are seats vacant in his or her constituency. Candidates may not nominate themselves.

iv) **Nomination signatures**

Nominations for teaching staff seats must contain the signatures of 10 nominators, each indicating their printed full name and department or office.

Nominations for administrative staff seats must contain the signatures of 20 nominators, each indicating their printed full name and department or office.

Nominations for graduate, full-time undergraduate and part-time undergraduate student seats must each contain the signatures of 20 nominators, each indicating their printed full name and student number.

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<sup>4</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.

<sup>5</sup> This requirement may be modified for students of the University of Toronto at Scarborough to reflect the dates of the trimester system which, if approved, will take effect on May 1, 2003.



v) Citizenship

Any person nominated as a candidate must be a Canadian citizen at the time of nomination. Documentary evidence of Canadian citizenship must be presented with each nomination form for examination by the Chief Returning Officer.

Any one of the following will be considered acceptable evidence of citizenship: certificate of birth in Canada; certificate of citizenship; certificate of naturalization; Canadian certificate of registration of birth abroad; certificate of retention of Canadian citizenship; valid Canadian passport. Photocopies will be deemed sufficient for this purpose. Failing such documentary evidence, a notarized statement to the effect that the nominee is a Canadian citizen must accompany the nomination form. The Office of the Governing Council will make available such statements for signature and, if requested a sufficient time in advance, will arrange for their notarization. In the absence (other than casual) from Ontario of the candidate, the notarized statement may be made on the candidate's behalf by someone having personal knowledge of the facts where the means of knowledge are stated to the satisfaction of the Chief Returning Officer.

vi) Candidates' statements

Candidates are primarily responsible for their own publicity. However, nominees may submit, on their nomination forms, a biographical statement or other comments, up to a limit of 100 words. The statement is voluntary and will accompany the paper ballots or be posted with the web ballot. As stated in Chapter VI (a) (viii), the candidate's signature on the nomination form shall signify approval of and responsibility for the candidate's statement. Because the statement is a part of the candidate's campaign and because of practical considerations, the Chief Returning Officer will not be responsible for the accuracy of the statement.

The statement must be typewritten or clearly printed to be acceptable. The candidate's name will not be counted in the 100 - word total if placed at the beginning of the statement. Acronyms and abbreviations will be counted as one word. This 100 - word limit is not a guide, but an exact limit. If a statement contains more than 100 words, only the first 100 words will be printed.

The statement will not be distributed or otherwise made available if, in the opinion of the Elections Overseers, assisted by such legal counsel as they may wish to employ, it would render the University liable to a suit for libel. The decision of the Overseers in such instances shall be final.

Candidates' statements must be submitted before the close of the nomination period and may not be altered or amended after the close of nominations except for minor editorial corrections as may be allowed by the Chief Returning Officer. The intent of this regulation is to provide enough time for the Chief Returning Officer to meet press deadlines, and not to preclude a candidate from correcting errors prior to the statements' being printed.

New or extensively revised statements will not be accepted after the close of nominations. In the case of a mailed ballot, the candidates' statements will accompany the ballots. For students, the Governing Council will publish the statements in the campus press and make them available on the election web site.

vii) Candidate's contact information

Contact information including name, mailing address, phone number and e-mail address of the candidate should be on the nomination form. At least two of the following: a mailing address, an e-mail address or a phone number, or other means of communication with the candidate must be present, and if not, it may be grounds for the technical invalidation of the nomination.

viii) Candidate's signature

Nomination papers shall be signed by the candidate. The signature of the candidate on the nomination form signifies his or her willingness to stand as a candidate, the possession of

Canadian citizenship and his or her approval of and responsibility for the candidate's statement, if any, made on the form. In the case of absence (other than casual) from Ontario of the candidate, the Chief Returning Officer may at his or her discretion accept verification of the candidate's willingness to stand, the possession of Canadian citizenship and approval of the candidate's statement by means of a cabled, telegraphed, telexed, faxed or e-mail message or a telephone call followed by written confirmation where the Chief Returning Officer is satisfied as to the authenticity of such message.

ix) Verification listings

Copies of the lists of students and staff used to verify the nomination forms will be available for viewing by prospective candidates or single representatives authorized by them in writing.

