



ACADEMIC COUNCIL REPORT

SESSION:

Public
 Non-Public

ACTION REQUESTED:

Decision
 Discussion/Direction
 Information

TO: Academic Council

DATE: March 24, 2020

FROM: Governance & Nominations Committee (GNC)

SUBJECT: Review of Academic Council Procedures for the Election of Teaching, Non-Academic Staff and Student Representatives (“Election Procedures”)

GNC MANDATE:

- In accordance with the GNC Terms of Reference, one of the committee’s responsibilities is to “establish, oversee, and periodically review the governance procedures, guidelines, and directives of Academic Council and revise when appropriate.”
- We are seeking the committee’s feedback on the proposed amendments to the Election Procedures.

BACKGROUND:

- In accordance with the Procedures for the Development, Approval and Review of Policy Instruments, policy instruments will be reviewed at least once every three years.
- The Election Procedures were scheduled for review in September 2017, while the By-law Review was ongoing. The review of the Election Procedures was postponed until the By-law Review was complete.
- A By-laws Implementation Plan was developed in anticipation of the new By-laws coming into effect in September 2018.
- The By-law No. 2 Implementation Plan includes reviewing & updating the Election Procedures with a target date of Spring 2020.

RECOMMENDATIONS:

- We conducted a review of the Election Procedures in the context of the new By-laws, as well as any challenges encountered over the past several years.
- The language in the Election Procedures has been updated to reflect the updated terminology in the By-laws, as well as the university's rebrand.
- There were also some editorial changes to simplify the language in the Election Procedures.

Section 7.2 - Process for Resolving a Tie

- The Election Procedures currently provide that a tie will be resolved by the Chief Electoral Officer (CEO) conducting a coin toss in the presence of the candidates in question, under the observation of two impartial witnesses.
- In September 2017, the election for one of positions on the university's Academic Council committees resulted in a three-way tie.
- This made for a cumbersome process involving determining which candidates would face off first in the coin toss.
- It was also a time-consuming process, as the coin tosses had to take place in the presence of all three candidates and two witnesses.
- In order to avoid such a scenario going forward, we are recommending using the following process in the event of a tie:
 - ...the CEO will determine the successful candidate by writing each candidate's name on a separate piece of paper. The papers will be folded and put in box. The box will be shaken and the CEO will withdraw one (1) of the folded pieces of paper. The candidate whose name is on the selected piece of paper is the winner. This process will be conducted in the presence of two independent witnesses.

Nomination Form Declaration Statement:

- At the committee meeting, a concern was raised about several of the declaration statements included on the nomination forms. A summary of the concerns is attached for review.
- As early as 2007, a similar statement has been included on the election nomination forms with the following wording:
 - *I accept this nomination fully aware of its terms and conditions: specifically, I agree to support the Academic Council's decisions to the best of my ability, and am willing to attend and participate in Council and sub-committee meetings. Furthermore, I understand that I shall be bound by the By-Laws and Standing Resolutions of the Board of Governors, all applicable Provincial regulations, and by published University policies.*
- In 2014, the statement was changed to the following:
 - I hereby declare that:
 - I accept this nomination to stand as a candidate for election to the UOIT Academic Council.
 - I am a Tenure, Tenure Track or Teaching Faculty member from one of the relevant constituency groups.

- If elected, I am willing to serve as a member of the UOIT Academic Council and to attend and participate fully in scheduled Academic Council and Committee meetings.
 - I will first and foremost act with the best interests of the University and support the Council's decisions to the best of my ability.
 - I shall be bound by UOIT Act, By-Law and all applicable Provincial regulations, and published university policies.
- During that time period, we are only aware of one instance when a nomination form was submitted without checking all of the declaration statements.
 - Section 4.1 of the [Academic Council Procedures for the Election of Teaching, Non-Academic Staff and Student Representatives](#) provides that "Individuals who wish to stand for election must fill out the required nomination forms and provide all other relevant information requested by the CEO. Nomination materials must be submitted according to the specified process and deadlines. Incomplete nomination materials or nomination materials submitted after the deadline will not be accepted."
 - The incomplete nomination form was presented to the Governance and Nominations Committee for consideration. The Governance and Nominations Committee decided that the incomplete form should not be accepted in accordance with the AC Election Procedures.
 - That same candidate has since submitted a fully completed nomination form for the 2020 AC election.

COMPLIANCE WITH POLICY/LEGISLATION:

- This is compliant with the Act and By-laws.

NEXT STEPS:

1. The appropriate consultation will be conducted in accordance with the university's Policy Framework.

SUPPORTING REFERENCE MATERIALS:

- summary of comments regarding Appendix A: Nomination Forms
- blacklined Election Procedures

**Academic Council:
Consideration of changing checkboxes on the Teaching Staff Nomination and Nominee Declaration Form, and all other nomination and nominee declaration forms to serve on Academic Council and its committees.**

Issues:

As a Member at Large, several constituents that I have been approached by and consulted with have brought the following issue to my attention.

