

Thompson Rivers University Board, Senate & Planning Council Election Procedures

(January 25, 2010)
Revised September 2014

PART ONE - RELEVANT LEGISLATION

In these procedures the University Council established under the *Thompson Rivers University Act* is referred to as the Senate (except in excerpts from legislation).

The following definitions are contained in section 1 of the *Thompson Rivers University Act*:

In this Act:

"alumni association" means the association for graduates of the university;

"board" means the board of governors of the university;

"chancellor" means the chancellor appointed under section 5;

"convocation" means the convocation of the university;

"faculty" means an educational administrative division of the university constituted by the board;

"faculty member" means a person employed by the university as an instructor, a lecturer, an assistant professor, an associate professor, a professor, or in an equivalent position designated by the senate;

"Planning Council for Open Learning" means the Planning Council for Open Learning established under section 11;

"president" means the president appointed under section 7;

"registrar" means the registrar appointed under section 7;

"senate" means the university council continued as the senate under section 8;

"student" means a person who is enrolled in a credit course at the university;

"university" means the Thompson Rivers University continued by this Act;

"university council" means the university council continued as the senate under section 8.

Board

The following are provisions of the *University Act* that are incorporated by reference into the *Thompson Rivers University Act*:

Composition of board

19 (1) The board of a university, other than the University of British Columbia, is composed of 15 members as follows:

- (a) the chancellor;
- (b) the president;
- (c) 2 faculty members elected by the faculty members;
- (d) 8 persons appointed by the Lieutenant Governor in Council, 2 of whom are to be appointed from among persons nominated by the alumni association;
- (e) 2 students elected from students who are members of an undergraduate student society or a graduate student society;
- (f) one person elected by and from the employees of the university who are not faculty members.

Term of office

20 (1) A member of the board, other than the chancellor, president or a member elected under section 19 (e), holds office for 3 years and after that until a successor is appointed or elected.

(2) Each member of the board elected under section 19 (e) holds office for one year and after that until a successor is elected.

(3) The chancellor and president are members of the board for so long as they hold their respective offices.

Reappointment or re-election

21 The appointed members of the board are eligible for reappointment and the elected members are eligible for re-election, but those members must not hold office for more than 6 consecutive years.

Removal from office

22 (1) The Lieutenant Governor in Council may, at any time, remove from office an appointed member of the board.

(2) Unless excused by resolution of the board, a member who does not attend at least half of the regular meetings of the board in any year is deemed to have vacated his or her seat.

Persons not eligible

23 (1) The following persons are not eligible to be or to remain members of the board:

- (a) members of the Parliament of Canada;
- (b) members of the Executive Council or of the Legislative Assembly;
- (c) a person who is not a Canadian citizen or is not a permanent resident under the Immigration Act (Canada);
- (d) a member of the public service in the ministry;
- (e) a member of the public service designated by the minister;
- (f) [Repealed 2003-48-32.]

(2) A member of the board who ceases to be eligible during his or her term of office immediately ceases to be a member of the board.

SENATE

The following is set out in section 8 of the *Thompson Rivers University Act*:

Senate

8(1) The university council is continued as the senate.

(2) The senate is composed of the following:

- (a) the chancellor;*
- (b) the president, who is its chair;*
- (c) the academic vice president or equivalent;*
- (d) the deans of faculties;*
- (e) the chief librarian;*
- (f) the registrar;*
- (g) two faculty members for each faculty, elected by faculty members of the faculty;*
- (h) four students elected by the students;*
- (i) one alumni member who is not a faculty member, appointed by the president on nomination by the alumni association;*
- (j) one administrator of the Open Learning Division, appointed by the president;*

(k) subject to subsection (5), 4 members of the teaching staff in the Open Learning Division, elected by members of the teaching staff in the Open Learning Division;

(l) two support staff, elected by the support staff;

(m) one non-voting member of Senate, if appointed to the Senate by the board to serve for one year.

(3) For the purposes of subsection (2) (g), "faculty" does not include the Open Learning Division.

(4) For the purposes of subsection (2) (l), "support staff" means employees of the university who are not

(a) officers of the university, or

(b) deans or faculty members.