These lists will be available shortly after the nomination period opens, and may be seen in the Office of the Governing Council, Room 106, Simcoe Hall from 9:00 a.m. to 4:45 p.m. Monday through Friday.

This information is being made available in order that a candidate may have the opportunity to check the information given by nominators before filing the nomination forms with the Office of the Governing Council for verification. The candidate should not make any alterations to the signatures or names of nominators, but should either have the nominators correct the information themselves, or obtain signatures from additional nominators with information as required.

Since only one list per constituency will be available, candidates are asked not to mark the lists in any way. Candidates will find it advisable to complete the nomination forms early, so that they may have sufficient time to use these lists.

x) Verification process

Those nominations which have been received **by 12:00 noon on Monday February 10th, 2003** will be subject to a verification process. The eligibility of nominators will be verified as follows:

- all teaching staff constituencies - printed full name and department against Human Resources Information System records.
- all student constituencies - printed full name and student number against Repository of Student Information (ROSI) records.
- administrative staff constituency - printed full name and department or office against records of the Human Resources Information Systems and staff records in the federated universities.

xi) Certification of nomination

A nomination will be certified as valid by the Chief Returning Officer if:

- a candidate is eligible for election in the constituency in which he or she is nominated;
- the nomination form is the one provided by the Chief Returning Officer either in the Governing Council Office or on the web;
- the nomination form contains the minimum number of verified nominators;
- the nominee's signature is present, indicating his/her consent to stand for election; and
- the form is accompanied by the citizenship papers required by these Guidelines and by the Chief Returning Officer.

Once a nomination has been certified correct, following the close of nominations, no alterations can be made in the nomination papers except for minor editorial corrections in the candidates' statements as allowed by the Chief Returning Officer.

xii) Errors or irregularities in nominations

**The onus is on the person nominated for election to file a bona fide nomination paper.**

Errors and irregularities in these papers constitute grounds for rejection of the nomination. Errors or irregularities may be corrected prior to the close of nominations, and some errors or irregularities, though not all, (see below and Chapter VI a)(xiii)) may be corrected during the time allotted in the correction period. The Office of the Governing Council will attempt to notify candidates of the existence of any errors or irregularities during this period, but is not bound to do so. Candidates are advised to complete and submit their nomination papers early in the nomination period.

The correction period is designed only to facilitate the correction of minor errors in nominations otherwise made in good faith. Candidates may not, therefore, knowingly file incorrect papers in order to use the correction period as an extension of the regular nomination period. Consequently, wherever possible, errors in student numbers or other information must be corrected, in preference to the collection of new signatures to obtain the minimum number of correct nominators' signatures.

xiii) Technical invalidation

Despite the existence of the correction procedure, nomination papers which are obviously in error or on their face are not appropriately verifiable or are not accompanied by the other papers required by these Guidelines and by the Chief Returning Officer will be automatically invalidated on technical grounds by the Chief Returning Officer. Such decisions may be appealed to the Elections Overseers. The correction period detailed in Chapter VI, (a) (xii) does not apply.

xiv) Announcement of irregular nominations

On **Wednesday February 12th, 2003 at 12:00 noon**, the names of candidates whose papers are found to contain some error or irregularity, and whose papers have not been otherwise corrected before the close of nominations will be announced publicly by a written statement made available at the Office of the Governing Council.

The candidate or his or her authorized representative must correct the papers.

xv) Deadline for filing corrected papers

On **Thursday February 13th, 2003** those individuals who filed papers for nomination which were found in some way to be irregular or in error will be permitted to submit corrected papers. However, not all errors or irregularities may be corrected during this period (see Chapter VI (a) (xii) and (xiii)). Any corrected nominations filed after 5:00 p.m. on that day will be void. No new candidates may file for election during this period.

xvi) Announcement of candidates for office

On **Friday February 14th, 2003 at 12:00 noon**, the names of all candidates for office will be announced.

xvii) Filing of notice to appeal decision

Nominees whose papers are still found to be irregular or in error may file by **5:00 p.m. on Monday February 17th, 2003** at the Office of the Governing Council, notice of intention to appeal to the Election Overseers.

