

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.

Thompson Rivers University Election Procedures for Board of Governors, Senate, Planning Council for Open Learning and TRU Community Trust Board of Directors

The procedures included in this document are in accordance with the [Thompson Rivers University Act](#) and the [University Act](#) of the Legislative Assembly of British Columbia. (see section 4.0)

In the event of any conflict between these procedures and the Acts, the Acts will prevail.

Contents

1.0 General Election Procedures

- 1.1 Schedule of Elections
- 1.2 Election Register
- 1.3 Nominations
- 1.4 Candidate Statements
- 1.5 Campaigning
- 1.6 Voting and Results
- 1.7 Withdrawals
- 1.8 Disqualification

2.0 Vacancies and Eligibility

- 2.1 Board of Governors
- 2.2 Senate
- 2.3 Planning Council for Open Learning
- 2.4 TRU Community Trust Board of Directors

3.0 Appeals

4.0 Relevant Legislation

- 4.1 From the Thompson Rivers University Act
- 4.2 From the University Act

1.0 General Election Procedures

1.1 Schedule of Elections

- i. **Fall Elections** will be completed by the end of December. (Before winter break). The nomination process will usually take place in the month of September. Candidates elected in the fall election cycle will commence their term beginning January 1.
- ii. **Winter elections** will be completed by the end of April. The nomination process will usually take place in the month of February. Candidates elected in the winter election cycle will commence their term beginning September 1.
- iii. **By-elections** will be held in the event that an elected candidate cannot complete their term of office and that their seat cannot be filled by other means as defined in the University Act. By-elections will be incorporated into the next possible fall or winter election cycle.

The election timeline for each cycle will be determined by the Registrar and posted to the TRU elections web page.

1.2 Election Register

As per section 45 of the University Act, an election register of faculty, staff and students eligible to run and vote will be prepared at the commencement of each election cycle according to constituent vacancies that have been identified.

Human Resources is responsible for providing the Registrar with an alphabetical list containing the names and email addresses of all eligible faculty and staff members.

The Registrar is responsible for generating the list of names and email addresses of all eligible students.

The election register must be open to inspection at all reasonable office hours by all eligible faculty, staff and students. The election register cannot be copied or distributed.

Only those persons named in the election register are entitled to vote in an election. When requested, a representative of the Registrar will be available to confirm eligibility.

1.3 Nominations

At the commencement of an election cycle, the Registrar will publish on line the call for nominations, along with a list of vacancies, the election schedule, and the nomination forms.

The nomination period will begin with the call for nominations and will be a minimum of five (5) business days in length. Late nominations will not be accepted after the close of nominations.

All nominations must be in writing, using the nomination forms made available by the Registrar. Nomination forms must be signed by the nominee indicating their consent to the nomination, and by three (3) nominators who are eligible to vote.

TRU Open Learning students running as student members for the Planning Council for Open Learning may self-nominate.

All student nominees are encouraged to confirm their financial and academic standing with Enrolment Services prior to initiating the nomination process to ensure they are eligible to run in the election.

The Registrar or designate will acknowledge receipt of all nominations and will confirm candidate eligibility via email.

All nominees are encouraged to review relevant legislation, by-laws, and terms of reference for the governing bodies to which they seek election. (*see: relevant legislation attached, [TRU Senate](#), [Board of Governors](#), [Planning Council for Open Learning](#), Community Corporation*)

The nomination period will be followed by four (4) weeks before the voting period commences.

1.4 Candidate Statements

Candidates that meet election eligibility requirements will be invited to submit a brief candidate statement. Candidate statements shall be no more than 300 words and may include the following information:

- a) Credentials earned and the dates of them
- b) Occupation
- c) Other offices currently or previously held, either at TRU or at other organizations
- d) Professional or business interests
- e) Publications
- f) Community involvements
- g) Volunteer activities
- h) Student candidates may wish to include program/area of study

Candidate statements are to be submitted electronically in Word or PDF format, with file size no larger than 10MB.