The current Teaching Staff Nomination and Nominee Form, and all other similar forms for nomination to Academic Council and its committees, have a set of unique boxes that must be checked for the form to be considered complete. Bicameral and collegial (i.e., shared and representative) governance models are a fundamental basis of universities as public institutions. Universities require that they be bicameral in their governance, sharing governance between a Board of Governors or Regents and a Senate. Universities use the term Senate and Senator deliberately, to invoke the parliamentary model under bicameral governance.

At Ontario Tech University (UOIT), Academic Council serves in place of a Senate Body that exists at other universities across the country. The Senate, at universities, is modelled after a Parliamentary governance structure and not one of Private Interest. The representatives on the Academic Council are responsible, like other Senates, to their constituents who have chosen them as their representatives.

The boxes offered on the Ontario Tech University forms are identical to those offered to the Board of Governors, who have different obligations to the university than Senators/Councillors (for example of a Board of Governors Election Form see:

- <https://shared.uoit.ca/shared/department/opp/Governance/Board-of-Governors/Elections/2020/student-nomination-form-2020.pdf>)

The presence and requirement of these boxes suggests that both a Governor and a Senator/Councilor have same responsibilities within the university, which they do not. The non-standard checkboxes on the nomination form for Academic Council are more reflective of a Board of Directors/Governors/Regents model of private governance asking nominees, who are appointed to their positions, to be increasingly responsible to their organization.

Parliamentary bodies are first and foremost responsible to their constituents as they are elected, and not appointed. A precursory look around other bicameral institutions' Senate election nomination forms (often solely) require, first and foremost, that they accept the nomination. There are few other requirements/conditions, with the exception of York University that requires people to know that if elected to the Senate, they may or may not be able to serve on certain other committees. A sample of forms are below.

- Ryerson University Senate Nomination Form:
 - <https://www.ryerson.ca/content/dam/senate/elections/facnom.pdf>

- Nomination form - Academic Board – University of Toronto
 - <https://governingcouncil.utoronto.ca/sites/default/files/2020-02/ACADEMIC%20BOARD%20Nomination%20Form%20-%20RE-OPENED%20Feb%202020%20-%20Teaching%20Staff%20%20pdf%20fillable.pdf>
- Western University Senate Nomination form:
 - https://www.uwo.ca/univsec/pdf/senate/election/nomination_form_senate_20_fillable.pdf
- Senate Nomination Form, Brock University
 - <https://brocku.ca/university-secretariat/wp-content/uploads/sites/82/2020-Senate-Election-Nomination-Form.pdf>
- Senate Elections Form York University:
 - <https://univsec.apps01.yorku.ca/forms/view.php?id=592%22>
- University of Ottawa Senate Nomination form:
- <https://carleton.ca/senate/elections/call-for-nominations/faculty/>

OntechU potential nominees, who are responsible as a Senate member to their constituents, may not feel comfortable checking many of these non-standard boxes as they appear to be similar in structure to those election forms for the Board of Governors, or a corporate Board of Directors, which are not Parliamentary bodies. As such, it may have a chilling effect on nominee interest.

Forms where boxes are not checked have been considered “incomplete” in the past, and therefore candidates who have offered incomplete forms have been considered ineligible. These practices are not in line with good governance practices of truly bicameral universities, where different models of government typically exist.

Below is a precursory examination of the boxes that are required to be checked to complete a form. Currently, incomplete forms are not eligible for consideration.

I accept this nomination to stand as a candidate for election to the university’s Academic Council.

- This box is standard on most if not all university senate election nomination forms

I am a Tenured, Tenure Track or Teaching Faculty member from one of the relevant constituency groups.

- This is a non-standard box, requiring the nominee to confirm their eligibility from the group who nominated them.

I do not plan on starting a 12-month Research Leave during the first year of my term.

- This is a requirement that, to my knowledge, was not voted upon by Academic Council. This requirement deters many eligible candidates from participating. Many universities have “Senate Alternates” to replace representatives during absences to encourage the smooth operation of Senates. The Governance and Nominations Committee has been

resistant to exploring this kind of commonly practiced model, instead, placing increasing and restrictive requirements for members.

- Checking this box currently undermines participation in Academic council. Workload assignment is assigned in consultation with the dean and finalized before July 1 of each year. Assuming a person is not sitting on AC at the time of interest in the AC, but is planning for research leave in the following year, this means that a potential representative is not eligible during the research leave year. Review with the dean and determination of workload upon return from 1-year research leave occurs in November of the year of return, and therefore workload assignment is not determined until five months after the interested party returns, bypassing another election term. While on research leave, Service is stated to be 0%. Those on Research Leave technically cannot engage in the nomination process. This means that participation for potential elected members is limited to 5 of 7 years, if the elected member regularly takes a 12 month leave. Further, if elected, that member can only serve 2 of a three-year second term.