(5) If the total number of faculty members elected for the purposes of subsection (2) (g) exceeds 20, the number of members of the teaching staff in the Open Learning Division to be elected under subsection (2) (k) is

(a) 20% of the total number of faculty members elected for the purposes of subsection (2) (g), if the number so calculated is a whole number, and

(b) if the number calculated under paragraph (a) is not a whole number, the whole number that is next highest to the number calculated as described in paragraph (a).

PLANNING COUNCIL FOR OPEN LEARNING

The following is set out in section 11 of the *Thompson Rivers University Act*:

11 *The Planning Council for Open Learning is established and is composed of the following members:*

(a) the academic vice-president, who is its chair;

(b) two deans, appointed by the president;

(c) two officers of the university, appointed by the president;

(d) two persons who are faculty members referred to in section 8 (2) (g), elected by the university council;

(e) two members of the teaching staff in the Open Learning Division, elected by the teaching staff in the Open Learning Division;

(f) two persons nominated by the presidents of the universities under the University Act and the Royal Roads University Act, appointed by the president;

(g) two persons nominated by the presidents of the institutions under the College and Institute Act, appointed by the president;

(h) one student enrolled in the Open Learning Division and elected by the students;

(i) one alumni member who is not a faculty member, appointed by the university council on nomination by the alumni association;

(j) up to 2 additional persons appointed by the president.

PART TWO - GENERAL ELECTION PROCEDURES:

The following are provisions of the *University Act* incorporated by reference into the *Thompson Rivers University Act*:

Rules for elections

43 (1) The senate must make and publish all rules necessary and consistent with this Act in respect of nominations, elections and voting.

(2) The registrar must conduct all elections that are required.

Nomination paper to registrar

44 A nomination paper is not valid unless at least 4 weeks before the date of the election

(a) it is delivered at the office of the registrar, or

(b) if sent by mail, it is received by the registrar.

Elections register

45 (1) In every year in which an election is to take place, the registrar must prepare an alphabetical list, to be called the election register, of the names and known addresses of all members of the convocation who are entitled to vote at an election.

(2) The election register must be open to inspection at all reasonable hours by all members entitled to vote.

(3) The registrar must similarly keep an alphabetical list of the names of all students who are members of the undergraduate student society or the graduate student society.

Voters to be registered

46 Only those persons whose names appear in the election registers are entitled to vote at an election.

Election of senate

14 (2) *All nominations of candidates for membership in the senate must be signed by at least 3 persons entitled to vote in the election of the senate.*

(3) *The registrar must immediately send a written notice of nomination to each person nominated as a candidate for the office of chancellor and to each person nominated as a candidate for membership in the senate, with a request that the candidate forward to the registrar information about the following:*

(a) the candidate's degrees and the dates of them;

(b) the candidate's occupation;

(c) offices held by the candidate at a university or in any other organization;

(d) the candidate's other professional or business interests;

(e) the candidate's publications.

Report of election

16 (1) The Registrar must report the results of the election to the senate at its first meeting following the election.

(2) If there is a tie vote between 2 or more candidates for an office, the senate must cast the deciding vote.

ELECTIONS (Board, Senate, Planning Council):

ELECTION REGISTER: The election register referred to in section 45(1) of the *University Act* is to be available for inspection in advance of the call for nominations. The Registrar must be informed in writing of any necessary revisions.

GOOD STANDING: Is defined as a student who is in good academic standing (as per policy ED 3-2 and ED 5-0) and does not have any non-academic issues/disciplinary actions on their student record. This includes financial holds and student conduct.

SCHEDULING: Fall elections will be completed by the end of December. The nomination process will take place in the months of September and October. Winter elections will be completed by the end of April. The nomination process will take place in the months of January and February.

The specific dates each year for the steps in the Fall and Winter elections will be determined by the Registrar. The Registrar must post these dates on the TRU website.

Senate members from the following constituencies will be elected in the Fall elections:
(i) Faculty of Arts; (ii) Faculty of Law; (iii) School of Business and Economics; (iv) School of Nursing; (v) School of Tourism; (vi) Support staff and (viii) Teaching staff in the Open Learning division.

Senate members from the following constituencies will be elected in the Winter elections: (i) Faculty of Education and Human Development; (ii) Faculty of Science; (iii) Faculty of Student Development; (iv) School of Trades and Technology; (v) Students.

TERM START: All candidates elected in the Fall elections will commence their term January 1. Those candidates elected in the Winter elections will commence their term September 1.