xviii) Appeals

Insufficient time for the correction of nominations will not be considered legitimate grounds for appeal. Appeals will be completed by **5:00 p.m., Thursday February 20th, 2003**. The decision of the Election Overseers shall be final and not open to review.

xix) Announcement of additional candidates

The names of those who have successfully appealed the nomination procedure and are consequently additional candidates for office will be announced on **Friday February 21st, 2003, at 12:00 noon.**

xx) Names of candidates

The names of candidates nominated for election will be public information as they are received, once the nomination has been validated. The names of nominators will not be released by the Chief Returning Officer to the public or the other candidates.

xxi) Withdrawal of nomination

A person nominated as a candidate in the election may withdraw the nomination by submitting a notarized statement to the Chief Returning Officer. The Office of the Governing Council will make available such a document for completion and, if requested a sufficient time in advance, will arrange for its notarization.

In the mail ballot election, if a person nominated as a candidate wishes to have his or her name removed from the ballot, he or she must withdraw before the announcement of additional candidates, **Thursday, February 20, 2003 at 5:00 p.m.** Where a candidate withdraws the nomination after this time, the withdrawal and the fact that his or her name remains on the ballot do not invalidate the election and votes cast for the candidate who has withdrawn shall not be counted and are void.

In the web-based election, if a person nominated as a candidate wishes to have his or her name removed from the ballot, he or she must withdraw by **5:00 p.m. Friday, March 7th, 2003.** Where a candidate withdraws after the deadline to have his or her name removed from the ballot, the withdrawal and the fact that his or her name remains on the ballot do not invalidate the election and votes cast for the candidate who has withdrawn shall not be counted and are void.

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

xxii) Acclamations

Where following the completion of all correction and appeal procedures and the announcement of official candidates pursuant to sections xvi) and xix), it appears that the number of candidates nominated for election in any constituency is equal to or less than the number of members to be elected for that constituency, or where a person nominated as a candidate has withdrawn the nomination in accordance with section xxi) and as a result thereof, the number of the remaining candidates duly nominated is equal to or less than the number of members to be elected in the constituency in question, the Chief Returning Officer shall declare an acclamation in that constituency and the person or persons so nominated (and who, where applicable, have not so withdrawn) shall be deemed to be elected as such a member or members.

b) Posters and campaigning

Regulations issued by the Chief Returning Officer with regard to the placement of posters are attached as Appendix B for the use of all concerned in Governing Council elections. Guidelines for Campaigning are attached as Appendix C. The Chief Returning Officer shall have authority to issue supplementary regulations as may be required to clarify specific situations.

Candidates must either attend in person or send an authorized representative to an all-candidates' meeting organized by the Chief Returning Officer to review campaign regulations. If a candidate fails to attend this meeting, or to send an authorized representative, she/he will be declared ineligible to run in the election.

In the event that the meeting is missed due to illness, unforeseen transportation problems, a death or serious illness in the family, or other extenuating circumstances, the candidate can meet with CRO at another time to receive the information given at the all candidates' meeting, without being disqualified.

The candidate, whether present in person or not, is entirely responsible for all information provided at the all-candidates' meeting.

Candidates will be required to sign a written agreement that they and all those who work for them will abide by the *Election Guidelines 2003*, including provisions for postering, campaigning and expenses.

### c) Voters lists and mailing labels

Lists of voters in each constituency are available to candidates at no charge upon request. The student constituency lists will contain the name and sessional address of 10,000 - 21,000 voters. Staff lists are smaller and will contain name, rank or position, and department or office of 200 - 5,000 voters.

Candidates may also request a set of mailing labels for their constituency. The candidates will be charged the production costs.

The lists and mailing labels must be ordered before the close of the nomination period or they will not be provided. They will be made available approximately two weeks after the close of nominations and must be picked up from the Office of the Governing Council. In the event of an acclamation, the candidate's request for a list and/or labels will be cancelled.

Since the lists (and consequently the labels) are prepared well in advance of mailing of ballots or the web-based voting, it should be understood that certain discrepancies between these lists and actual ballot mailing lists and voters lists may occur (e.g. student transfers or withdrawals, staff resignations or hirings, or address changes). The Office of the Governing Council and the Chief Returning Officer are not responsible for the accuracy of these lists, which will be prepared from records in the Human Resources Information System, ROSI and other University offices.