If elected, I am willing to serve as a member of the Academic Council and to attend and participate fully in scheduled Academic Council and Committee meetings.

- This checkbox is an odd requirement. It assumes that someone who goes through the trouble of being elected, would then not come to meetings. This can be interpreted as condescending, further placing a chilling effect on participation.

I will first and foremost act the best interests of the university and support the Academic Council's decisions to the best of my ability.

- Part of this statement puts an AC Representative as an elected member in possible direct conflict with the needs of constituents, where such rules interfere with constituents' concerns. I bring this concern forward as it is a concern of my constituents, which may or may not be in the best interests of the university. Although this make sense for a Governor at this university, as they consider highest level knowledge of the institution, as a representative I hold no such knowledge and have no such obligation as a Senator. As stated before Senators have responsibilities only to constituents.
- This box can also place elected members of AC in conflict with Article 14 of the Collective agreement, and in particular Section 14.02:

- 14.02 - Academic freedom of Faculty Members resides at the core of the University's mission and includes the freedom to: teach and discuss; engage in research and define research questions; pursue answers with rigor; disseminate knowledge; produce and perform creative works; engage and participate in Service activities; express one's opinion about the University, its administration, and the system in which one works; participate in professional and representative academic bodies; and select, acquire, disseminate, or critique documents or other materials as is relevant in the performance of the Faculty Member's Teaching, Research, Service, and Other obligations, as applicable. Accordingly, academic freedom is the right of every Faculty Member.

I shall be bound by the University of Ontario Institute of Technology Act, By-Law and all applicable provincial regulations, and published university policies.

- This checkbox is redundant, as it is my understanding that all faculty members are bound by these documents as a requirement of their employment at this university. This statement, then, has been interpreted by more than a few of my constituents as “condescending” or “insulting.”

Finally, it has been noted by the Governance and Nominations Committee of AC that there is concern about a lack of participation in AC and its committees. In particular that there is a desire to see increased participation in these bodies. The requirement of the checking of the non-standard boxes may deter membership in a variety of ways. It is requested that the existence and requirement of these boxes to be checked be re-examined by GNC and brought forward to AC for approval. If the aim is to truly encourage participation in governance, then adding non-standard checkboxes that have the appearance of diminishing the parliamentary spirit of the Senate/Council and bicameral governance and discouraging academic freedom may deter participation on a wider level.

This could be very easily fixed by simply bringing this form in line with other universities in having a single checkbox:

I accept this nomination to stand as a candidate for election to the university’s Academic Council.

This action reflects and supports the desire of the university in the appearance of bicameral governance.

Sincerely,

Hannah Scott, Member at Large Academic Council, 2019-2022.

Classification	ACD 1500.01
Parent Policy	Academic Council Handbook
Framework Category	Academic
Approving Authority	Governance and Nominations Committee of Academic Council
Policy Owner	President
Approval Date	September 16, 2014
Review Date	September 2017
Supersedes	N/A

Formatted: Font: +Body (Calibri)

Formatted: Font: +Body (Calibri)

ACADEMIC COUNCIL PROCEDURES FOR THE ELECTION OF ADMINISTRATIVE AND TEACHING, ~~NON-ACADEMIC STAFF,~~ AND STUDENT REPRESENTATIVES

Formatted: Font: +Body (Calibri)

PURPOSE

1. The purpose of these procedures is to outline the general rules and guidelines that will govern the conduct of elections for elected positions on the ~~UOIT~~university's Academic Council.

DEFINITIONS

2. For the purposes of these procedures the following definitions apply:

“Campaigning” means any attempt to influence voters or solicit votes with respect to any candidate during the election process.

“Campaign Period” means the designated timeframe during which candidates may campaign.

“Chief Electoral Officer (CEO)” means the University Secretary or designate who is responsible for the conduct of the elections within the established policies and procedures, as amended.

“Election Conduct Warning” means a notice in writing made to a candidate of a violation of election procedures.

“Nomination Period” means the designated timeframe during which candidates may submit nomination materials to be considered as a candidate in the election.

“Voting Period” means the designated timeframe during which online voting will occur.

PROCEDURES

3. General

- 3.1. The ~~Executive Committee~~Governance and Nominations Committee of Academic Council (~~ACXGNC~~), or its successor ~~c~~Committee, will have overall responsibility and authority for Academic Council elections, ~~to Academic Council~~.

