

**RULES TO GOVERN ELECTIONS
TO THE BOARD OF GOVERNORS AND THE SENATE**

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1. Preamble

- 1.1 The Rules to Govern Elections to the Board of Governors and the Senate ("Rules to Govern Elections") have been developed to meet the requirements set out in the *University Act*. In the event of any conflict between these Rules and the *University Act*, the Act will prevail.
- 1.2 Senate has the authority to amend the Rules to Govern Elections, as provided in section 43 of the *University Act*.
- 1.3 In accordance with the *University Act*, the University Secretary is responsible for the conduct of all elections that are required.
- 1.4 The Rules to Govern Elections will be reviewed by the Senate Committee on Agenda and Governance at least every five years.

2. Definitions

- 2.1 The following definitions will apply in determining the eligibility of persons to submit nominations and to stand for and vote in elections to the Board of Governors and the Senate.
 - a) **A Faculty** is an academic unit approved as a Faculty by the Senate and Board of Governors.
 - b) **A faculty member** is a person who is classified in university records as "faculty" and designated as "regular, at the rank of lecturer, assistant teaching professor, teaching professor, assistant professor, associate professor or professor", or in an equivalent position designated by the Senate. This excludes employees classified as "visiting," "adjunct," or "sessional".
 - c) **An employee** of the university is a person who:
 - (i) is not a faculty member as defined in 2.1 b); and
 - (ii) is designated as "regular" or "continuing" in university records.
 - d) **A professional librarian** is a person whose classification in university records includes the term "librarian" and the designation "continuing".
 - e) **A continuing sessional** is a person classified in university records as having continuing sessional status.
 - f) **A student** is an undergraduate or graduate student who meets the definition of "student" in the academic calendar and is registered in the current term.
 - g) **Student societies** are the University of Victoria Students' Society and the Graduate Students' Society of the University of Victoria.

3. Eligibility

- 3.1 In the context of the *University Act*, the definitions in section 2.1 will apply in determining the eligibility of persons to be elected to the Board of Governors or the Senate.
- 3.2 In the context of the *University Act*, the definitions in section 2.1 (b), (c), (d) and (e) will apply in determining the eligibility of persons to continue to serve on Senate.
- 3.3 A student elected to the Board of Governors or the Senate from the student societies must be registered in two of the following academic terms, 1st term of winter session, 2nd term of winter session or any term of the summer session, during his or her term of office in order to be eligible to continue to serve on the Board of Governors or the Senate.
- 3.4 A faculty member or an employee of the University of Victoria, as defined in section 2.1 b) or 2.1 c), who is on leave of absence or study leave will continue to be eligible to vote and to serve on the Senate or the Board of Governors subject to the provisions of the *University Act* and to the rules of either body.
- 3.5 For the purpose of determining eligibility to be elected to and serve on the Senate and Board of Governors, the University Secretary is authorized to grant eligibility based on medical, compassionate or other grounds.

4. Elected offices

Board of Governors

- 4.1 Pursuant to section 19(1) of the *University Act*, the Board of Governors will include the following elected representatives:
 - a) 2 faculty members elected by faculty members;
 - b) 2 students, 1 graduate student elected by members of the graduate students' society and 1 undergraduate student elected by members of the undergraduate students' society.
 - c) 1 employee elected by employees of the university who are not faculty members.

Senate

- 4.2 Pursuant to the proportional composition required under Section 35(2) of the *University Act*, Senate will include the following elected representatives:
 - a) 32 faculty members elected by faculty members (two faculty members from each Faculty elected by faculty members in that Faculty, with the remainder elected as at-large faculty members).

- b) 16 students elected by students who are members of the student societies with at least one student from each Faculty and three students from the Faculty of Graduate Studies.
- c) 4 members elected by and from the convocation, as defined in the *University Act*.

Additional elected members

Pursuant to section 35 (2)(k) of the *University Act*, the following elected representatives have been added to the Senate:

- d) 1 professional librarian elected by professional librarians.
- e) 1 continuing sessional elected by continuing sessionals.

5. Terms of office

Board of Governors

- 5.1 Persons elected to the Board of Governors by and from faculty members will normally take office on July 1 for a three-year term ending on June 30 of the third year.
- 5.2 The person elected to the Board of Governors by and from the employees will normally take office on July 1 for a three-year term ending on June 30 of the third year.
- 5.3 Persons elected to the Board of Governors by and from members of the student societies will normally take office on July 1 for a one-year term ending June 30 of the following year.
- 5.4 Any eligible person elected to the Board of Governors to fill a vacancy arising for any reason other than the normal expiry of the term of the member will take office immediately upon election and will fulfill the remaining term of the member who is being replaced.