### d) Balloting

#### i) Eligibility

- all eligible voters are entitled to vote using the ballot provided by the Chief Returning Officer for the election;
- members of the teaching staff who hold a non-academic appointment will vote in the appropriate teaching staff constituency;
- full-time students who are employed by the University as teaching assistants, research assistants, temporary library help, or in any other way will vote in the appropriate student constituency;
- part-time students who are administrative staff employees of the University may vote in the appropriate student constituency or in the administrative staff constituency, but not in both constituencies;
- if more than one mail ballot is received from any one voter in a constituency in which the voter is entitled to vote and in which the election is conducted solely by mail ballot, none of such ballots will be considered valid;
- all mail ballots submitted by ineligible or unverifiable voters will be invalidated.

## ii) By mail ballot

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

## 1. Method

- ballots will be mailed to each voter at his or her sessional home address or the University address as recorded in the University's record systems. Where the Chief Returning Officer has good reason to believe that a voter can be reached at a campus address as opposed to an off-campus address recorded in the University's record system, he or she may direct a ballot to the campus address;
- each ballot will be accompanied by a small secrecy envelope into which the marked ballot should be sealed;
- also provided will be a return-address envelope into which the small secrecy envelope should be sealed;
- voters will be required to provide, on the upper left-hand corner of the return envelope, information sufficient to allow verification of their ballot return;
- 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;
- persons who receive an incorrect ballot because of an error in records will be advised in the information sheet how to obtain the correct ballot;
- persons who receive no ballot will be advised, through advertisements in the campus media, how to obtain a ballot. Non-receipt of mailed ballots will not invalidate an election;
- a person who indicates that he or she has not received a ballot by mail may obtain one ballot from the Chief Returning Officer in person, by mail or by written proxy;

## 2. Voting in multiple seat constituencies

A voter may vote for as many candidates as there are seats vacant in his or her constituency.

## 3. Marking the ballot

Any kind of mark on the ballot which indicates an intention on the part of the voter to cast a valid vote is acceptable.

#### 4. Balloting by absent voters

It is suggested that voters who will be absent from their recorded address during the balloting period arrange to have their ballot forwarded to them.

#### 5. Returning ballots

Ballots may be returned through either Canada Post or University delivery or by hand to the Office of the Governing Council, Simcoe Hall, Room 106. Ballots returned by electronic means such as facsimile or e-mail will be invalidated.

Once submitted, a ballot will not be returned to the voter, and may not be changed. A second ballot will not be provided.

#### 6. Ballot mailing lists

A list will be available prior to and during balloting for inspection by any member of the University at the Office of the Governing Council from 9:00 a.m. to 4:45 p.m.

#### 7. Verification of ballots

All mail ballots received by the Office of the Governing Council will be verified to ascertain the eligibility of the voter to vote in the constituency for which he or she has marked a ballot. Teaching and Administrative Staff lists as of approximately February 24th will be used. Name, college/faculty/school and signature should be provided on the envelope as requested. Failure to provide the information requested may result in invalidation of the ballot. If more than one ballot is received from a voter, all such ballots shall be invalidated.

Verification of the ballots occurs as the ballots are received and is conducted under the supervision of the Chief Returning Officer. His or her decisions with respect to validation of ballots are final.

#### 8. Counting of ballots

##### i) Notification

Prior to the end of the balloting period, the Chief Returning Officer will inform each candidate in writing of the place and schedule for counting ballots. Counting will begin at the given time whether or not candidates and/or scrutineers are present. In the event that a count time has to be changed, the Chief Returning Officer will use his or her best effort to contact all candidates concerned to inform them of the change.

##### ii) Scrutineering

Each candidate for election may serve as his or her own scrutineer or appoint in writing a scrutineer for the tabulation of mailed returns in the constituency to which the candidate belongs, and such scrutineers may also check the completed verification of mail ballot returns prior to tabulation.

##### iii) Equality of votes

In the case of equality of votes where the election of the candidates receiving an equal number of votes would result in the election of a greater number of candidates than there are vacancies to be filled in any constituency, the successful candidate or candidates shall

be determined by an election between or among the candidates receiving an equal number of votes. The Chief Returning Officer will set the new election schedule. Ballots for this election will be mailed out within two weeks of the close of the first election.