- 3.2. The ~~Chief Electoral Officer (CEO)~~ shall ~~will~~ have the following responsibilities in ~~the conducting of the~~ Academic Council elections:
- a) ~~R~~ recommending the election ~~timelines for Academic Council elections to ACX/GNC;~~
 - b) ~~U~~ updating ~~of~~ the Academic Council elections website;
 - c) ~~D~~ informing ~~dissemination of information about the elections to~~ relevant constituency groups about the key election dates and process;
 - d) ~~P~~ providing nomination forms and nominee declarations (Appendix A) and instructions on the ~~conduct of the Academic Council elections~~ process;
 - e) ~~C~~ onvening an conducting an information session for all student ~~all~~ candidates after ~~the the~~ Nomination Period ~~has concluded and prior to~~ before the start of the Campaign Period;
 - f) verifying the eligibility of all nominees to participate in for the Academic Council the elections process;
 - g) ~~I~~ investigating and reporting to ACX-GNC any irregularities and/or infractions of campaigning or voting procedures and ~~the~~ recommendation-recommending of sanctions, if necessary;
 - h) ~~V~~ erifying the results of online voting and reporting election results to ACX-GNC and Academic Council for confirmation; and-
 - i) reviewing these procedures on a regular basis and Making ~~recommenda~~ tionsing changes to ACX on the updating and revision of ~~Academic Council election policy and proceduresto GNC for~~ consideration.

3.3. Email communication regarding Academic Council elections will be to official ~~UOIT university~~ addresses only (@~~uoit~~ontariotechu.ca or @~~uoit~~ontariotechu.net).

4. Nominations

4.1. Individuals who wish to stand for election must ~~fill out~~ complete the required nomination forms ~~and~~ provide all other relevant information requested by the CEO.

4.2. Nomination materials must be submitted according to the specified process and deadlines.

4.1.4.3. Incomplete nomination materials or nomination materials submitted after the ~~deadline~~ Nomination Period will not be accepted.

4.2.4.4. Candidate eligibility is determined in accordance with the Academic Council Handbook, as amended.

~~4.3.4.5.~~ ~~Nominations Candidates~~ require a minimum number of signatures from eligible nominators ~~who are deemed eligible~~ from within the relevant constituency group of the ~~nominee nominee~~. ~~Nominees Candidates~~ are not eligible to sign their own nomination forms.

a) ~~Undergraduate~~ Student representative nominees require five (5) nominator signatures;

a)b) Graduate student representative nominees require three (3) nominator signatures; ~~and~~

b)c) Administrative and Teaching and Non-Academic Staff representative nominees require one (1) nominator signature.

~~4.4.4.6.~~ Where multiple positions are available in a particular constituency, a candidate may only be nominated for one (1) position.

~~4.5.4.7.~~ The CEO ~~is responsible for determining that all criteria for will confirm whether the~~ eligibility requirements for of both nominees and nominators have been met. ~~has been met.~~

~~4.8.~~ Nominees will receive notification of their eligibility status by the CEO.

~~4.6.4.9.~~ Only nominees who have received confirmation of eligibility will be allowed to ~~stand for participate in the~~ election and campaign.

~~4.7.4.10.~~ Student representative candidates ~~Nominees for Student representative positions are required must to~~ attend an candidates' information session at a time and place ~~to be~~ determined by the CEO.

~~4.8.4.11.~~ When the Nomination Period has closed, if the number of eligible candidates nominated nominees is equal to or less than the Academic Council positions available in a the particular constituency category, the candidates shall will be acclaimed.

~~4.9.4.12.~~ A nominee may withdraw their nomination by submitting a signed statement to the CEO any time before the ~~close of nominations end of the~~ Nomination Period and ~~at any time thereafter up to two business days following the close of nominations up to the start of the Campaign Period.~~

5. Campaigning

5.1. Campaigning may only occur during the Campaign Period.

5.2. All candidates ~~shall will~~ conduct themselves and their activities in a reasonable, respectful, ethical, and fair manner. ~~which is considered reasonable, respectful, ethical, and fair.~~

5.3. Candidates are responsible for ensuring that all aspects of their campaign ~~are in~~ compliance comply with ~~UOIT the university's~~ policies and procedures, and all applicable municipal, provincial and federal laws.

Commented [BD1]: generally, we have had difficulty filling graduate student positions - we received feedback that reducing the number of nominators required might help

Formatted: Font: +Body (Calibri)

5.4. No candidate may campaign or allow campaigning on their behalf that ~~is in~~ ~~would violate~~ ~~one of~~ the election procedures. Candidates who ~~are become~~ aware of unauthorized campaigning on their behalf must report the issue to the CEO.

Formatted: Font: 12 pt

Formatted: Font: +Body (Calibri)

Formatted: Font: 12 pt

Formatted: Font: +Body (Calibri)

Formatted: Font: 12 pt

5.5. No candidate is allowed to interfere or condone interference with another candidate's campaign including, but not limited to, communication of any misinformation about another candidate, misuse of social media, and/or the destruction, defacing, moving or removal of physical campaign materials.

