

Section 1 Purpose and Officer Responsible

- 1.1 The rules and procedures included in this document outline the process to be undertaken by Capilano University for all Senate elections. The rules and procedures for elections are in accordance with the *University Act*. In the event of a disagreement between the procedures and the *University Act*, the *University Act* will prevail.
- 1.2 The Registrar, as the Secretary of the Senate, must conduct all elections that are required (*University Act*, section 9.43.2).

Section 2 Schedule for Elections

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

Section 3 Procedural Definitions

- 3.1 **Election Register:** An alphabetical list of the names and known addresses of all members of the convocation who are entitled to vote at an election (*University Act*, section 9.45.1). The Registrar is responsible for both maintaining and having the final authority over the election register. A copy of the election register (names and CapU email addresses) will be available for viewing in the Registrar's Office once an election or by-election has been called.
- 3.2 **Faculty:** An academic educational administrative division of a university constituted by the Board as a Faculty under section 39 of the *University Act*, or the dean and faculty members of a Faculty, as the context requires (*University Act*, section 1). At Capilano University, there are five (5) Faculties: Arts and Sciences; Business and Professional Studies; Education, Health, and Human Development; Fine and Applied Arts; and Global and Community Studies.
- 3.3 **Faculty Member:** A person employed by a university as an instructor, lecturer, assistant professor, associate professor, professor, or in an equivalent position designated by the Senate (*University Act*, section 1). At Capilano University, lab instructors, lab supervisors,

private music instructors, instructional associates, special appointees, counselors, and librarians have also been designated by the Senate as faculty members.

- 3.4 Student:** A person who is presently enrolled at the University in a credit course or who is designated by resolution of the Senate as a student (*University Act*, section 1).
- 3.5 Support Staff:** Capilano University employees who are staff, exempt staff, or administrators, but who are not:
- a) Officers of the special purpose, teaching university (Associate Vice Presidents, Vice Presidents, President, Registrar),
 - b) Deans,
 - c) University Librarian, or
 - d) faculty members
- (*University Act*, section 7.35.2)

Section 4 Term of Office

4.1 Support Staff and Faculty Representatives

The term of office for support staff and faculty representatives on the Senate will be three (3) years, normally commencing on August 1. One faculty member from each Faculty will typically be elected each year.

4.2 Student Representatives

The term of office for student representatives on the Senate will be one (1) year, normally commencing on August 1.

Section 5 Eligibility to Nominate, Vote, Run and Hold Office

5.1 Students

5.1.1 Eligibility to Nominate

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

5.1.2 Eligibility to Vote

The election register for the Senate's student representatives will be comprised of all students enrolled in at least one credit course at Capilano University.

5.1.3 Eligibility to Stand for Election and Hold Office

Students elected to the Senate must be enrolled in at least one credit course and cannot have the current notation of "Required to Withdraw" on their record. If an elected

student's enrolment is terminated due to being "Required to Withdraw," student conduct, or any other reason, the position will be declared vacant.

5.2 Support Staff

5.2.1 Eligibility to Nominate

Those listed on the support staff election register are eligible to nominate an individual to run for the position of Senate support staff representative.

5.2.2 Eligibility to Vote

The support staff election register for the Senate's support staff representatives will be comprised of all support staff, exempt staff, and administrators who are not officers of the University (President, Registrar, Vice Presidents, Associate Vice-Presidents), University Librarian, deans, or faculty members.

5.2.3 Eligibility to Stand for Election and Hold Office

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

5.2.4 Status

- 1) Support staff members who are also employed under the category of faculty members will be designated by the role that has the majority of the workload. If the workload is equal, in order to participate in elections, the employee must choose, on a one-time-only basis, to be considered either a faculty member or a non-faculty member for purposes of Senate voting and candidacy.
- 2) Support staff members who are also students cannot stand for election, nominate, or vote as students.

5.3 Faculty

5.3.1 Eligibility to Nominate

Those listed on the Faculty election register are eligible to nominate an individual to run for the position of Senate Faculty representative.

5.3.2 Eligibility to Vote

The election register for each Faculty will be comprised of all faculty members with full appointments in that Faculty, all faculty members with the majority of their appointments in that Faculty, and those faculty members who have chosen to exercise their voting rights in that Faculty instead of another Faculty in which they have an equal appointment. Any members of the Faculty who also have non-faculty work and who have chosen to vote as non-faculty will be excluded from the Faculty election register.