If the second election also results in an equality of votes, a third election will be held. The Chief Returning Officer will set the new election schedule. Ballots for this election will be sent out no later than two weeks after the close of the second election. If the third election results in an equality of votes, the Chief Returning Officer will seek advice from the Elections Committee on how to proceed.

iv) Announcement of results

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

v) Recounts

If authorized by the Election Overseers, a recount will be conducted on the written request of any candidate in a constituency, received within a period of fourteen days after the announcement of election results.

vi) Retention and disposal of ballots and return envelopes

All ballots received, and all return envelopes, will be held in security by the Office of the Governing Council for a period of twenty-one days after the announcement of election results or until the determination of all appeals, whichever is later, and shall thereafter be destroyed.



## iii) By web-based voting

- all graduate and undergraduate students
1. Method
    - the Chief Returning Officer has complete charge of all matters with respect to the Governing Council Elections and will maintain liaison with Student Information Systems on the production of the web-voting procedures;
    - each student may obtain access to web voting through the Governing Council web page [www.utoronto.ca/govcncl](http://www.utoronto.ca/govcncl) or directly through ROSI at [www.rosi.utoronto.ca](http://www.rosi.utoronto.ca)
  2. Date of election
    - the election will normally be held over five consecutive days (Monday to Friday) to be chosen by the Chief Returning Officer in the period between February 15th and March 26th;
    - the Chief Returning Officer may establish advance web polls where it appears that because of a lack of scheduled University activities, a significant number of voters in a division may not have a fair opportunity to vote.
  3. Hours of voting
    - web voting will held from Monday to Friday during the hours ROSI is accessible (Mon-Th 6 a.m. to 11:30 p.m.; Fri 6 a.m. to 5 p.m.).
  4. 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.
  5. Voting
    - at the time the voter logs into ROSI, he/she will be asked to provide his/her student number and personal identification number;
    - after successfully logging in to ROSI, the voter may click on the election button on the ROSI homepage. ROSI can be accessed either directly or through the Governing Council or the Information Commons homepages during the election period, verification of eligibility of the student to vote in the various constituencies will be determined by records in ROSI;
    - once recognized as a valid voter, the voter will then be informed of the constituency in which he/she is eligible to vote and provided with a list of options, including casting a ballot and reading the candidate statements;
    - the candidates will be listed in alphabetical order by surname;
    - the voter may vote for the number of candidates that corresponds with the number of vacant seats in the constituency, and may change his/her vote at will until the vote is recorded;

- the voter may choose not to vote at this point and may exit the election site and return to the process at another time;
- once the voter has decided for whom to vote, clicking the “cast ballot” button brings up a confirmation screen. You may still correct your ballot at this point by returning to the ballot screen. Clicking the “cast your ballot” button will record your vote.
- if the voter marked no candidate or more than the maximum number allowed, a message will indicate the ballot as 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.

## 6. 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.

## 7. Counting of ballots

### i) Notification

Web-based voting, by its nature, will have no ballots to count. The Chief Returning Officer will receive a confidential report of the results which will be shared with the candidates at a scheduled meeting and then made public.

### ii) Equality of votes

In the case of equality of votes where the election of the candidates receiving an equal number of votes would result in the election of a greater number of candidates than there are vacancies to be filled in any constituency, the successful candidate or candidates shall be determined by an election between or among the candidates receiving an equal number of votes which will be held no later than two weeks after the close of the first election. The Chief Returning Officer will set the new election schedule.

If the second election also results in an equality of votes, a third election will be held no later than two weeks after the close of the second election. The Chief Returning Officer will set the new election schedule.

If the third election results in an 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 Chief Returning Officer will seek advice from the Elections Committee on how to proceed.

### iii) Announcement of results

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

iv) Recounts

Recounts are not meaningful with web-based voting.

v) Retention of results

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

e) Appeals

i) Appeals concerning nominations

- Chapter VI, (a) (xvii) and (xviii)

ii) Filing of notice to appeal

Candidates may file a notice of intention to appeal any matter arising in the conduct of elections, including the announcement of results but excepting a matter for which no appeal is provided, must be filed at the Office of the Governing Council by **5:00 p.m. on Thursday March 20th, 2003** for all candidates.

iii) Appeals

Appeals will be completed by **5:00 p.m. on Thursday March 27, 2003**, for all candidates. The decision of the Election Overseers shall be final and not open to review.

f) 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.

g) Election expenses

i) Spending limit

Spending limits for the administrative staff and the teaching staff are set at \$400 with \$300 reimbursable.