Candidate statements received will be published online as PDFs with content as-is. Candidates are advised to omit personal contact information.

1.5 Campaigning

The campaign period shall commence as soon as possible and no later than five (5) business days following the end of the nomination period. Candidates may begin to campaign only after the Registrar has confirmed the eligibility of all candidates and published the names of all candidates online. The campaign period will continue up to and including the voting period.

All candidates are required to act responsibly and with integrity when campaigning. The following guidelines are provided to assist candidates in planning campaign materials and activity:

- a) Campaign materials must not contain information other than that related to the candidate's platform and information regarding the schedule of the election
- b) Campaign materials must comply with TRU's Posting Procedures policy (ADM 01-3)
- c) Campaign activity must comply with TRU's area and table booking rules issued by Ancillary Services
- d) Campaigning must not disrupt classes or regular campus operations;
- e) Candidates must not be present when they are aware, or ought to reasonably be aware, that eligible voters are voting, and must not provide any electronic devices or login credentials to voters for the purpose of voting;
- f) Candidates are responsible for the removal of all campaign materials immediately following the close of the elections.

Campaign materials and activity found to be in violation of university policies, rules, or procedures, including the guidelines listed here, may result in disqualification from the election.

1.6 Voting and Results

- i. **Voting period:** The voting period will be a minimum of three (3) business days commencing no sooner than four (4) weeks after the close of nominations. Voting will close as per election timeline published by the Registrar. Voting will be conducted by anonymous and secure on-line ballot. No ballots will be accepted after the close of voting.
- ii. **Results:** 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.

The Registrar will communicate all election results within five (5) business days of the close of elections as per the following procedures:

- a) Each candidate will be notified by email of their own outcome;
 - b) All election results, including voting counts and outcomes of all candidates, will be posted online;
 - c) All election results, including voting counts and outcomes of all candidates, will be reported to the Senate at the next possible meeting following the election.
- iii. **Tie votes:** In the event of a tie between two or more candidates for an office, the Senate must cast the deciding vote according to the following procedures:
- a) Tied nominees will be made aware, by email, of Article 16(2)-*University Act*, and that Senate will address the tied vote at the next available Senate meeting;
 - b) The Registrar will provide to Senate, the biographic information of candidates for vacancies resulting in a tie vote for Senate's consideration;
 - c) The Registrar will present the election results in the public Senate session, and indicate that the tie votes will be discussed and decided in an in-camera Senate session immediately to follow;
 - d) Tie-vote results will be reported by the Registrar publicly on the elections web site the following day;
 - e) Tie-vote counts will not be announced - final vote counts published on the elections web will indicate one (1) additional vote for the successful candidate in the tie break.
- iv. **Acclamation:** 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.

If a candidate has withdrawn or been disqualified and, as a result, the number of remaining candidates is equal to or less than the number of vacant positions the remaining candidate will be elected by acclamation.

1.7 Withdrawals

A candidate who wishes to withdraw their nomination must notify the Office of the Registrar in writing. Upon receipt of a written withdrawal of nomination, the candidate will cease to be a candidate for election.

When a candidate's written notice of withdrawal is received before the start of voting, the candidate's name will be excluded from the electronic ballot.

When a candidate's written withdrawal is received after the start of voting, the election will continue with the remaining candidates and the withdrawn candidate will be listed on the electronic ballot with the notation "candidate withdrawn". Voters who have already cast a vote for a candidate who withdraws after the start of voting will not be permitted to re-cast their vote.

1.8 Disqualification

Campaign materials and activity found to be in violation of university policies, rules, or procedures may result in disqualification from the election. The decision to disqualify is at the discretion of the Registrar.

If a candidate is disqualified before the start of voting, the candidate's name will be excluded from the electronic ballot.

If a candidate is disqualified after the start of voting but before the election closes, the election will continue with the remaining candidates and the disqualified candidate will be listed on the electronic ballot with the notation "disqualified". Voters who have already cast a vote for a disqualified candidate will not be permitted to re-cast their vote.

