



## BY-LAW NO. 3

### THE BOARD OF GOVERNORS OF THE ALGONQUIN COLLEGE OF APPLIED ARTS AND TECHNOLOGY

BE IT ENACTED as a By-law of the Board of Governors of The Algonquin College of Applied Arts and Technology for the Election of College Constituent Groups to the Board of Governors as follows:

#### 1. POLICY

- 1.1 In accordance with the Regulation emanating from the Ontario Colleges of Applied Arts and Technology Act, all members of the constituent groups of the College (Academic, Administrative, Student and Support Staff) shall have an opportunity for effective participation in the nomination and election process for membership on the Board.
- 1.2 In support of this policy the following procedures have been developed after consultation with representatives of the constituent groups.

#### 2. DEFINITION

There are four constituent groups at the College:

- Academic staff member means a person who is employed by the Board of Governors as a teacher, counsellor or librarian;
- Administrative staff member means a person who is employed by the Board of Governors and who is not an academic staff member, a support staff member or a student;
- Student means a person who is enrolled in a course or program of instruction at Algonquin College;
- Support staff member means a person who is employed by the Board of Governors as a member of the office, clerical, technical, health care, maintenance, building service, shipping, transportation, cafeteria or Early Learning Centre.

#### 3. ELECTORAL COMMITTEE

- 3.1 The Board has established an Electoral Committee to ensure the observance of this policy and the implementation of the Regulation.

- 3.2 The Electoral Committee is composed of the presidents of the:
  - Students' Association
  - Support Staff Local
  - Academic Employees Local
  - Administrative Staff Association.
- 3.3 The presidents may each designate a member of their respective constituent groups to replace them on the Electoral Committee.
- 3.4 In addition, the Board will appoint the President of the College or his/her designate as the Chair of the Electoral Committee.
- 3.5 The Electoral Committee reports to the Chair of the Board of Governors.
- 3.6 The Electoral Committee recognizes the rights of part-time members of the constituent groups as defined in the Regulation and will endeavour to ensure their participation in the electoral process.
- 3.7 The members of the Electoral Committee recognize that should a conflict of interest arise, the affected member will declare such conflict, propose a replacement and withdraw from participation on the Committee.

#### **4. PROCEDURE - NOMINATION PROCESS**

- 4.1 The Electoral Committee will supervise a call for nominations addressed to the specific constituent group.
- 4.2 Information for each group will be available on the internet at [www.algonquincollege.com/bog\\_elections](http://www.algonquincollege.com/bog_elections) and will provide details of the nomination/electoral process (including dates and deadlines). Candidates will be directed to the Board of Governors website at [www.algonquincollege.com/board/manual](http://www.algonquincollege.com/board/manual) where they can access this Board Bylaw #3 as well as other information pertaining to the Algonquin College Board of Governors.
- 4.3 The Electoral Committee will distribute an electronic call for nominations. The call will be also be addressed to the part-time members of the constituent groups.
- 4.4 Nominees and nominators for a governor from a constituent group must be members of that constituent group.
- 4.5 Nominations must be supported by at least ten (10) nominators for each nominee of the constituent groups.

- 4.6 The nomination paper must indicate the name, signature and student/employee number of each nominator as well as the name, signature, student/employee number and contact information for the nominee.
- 4.7 A member of a constituent group may sign a nomination paper for more than one nominee of the constituent group.
- 4.8 The nomination paper must be submitted online and the official signed copy must be received by the Office of the Electoral Committee by the date and time specified by the Electoral Committee.
- 4.9 The Electoral Committee will review all nomination papers for conformity to this procedure.
- 4.10 The Electoral Committee will then post the list of candidates on myAlgonquin and BlackBoard and an e-mail will be sent out notifying the constituent group(s) of the candidates.

**5. PROCEDURE - CANVASSING PROCESS**

- 5.1 Candidates may commence their campaign the day after the close of nominations and continue until the close of the election.
- 5.2 Candidates may use the College General Interest bulletin boards to display their posters in accordance with the posting rules of the College.
- 5.3 All candidates will be provided the opportunity to participate in one broadcast e-mail to be sent globally to their constituent group. The email will be sent by the College and the information for each candidate's message must be submitted to the Electoral Office by the deadline specified by the Electoral Committee. Should the candidate not submit his or her message by the date specified, the opportunity to have participated in the broadcast message will have passed, resulting in the candidate's message not being communicated to the constituent group.
- 5.4 The Office of the Board of Governors will reimburse each candidate up to \$40 \$100 for the cost of their campaign. Receipts must be provided to the Board Office within four weeks following the election.
- 5.5 Complaints with regard to the conduct of nominees must be addressed in writing to the Electoral Committee.