Senate

- 5.5 Persons elected to the Senate by and from faculty members will normally take office on July 1 for a three-year term ending on June 30 of the third year.
- 5.6 Persons elected to the Senate by and from the members of the student societies will normally take office on July 1 for a one-year term ending on June 30 of the following year.
- 5.7 Persons elected to the Senate by and from the convocation will normally take office on July 1 for a three-year term ending on June 30 of the third year.
- 5.8 The person elected to the Senate by and from professional librarians will

normally take office on July 1 for a three-year term ending on June 30 of the third year.

- 5.9 The person elected to the Senate by and from continuing sessionals will normally take office on July 1 for a three-year term ending on June 30 of the third year.
- 5.10 Any eligible person elected to Senate to fill a vacancy arising for any reason other than the normal expiry of the term of the member will take office immediately upon election and will fulfill the remaining term of the member who is being replaced. Vacancies will be filled in accordance with the Rules to Govern Elections and section 9 of the Rules to Govern the Conduct of Senate Procedures.

6. Nominations

- 6.1 Calls for nominations will be issued electronically or by other means deemed appropriate by the University Secretary.

Calls for nominations

- 6.2 A call for nominations will normally be issued in the second term of the winter session for positions becoming vacant on July 1.
- 6.3 A call for nominations may also be issued on an *ad hoc* basis to fill a position that becomes vacant before the end of a member's term.
- 6.4 A call for nominations will be issued at least five business days before the deadline for nominations. A first call for nominations will normally be issued ten business days before the deadline for nominations.
- 6.5 The deadline for nominations may be extended by the University Secretary.

Nomination paper

- 6.6 A nomination paper must be:
 - a) signed by a candidate, who will state that he/she is eligible to hold office and is willing to stand in the election;
 - b) signed by at least three persons who are eligible to vote in the election; and
 - c) delivered to the University Secretary by 4:30 p.m. on the day of the deadline for nominations.
- 6.7 The University Secretary will invite a candidate to submit, along with the nomination paper, a statement of candidacy including a brief biographical

sketch and any other information the candidate considers relevant. The statement of candidacy will not exceed 300 words and will be made available on the University Secretary's website and by any other means deemed appropriate by the University Secretary.

- 6.8 The University Secretary will make all reasonable efforts to notify candidates of any errors or irregularities in their nomination papers before the deadline for nominations but is not bound to do so.
 - a) Errors and irregularities in a nomination paper must be corrected before the deadline for nominations.
 - b) A nomination paper that contains errors or irregularities after the deadline for nominations will be deemed invalid.
- 6.9 If no nomination papers are submitted before the deadline for nominations or the number of nomination papers is fewer than the number of available positions, the University Secretary may issue a second call for nominations. If the second call for nominations fails to produce a candidate, the University Secretary may use his/her discretion to issue additional calls for nominations or leave a position vacant.

7. Announcement of candidates

- 7.1 The names of all candidates will normally be posted on the University Secretary's website within five business days following the deadline for nominations.
- 7.2 Candidates in an election will be informed of the election period.

8. Withdrawal of nomination

- 8.1 A candidate who seeks to withdraw his/her nomination must notify the University Secretary in writing. Upon receipt of a written withdrawal of nomination, the candidate will cease to be a candidate for election.
- 8.2 In the event that a written withdrawal of nomination is received after the deadline for nominations and paper ballots have been prepared or the election has started, the votes the candidate receives in the election will not be counted.
- 8.3 When possible, notification of the withdrawal of a candidate will be included with the paper ballot.
- 8.4 When an electronic vote is to be conducted and a candidate's written withdrawal of nomination is received before the start of the election, the candidate's name will be excluded from the electronic ballot.
- 8.5 When an electronic vote is conducted and a candidate's written withdrawal of nomination is received after the start of the election and the number of

vacancies is less than the number of remaining candidates, the University Secretary may:

- a) allow the election to continue with the remaining candidates, in which case the electronic ballot will indicate that the candidate withdrew; or
- b) cancel the election and conduct a new election.

8.6 Electronic votes received for a candidate who has withdrawn will be deemed invalid.

9. Campaign period

9.1 In accordance with the *University Act*, there must be at least four weeks between the deadline for nominations and the start of the election.

9.2 The University Secretary may set specific dates for campaigning.

Campaigning guidelines

9.3 Candidates are expected to conduct themselves in a manner respectful of other candidates.

9.4 Candidates are expected to make all reasonable efforts to represent facts accurately.

9.5 Candidates must follow the Rules to Govern Elections and any additional regulations issued by the University Secretary under the authority of the Rules to Govern Elections. Failure to do so may result in the candidate's disqualification from the election.