Each year a separate spending limit will be set for each constituency in the student elections. The limit will be calculated on the basis of \$50 per thousand students enrolled as of November 1st, minimum \$400.

For 2002, the spending limits were:

Full-time undergraduates, Faculty of Arts and Science	\$ 1150
Full-time undergraduates, professional faculties	\$ 500
Part-time undergraduates	\$ 650
Graduate students – Constituency I	\$ 400
Graduate students – Constituency II	\$ 400

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

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

ii) **Reimbursement of election expenses**

A student candidate who obtains at least 25 percent of the votes obtained by the candidate elected in the constituency with the lesser number of votes will be refunded an amount equal to the lesser of:

- (a) the first \$100 of spending, plus) seventy-five percent of any additional spending of amounts above \$100 and less than the spending limit for the candidate's constituency, or
- (b) actual expenses

For all purposes, "expenses" includes the fair market value of all donated goods and services actually used in the candidate's campaign, except voluntary unpaid labour. Candidates who do not receive the required number of votes will not be eligible for any reimbursement.

Expenses incurred prior to the close of nominations will not be eligible for reimbursement.

All candidates, whether they are seeking reimbursement or not, are required to submit receipts for all expenses including a statement of all donated goods and services actually used in the candidate's campaign (except voluntary unpaid labour) with their fair market value thereof, within fourteen days of the close of the election. Candidates will be required to sign a sworn statement that all expenses have been disclosed and that the total represents the total amount of expenses by the candidate or by anyone acting on his or her behalf or with his or her knowledge and consent.

iii) **Enforcement of the election expenses limit**

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

If the sworn statement indicates that the limit has been exceeded, or if an allegation is made that a candidate has exceeded the limit, the Chief Returning Officer will investigate the matter and, if warranted, take the alleged violation to the Elections Committee acting as the Election Overseers. A hearing will be held. The decision of the Election Overseers will be final and binding. The penalties that they may impose include, but are not limited to, public announcement, disqualification from future Governing Council elections for a year or number of years or, if the guilty candidate has been successful in the election, loss of the seat.

Failure to submit the sworn statement concerning election expenses will be referred by the Chief Returning Officer to the Elections Committee which acting as the Election Overseers may conduct a hearing and impose penalties as provided above.

Within seven days of the deadline for submitting the sworn statement, the Chief Returning Officer must inform the Elections Committee and the concerned candidate(s) of any irregularities that have been discovered. If a hearing is necessary, it should be held as soon as possible and should be completed no later than four weeks following the close of the election.

h) **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. A student member of Governing Council must be registered in the constituency in which he or she holds his or her seat by Monday, September 15, 2003. Elected governors

must resign if at any time during their term, they cease to meet the eligibility requirements for that seat. Please note the exception for students registered in double degree programs, page 9.

**i) By-elections**

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

By-elections shall take place under the authority and regulations of the Chief Returning Officer, using procedures analogous to those contained elsewhere in these Guidelines.

**j) Re-opening of the nomination period**

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

## APPENDIX A Powers and Duties of the Governing Council

### a) The University of Toronto Act

*The University of Toronto Act, 1971* as amended, vests in the Governing Council, the government, management and control of the University and of University College, and property, revenues, business and affairs therefore, and the powers and duties of the former Board of Governors and Senate of the University.

### b) Composition

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

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

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

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

#### i) Academic Board

The Board is responsible for consideration of policy of an academic nature and for monitoring matters within its area of responsibility.

Specific areas of responsibility include:

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

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

## ii) Business Board

The Board is responsible for consideration of policy and for monitorial functions for matters affecting the business affairs of the University.