**6. PROCEDURE - ELECTION PROCESS**

- 6.1 The elections will be supervised by the Electoral Committee which will determine supplementary procedures that are not addressed in this policy.
- 6.2 The Electoral Committee will work with Information Technology Services to ensure that information is posted in a timely manner.
- 6.3 All voting will be done electronically in a secure manner. The system will only allow one vote per person. If voters do not have access to a computer, they may contact the office of the Electoral Committee who will arrange for a computer to be available so they are able to vote.
- 6.4 Candidates will be informed of the results as soon as possible following the close of the election process. Candidates are to keep the results confidential until the official results are released.
- 6.5 Subject to section 7 below, the Chair of the Electoral Committee will post the results of the election on myAlgonquin and BlackBoard the day following the election.
- 6.6 Subject to Section 7 below, an e-mail will go out on behalf of the Chair of the Electoral Committee to the constituent group(s) informing them of their new representative on the Board of Governors the day following the election.
- 6.7 The electronic voting process and workflow will be validated by the College auditors to ensure the integrity and authenticity of the process.

**7. PROCEDURE - DISPUTE RESOLUTION**

- 7.1 Any individual who has a complaint relating to the application or breach of the procedures referred to in this Bylaw #3 has the right to address such complaint to the Chair of the Electoral Committee. This complaint must be received by the Chair of the Committee by no later than 12:00 p.m. on the day following the election.
- 7.2 The complaint must be in writing and must indicate the details of the alleged violation of procedure.
- 7.3 The Chair will forward the complaint to the Electoral Committee for review.
- 7.4 The Electoral Committee will investigate the complaint and attempt to resolve it.
- 7.5 Failing resolution by the Electoral Committee, the complaint may be referred by either the complainant or the Electoral Committee to the Chair of the Board who

shall, within 5 days of such referral, appoint an independent third party to investigate the complaint.

7.6 The third party's mandate is restricted to a determination as to whether procedures of this By-law have been correctly applied or adhered to and if not:

7.6.1 If the election has not yet been completed, that remedial measures should be undertaken to remedy, so far as is reasonably possible, the impact of the acts or omissions upon which the complaint was based; and,

7.6.2 If the election has been completed, whether the will of the constituent group is nevertheless reflected in the election results and if not whether the election must be repeated. An election will not be declared invalid by reason of an irregularity if it appears that the irregularity would not have materially affected the outcome of the election.

7.7 The third party will commence the dispute resolution process within ten (10) working days of appointment and shall complete the dispute resolution within 20 days of the third party's appointment.

7.8 The third party will establish appropriate procedures and the College and representatives of the constituent groups will comply with all reasonable requests by the third party for information relating to the complaint.

7.9 The report of the third party will be binding on the College, the complainant, and the affected constituent group.

8. **PROCEDURE - EQUALITY OF VOTES**

8.1 In the event that the election shall result in a tie vote between two or more candidates, then the tie shall be resolved by the drawing of straws under the supervision of the Chair of the Electoral Committee. The winner of such drawing shall be declared to have been elected.

9. **PROCEDURE - OTHER**

9.1 In the event of a mid-term vacancy the Electoral Committee will reconvene and supervise a nomination and election process for the constituent group affected by the vacancy.

9.2 The term of the member elected commences on the date of election and shall be for the remainder of the term of the governor whose position became vacant.

10. **CODE OF CONDUCT**

10.1 Throughout the election process, all candidates are expected to adhere to the College policies related to conduct including Directive E27: Student Conduct and Directive A21: Rights, Freedoms, Responsibilities and Code of Conduct for the Algonquin College Community.

**Enacted this 13<sup>th</sup> day of June, 2011.**

(original signed by)  
Chair, Board of Governors

(original signed by)  
Secretary, Board of Governors