5.6. Candidates are required to check their official UOIT-university email at least once every 24 hours during the Campaign Period for information from the CEO relating to the election.

Formatted: Font: +Body (Calibri)

Formatted: Font: 12 pt

Formatted: Font: +Body (Calibri)

Formatted: Font: 12 pt

5.7. Candidate names and personal statements will be posted to the Academic Council election website at the beginning of the Campaign Period.

Formatted: Font: 12 pt

Commented [BD2]: recommend that Teaching Staff & Administrative Staff also be required to provide personal statements in order to assist voters

5.8. Campaign information cannot ~~contain reference~~ refer to particular interests or any type of campaign issue or "platform".

Formatted: Font: 12 pt

Formatted: Font: +Body (Calibri)

5.9. Candidates are not entitled to use in their campaign any service or resource that is accessible by virtue of their employment at the University and/or position within a campus group or organization. This includes but is not limited to office supplies, equipment, technology, support staff, and distribution lists.

Formatted: Font: 12 pt

Formatted: Font: +Body (Calibri)

Formatted: Font: 12 pt

Formatted: Font: +Body (Calibri)

Formatted: Font: 12 pt

5.10. All expenses incurred during the course of the election campaign are the responsibility of the candidate.

Formatted: Font: +Body (Calibri)

Formatted: Font: 12 pt

5.11. All campaign information must include:

Formatted: Font: +Body (Calibri)

Formatted: Font: 12 pt

Formatted: Font: +Body (Calibri)

a) ~~N~~name of the candidate;

Formatted: Font: 12 pt

b) ~~P~~position for which the candidate is campaigning;

Formatted: Font: 12 pt

c) ~~T~~the address of the official Academic Council election website;

Formatted: Font: +Body (Calibri)

d) ~~A~~an accurate English translation of any information in other languages; ~~and~~

Formatted: Font: 12 pt

Formatted: Font: +Body (Calibri)

e) ~~A~~a reminder to vote during the Voting Period.

Formatted: Font: 12 pt

Formatted: Font: +Body (Calibri)

5.12. Campaign information may not include the UOIT-university's logo.

Formatted: Font: 12 pt

Formatted: Font: +Body (Calibri)

5.13. Candidates must represent themselves accurately in all campaign information about their accomplishments, certifications, academic credentials, positions held and any other statements intended to influence voters.

Formatted: Font: 12 pt

Formatted: Font: +Body (Calibri)

5.14. Campaigning may not interfere in any way with the normal orderly function of the University. Campaigning is not allowed during classes, even with the permission of the course instructor.

Formatted: Font: 12 pt

Formatted: Font: +Body (Calibri)

Formatted: Font: 12 pt

Formatted: Font: +Body (Calibri)

5.15. Campaigning is restricted to on-campus and is prohibited in the following areas:

Formatted: Font: 12 pt

Formatted: Font: +Body (Calibri)

a) ~~A~~all University administrative, academic and service offices;

Formatted: Font: 12 pt

- a) Candidates who use social media to campaign for elections must create a new account for the elections such that all candidates will start the campaign with zero followers.
- b) Only one new account on each chosen platform may be created by each candidate.
- c) Candidate's personal social media accounts may not be used for election purposes.
- d) Candidates are not allowed to ~~utilize~~use any official ~~UOIT~~university social media accounts.
- e) Communication using social media or posted online must comply with campaign information requirements outlined in these procedures.
- f) All online content and social media use must be public.
- g) Candidates must share any social media account/group names, addresses or handles, and links to websites or internet pages with the CEO within 24 hours of being created.
- h) All candidates choosing to use social media must provide access (i.e. add, invite, friend, be followed by) to the administrative account provided by the CEO.
- i) Where applicable to the platform, all social media communication must include the hashtag provided by the CEO.
- j) Candidates may not publish, broadcast, tweet, retweet, post, pin, "tag" or communicate any information related to opposing candidates.
- k) All online posting and social media activity must cease at the beginning of the Voting Period.
- l) ~~and a~~ All online election accounts must be deactivated within twenty-four (24) hours after the close of the Voting Period.

