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| | ORIGINATOR Human Resources | |
| | APPROVED BY Board of Governors | |
| TITLE Election & Appointment of Members of College Constituent Groups to the Board of Governors | EFFECTIVE DATE *1988.11.02 *(Unilingual format - Dec. 13/94) | REPLACES 1988.11.02 |

1. **POLICY**

- 1.1 In accordance with Council of Regents amendments to Regulation 770, it is the policy of the Board of Governors that all members of the constituent groups of the College have an opportunity for effective participation in the nomination and election process for membership of 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**

Constituent groups: See Regulations, Policies and Guidelines Relating to the Composition and Appointment of College Board of Governors (Ontario Council of Regents, June 1987) section III.4 to III.7 inclusive, page 5, (Appendix 1 of this policy). Hereafter referred to as Regulations.

3. **ELECTORAL COMMITTEE**

- 3.1 The Board has established an Electoral Committee to ensure the observance of this policy and the implementation of the Regulations.
- 3.2 The Committee is composed of the presidents of:
- 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 Committee.

- 3.4 In addition, the Board will appoint the President of the College, or designate, as chairperson of the Committee.
- 3.5 The Committee reports to the Chair of the Board of Governors.
- 3.6 The Committee recognizes the rights of part-time members of the constituent groups as defined in the Regulations and will endeavour to ensure their participation in the electoral process.
- 3.7 The members of the 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 Committee will supervise a call for nominations addressed to the specific constituency group.
- 4.2 The information sent to each group will provide details of
 - a) the nomination/election process (including dates and deadlines)
 - b) the Regulations in summary form
 - c) the Guidelines for Governors in summary form.
- 4.3 The Committee will distribute a call for nominations. The call will be addressed also to the part-time members of the constituent groups.
- 4.4 The call for nominations will inform the constituent group where the information in 4.2 can be obtained.
- 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.
- 4.7 A member of a constituent group may second more than one candidate of the group for nomination.
- 4.8 Nomination papers will be returned to the Committee. Papers received after the deadline will be rejected.

4.9 The Committee will review all nomination papers for conformity to this procedure.

4.10 The Committee will publish the list of nominees.

5. **PROCEDURE - CANVASSING PROCESS**

5.1 Between the establishing and publishing of the slate of candidates and the date of election there will be a period during which individuals may canvas their respective groups.

5.2 Nominees will conform to the protocol expected of candidates for elected office.

5.3 Complaints with regard to the conduct of nominees must be addressed to the Committee.

6. **PROCEDURE - ELECTION PROCESS**

6.1 The elections will be supervised by the Committee which will determine supplementary procedures that are not addressed in this policy.

6.2 The Committee will ensure that a sufficient number of polling stations is identified and staffed and that ballot boxes are obtained to permit the opportunity for all members of constituent groups to vote.

6.3 The vote will be a secret ballot.

6.4 Each polling station will have a listing of each member of the constituent group. The name of each voter will be removed after a ballot is distributed.

6.5 At each polling station the vote for academic, support and administrative members will be supervised by a representative of the constituent group voting.

6.6 The Committee will count the vote.

6.7 The Committee will forward the results of the election to the Chair of the Board for public announcement.

6.8 The successful candidate for each constituent group will require a plurality of the votes of the appropriate group.

7. **PROCEDURE - DISPUTE RESOLUTION**

7.1 Any individual who has a complaint as to the application of this policy through its procedures has the right to address such complaint to the Chair of the Board.

- 7.2 The complaint must be in writing and must indicate the details of the alleged violation of policy and procedure.
- 7.3 The Chair will forward the complaint to the Electoral Committee for review.
- 7.4 The Committee will investigate the complaint and attempt to resolve it.
- 7.5 Failing resolution by the Committee, the Chair of the Board and the Electoral Committee will each identify a representative who, together, will agree upon an independent third party to investigate the complaint.
- 7.6 The representatives will name the third party within five (5) working days of their nomination, unless mutually agreed otherwise.
- 7.7 The third party's mandate is restricted to the application of this policy and the appropriate guidelines.
- 7.8 The third party will commence the dispute resolution process within ten (10) working days of referral of the matter.
- 7.9 The third party will establish appropriate procedure 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.
- 7.10 The report of the third party will be binding on the College and constituent groups.

8. PROCEDURE - OTHER

- 8.1 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.
- 8.2 The successful candidate will serve for the balance of the original term.
- 8.3 A candidate elected as a result of a mid-term vacancy will not have such partial service affect his/her eligibility for further service under section 1.2 of the Regulations.