If a candidate is disqualified after the election closes, and they have been declared the winner, the candidate with the next highest number of votes will be declared the winner.

A disqualification may be appealed under the election appeals procedure.

2.0 Vacancies and Eligibility

2.1 Board of Governors

- i. **Elected positions:** The TRU board of governors is composed of 15 members. The following positions are filled by election:
 - a) Two (2) faculty members elected by the faculty members
 - b) Two (2) students elected from students who are members of an undergraduate student society or a graduate student society
 - c) one (1) person elected by and from the employees of the university who are not faculty members
- ii. **Reappointment or re-election:** 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.

- iii. **Board Faculty Representatives (two members):**

Eligibility for nomination: all faculty members, who are members of the TRU Faculty Association (TRUFA), paying TRUFA dues, and actively employed at the call for nominations, with an employment appointment term of sufficient length to complete their three (3) year term in office, are eligible to be elected as Faculty Representatives to the Board. *University Act, section 19(c).*

Eligibility to vote: all faculty members of the TRU faculty (TRUFA), paying TRUFA dues, who are actively employed at the commencement of nominations are eligible to vote for faculty representatives on the Board.

- iv. **Board Student Representatives (two members):**

Eligibility for nomination: a student running for election to the Board must be in good standing (as per below), a member of the TRU Student Union (TRUSU), and actively enrolled (registered) in a credit course or program at TRU at the commencement of nominations and for a period consistent with the one (1) year term of office.

Eligibility to vote: all students in good standing (as per below), who are actively enrolled (registered) in a credit course or program at TRU (campus or Open Learning) at the commencement of nominations.

Good standing: A student in good standing is defined for the purposes of these elections procedures as being in good academic standing (as per policy ED 3-2 and ED 5-0) with no active sanctions related to academic or non-academic conduct, and no outstanding fees or financial holds on their student record.

v. **Board Non-Faculty Representative (one member):**

Eligibility for nomination and to vote: all employees of TRU and TRU-OL are actively employed at the commencement of the nomination process except for TRU faculty members.

Nominees must be actively employed at the call for nominations, and have an employment term allowing them to complete a three (3) year term of office.

vi. **Continued Eligibility:** 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. (*University Act 23 (1)*).

2.2 Senate

i. **Elected positions:** The following Senate positions are filled by election:

- a) two (2) faculty members for each faculty, elected by faculty members of the faculty
- b) four (4) students elected by the students
- c) four (4) members of the teaching staff in the Open Learning Division, elected by members of the teaching staff in the Open Learning Division
- d) two (2) support staff, elected by the support staff (ie: employees of the university who are not officers of the university, deans, faculty members)

Fall elections: The following positions will be elected in the fall election cycle:

- a) Faculty members from: Faculty of Adventure, Culinary Arts and Tourism, Faculty of Arts, Faculty of Law, School of Business and Economics, School of Nursing
- b) Support staff
- c) Open Learning Teaching Staff

Winter elections: The following positions will be elected in the winter elections:

- a) Faculty members from: Faculty of Education and Social Work, Faculty of Science, Faculty of Student Development, School of Trades and Technology
- b) Students

ii. **Senate Faculty Representatives (two members for each faculty):**

Eligibility for nomination: Faculty members from within a faculty for which there is a vacancy, who are members of the TRU Faculty Association (TRUFA) (paying TRUFA dues), and actively employed at the commencement of the nomination process with an employment appointment term of sufficient length to complete a three (3) year term in office.

A faculty member whose appointment crosses two (2) or more faculties may only be nominated to represent one (1) of the faculties. Faculty members must declare to the Registrar on their nomination form in which faculty they wish to stand for election and vote.

Eligibility to vote: Faculty members from within a Faculty for which there is a vacancy, who are members of the TRU Faculty Association (TRUFA) (paying TRUFA dues), and actively employed at the commencement of the nomination process. Voting for candidates will be done by faculty members from within each faculty, school or division.