6. Voting

- 6.1. Voting for Academic Council elections will be conducted online.
- 6.2. The Voting Period will be forty-eight (48) hours in duration.
- 6.3. No minimum voter turnout is required to validate an election.
- ~~6.3.~~6.4. Eligible voters are entitled to vote once for each position within their respective constituency.
- ~~6.4.~~6.5. The CEO and administrative staff of the ~~University Secretariat~~Office of the University Secretary and General Counsel are ineligible to vote.
- ~~6.5.~~6.6. In order to respect the integrity of the election process, voters are entitled to cast their ballots in secret. Candidates ~~and/or~~ those acting on behalf of a candidate are prohibited from:
 - a) ~~E~~establishing polling stations;

Formatted: Font: +Body (Calibri), Bold

Formatted: Font: 12 pt

Formatted: Don't add space between paragraphs of the same style, Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 1" + Indent at: 1.25"

Formatted: Font: +Body (Calibri)

Formatted: Font: 12 pt

Formatted: Font: +Body (Calibri)

Formatted: Font: 12 pt

Formatted: Font: +Body (Calibri), Bold

Formatted: Font: 12 pt

Formatted: Font: +Body (Calibri), Bold

Formatted: Font: 12 pt

Formatted: Don't add space between paragraphs of the same style, Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 1" + Indent at: 1.25"

Formatted: Font: +Body (Calibri)

Formatted: Font: 12 pt

Formatted: Font: +Body (Calibri)

Formatted: Font: 12 pt

Formatted: Font: +Body (Calibri), Bold

Formatted: Font: 12 pt

Formatted: Font: +Body (Calibri)

Formatted: Font: 12 pt

Formatted: Font: +Body (Calibri)

Formatted: Font: 12 pt

Formatted: Font: +Body (Calibri)

Formatted: Font: 12 pt

Formatted: Font: +Body (Calibri)

Formatted: Font: 12 pt

Formatted: Font: +Body (Calibri)

Formatted: Font: 12 pt

- b) ~~o~~Providing a personal computer or any other personal electronic device for the purpose of voting;
- c) ~~a~~Assisting voters in casting of their vote;
- d) ~~o~~Observing voters as they vote;
- e) ~~i~~nterfering with the voting process; ~~and~~
- f) ~~C~~asting a ballot other than one's own;

~~6.6.6.7.~~ Notification of the Voting Period and voting process will be communicated by email to relevant constituencies and posted to the Academic Council election website.

7. Election Results

7.1. Depending on the number of vacancies in each constituency group, the candidate(s) with the highest number of votes in the election will be deemed the successful candidate(s).

~~7.2. In the event of a tie, the CEO will determine the successful candidate by writing each candidate's name on a separate piece of paper. The papers will be folded and put in a box. The box will be shaken and the CEO will withdraw one (1) of the folded pieces of paper. The candidate whose name is on the selected piece of paper is the winner. This process will be conducted in the presence of two independent witnesses.~~

~~7.2. In the event of a tie the CEO shall determine the successful candidate by means of conducting a coin toss in the presence of the candidates in question, under the observation of two impartial witnesses.~~

7.3. In the event that a successful candidate is disqualified as a result of misconduct in the election process the candidate with the next highest number of votes will be deemed the successful candidate.

7.4. Election results will not be communicated until any investigations of allegations of election misconduct have been concluded.

8. Violations of the Election Procedures

8.1. Allegations of ~~a~~ violation of the election procedures must be submitted to the CEO in ~~writing and signed~~. Complaints submitted anonymously will not be investigated.

8.2. Allegations of ~~a~~ violations of the election procedures must be made within one (1) business day of the alleged infraction. Complaints may be made up to one (1) business day following the end of the Voting Period.

8.3. Alleged violations of election procedures will be investigated by the CEO.

Formatted: Font: +Body (Calibri)

Formatted: Font: 12 pt

Formatted: Font: +Body (Calibri)

Formatted: Font: 12 pt

Formatted: Font: +Body (Calibri)

Formatted: Font: 12 pt

Formatted: Font: +Body (Calibri)

Formatted: Font: 12 pt

Formatted: Font: +Body (Calibri)

Formatted: Font: 12 pt

Formatted: Font: +Body (Calibri)

Formatted: Font: 12 pt

Formatted: Font: +Body (Calibri)

Formatted: Font: 12 pt

Formatted: Font: +Body (Calibri)

Formatted: Indent: Left: 0.5"

Commented [BD5]: Change in process to resolve tie – 2 years ago, election for a committee position ended in a 3-way tie. The coin toss process was cumbersome and inefficient.

Formatted: Font: +Body (Calibri)

Formatted: Font: 12 pt

Formatted: Font: +Body (Calibri)

Formatted: Font: 12 pt

Commented [BD6]: Communication by e-mail is sufficient

Formatted: Font: 12 pt

Formatted: Font: +Body (Calibri)

Formatted: Font: 12 pt

a) The CEO ~~shall~~ will inform the respective candidate of the allegation(s) in writing, along with details of the violation that has been alleged to have occurred.

Formatted

b) The identity of the complainant(s) will be kept confidential.

Formatted

c) Candidates will be given one (1) business day to ~~comment upon~~ respond to the allegations ~~being made~~.