- 8.4 During the transition phase, pursuant to Sections 1.2 and III.14 of the Regulations, the terms of office of the first academic, support and administrative staff members of the Board will be determined by the Electoral Committee on the basis of consensus.

(original signed by)
Chair, Board of Governors

**REGULATIONS, POLICIES AND GUIDELINES
RELATING TO THE COMPOSITION AND APPOINTMENT OF
COLLEGE BOARD OF GOVERNORS**

(A Paper Prepared by
the Ontario Council of Regents
for the Use of Boards of Governors
of Colleges of Applied Arts and Technology)

Members of the Boards of Governors of colleges of applied arts and technology volunteer their time, talent and energy in undertaking a collective responsibility for college management in the broadest corporate sense. In its deliberations the Board undertakes to balance local initiative and community needs with those of a provincial-wide system subject to a degree of central co-ordination.

Through its members the Board of Governors combines a variety of community and college perspectives. Each member may contribute to discussions on Board business from a particular viewpoint but the focus for decision making is the welfare of the college and the overall policies and procedures governing the management of its affairs.

The authority of the Board of Governors flows from the Ministry of Colleges and Universities Act. Specific provisions relating to the composition and appointment of the boards are set out in Regulation 770 under the Act.

The purpose of this paper is to set out the relevant regulatory provisions, and the Council of Regents policies and guidelines governing the composition of, and appointment of members to, a college Board. The paper is made up of three parts:

- . the general composition and conduct of the Board;
- . the nomination and appointment of the non-college members of the Board; and
- . the election and appointment of the college members of the Board.

I. GENERAL COMPOSITION AND CONDUCT

Composition

- I.1 Each Board of Governors is composed of seventeen members:
- . twelve appointed by the Council of Regents from nominations representative of the region served by the college (referred to in this paper as the "appointed members"); [Reg. 770, s.3(1)(a)]
 - . the president of the college who is an ex-officio member, with full voting privileges; [Reg. 770, s.3(1)(b)]
 - . four appointed by the Council of Regents following election respectively by academic staff, administrative staff, students, and support staff (referred to in this paper as the "elected members"); [Reg. 770, s.3(1)(c)].

Terms of Office

- I.2 (a) Appointed members have a three-year term, renewable once. Following a lapse of two years a member may be eligible for a further term. [Reg. 770, s.3(4) and (5)]
- (b) Members elected by academic, administrative and support staff have a three-year term and are eligible for immediate re-election once. Following a lapse of two years a member is eligible for a further term.
- (c) A member elected by the students has a one-year term, and is eligible for immediate re-election twice.
- I.3 An elected member who ceases to be a member of a constituent group automatically ceases to be a member of the board except in the case of a student member who graduates prior to the expiration of the term. Such a student may remain a member of the board until the expiration of the term. [Reg. 770, s.3(30)-(31)]

Rotation

I.4 To maintain continuity and balance, appointment to the Board is patterned as follows:

- . four appointed members changed/re-appointed each year;
- . one member elected by academic, administrative or support staff changes each year on a rotation basis;
- . the elected student member may change each year.

Note: Election procedures will accommodate this rotation when the first elections are held. (See III.14 below)

Officers

I.5 The Board of Governors shall elect annually a Chair and Vice-Chair from the appointed members. [Reg. 770, s.3(18)]

Quorum

I.6 A quorum of a Board of Governors consists of eleven members. [Reg. 770, s.3(7)]

I.7 A quorum of each standing committee of the Board of Governors consists of a majority of the appointed members. [Reg. 770, s.3(8)]

I.8 All Board members appointed by the Board to a committee will hold a vote at the committee meetings.

Attendance Requirements

I.9 All Board members are expected to attend all scheduled meetings of the Board and meetings of committees to which they have been appointed.

I.10 When, in any twelve-month period, a member of the Board, not having been granted leave of absence by the Board of Governors, attends less than 50 per cent of the regular meetings of the Board of Governors, the Board of Governors may by simple resolution declare the membership vacant. This provision applies to all board members except the president. [Reg. 770, s.3(14)]

Vacancies

- I.11 The Board shall notify the Council of Regents within 30 days when a member fails to complete his or her designated term.
- I.12 The Council of Regents will appoint a person to replace an appointed member. [Reg. 770, s.3(9)]
- I.13 The Council of Regents will appoint a person to replace an elected member as provided in the college's election procedures. (See III.13 below)

Effective Date of Term

- I.14 The term for the first elected members of the Board will be effective upon appointment by the Council of Regents. [Reg. 770, s.3(10)]
- I.15 Thereafter, the term of all Board members will commence on September 1. [Reg. 770, s.3(10)]

Board of Governors Meeting Schedules

- I.16 The Board of Governors shall arrange for meetings to be held at an agreed upon time. The administration of the college will take into account the meeting time-tables when schedules for staff assignments are being determined for the elected staff members.

