

B – Governance Process

Election of Internal Board Members

Background

The composition of a College Board of Governors, as set out in the *Ontario College of Applied Arts and Technology Act, 2002* Ontario Regulation 34/03, subsection 4 (1) (c) as amended from time to time and Northern College By-Law No. 1, subsection 4 “Board of Governors,” address the election of internal members to the Board, specifically, allowing for one student, one academic staff member, one administrative staff member and one support staff member, each of whom shall be elected by the students or by the relevant staff group.

Policy

The Board of Governors of Northern College of Applied Arts and Technology will ensure that elections for internal Board members be conducted under the supervision of a committee which shall be called the Internal Elections Committee (IEC). This committee shall be composed of the following:

- One member of OPSEU Local 653, as selected by OPSEU Local 653;
- One member of OPSEU Local 654, as selected by OPSEU Local 654;
- One member of the Administrative Staff Association, as selected by the administrative staff association;
- The Executive Assistant to the Board of Governors, as Chief Returning Officer.

No member of the Internal Elections Committee shall, at the same time, be a candidate for election to the Board of Governors.

Procedure – Students

1. Eligibility

Students at all campuses of Northern College have representation through the Northern College Student Association (NCSA). Full-time students enrolled in a program of study may be nominated for student governor. Each winter semester, the student representation process will be initiated via the NCSA who will conduct its own selection process, according to the procedures supported by the Board of Governors.

2. Selection Process

Nominations will be invited via the Board of Governors’ Office. If there is more than one nomination per campus, a selection process will be undertaken to select a Board Student Representative and a Shadow Member by a Campus Student Selection Committee. The Campus Student Selection Committee is comprised of 1 NCSA President, 1 NCSA Vice-President, 1 NCSA Executive Member, 1 Staff NCSA Advisor (resource member only) and 1 Faculty Advisor (resource member only)

Following the campus selections, a College Student Selection Committee shall be formed to select one student representative to the Board and one Shadow Member. The College Student Selection Committee is comprised of NCSA presidents (or an NCSA Executive delegate) from each campus, and the College Registrar (or designate) as resource.

The successful student representative's name will be forwarded to the Executive Assistant to the Board for submission to the Northern College Board of Governors, for appointment. The Shadow Representative is not a member of the Board, but shadows the appointed Board student representative throughout the term and is eligible to be appointed to the Board the following year.

Procedure - Employees

1. Eligibility

A full-time employee is eligible to be nominated and to vote as long as he/she remains an employee of the College under the terms of the Collective Agreement for their constituent group or the Administrative Terms and Conditions of Employment.

2. Nomination Procedure

- 2.1 Call for nominations will be announced via internal e-mail and posted on the College Intranet or other suitable means. The call will include the positions for which elections are being held, the deadline for nominations and information on the roles and responsibilities of the Board of Governors.
- 2.2 A minimum of two weeks from date of call will be allowed for nominations. The Executive Assistant to the Board of Governors, as Chief Returning Officer (CRO) shall call for all nominations to be submitted to the Board office, or designee, no later than April 30 each year.
- 2.3 A valid nomination shall include the names and signatures of two nominators from the same constituency group. The candidate, by their signature, shall indicate willingness to stand and abide by the rules for membership on the Board.
- 2.4 The nominators of the candidate must be full-time members of the appropriate constituent group on the date the election is called.
- 2.5 A candidate shall be eligible to stand in nomination in one constituent group only.
- 2.6 Nominations will be received by the Board Office until 4:00 p.m. on the date determined. Any nominations received after 4:00 p.m. by the Executive Assistant to the Board as Chief Returning Officer (CRO) on the closing date will be rejected.
- 2.7 Prior to the close of nominations, the CRO shall treat all nominations in confidence and shall post the names of all valid nominated candidates after the close of nominations.

2.8 In the event that a candidate advises the CRO of their desire to withdraw their nomination, at least twenty-four (24) hours before the election, the CRO will advise all other candidates of the withdrawal. If time permits the candidate's name will be removed from the ballot.

2.9 Where only one nomination is received to represent a constituent group, that candidate will be declared elected by acclamation.

3. Nomination Dispute

In the event of a dispute of a nomination, the Internal Elections Committee (IEC) shall determine the validity of the nomination. The decision of the IEC is final and binding.

4. Co-Ordination and Conduct of Elections

The Executive Assistant to the Board will perform the duties of Chief Returning Officer (CRO) for the election. The CRO will work with the IEC to ensure observance of this policy and the co-ordination and conduct of the election process. Members of the IEC recognize that should a conflict of interest arise, the affected member will declare such conflict, propose a replacement and withdraw from participation on the IEC.

