

2022

College Board and Education Council

Election Procedures

COLLEGE OF NEW CALEDONIA



## Purpose

The rules and procedures included in this document outline the process to be undertaken by the College of New Caledonia for all Board of Governors and Education Council (EdCo) Elections. The procedures for elections are in accordance with the College and Institutes Act (Section 12). In the event of a disagreement between the procedures and the College and Institutes Act, the College and Institutes Act will prevail.

The procedures guide the elections process to fill vacancies in the following positions:

### 1. Board

1 Faculty member elected by faculty	3-year term
1 Support staff elected by support staff	3-year term
2 Students elected by students	1-year term

### 2. Education Council

10 Faculty members elected by faculty	2-year term
2 Support staff elected by support staff	2-year term
4 Students elected by students	1-year term

### 3. Election – Dates and Notice

#### a) Faculty and Support Staff

- Election Dates – normally, elections to the College Board and Education Council shall be conducted in the spring term and no later than April 30.
- Notice – a minimum thirty (30) calendar days' notice of Election Day shall be provided to faculty and support staff members.
- Nominations – nominations shall be received by the Registrar and will close fourteen (14) calendar days' following notice of election.

#### b) Students

- Election Dates – normally, elections to the College Board and Education Council shall be conducted in the fall term.
- Notice – a minimum thirty (30) calendar days' notice of Election Day shall be provided to students.
- Nominations – nominations shall be received by the Registrar and will close fourteen (14) calendar days' notice following notice of election.

#### 4. Eligibility to Vote and Serve

##### **DEFINITIONS – According to the College and Institute Act:**

**FACULTY MEMBER – is defined as “an instructor, librarian, tutor, counsellor, research associate, program coordinator or other employee of the institution that a collective agreement between the bargaining agents, as defined in section 1 of the Labour Relations Code, for the institutions and faculty members specifies to be a faculty member”.**

- a) Faculty – In order to be eligible to vote and serve on the College Board or Education Council, a faculty member must be an employee of the College as defined by the faculty Collective Agreement.

**SUPPORT STAFF – is defined as “the employees of the institution who are not the president, educational administrators, or faculty members”.**

- b) Support Staff – In order to be eligible to vote and serve on the College Board or Education Council, a support staff member is identified as any employee of the College other than faculty.

**STUDENT – is defined as “a person the Registrar recognizes to be enrolled and in good standing in a course or program of studies at the institution”.**

- c) Students – In order to be eligible to vote and serve on the College Board or Education Council, a student must be registered and in good standing in a course or Program (excluding CE or Contract courses or programs). A student candidate may not be directly employed by the College as a faculty, support staff or administrative employee.

For the purpose of voting, the Registrar defines a student in 'good standing' as a person who:

- i. is officially registered in one or more Education Council approved courses,
- ii. has paid all fees in full,
- iii. is not on academic suspension or required to withdraw from all courses
- iv. has not been suspended or expelled from the College for any reason

## 5. Nominations

- a) Number of Nominations
  - i. Faculty – all nominations of candidates for membership on the College Board or Education Council shall be signed by not less than three (3) faculty members entitled to vote in the particular area along with the name and signature of the candidate.
  - ii. Support Staff – all nominations of candidates for membership on the College Board or Education Council shall be signed by not less than three (3) support staff members entitled to vote in the particular election along with the name and signature of the candidate.
  - iii. Students – all nominations of candidates for membership on the College Board or Education Council shall be signed by not less than three (3) students entitled to vote in the particular election along with the name and signature of the candidate.
- b) Faculty, support staff and students may not seek or hold more than one position on Education Council and the College Board at one time.
- c) Cross Program Instructions – A faculty member who instructs in more than one program area must declare, on the nomination paper, the Program area which they will stand for election.
- d) [Nomination](#). Any eligible faculty, support staff or student may stand for election.
  - i. All nomination forms must be submitted to the Registrar's office within the time nominations are open. The signature of the candidate will indicate an intention to stand for election, as well as indicating ability and intent to fulfill the term.
  - ii. Nominees must be willing and able at the time of election to fulfill the commitment to attend the scheduled meetings and serve the full length of the term of office.
  - iii. Each nominee will provide to the Registrar, a candidate's statement of no more than 200 words.
  - iv. At the close of nominations, the Registrar will make [candidate statements](#) available to the public.
- e) Acclamation – In the event of receiving a single nominee to a position on the College Board or Education Council, the candidate shall be awarded membership by acclamation.
- f) If no nominations for a particular area are received within the initial nomination period, the Registrar will extend the nomination period by one (1) week.
- g) In the event that no nominations have been received after the extended nomination period, the seat shall remain vacant until the next regularly scheduled election, or upon call of a by-election.
- h) The order of names on the ballot shall be determined alphabetically by surname.