9.6 Complaints about campaigning must be made in writing to the University Secretary.

10. Election register

10.1 The election register, which may be electronic, will be open to inspection by all persons entitled to vote in an election, in the office of the University Secretary between the hours of 8:30 a.m. and 4:30 p.m., Monday to Friday, except on holidays and when the university is closed.

11. Voting

11.1 For elections, other than of students to the Board of Governors and Senate, the election period will be a minimum of five business days. For elections of students to the Board of Governors and Senate, the election period will be a minimum of three business days. In exceptional circumstances, the University

Secretary may extend an election period.

- 11.2 Candidates will be given at least five business days notice prior to the start of the election period.
- 11.3 Only those persons whose names appear in the election register are entitled to vote in an election.
- 11.4 Voting will be by secret ballot.
- 11.5 Voting will be conducted electronically except when the University Secretary determines that a paper ballot is necessary.

Electronic voting

- 11.6 In order to vote electronically, voters will be required to verify their eligibility by means specified by the University Secretary.
- 11.7 Voters may vote for up to the number of candidates that corresponds to the number of vacant seats or may opt to spoil their ballots.

Paper ballots

- 11.8 A person entitled to vote will mark his/her paper ballot, then insert it into a ballot envelope and insert the ballot envelope into an identification envelope. The person voting must identify him/herself by completing the identification envelope in accordance with instructions provided.
- 11.9 The University Secretary will appoint and supervise three independent scrutineers for each election conducted using paper ballots.
- 11.10 The scrutineers will, when counting paper ballots, follow the procedures established by the University Secretary to guarantee that a marked paper ballot cannot be matched to the voter.
- 11.11 The scrutineers will be responsible for validating all paper ballots or for verifying the method of the election and validation of the paper ballot counting, and for counting and recording votes, if required.
- 11.12 Any person entitled to vote in an election may be present at the counting and recording of votes.
- 11.13 A paper ballot is not valid if:
 - a) the voting member cannot be identified;
 - b) the voting member has not followed the instructions on the ballot and identification envelopes;
 - c) it contains any identifying mark; or
 - d) it is marked for more candidates than there are vacancies.

- 11.14 Paper ballots and identification envelopes will be held by the University Secretary for a period of one year (in accordance with section 31 of the *Freedom of Information and Protection of Privacy Act*) following the announcement of election results. At the end of that time, the paper ballots and identification envelopes will be confidentially destroyed.
- 11.15 The official results of each election, as validated by the University Secretary and the scrutineers, will be retained by the University Secretary until such time as they are transferred to the university archives in accordance with the university's records management manual.

12. Spoiled ballots

- 12.1 Spoiled ballots will be recorded but are not valid for the purposes of calculating election results.

13. Election results

Acclamation

- 13.1 Candidates will be acclaimed for a vacant position if:
- a) the number of candidates nominated is equal to or less than the number of vacant positions; or
 - b) a candidate has withdrawn his or her nomination and, as a result, the number of remaining candidates is equal to or less than the number of vacant positions.

Equality of votes

- 13.2 In the event of an equality of votes between two or more candidates in an election, the final result will be decided by lot amongst the candidates, under the direction of the University Secretary.

Announcement of results

- 13.3 The University Secretary will normally publish election results on the University Secretary's website and will include the number of eligible voters in an election, the number of votes received by each candidate and the number of spoiled ballots.
- 13.4 The University Secretary will report the outcome of an election to the Senate at its first meeting following the election.

14. Complaints and Appeals

- 14.1 Any complaints about the election procedures, campaigning or results must be made in writing to the Senate Committee on Agenda and Governance, in care of the University Secretary, within five (5) business days of the announcement of the election results.
- 14.2 The Senate Committee on Agenda and Governance will review any complaints and will determine on behalf of Senate what action should be taken. The committee's decision is final and not subject to appeal.

15. General Provisions

- 15.1 In the event that unforeseen or unusual circumstances prevent the carrying out of any of the above procedures, the University Secretary will exercise his/her discretion in altering the procedures to fit the circumstances, and will report any action taken to the Senate Committee on Agenda and Governance at its next regular meeting.

Incorporating latest revisions made by Senate on:

6 March 1985
4 April 1990
3 April 1991
1 April 1992
11 January 1995
8 October 1997
7 November 2001
9 January 2004
4 February 2005
2 November 2007
1 May, 2009
9 April, 2010
6 January 2012
6 May 2016