There are nine Faculties and Schools for purposes of these elections: Faculty of Arts; Faculty of Education and Social Work; 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.

iii. **Senate Open Learning Teaching Staff Representatives (four members):**

Eligibility for nomination and/or voting: Only members of the Teaching Staff in the Open Learning Division (TRUOLFA) at the time of the commencement of the nomination process are eligible to vote for, and/or be elected as, an Open Learning Teaching Staff representative on the university Senate. Nominees must have an employment appointment term of sufficient length to complete their three (3) year term in office.

iv. **Senate Support Staff Representatives (two members):**

Eligibility for nomination and/or voting: all employees of TRU and TRU OL, who are actively employed at the commencement of the nomination process are eligible to be nominated and/or to vote, excluding the following: Faculty (TRUFA members), Open Learning Teaching Staff (TRUOLFA members), Deans, and Officers of the University (ie: the President and the University Registrar), Vice Presidents, and the University Librarian (as per Senate by-laws, article II).

Nominees must have an employment appointment term of sufficient length to complete a three (3) year term in office.

v. **Senate Student Representatives (four members):**

Eligibility for nomination and/or voting: All students in good standing (as per below), who are actively enrolled (registered) in a credit course or program at TRU (campus or Open Learning) at the commencement of nominations are eligible to be nominated and/or to vote in student elections for Senate.

Good standing: A student in good standing is defined for the purposes of these elections procedures as being in good academic standing (as per policy ED 3-2 and ED 5-0) with no active sanctions related to academic or non-academic conduct, and no outstanding fees or financial holds on their student record.

Nominees must be actively enrolled in a credit course or program of sufficient length to complete their one (1) year term in office.

2.3 Planning Council for Open Learning

- i. **Elected positions:** The following Planning Council for Open Learning positions are filled by election:
 - a) two (2) members of the teaching staff in the Open Learning Division, elected by the teaching staff in the Open Learning Division
 - b) one (1) student enrolled in the Open Learning Division and elected by the students
- ii. **Planning Council for Open Learning OL Teaching Staff Representatives (two members):**
Eligibility for nomination and/or voting: only members of the Teaching Staff in the Open Learning Division who are paying dues (TRUOLFA) are eligible to vote for, and be elected as, OL Teaching Staff representatives on the TRU Planning Council (PCOL). Nominees must have an employment appointment term of sufficient length to complete their three (3) year term in office.
- iii. **Planning Council for Open Learning Student Representative (one member):**
Eligibility for nomination: all TRU Open Learning students in good standing (as per below), who are actively enrolled (registered) in TRU Open Learning in a credit course or program of sufficient length to complete their one (1) year term in office at the commencement of nominations are eligible to be nominated for the Planning Council for Open Learning.

Eligibility to vote: all students in good standing (as per below), who are actively enrolled (registered) at TRU or TRU Open Learning in a credit course or program at the commencement of nominations.

Good standing: A student in good standing is defined for the purposes of these elections procedures as being in good academic standing (as per policy ED 3-2 and ED 5-0) with no active sanctions related to academic or non-academic conduct, and no outstanding fees or financial holds on their student record.

2.4 TRU Community Trust Board of Directors

- i. **Elected positions:** The following TRU Community Trust Board of Directors positions are filled by election:
 - a) One (1) faculty representative
 - b) One (1) student representative
- ii. **TRU Community Trust Faculty Member (one member):**
Eligibility for nomination: all faculty members, who are members of the TRU Faculty Association (TRUFA) (paying TRUFA dues) at the call for nominations, with an employment appointment term of sufficient length to complete their three (3) year term in office, are eligible to be elected as Faculty Representatives to the TRU Community Trust Board of Directors.

Eligibility to vote: all faculty members of the TRU faculty (paying TRUFA dues) who are actively employed at the commencement of nominations are eligible to vote for faculty representatives on the TRU Community Trust Board of Directors.

iii. **TRU Community Trust Student Representative (one member):**

Eligibility for nomination and/or voting: All students in good standing who are actively enrolled at TRU (including Open Learning) at the commencement of nominations, in a credit course or program, are eligible to be nominated and to vote. Student nominees must be actively enrolled in a credit course or program of sufficient length to complete their one (1) year term in office.

