

# Capilano University

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## Board Election Procedures

March 2016

## **Purpose:**

The rules and procedures included in this document outline the process to be undertaken by Capilano University for all Board elections. The rules and procedures for elections are in accordance with the *University Act*. In the event of a disagreement between the procedures and the *University Act*, the *University Act* will prevail.

## **Schedule for Elections:**

Regular elections will normally occur in late February. The Registrar is responsible for preparing the election schedule and will distribute the schedule to involved constituency groups prior to the election.

## **Procedural definitions:**

**Faculty:** An academic educational administrative division of a university constituted by the Board as a Faculty under section 39 of the University Act, or the dean and faculty members of a Faculty, as the context requires.

At Capilano University there are five (5) Faculties: Arts and Sciences; Business and Professional Studies; Fine and Applied Arts; Education, Health and Human Development; and Global and Community Studies.

**Faculty Member:** A person employed by a university as an instructor, lecturer, assistant professor, associate professor, professor, or in an equivalent position designated by Senate.

At Capilano University lab instructors, lab supervisors, private music instructors, instructional associates, special appointees, counselors, and librarians, have also been designated by Senate as faculty members.

**Support Staff:** Capilano University employees who are not faculty members, and who are staff, including exempt staff and administrators, excluding the President and Registrar.

## **Term of Office:**

### **Support staff and faculty representatives**

The term of office for support staff and faculty representatives on the Board of Governors shall be three (3) years, normally commencing on August 1<sup>st</sup>.

### **Student representatives:**

The term of office for student representatives on the Board of Governors shall be one (1) year, commencing on August 1<sup>st</sup>.

## **Orientation:**

Orientation for all new members may occur prior to the official term commencement date. It is the responsibility of the representatives to ensure their participation in the orientation.

## **Eligibility to Nominate, Vote, Run and Hold Office:**

### **Students**

#### **Eligibility to Nominate:**

To nominate an individual, students must be enrolled in at least one credit course at Capilano University.

#### **Eligibility to Vote\*:**

The voters list for the Board student representatives shall be comprised of all students enrolled in at least one credit course at Capilano University.

#### **Eligibility to Stand for Election and Hold Office:**

Students elected to the Board must be enrolled in at least one credit course and cannot have the current notation of 'Required to Withdraw' on their record. If an elected student's enrolment is terminated due to being 'Required to Withdraw', student conduct, or any other reason, the position will be declared vacant.

### **Support staff**

Support staff members who are also employed under the category of faculty members shall be designated by the role that has the majority of the workload. If the workload is equal, in order to participate in elections the employee must choose, on a onetime-only basis, to be considered either a faculty member or a non-faculty member for purposes of Board voting and candidacy.

Support staff members who are also students cannot stand for election, nominate, or vote as students.

#### **Eligibility to Nominate:**

To nominate an individual, staff must meet the same criteria as those described for eligibility to vote.

#### **Eligibility to Vote\*:**

The voters list for the Board support staff representatives shall be comprised of all support staff, exempt staff, and administrators who are not officers of the University ( President, Registrar, and Vice-Presidents), deans, or faculty members.

#### **Eligibility to Stand for Election and Hold Office:**

Support staff elected to the Board of Governors must be employed continuously for the entire three (3) year term of office. If an elected support staff member's employment with the University is terminated for any reason, the position will be declared vacant **Faculty**

For purposes of voting and candidacy, an employee who has both a faculty and a non-faculty position shall be designated by the role that has the majority of the workload. If the workload is equal, in order to participate in elections the employee must choose, on a one time-only basis, to be considered either a faculty member or a non-faculty member for purposes of the Board voting and candidacy.

**Eligibility to Nominate:**

To nominate an individual, faculty must meet the same criteria as those described for eligibility to vote.

**Eligibility to Vote\*:**

The voters list for the Board faculty representatives shall be comprised of all faculty members, as designated by Senate, with current appointments during the election period.

**Eligibility to Stand for Election and Hold Office:**

Faculty members elected to the Board of Governors must have appointments within one or more Faculties of Capilano University as constituted by the Board of Governors. If an elected faculty member's appointment with the University is terminated for any reason, the position will be declared vacant.

\*The Registrar is responsible for both maintaining and having the final authority over the voters list. A copy of the voters list will be available for viewing in the Registrar's Office once an election or by-election has been called.

## **Election Timelines and Process**

### **Timelines:**

The Registrar is responsible for establishing timelines and shall post them on the Capilano University website.