Formatted

9. Penalties

9.1. Where ~~a violation of the elections procedures is deemed to have occurred on a balance of probabilities~~, the CEO ~~finds a candidate has violated the election procedures~~ will implement sanctions ~~will be imposed~~ on a case by case basis, depending on the severity of the infraction.

Formatted

9.2. If a candidate is found to have committed a violation of the election procedures, one or more of the following penalties may be imposed:

a) ~~Election Conduct Warning~~

Formatted

b) ~~Public correction and/or apology for false statements in campaign information~~

Formatted

c) ~~Penalties under the Student Conduct Policy~~ or

Formatted

d) ~~Disqualification of the candidate from the Academic Council elections~~

Formatted

9.3. The following conduct will result in immediate disqualification of a candidate from the elections:

a) ~~Failure to maintain the eligibility requirements~~ for candidate eligibility.

Formatted

b) ~~Violation of any procedure related to the online voting process~~

Formatted

c) ~~Violation of an Election Conduct Warning~~ from the CEO.

Formatted

d) ~~Any subsequent violation under these procedures whether or not an Election Conduct Warning has been issued in respect of such subsequent violation~~

Formatted

e) ~~Failure to report to the CEO a violation of the election procedures by individuals acting on their behalf where the candidate ought reasonably to have known the conduct occurred~~

Formatted

f) ~~Any misrepresentation or misinformation communicated regarding an opposing candidate~~ or

Formatted

g) ~~Any other violation found by the CEO to be a serious violation of these procedures~~.

Formatted

10. Appeals

10.1. Appeals related to the decision of the CEO may be made in writing to the Chair of ~~ACX~~GNC.

Formatted: Font: +Body (Calibri)

10.2. Appeals must be made within one (1) business day of the receipt of the CEO decision and must contain:

Formatted: Font: 12 pt

a) ~~T~~the specific decision being appealed;

Formatted: Font: +Body (Calibri)

b) ~~W~~written documentation of the reason(s) for the appeal;

Formatted: Font: 12 pt

c) ~~A~~a summary of the evidence in support of grounds for appeal.

Formatted: Font: +Body (Calibri)

Formatted: Font: 12 pt

10.3. If an appeal is submitted while the election is still underway, ~~ACX~~GNC will render a decision on the appeal within 24 hours.

Formatted: Font: +Body (Calibri)

Formatted: Font: 12 pt

10.4. If a candidate is appealing disqualification from the election, the candidate will be allowed to continue their campaign until the outcome of the appeal is determined.

Formatted: Font: +Body (Calibri)

Formatted: Font: 12 pt

10.5. Decisions of ~~ACX~~GNC are binding.

Formatted: Font: +Body (Calibri)

Formatted: Font: 12 pt

11. Election Recall

11.1. Where the CEO has determined that significant irregularities or violations of election procedures have occurred, a recommendation may be made to ~~ACX~~GNC for the election results to be overturned and a new election held.

Formatted: Font: +Body (Calibri)

Formatted: Font: 12 pt

Formatted: Font: +Body (Calibri)

Formatted: Font: 12 pt

RELEVANT LEGISLATION

12. University of Ontario Institute of Technology Act, 2002, SO 2002, c 8, Sch O

Formatted: Font: 12 pt, No underline, Font color: Auto

By-Laws Number 1 of the University of Ontario Institute of Technology

Formatted: Font: 12 pt

Formatted: Font: 12 pt, No underline, Font color: Auto

Formatted: Font: +Body (Calibri)

Formatted: Font: 12 pt

RELATED POLICIES, PROCEDURES & DOCUMENTS

13. Academic Council Handbook

APPENDIX A



Academic Council: Student Representative Nomination

University Secretary and General Counsel
 2000 Simcoe Street North, Oshawa, ON L1G 0C5
 Canada

We the undersigned, being eligible students* of the Ontario Tech University, hereby nominate:

Nominee last name	Nominee first name	Student Number
Degree and program		Year of study

For election to the following Student Representative position on the Academic Council/one of its Standing Committees for September 20[] to August 20[] (with eligibility for renewal). Candidates may only be nominated for one of the following:

- insert list of elected positions available
-
-

	Nominator's name	Nominator's signature	Student Number
1.			
2.			
3.			
4.			
5.			
Submission date:			

This completed and signed form must be accompanied by the **Nominee Declaration form** confirming the nominee's eligibility, acceptance of the terms and conditions of the nomination, and a candidate statement.

Both forms and the candidate statement must be submitted to ACmeetings@ontariotechu.ca, no later than **[insert date & time]**. The candidate is required to bring all original documents to the mandatory candidate information session in order for the nomination to be considered eligible.

*In order to be eligible to nominate a candidate, you must be a full-time registered undergraduate or graduate student at the university. You may only stand for election, or nominate a candidate, from within your own constituency group (i.e. undergraduate students may only nominate other undergraduate students).

Nominee signature	Date
This form will not be processed unless it is signed and dated.	