Good standing: A student in good standing is defined for the purposes of these elections procedures as being in good academic standing (as per policy ED 3-2 and ED 5-0) with no active sanctions related to academic or non-academic conduct, and no outstanding fees or financial holds on their student record.

3.0 Appeals

An appeal with respect to election procedures, results, or candidate disqualification must be made in writing to the Secretariat within thirty (30) days of the announcement of election results or decision to disqualify.

Appeals will be considered by the Senate Appeals Committee in accordance with its procedures.

Ballots will be retained for thirty (30) days following election results being announced, or upon the resolution of an appeal, whichever is later.

PROPOSED

4.0 Relevant Legislation

4.1 From the [Thompson Rivers University Act](#):

Part 1: Definitions

- **"board"** means the board of governors 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;

Part 8: 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 the 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. <<what about OL teaching staff?>>
- (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).

Part 11: Planning Council for Open Learning

The Planning Council for Open Learning 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 senate;
- (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 senate on nomination by the alumni association;
- (j) up to 2 additional persons appointed by the president.

4.2 From the [University Act](#):

Part 6 – Board of Governors

Section 19: Composition of board

(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.

Section 19.1: Best Interests of university

The members of the board of a university must act in the best interests of the university.

Section 20: Term of office

- (1) Each member of the board elected under section 19 (1) (c) and (f) and (2) (c), (d), (h) and (i) holds office for 3 years and after that until a successor is elected.
- (1.1) Each member of the board appointed under section 19 (1) (d) and (2) (e) holds office for a term of up to 3 years and after that until a successor is appointed.
- (2) Each member of the board elected under section 19 (1) (e) or (2) (f) or (g) 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.

Section 21: Reappointment or re-election

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.

Section 22: Removal from office

- (1) The Lieutenant Governor in Council may, at any time, remove from office an appointed member of the board.
- (1.1) Despite section 19, the Lieutenant Governor in Council may, on a resolution passed by the vote of at least a 2/3 majority of the members of the board, remove from office a member of the board
 - (a) elected under section 19 (1) (c), (e) or (f) or (2) (c), (d), (f), (g), (h) or (i), or
 - (b) appointed under section 19 (1) (d) or (2) (e)
 if the board is satisfied that the person should be removed for cause.
- (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.

Section 23: Persons not eligible

- (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) [Repealed 2006-15-45.]
 - (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.]
- (g) [Repealed 2018-36-3.]

(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.

Section 24: Vacancies on the board

- (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.

Section 25: Method of filling vacancies and effect of vacancy

- (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.

Part 7 – Senate

Section 36: Term of office

- (1) The term of office of a member of the senate, other than one elected under section 35 (2) (h), 35.1 (2) (h) or (3) (h) or 35.2 (2) (h) or appointed under section 35.2 (2) (k), is 3 years and after that until a successor is appointed or elected.
- (2) The term of office of a member of the senate elected under section 35 (2) (h), 35.1 (2) (h) or (3) (h) or 35.2 (2) (h) or appointed under section 35.2 (2) (k) is one year and after that until a successor is elected.
- (3) Members of a senate who remain eligible under section 35, 35.1 or 35.2 may be reappointed or re-elected in the manner provided under section 35, 35.1 or 35.2 for further terms.
- (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, or
 - (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.

Part 9 – Nominations, Elections and Voting

Section 43: Rules for elections

- (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.

Section 44: Nomination paper to registrar

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.

Section 45: Election register

- (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.

Section 46: Voters to be registered

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

Part 11 – President and Registrar

Section 59: President and powers

- (1) There must be a president of the university, who is to be the chief executive officer and must generally supervise and direct the academic work of the university.

Section 64: Registrar

- (1) There must be a registrar, who must keep the records and perform the duties that the board or senate may require.