NOMINATIONS: All nominations must be in writing and signed by the individual nominated indicating her/his consent to the nomination. Nominations for members of Senate and the Board must be signed by at least three people entitled to vote in the election for the candidate. Nominations for student members of the Planning Council for Open Learning do not require a nominator.

Students are encouraged to confirm their good standing status for election eligibility by visiting Student Services prior to initiating the nomination process.

NOMINATION PERIOD: the period between the call for nominations and the close of nominations will be a minimum of 1 week.

PERIOD BETWEEN NOMINATIONS AND ELECTIONS: Nominations must be delivered to the Registrar at least 4 weeks before the first day of voting.

VOTING PERIOD: The period of time between the opening and closing of voting will be a minimum of 3 days. Voting will close exactly as specified in the voting procedures. No ballots will be accepted by the Registrar after the close of voting.

ELECTORAL INTEGRITY: All candidates are required to act with integrity and honesty in their campaigns.

NOTIFICATION OF CONSTITUENTS: Notices of nominations and voting shall be made via the internet and by means deemed appropriate by the Registrar.

DECLARATION OF WINNERS IN EACH CONSTITUENCY:

- 1) In an election where only one candidate is to be elected, the candidate with the highest number of votes will be declared elected. In an election where more than one candidate is to be elected, the candidates with the highest number of votes will be declared elected.
- 2) In the event of a tie between two or more candidates for an office, the Senate must cast the deciding vote.
- 3) Should nominations produce a number of candidates equal to or less than the number of positions being elected, then no voting through the balloting process will take place and the candidates nominated will be elected by acclamation.

ANNOUNCEMENT OF RESULTS:

- 1) The Registrar will announce all results within four days of the close of elections.
- 2) Announcements of results will include the number of votes for each candidate.
- 3) Results will be posted on the TRU web site and sent to candidates & staff by e- mail.

APPEALS, RECOUNTS:

Appeals:

- 1) Ballots will be retained for a 14-day election appeal period and then will be destroyed.
- 2) Any complaint or appeal with respect to election procedures or results must be made to the Registrar within 7 days of the announcement of election results. Complaints and appeals will be considered by a three-member Elections committee of the Senate as to what action, if any, should be taken. In addition to the three members from the Senate, the Registrar will be a non-voting member and act as its Chair.
- 3) Statements contesting the vote totals reported must be made within two (2) days of the publication of those totals.

VACANCIES:

The following are provisions of the *University Act* incorporated by reference into the *Thompson Rivers University Act*:

Vacancies on the Board

24 (1) If a vacancy arises on the board because of the death of a member or for any other reason before the end of the term of office for which a member has been appointed or elected, the secretary of the board must enter a declaration of the vacancy in the minutes of the board.

(2) A declaration under subsection (1) is conclusive evidence of the vacancy.

Method of filling vacancies and effect of vacancy

25 (1) If a vacancy exists in respect of an appointed member, the Lieutenant Governor in Council must appoint a person to fill the vacancy.

(2) If a vacancy exists in respect of an elected member, the appropriate body must elect a replacement.

- (3) A person appointed under subsection (1) or elected under subsection (2) holds office for the remainder of the term for which the person's predecessor was appointed or elected.
- (4) A vacancy on the board does not impair the authority of the remaining members of the board to act.

Vacancies on Senate

- 36 (4) If a vacancy arises on the senate, the vacancy must be filled,
- (a) in the case of an appointed member, by the body possessing the power of appointment, of
 - (b) in the case of an elected member, in the manner specified by the senate.
- (5) A person appointed or elected to fill a vacancy holds office for the remainder of the term for which the person's predecessor was appointed or elected.
- (6) The secretary of the senate must enter a declaration of the vacancy in the minutes of the senate.
- (7) A declaration under subsection (6) is conclusive evidence of the vacancy.

For the purposes of section 36(4)(b) of the University Act, if a vacancy occurs on Senate or Planning Council in the case of an elected member it shall be filled by the candidate who received the most votes among those who were nominated but not elected in the most recent election. In the event the seat was filled by acclamation, the constituency represented by the seat, will designate a replacement from within their constituency in accordance with procedures the constituency considers to be fair. For the purposes of section 25 (2), the vacancy shall be filled in a by-election as set out above under the heading "Elections: Scheduling".