Academic Council: Student Nominee Declaration

University Secretary and General Counsel
 University of Ontario Institute of Technology
 2000 Simcoe Street North, Oshawa, ON L1G 0C5 Canada

Nominee last name	Nominee first name	Student Number
university email address		
Degree and program		Year of study

Address	City	Postal code
Primary phone number	Alternate phone number	

I hereby declare that:

- I am willing to be nominated to stand as a candidate for election to the Academic Council/one of its Standing Committees.
- I am a full-time, registered student in good standing, and consent for the Office of the University Secretary and General Counsel to view my student record to confirm my eligibility.
- I have read and understood the Academic Council Procedures for the Election of Administrative and Teaching Staff, and Student Representatives.
- If elected, I am willing to serve as a member of the university's Academic Council or one of its Standing Committee(s) and will attend, and participate fully, in all scheduled meetings.
- I will first and foremost act in the best interests of the university and support the council's and committee's decisions to the best of my ability.
- I shall be bound by the university's Act, by-laws and all applicable provincial regulations, and published university policies.

Please note:

- This completed and signed form must accompany the **nomination form** (above); they must be submitted by email to ACmeetings@ontariotechu.ca no later than **[insert date & time]**.
- You must attend **one** of the following mandatory candidate information sessions:
 - **[insert date, time & location]**
 - **[insert date, time & location]**
- All original documents must be brought to the candidate information session.
- You are required to **submit a candidate statement for publication purposes**. Candidate statements are limited to **100** words; statements that exceed the limit will not be accepted. Candidate statements must also be submitted to ACmeetings@ontariotechu.ca no later than **[insert date & time]**. Nomination forms will be considered incomplete if the candidate statement is not received by the stated deadline.

Nominee signature	Date
-------------------	------

This form will not be processed unless it is signed and dated.

Academic Council: Administrative Staff Nomination and Nominee Declaration

University Secretary and General Counsel
 2000 Simcoe Street North, Oshawa, ON L1G 0C5
 Canada

ontariotechu.ca

By signing below, I hereby nominate:

Nominee last name	Nominee first name
Faculty/Department	

For election to the Administrative Staff representative position on the Academic Council for the term of September 20[x] to June 20[x].

Nominator last name	Nominator first name
Nominator's signature	Date

Nominee declaration

I (print name), _____, hereby declare that:

- I accept this nomination to stand as a candidate for election to the university's Academic Council.
- I am a full-time or part-time continuing employee of the university and not a member of the Teaching Staff.
- If elected, I am willing to serve as a member of the Academic Council and to attend and participate fully in scheduled Academic Council and Committee meetings.
- I will first and foremost act in the best interests of the university and support the Academic Council's decisions to the best of my ability.
- I shall be bound by the University of Ontario Institute of Technology Act, By-Laws and all applicable provincial regulations, and published university policies.

Nominee's signature	Date
Email address	Banner ID
	Phone extension

Completed nomination forms must be submitted to ACmeetings@ontariotechu.ca no later than **[insert date & time]**.

Original nomination forms must be submitted to the Office of the University Secretary in the 61 Charles Street Building, Room 344, by **[insert date & time]**.

Academic Council: Teaching Staff Nomination and Nominee Declaration

University Secretary and General Counsel
 2000 Simcoe Street North, Oshawa, ON L1G 0C5
 Canada

ontariotechu.ca

By signing below, I hereby nominate:

Nominee last name	Nominee first name
Faculty Faculty of Business and Information Technology	

For election to the following Teaching Staff representative position on the Academic Council for the September 20[x] to June 20[x] term:

- insert list of vacant
- positions
-
-

Please note that for faculty-specific Teaching Staff representative positions, only members from within the designated faculty may stand for election or nominate a candidate for a position.

Nominator last name	Nominator first name
Nominator's signature	Date

Nominee declaration

I (print name), _____, hereby declare that:

- I accept this nomination to stand as a candidate for election to the university's Academic Council.
- I am a Tenured, Tenure Track or Teaching Faculty member from one of the relevant constituency groups.
- I do not plan on starting a 12-month Research Leave during the first year of my term.
- If elected, I am willing to serve as a member of the Academic Council and to attend and participate fully in scheduled Academic Council and Committee meetings.
- I will first and foremost act in the best interests of the university and support the Academic Council's decisions to the best of my ability.
- I shall be bound by the University of Ontario Institute of Technology Act, By-Laws and all applicable provincial regulations, and published university policies.

Nominee's signature	Date	
Email address	Banner ID	Phone extension

Completed nomination forms must be submitted to ACmeetings@ontariotechu.ca no later than **[insert date & time]**.

Original nomination forms must be submitted to the Office of the University Secretary in the 61 Charles Street Building, Room 344, by **[insert date & time]**.