Nomination period will be a two-week duration ending at 4:00 pm on the final day. The nomination results will be announced within two (2) working days from the end of the nomination period.

The nomination period must end at least one (1) week before the start of the voting period.

The voting period will be of one week duration beginning at 12:01 a.m. on the first day and ending at 11:59 p.m. on the final day. The voting results will be announced within two (2) working days from the end of the voting period.

## **Election Process**

### **Nominations:**

The Registrar will post timelines and nomination forms on the Capilano University website. Information required for nominations includes full name, signature, date and student ID (for students) or employee ID (for staff or faculty).

### **Candidates List:**

The Registrar will post on the Capilano University website the list of candidates and their respective nomination statements (verbatim).

### **Campaigning:**

A candidates' orientation will be held prior to the start of the campaign period. It is the sole responsibility of the candidate to ensure they are familiar with all the rules of the election, whether they attend the orientation or not.

Promotion of the election, excluding the Capilano University website, but including all-candidates' meeting is the responsibility of the constituent groups.

All campaign material will be in accordance with Human Rights Legislation.

Campaigning is allowed and is undertaken at the individual's expense and in their own time.

Campaigning includes, but is not limited to, posters, signs, websites, social media, and telephone/email communications. Encouraging individuals to vote is not considered campaigning if there is no reference to an individual candidate or group of candidates.

Candidates may not abuse Capilano University's resources. All candidates are required to act with honesty and integrity.

**Election Results:**

The Registrar shall:

1. Post the election results within two (2) working days following each election
2. Inform the President of the results of the election
3. Report the Board election results at the first Board meeting following each election
4. Post results publicly on the University's website including names of candidates who were not successful.

If the number of candidates for a position matches the required number of candidates to be elected, the candidate(s) will be declared elected by acclamation.

If the number of candidates for a position is more than the required number of candidates to be elected, the candidate(s) with the most votes will be declared as elected.

In the case of tie votes, the following will take place:

Ties will be broken by the Registrar via a coin-toss that is administered in the presence of the tied candidates.

**Appeals:**

It is recognized that there may be challenges to the conduct of the elections. To consider these challenges, an Appeals Committee will be convened.

This committee will:

1. Be composed of one member of each constituent group, appointed by their executive (the member cannot have been a candidate in the election).
2. Be chaired by the Registrar or designate, or by the Vice President, Academic and Provost, or designate, as determined by the nature of the appeal. In either case, the Chair is non-voting.
3. Have a mandate to hear the appeals based on the rules for election.

**Appeals Procedure:**

All appeals must be received, signed and in writing to the Registrar's Office no later than 3:00 p.m. two (2) working days after the results of the election are announced.

All candidates of the affected constituent group will receive a copy of each appeal prior to the Appeals Committee hearing.

Each candidate will have an opportunity to respond to the appeal in writing. Appeals that question the conduct of candidates or the election process will be chaired by the Registrar or designate. In the case of an appeal against the conduct of the Registrar or designate, the Vice President, Academic and Provost, or designate, will chair the appeals committee. Each response will be signed and received in the Registrar's Office no later than 3:00 p.m. two (2) days after receipt of the appeal.

The Appeals Committee Chair will allow each of these candidates an opportunity to speak to the committee during the designated Appeals Committee Hearing. These candidates must confirm their attendance with the Registrar's Office 24 hours prior to the Appeals Committee Hearing. Time limitations and a schedule will be at the discretion of the Appeals Committee, taking into consideration the number of appeals and candidates wishing to address the committee.

Each confirmed candidate addressing the Appeals Committee will be allowed one support person at the Appeals Committee Hearing. This support person is not able to address the committee.

Once all confirmed candidates have addressed the committee, the committee will consider all evidence presented and take appropriate action, including:

- Over-ruling the objection
- Making recommendations to the Registrar with respect to future elections
- Ordering new procedures
- Requiring a new election

The Appeals Committee decision will be final. So there is no disruption in representation to the Board of Governors, those who have been declared elected are confirmed in their positions until the appeals have been concluded.

#### **Vacant Positions:**

Vacant positions must be filled as soon as reasonably possible, taking into account both the length of time of the election/by-election process and the nature of the academic year. The rules for filling vacant positions will be:

1. By-elections will be held when a position is declared vacant prior to the end of term for that position except as follows:
2. If the vacancy occurs on November 1st, or later, and the person holding the position declared vacant is in the final year of their term, then the position will be filled through the normal elections process in the spring. The person elected will immediately assume the vacant position until July 31st, and then begin their elected term of office.