5.3.3 Eligibility to Stand for Election and Hold Office

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

5.3.4 Status

- 1) For purposes of voting and candidacy, a faculty member with two or more faculty appointments will be designated a member of the Faculty in which their appointment level is greatest. If the appointment level is equal, in order to participate in elections, the faculty member must choose, on a one-time-only basis, a single Faculty membership for the purposes of voting and candidacy.
- 2) Individuals in faculty positions who do not have appointments in an area that is part of an established Faculty will be designated as members of a Faculty on the recommendation of the Registrar and Vice-Chair of the Senate. The membership lists will be maintained by the office of the appropriate dean.
- 3) For purposes of voting and candidacy, an employee who has both a faculty and a non-faculty position will be designated by the role that has the majority of the workload. If the workload is equal, in order to participate in elections, the employee must choose, on a one-time-only basis, to be considered either a faculty member or a non-faculty member for purposes of Senate voting and candidacy.
- 4) Faculty members who are also students cannot stand for election, nominate, or vote as students.

Section 6 Election Timelines

- 6.1 The Registrar is responsible for establishing election timelines and will post them on the Capilano University website.
- 6.2 The nomination period will typically be of two (2) weeks' duration ending at 4:00 p.m. on the final day. The nomination results will be announced within two (2) working days from the end of the nomination period.
- 6.3 The nomination period will end at least four (4) weeks before the start of the voting period (*University Act*, section 9.44).
- 6.4 The voting period will typically be of one week duration beginning at 12:01 a.m. on the first day and ending at 11:59 p.m. on the final day. The voting results will be announced within two (2) working days from the end of the voting period.

Section 7 Election Process

7.1 Nominations

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

7.2 Candidates List

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

7.3 Campaigning

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

7.3.2 Promotion of the election, including an option to have an all-candidates' meeting, is the responsibility of the constituent groups. Notification of the election as well as nominee statements will be posted on the University website.

7.3.3 Campaigning is allowed and is undertaken at the individual's expense and on their own time. Candidates may not abuse Capilano University's resources.

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

7.3.5 All candidates are required to act with honesty and integrity; all campaign material will be in accordance with Human Rights Legislation.

7.4 Election Results

7.4.1 When all election ballots have been collected, the Registrar will:

- a) post the election results within two (2) working days following each election.
- b) inform the President of the results of the election.
- c) report the Senate election results at the first Senate meeting following each election.
- d) post results publicly on the University's website, including names of candidates who were not successful.

- e) make a declaration of election by acclamation when the number of candidates for a position matches the required number of candidates to be elected.
- f) make a declaration of having been elected for the candidate(s) with the most votes when the number of candidates for a position is more than the required number of candidates to be elected.

7.4.2 Tie votes will be broken via secret ballot conducted at the first Senate meeting after the election; only Senate voting members are eligible to vote to break a tie.

7.5 Election Appeals

7.5.1 The Senate recognizes that there may be challenges to the conduct of the elections. To consider these challenges, an Appeals Committee will be convened which will have a mandate to hear appeals based on the rules for the election.

7.5.2 Appeals Committee Membership

- 1) The Appeals Committee will be composed of one member of each constituent group of the Senate (staff, faculty, and students), appointed by the Registrar (the member cannot have been a candidate in the election).
- 2) The Registrar or designate; or the Vice President Academic and Provost or designate will chair the committee as determined by the nature of the appeal (See section 7.5.3.3). In either case, the Chair is non-voting.

7.5.3 Election Appeals Procedure

- 1) All appeals must be received, signed and in writing to the Registrar's Office no later than 3:00 p.m. two (2) working days after the results of the election are announced.
- 2) All candidates of the affected constituent group will receive a copy of each appeal prior to the Appeals Committee hearing.
- 3) Each candidate will have an opportunity to respond to the appeal in writing. Appeals that question the conduct of candidates or the election process will be chaired by the Registrar or designate. In the case of an appeal against the conduct of the Registrar or designate, the Vice President Academic and Provost or designate will chair the appeals committee. Each response will be signed and received in the Registrar's office no later than 3:00 p.m. two (2) days after receipt of the appeal.
- 4) The Appeals Committee Chair will allow each of these candidates an opportunity to speak to the committee during the designated Appeals Committee hearing. These candidates must confirm their attendance with the Registrar's Office 24 hours prior to the Appeals Committee hearing. Time limitations and a schedule will be at the

discretion of the Appeals Committee, taking into consideration the number of appeals and candidates wishing to address the committee.

- 5) Each confirmed candidate addressing the Appeals Committee will be allowed one support person at the Appeals Committee hearing. This support person is not able to address the committee.
- 6) Once all confirmed candidates have addressed the committee, the committee will consider all evidence presented and take appropriate action, including:
 - a) Overruling the objection
 - b) Making recommendations to the Registrar with respect to future elections
 - c) Ordering new procedures
 - d) Requiring a new election
- 7) The Appeals Committee decision will be final. So that there is no disruption in representation to the Senate, those who have been declared elected will be confirmed in their positions until the appeals have been concluded.

7.6 Vacant Positions

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

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