II. NOMINATION AND APPOINTMENT OF APPOINTED MEMBERS

Note: The policies and procedures relating to the nomination and appointment of the appointed members are currently being reviewed by the Board Appointment Review Committee, a committee jointly chaired by the Chair of the Council of Regents and the Assistant Deputy Minister, Colleges and Student Support. Guidelines for the 1988 Board appointment process are expected to be established by the late summer of 1987.

III. ELECTION AND APPOINTMENT OF ELECTED MEMBERS

Responsibility for Development of Election Procedures

- III.1 Each Board of Governors will establish the procedures and conditions relating to the election of the elected members in consultation with college students and staff. [Reg. 770, s.3]

- III.2 The procedures and conditions must be submitted for prior approval of the Council of Regents. [Reg. 770, s.3]

Recognition of Local Needs and Circumstances

- III.3 The Council of Regents recognizes the diversity in college organization and structure throughout the province and will take this into account when assessing college proposals.

Definition of the Constituent Groups

- III.4 An academic staff member is a person who is employed by the Board of Governors as a teacher, counsellor or librarian. This includes a person employed full-time or part-time. [Reg. 770, s.1]
- III.5 An administrative staff member is a person who is employed by the Board of Governors who does not fit the definition of an academic staff member or a support staff member. This includes a person employed full-time or part-time. {Reg. 770, s.1]
- III.6 A support staff member is 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 nursery staff. This includes a person employed full-time or part-time. [Reg. 770, s.1]
- III.7 A student is a person who is enrolled in a program of instruction in a college. This includes a person enrolled on a full-time or a part-time basis and includes a person enrolled in a "post-secondary" or "adult-training" program. [Reg. 770, s.1]

Effective Participation by all Members of the Constituent Groups

- III.8 Each college must ensure that the nomination and election processes provide for the effective participation of all members of the constituent groups as defined in the regulation. Some specific steps in the nomination/election process when particular regard for this principle should be kept in mind include:
- . the call for nominations;
 - . the publication of the election dates and locations;
 - . the canvassing process; and
 - . the mechanisms and locations for casting votes.

Co-ordination and Conduct of Elections

- III.9 Subject to III.8 above, the designation of the office or group responsible for the co-ordination and conduct of the election process is an individual college decision.

Informed Candidates

- III.10 The election procedures should ensure that calls for nominations incorporate a means of informing potential candidates of the roles and responsibilities of members of the Board of Governors.

Secret Ballot

- III.11 The election procedures must provide for a secret ballot process.

Dispute Resolution

- III.12 The election procedures must provide for an objective, election dispute resolution mechanism.

Mid Term Vacancies

- III.13 The election procedures must include a standard procedure or mechanism for the replacement of an elected member who fails to complete his or her designated term. (See I.13 above)

Terms of Office During Transition Phase

- III.14 To ensure continuity and balance, a rotational pattern of board appointments has been established. (See I.4 above) In order to accommodate this pattern it is necessary that the terms of office of the first academic, administrative and support staff members of the Board be staggered as one, two and three year terms. (Thereafter the term of office for all three groups will be three years.)

The election procedures must include a means of designating which of the first academic, administrative and support staff members will receive the one, two and three year term respectively, e.g., by lottery.

Submission of Procedures for Approval

- III.15 (a) Every Board of Governors is requested to develop its election procedures at the earliest possible date. Every submission should include a summary of the consultative processes used by the college in developing the procedures.
- (b) The Council of Regents will review all election procedures received by July 13, 1987 by the end of August, 1987.
- (c) All modifications or revisions to a college's approved election procedures must be forwarded to the Council.

Notification of Election Results

- III.16 (a) The Board shall notify the Council of Regents of the name of the first elected members and the electing constituency group within 15 days of the election.
- (b) Thereafter, the Board shall notify the Council of the name of the elected member and the electing constituency group by November 30 of each year.
- (c) The Council of Regents shall issue formal notice of the appointment of the elected members within 30 days of notification of the election results.