

**THE HUMBER COLLEGE INSTITUTE OF TECHNOLOGY AND ADVANCED
LEARNING**

BY-LAW NO. 2

INTERNAL GOVERNOR ELECTIONS

August 29, 2023

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BY-LAW NO. 2

A By-law relating generally to election of Internal Governors of **THE HUMBER COLLEGE INSTITUTE OF TECHNOLOGY AND ADVANCED LEARNING (the “College”)**

BE IT ENACTED as a By-law of the College as follows:

1. Definitions

In this By-law the following terms have the following meanings:

- (a) **“Academic Staff Member”** shall mean a person who is employed by the College as a teacher, counselor or librarian.
- (b) **“Administrative Staff Member”** shall mean a person who is employed by the College and who is not an Academic Staff Member, a Support Staff Member or a Student.
- (c) **“Board”** shall mean the board of Governors of the College.
- (d) **“By-laws”** shall mean this By-law (as amended from time to time) and all other by-laws of the College in effect from time to time.
- (e) **“Campaigning”** shall mean any activity that promotes a candidate either verbally, written or electronically.
- (f) **“CRO”** means the Chief Returning Officer of the College.
- (g) **“Employee”** shall mean a person who is employed by the College without regard for position, function or other status of employment.
- (h) **“Internal Governors”** shall mean the members of the Board elected in accordance with Section 3.5 of By-law No. 1.
- (i) **“OCAATA”** shall mean the *Ontario Colleges of Applied Arts and Technology Act, 2002* and all regulations made thereunder and any amendments made to the act or the regulations.
- (j) **“President”** shall mean the President of the College.
- (k) **“Student”** shall mean a person who is enrolled in a course or program of instruction in a College.
- (l) **“Support Staff Member”** shall mean a person who is employed by the College as a member of the office, clerical, technical, health care, maintenance, building service, shipping, transportation, cafeteria or nursery staff.

2. Board of Governors Representation

In accordance with OCAATA and By-law No. 1, the Board shall include four (4) Internal Governors, being one (1) Academic Staff Member, one (1) Administrative Staff Member, one (1) Support Staff Member and one (1) Student. To be eligible as a candidate for Governor, an individual must be part of only one of these constituent groups.

3. Terms of Office

The terms of office of all Internal Governors shall be in accordance with Section 3.6 of By-law No. 1. The office of an Internal Governor shall be vacated if the Internal Governor ceases temporarily or permanently to be a Student, Academic Staff Member, Administrative Staff Member or Support Staff Member, as applicable. Any vacancy shall be filled in accordance with Section 5.2 of By-law No. 1.

4. Conduct of Elections

- (a) The Office of the Board identifies a CRO, who shall be a full-time Employee. There will be one (1) CRO appointed for the purpose of overseeing each election of the Internal Governors and implementing all the election procedures.
- (b) The CRO is accountable for this By-law and all guidelines, rules and procedures during the election process. If any disputes with respect to this By-law No. 2 cannot be resolved by the CRO, such disputes will be referred to the Office of the Board.
- (c) The CRO must not be involved as a candidate or on a campaign team in any election or by-election, which they are assigned to oversee.
- (d) The CRO must be, and appear to be, objective and unbiased in their activities during the election and while considering any issue that comes before them in the course of their duties.

5. Scheduling and Announcement of Elections

- (a) Elections will be scheduled generally during the months of May to August of any year, and at any other time as required to fill vacancies on the Board.
- (b) Notice of upcoming elections together with important dates will be posted on the Humber Communiqué.

6. Election Information and Candidates Information Package

- (a) Every candidate shall be required to submit a candidate information package, in the form determined from time to time by the Board, prior to the deadline set out in such package.
- (b) The CRO must verify with Human Resources the eligibility of each candidate.

- (c) Upon submission, all candidates' information packages will be endorsed with the date, time and name of the person receiving the package on behalf of the Office of the Board.
- (d) When a candidate submits a package, that person is considered a candidate, and is bound by this By-law and any election guidelines, rules and procedures until such time as the CRO informs them otherwise.

7. Orientation for Candidates

- (a) The CRO will conduct a virtual or in-person meeting following the deadline to submit candidates' information packages to review the election procedures in detail, allowing candidates to address any questions and/or concerns they may have regarding the election procedures.
- (b) The CRO and candidates will each provide a means of communication for the duration of the election. It is the responsibility of the candidate to ensure this method of communication is readily accessible throughout the election.

8. Campaigning

- (a) Campaigning shall begin within two (2) business days following the candidates' meeting referred to in Section 7(a).
- (b) Candidates are not permitted to make unreasonable Campaigning promises at any time during the election.
- (c) Campaigning by any candidate to solicit votes is not permitted beyond the close of the Campaigning period under any circumstances.
- (d) A composite flyer will be produced on behalf of the candidates, showing each candidate's photograph, name and a brief bio provided by the candidate. Names will be in alphabetical order. It is the responsibility of candidates to ensure that their photograph is ready on time as outlined in the candidate's information package. Failure to meet such deadline may result in a candidate's photograph being left off the composite flyer. The Office of the Board will ensure that election notices and composite flyers are posted on the Humber Communiqué.

9. Acclamation

If only one candidate has submitted a completed candidates information package by the deadline, that person will be declared acclaimed to the governor position by the CRO.

10. Voting

- (a) Voting will be by electronic ballot and no elector can cast more than one ballot for any position.

- (b) Candidates are entitled to cast a vote.

11. Tie Votes and Appeals

- (a) In the event of a tie, a run-off vote will be conducted on one additional day assigned by the CRO. The CRO will determine the date of the additional voting day, which will be within two weeks of the closing of the initial poll. All eligible members may vote on the additional voting day.
- (b) All appeals for incidences occurring before the closing of the poll must be officially lodged before the election results are finalized. When the candidates sign the release form, they are no longer permitted to make an appeal based on something that happened before the closing of the poll.
- (c) If there is an appeal, the Office of the Board will manage the appeal process if necessary.

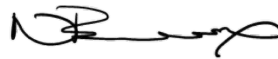
12. Results

- (a) The successful candidate shall be the person who receives the greatest number of votes cast by their constituency and will be confirmed at the final candidates meeting.
- (b) The President and Board are notified of the results of the election.
- (c) An announcement of the election results is placed in the Humber Communiqué. In accordance with By-law No. 1, the successful candidate assumes office as of September 1 in any given year, unless otherwise stipulated.

CERTIFIED to be By-law No. 2 of the College, as enacted by the Board by resolution dated
August 29, 2023.



Chair of the Board



Secretary