Specific areas of responsibility include:

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

## iii) University Affairs Board

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

Specific areas of responsibility include policy on

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

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



## APPENDIX B

### Regulations Regarding Posters

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

Posters of any sort may not be **posted before Friday February 14, 2003.**

Posters must be removed **by Monday March 31, 2003.**

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

Posters of any sort may **NOT** be posted **before Tuesday February 25th, 2003.**

New posters may not be put up or existing posters moved or replaced **after Sunday March 9th, 2003.**

Posters must be removed **by Monday March 31st, 2003.**

#### General

The placing of posters on University property must be done in accordance with the regulations of Facilities and Services, and the regulations of each building on the three campuses. Violation of any restrictions imposed by University Faculties, Departments, or administrative services may result in the imposition of demerit points.

1. Candidates may place posters on public bulletin boards, which are located throughout campus buildings. Posters shall **NOT** be attached to any wall, door, window, column, washroom, building sign, garbage or recycling can inside any University building, unless prior approval has been received from the Manager, Property Management. Candidates must advise the Chief Returning Officer in writing of the approval within 2 days of obtaining such approval.
2. Approved poster kiosks and lamp post collars are available throughout the campus and are cleaned off as necessary during the academic year. Posters should not exceed the size of four 8½" x 11" (or one 17" x 22") posters on one kiosk. Posters should not obstruct other posters while they are current.
3. Posters shall **NOT** be posted on any tree, hedge, building, wall, door, window, non-approved lamp post, bench, telephone booth, pole, garbage can, recycling bin, building sign, utility box, mail box, newspaper dispenser or fence on outdoor University property.
4. Posters that are in violation of 1, 2 or 3 may be removed or covered with a Notice of Violation by University Facilities and Services personnel.
5. 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.
6. Signs shall not be planted on the grounds or otherwise displayed unless prior approval from the Manager, Property Management has been received. Candidates must advise the Chief Returning Officer in writing of the approval within 2 days of obtaining such approval.

7. If a candidate wishes to install a banner, he/she must obtain written approval from the Manager, Property Management, following the appropriate policy. Candidates must advise the Chief Returning Officer in writing of the approval within 2 days of obtaining such approval.
8. 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 the imposition of demerit points.

## APPENDIX C

### Guidelines for Campaigning

Candidates for election to the Governing Council are expected to conduct honourable campaigns, including observation of postering regulations (Appendix B) and the campaign guidelines stated below. Infractions of the regulations and guidelines may result in the imposition of demerit points and also be grounds for an appeal of the results to the Election Overseers, pursuant to chapter III.8 of the Election Guidelines 2003.

1. The 2002 campaign spending limits were:

Full-time undergraduates, Faculty of Arts and Science	\$ 1150
Full-time undergraduates, professional faculties	\$ 500
Part-time undergraduates	\$ 650
Graduate students - Constituency I	\$ 400
Graduate students - Constituency II	\$ 400
Teaching staff	\$ 400
Administrative staff	\$ 400

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

2. Campaigning consists of promoting a candidate or a position to the voters. Campaigning will cease at 11:59 p.m. on the day preceding the first day of the period in which the web-based election for part-time and/or full-time undergraduate students and/or graduate students is held.
3. During web-based voting, candidates may encourage other students to exercise their right to vote. Nothing may be said or done that would indicate that the candidate is asking the person/s to vote for a particular candidate. To assist candidates to encourage other students to exercise their right to vote, the Chief Returning Officer will make available to candidates Voter Information Cards which may be distributed to potential voters.
4. The length of the campaign period for student elections will be set annually in the Election Guidelines and will not be less than two weeks.
5. There are no restrictions on the period of campaigning for elections held by mail ballot in teaching staff and administrative staff constituencies.
6. Candidates will be required to inform the Chief Returning Officer of their election website, if they choose to create one. Regulations concerning candidate web sites will be provided to candidates prior to the campaign period.
7. The University crest may not appear on campaign literature, materials or websites. Candidates may use the University's name.
8. Candidates may place advertisements in the campus press to appear during the campaign period.
9. Candidates are responsible for removing all campaign material after the close of the election .
10. It is expected that candidates will not remove or deface each others' campaign literature.
11. Candidates shall be responsible for the actions, and violations stemming from such actions, of any non-arm's-length party, however occurring.