5. Campaigning

5.1 After nominations are closed, a list of nominees for each group, in alphabetical order, will be prepared by the CRO and circulated by e-mail to the constituent groups.

5.2 Up to two weeks will be provided for nominees to campaign for office, as determined by the IEC.

5.3 All candidates are responsible for their own campaign expenses; however, candidates may use College facilities, equipment, and photocopying in accordance with established practice.

6. Election Procedures

6.1 Elections shall be held on or about May 15 but no later than May 31 for the following constituencies:

- Academic
- Administrative
- Support Staff.

6.2 The CRO shall issue a Notice of Election at least ten (10) days prior to the election date. Such notice shall be communicated via internal email and Intranet.

6.3 Elections may be conducted by means of a secure on-line voting process.

7. Election Dispute

Should a dispute arise from the election procedures, the disputant shall bring their concerns to the attention of the Chief Returning Officer who, in turn, shall notify the IEC for the purpose of resolving the issue(s). Any member(s) of the IEC who is/are affiliated with the group in which the dispute has arisen, shall not participate in the discussion or resolution. The recommendation of the IEC for resolution of the dispute may be appealed to the Board of Governors, whose majority decision shall be final and binding.

8. Voting Procedures

- 8.1 The official voters' list for each constituents' group shall be developed prior to commencing the election process. An electronic copy of the voters' list shall be made available to any candidate, on demand, but no later than ten (10) days prior to the date of the election.
- 8.2 In the event that any two candidates receive an equal number of votes, the result shall be determined by the toss of a coin, conducted by the Internal Elections Committee (IEC).
- 8.3 The CRO shall ensure voting procedures are compliant with the customer service regulations of the Accessibility for Ontarians Act (AODA).
- 8.4 Elections may be conducted online as long as the online election process has been approved by the IEC for use in electing an internal governor (i.e. security, access by eligible voters, one vote per eligible voter, confidentiality of votes, etc.).

9. Results of Election

- 9.1 When an election has been conducted, a period of 5 working days will be allowed for challenges to the election. At the end of that period, election decisions will be final. In the event of a challenge during that period, the IEC will resolve the dispute. In the event that the IEC cannot or is unable to resolve the dispute, the full Board of Governors will be asked to rule.
- 9.2 Results of elections shall be communicated by direct communications with candidates first, then by internal email, College Intranet and other suitable means following the close of the respective election.
- 9.3 The IEC will submit the names of the successful internal governors via the Executive Assistant, to the Board of Governors for appointment.

10. Term of Office

- 10.1 Members elected by academic, administrative and support staff have a three-year term and are eligible for immediate reappointment once. Following a lapse of two years, a member is eligible for a further term.
- 10.2 A student governor shall hold office for a one-year term and is eligible for immediate reappointment so long as he/she maintains status as a full-time student; he/she shall not serve for more than four years consecutively but is eligible for re-election after a two-year absence from the Board for successive terms not to exceed four years in total.
- 10.3 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.

11. Mid-term Vacancies

11.1 Employees

In the event an internal Board member resigns mid-term, the following guidelines will be followed:

- If the internal Board member resigns in the first six months of their term, the runner up will move into the position;
- If the internal Board member resigns after six months, an election will be held and the term of office will be for the remainder of the term for the position being replaced. The election must be held within three months of the Board accepting the resignation.
- If the internal Board member resigns in the last six months of their term, the position will remain vacant until it is time for the next election.

11.2 Students

In the event of a mid-term vacancy, the Shadow Representative will assume the role of Student Representative.

Where there is no Shadow Representative:

- If the vacancy occurs within the first 6 months, the candidate with the 2nd highest score will be asked to serve the remainder of the term provided he/she is eligible.
- If the candidate with the 2nd highest score is unable to serve, or is ineligible, or if the vacancy is for longer than 6 months, the Internal Election Committee for Board Members will meet and initiate a new selection process.

12. Installation of Members

New members will begin their duties in September of each year unless otherwise stipulated in the Call for Nominations.

Guidelines for Internal Governors – Roles and Responsibilities

1. Internal members to the Board of Governors shall serve in a voluntary capacity as members and are bound by established legislation, all applicable Provincial regulations and local Board By-Laws and standing resolutions and conflict of interest guidelines as established for public boards in the Province of Ontario.
2. Internal members shall serve in a voting capacity at Board meetings.
3. Internal members shall serve in a voting capacity on all standing committees of the Board to which they may be appointed.
4. Internal members may not hold the position of Chair or Vice-Chair of the Board; nor can they be elected to the Board Executive Committee.

The Executive Assistant to the Board shall place on the College's website, Intranet or other suitable location information describing the roles and responsibilities of the Board Governors.

Monitoring System

The Executive Assistant to the Board will provide a post-election report to the Board as part of the monitoring of this policy.