## 6. Campaigning

- a) Campaigning will be limited to the period of time between the announcement of candidates and the day prior to the commencement of balloting. The dates will be determined and publicized by the Registrar.
- b) All campaign material will be in accordance with the Human Rights Legislation.
- c) Campaigning is allowed and is at the individual's expense and on their own time. Campaigning includes, but is not limited to, posters, signs, websites, social media, and telephone/email campaigns.
- d) Candidates may not abuse College of New Caledonia's resources. All candidates are required to act with honesty and integrity.
- e) Nominees shall ensure that any campaign information is removed from public display not less than 48 hours after the election period.

## 7. Voting

- a) The Registrar may designate an Acting Registrar in the event that the Registrar is absent for the election or any part thereof.
- b) Election and Representation to Education Council
  - i. Faculty – A total of ten (10) faculty members are to be elected from and by the faculty for membership on Education Council.
  - ii. Support Staff – Two (2) support staff members are to be elected at large by all support staff membership on Education Council.
  - iii. Students – Four (4) students are to be elected from and by students for membership on Education Council. One member (1) shall be elected from regional campuses.
- c) Election to College Board
  - i. Faculty – One (1) faculty member shall be elected at large by all eligible faculty members.
  - ii. Support Staff – One (1) support staff member shall be elected at large by all eligible support staff members.
  - iii. Students – Two (2) students shall be elected at large by all eligible students.
- d) Voting Regulations - Faculty, Support Staff and Students
  - i. Cross Faculty – A faculty member who instructs in more than one Program area must declare what Program area they will be voting in by the close of nomination.
  - ii. Voting methods consist of-online ballots.
  - iii. There shall be a voting period of two business days (2) beginning at 12:01am on the first day and ending at 11:59pm on the final day.

- e) Counting of Ballots
  - i. The counting of online ballots shall occur within one (1) business day after the close of voting.
  - ii. The Registrar shall, in the company of two witnesses, count all ballots. Scrutineers will be appointed by the Registrar; one (1) administrative employee, one (1) support staff and one (1) faculty. Scrutineers cannot be candidates for an election.
  - iii. The candidate receiving the most votes shall be declared the elected member of the College Board of Governors or the Education Council.
  - iv. Results of the election shall be posted within one (1) business day and communicated to all college campus locations. Vote counts shall not be published and are considered confidential.
  - v. Ballots shall be destroyed immediately following the appeal period or in the case of an appeal, immediately following the conclusion of the said appeal.
  
- f) Recounts – In the event of a very close election, or a tie, a recount of the online ballots may be requested within one (1) calendar day following the counting of ballots. If a vote is still tied after a recount, a runoff election will be conducted for the tied candidates.

A Runoff Election is a process that allows for a second round of elections because a clear winner was not determined following the first election. If after conducting a runoff election a tie remains, the Registrar will conduct a modified election campaign for the tied candidates and conduct another election.

A modified election will come into effect when voting results for Faculty, Support Staff and/or Student position(s) on the CNC Board and/or Education Council remain tied despite a runoff election and a clear winner cannot be determined. The modified election campaign provides a process for voters to rank the tied candidates in order of preference.

## 8. Appeals

- a) A candidate may submit a written appeal regarding the outcome of the election within 48 hours of the posting of election results.
- b) Only the election procedures or disqualification may be appealed.
- c) Appeals must include the specific grounds for the appeal providing evidence indicating that due process was not followed, or important evidence was missing. Submissions must include all documentation or other evidence to support the appeal.
- d) In the event of a conflict of interest, another representative will be selected.
- e) The appellant will have an opportunity to make a representation of the facts alleging the improper conduct of the elections.
- f) Decisions rendered by the Appeal Committee are final and binding.

- g) **Committee Composition** – The Registrar shall establish the appeals committee. The appeals committee will be composed of one administrative employee, one support staff and one faculty. None of these representatives will be candidates or nominators of candidates. The chair of this committee shall be the Registrar.
- h) **Mandate** – The committee will have the following mandate:
  - i. To hear appeals of election rules, regulations, disqualification and conduct;
  - ii. To consider all evidence presented and take appropriate action including overruling the objection, making recommendations to the Registrar with respect to future elections or ordering a new election when necessary.

## 9. Disqualification of Candidate

- a) The Registrar or designate may disqualify any candidate who does not comply with the campaign guidelines.
- b) The decision on disqualification is subject to appeal under the election appeals procedure.

## 10. Vacancies on College Board and Education Council

- a) Faculty, Support Staff

In the event that an elected member of the College Board or Education Council becomes ineligible or unable to complete their term, within six (6) months of a regular election, a by-election will be held by the Registrar at the earliest reasonable time.

If the by-election is unsuccessful, the seat shall remain vacant until the next regularly scheduled election, or upon call of a by-election.

- b) Students

In the event that an elected member of the College Board or Education Council becomes ineligible or unable to complete their term, within six (6) months of a regular election, a by-election will be held by the Registrar at the earliest reasonable time.

If the by-election is unsuccessful, the seat shall remain vacant until the next regularly scheduled election, or upon call of a by-election.

## 11. By-Elections

- By-Elections will be held in the event that a candidate cannot complete a term of office and there is more than six (6) months remaining in the term, or,
- A by-election will not be held if there is four months or less to serve in the term.