TRU FACULTY ELECTION PROCEDURES:

TRU FACULTY DEFINED:

All faculty members, who are members of the TRU Faculty Association and are on the TRU faculty 'Dues List' at the time of the commencement of the nomination process, are eligible to vote. Human Resources is responsible for providing the Registrar with a list of faculty members based on the 'Dues List'. Voting for candidates will be done by faculty members from within each faculty, school or division.

To be eligible for nomination for a faculty position, a faculty member must have an appointment of sufficient length to complete their 3 year term in office.

BOARD:

- a) Under section 19(c) of the University Act, only members of the TRU Faculty are eligible to vote for, and be elected as, faculty representatives on the Board.
- b) To be eligible for nomination for a faculty position, a faculty member must have an appointment of sufficient length to complete their 3 year term in office.
- c) Voting shall be administered through procedures satisfactory to the Registrar, including secured internet and paper ballots, with a preference to secured internet voting.

SENATE:

- a) The nine Faculties and Schools for purposes of these elections are:

Faculty of Arts
Faculty of Education and Human Development Faculty of Law
Faculty of Science
Faculty of Student Development
School of Business & Economics
School of Nursing
Faculty of Adventure, Culinary Arts and Tourism
School of Trades and Technology

- b) Under section 8(2)(g) of the TRU Act, only members of the above faculties are eligible to vote for, and be elected as, faculty representatives on the Senate
- c) To be eligible for nomination for a faculty position, a faculty member must have an appointment of sufficient length to complete their 3 year term in office.
- d) Voting shall be administered through procedures satisfactory to the Registrar, including secured internet and paper ballots, with a preference to secured internet voting.

TRU TEACHING STAFF ELECTION PROCEDURES:

TRU TEACHING STAFF DEFINED: All Open Learning Teaching Staff, who are on the Tutors 'Dues List' at the time of the commencement of the nomination process, are eligible to be candidates and vote in the election of Teaching Staff representatives to the Senate and Planning Council for Open Learning.

SENATE & PLANNING COUNCIL:

- a) Under section 8(2)(k) & 11 (e) of the TRU Act, only members of the Teaching Staff in the Open Learning Division are eligible to vote for, and be elected as, Teaching Staff representatives on the Senate and the Planning Council respectively.
- b) To be eligible for nomination for a Teaching Staff position, a Teaching Staff member must have an appointment of sufficient length to complete their 3 year term in office.
- c) Voting shall be administered through procedures satisfactory to the Registrar, including secured internet and paper ballots, with a preference to secured internet voting.

STUDENT ELECTION PROCEDURES:

STUDENTS DEFINED (Board):

All students in good standing enrolled, at the commencement of nominations, in a credit course or program at TRU and TRU-OL are eligible to vote in Board elections, but under section 19(1)(e) of the University Act, candidates must be members of the Student Society to be eligible to be nominated for election to the Board.

STUDENTS DEFINED (Senate and Planning Council):

All students in good standing enrolled, at the commencement of nominations, in a credit course or program at TRU or TRU-OL, are eligible to vote in Senate and Planning Council elections and to be nominated in Senate elections. However, under section 11(h) of the TRU Act, only students enrolled (at the commencement of nominations) in a credit course at the Open Learning Division are eligible to be nominated in elections for the Planning Council for Open Learning.

- a) To be eligible for nomination for a student position, a student must be a student in good standing and be enrolled in a course or program of sufficient length to complete their 1 year term in office.
- b) Voting shall be administered through procedures satisfactory to the Registrar, including secured internet and paper ballots, with a preference to secured internet voting.

SUPPORT STAFF ELECTION PROCEDURES:

SUPPORT STAFF DEFINED:

BOARD:

All employees of TRU and TRU-OL (including Teaching Staff) except for TRU Faculty are eligible to vote for, and be elected as, the employee representative on the Board.

SENATE:

All employees of TRU and TRU-OL except for: TRU Faculty members, Open Learning Teaching Staff, Deans, the President, Vice Presidents, the Chief Librarian and the Registrar are eligible to be nominated and to vote.

- a) To be eligible for nomination for a Support Staff position, a Support Staff member must have an appointment of sufficient length to complete their 3 year term in office.
- b) Voting shall be administered through procedures satisfactory to the Registrar, including secured internet and paper ballots, with a preference to secured internet voting.