12. Candidates may not post or distribute campaign literature that might be considered libelous by the Chief Returning Officer.
13. Candidates' statements submitted on the nomination forms will be disseminated at the expense of the Governing Council by means chosen by the Chief Returning Officer.
14. Violation of Campaign Rules
  - (a) The Chief Returning Officer (CRO) shall have the sole authority to enforce the provisions of the Election Guidelines.
  - (b) No candidate may attempt to enforce the provisions of the Election Guidelines.
  - (c) Allegations of violation of the Election Guidelines by a candidate or one of the candidate's workers shall be submitted in writing to the CRO who shall decide on the charge.
  - (d) The CRO may lay charges of violations of campaign rules on his/her own initiative.
  - (e) A charge of a violation must be given in writing to the CRO within five days of the alleged violation. The CRO will investigate each allegation, assisted by such staff that he or she may wish to employ.
  - (f) The Elections Committee shall meet from time to time as the Election Overseers at the call of the CRO to discuss any charges of violations to the campaign rules and to decide on the appropriate action to be taken, with such meeting being subject to the following:
    - (i) The CRO shall invite both the candidate making the allegation and the candidate alleged to have committed the offense to the meeting where the alleged violation will be addressed. Each candidate will have an opportunity to and present his/her case.
    - (ii) A written report of the minutes of the said meeting will be made available within a forty-eight (48) hour period to all those in attendance at the meeting.
  - (g) It will be the responsibility of the candidate to ascertain his/her position with respect to decisions made by the Election Overseers regarding alleged violations committed by the candidate. This must be done on a daily basis by consulting the CRO, a published list, or minutes posted on a designated elections space in the Office of the Governing Council or on its web-site.
  - (h) Details of confirmed violations will be posted to the Governing Council web site and made available for publication.
  - (i) Penalties assessed for a confirmed violation, may include:
    - (i) assignment of a demerit point penalty against a candidate;
    - (ii) reduction or elimination of a candidate's reimbursement;
    - (iii) a declaration that an election in a particular constituency or the election of a specific candidate be ruled void.
  - (j) Demerit points shall be assessed on the following basis:
    - (i) Campaign Materials:
 

· Unintentional misrepresentation of facts	1
· Violation of postering regulations in Appendix B of these Guidelines	3
· Containing material explicitly forbidden in Guidelines (e.g. University Crest)	3
· Violation of any restrictions imposed by University Faculties, Departments, or administrative services	3
· Inappropriate use of property, including but not limited to chalk messages on sidewalks, adhesive stickers/signs affixed to furniture and/or equipment	3
    - (ii) Campaigning:

- Unintentional misrepresentation of facts 1
  - Violation of Guidelines for Campaigning in Appendix C of these Guidelines 3
  - Violation of Regulations Regarding Posters in Appendix B of these Guidelines 3
  - Violation of any restrictions imposed by University Faculties, Departments, or administrative services 3
  - Inappropriate use of property, including but not limited to chalk messages on sidewalks, adhesive stickers/signs affixed to furniture and/or equipment 3
  - Unauthorized solicitation of votes, including but not limited to speaking in class without the prior permission of the instructor. 3
- (iii) Fair Play:
- Use in campaign of any service or tangible benefit conferred on a candidate by virtue of his/her holding any position in any organization on campus. This includes, but is not limited to, office supplies, equipment, advertising space, secretarial service and funding. 5
  - Unauthorized use of University resources, including but not limited to printing, copying, office supplies, equipment and secretarial service 5
  - Deliberate misrepresentation of facts 5
- (k) Violations of the following nature will result in AUTOMATIC disqualification of a candidate:
- (i) any candidate spending over the maximum spending limit as set by the Election Guidelines;
  - (ii) intentional misrepresentation of campaign expenditures;
  - (iii) a candidate accruing greater than 10 demerit points;
  - (iv) any attempted interference in the election process as regulated by these Guidelines;
  - (v) solicitation of Student Information System (SIS) and/or Personal Identity Number (PIN) numbers; and
  - (vi) action or conduct which represents a flagrant undermining of the purpose and effect of the electoral process set up under these Guidelines.
- (l) In the event a winning candidate in any election is disqualified, the candidate with the next greatest number of votes will be declared elected, keeping in mind the proviso that candidates may not be from the same college, campus or Faculty in certain constituencies.