

Election of Representatives to the University Board and Senate Rules and Regulations

REPRESENTATION

BOARD OF GOVERNORS

The *University Act* provides for the election or appointment of representatives to the Board of Governors as follows:

Member Category	Number	Term (Years)	Membership by
Chancellor	1	3	First Chancellor appointed by Board 2008
President	1	Indefinite	Appointed by the Lieutenant Governor in Council
Community representatives	6	up to 3	
Students	2	1	Election
Professional Support Staff	1	3	Election
Faculty Members	2	3	Election
Alumni Association Nominees	2	up to 3	Appointed by the Lieutenant Governor in Council

SENATE

The *University Act* provides for the establishment of a Senate, comprised of the following voting members:

Member Category	Number	Term (Years)	Membership by
Chancellor	1	3	Legislated
President	1	Indefinite	Chair of Senate, Legislated
Academic Vice President	1	Indefinite	Legislated
Deans of Faculties	8	Indefinite	Legislated
Chief Librarian	1	Indefinite	Legislated
Registrar	1	Indefinite	Legislated (non-voting)
Faculty Members	16	3	Election
Students	4	1	Election
Professional Support Staff	2	3	Election
Alumni Member	1	3	Appointed by President on nomination by the alumni association
Board Appointee	1	1	Appointed by the Board (non-voting)

DEFINITIONS

Current KPU Students: for the purposes of elections, current KPU students are those individuals who are registered in, or who have maintained their eligibility to register in Senate-approved courses. An individual maintains eligibility to register in a Senate-approved course by having been admitted to the upcoming semester or having attended a course in at least one of the three previous semesters.

Election Register: an alphabetical list of the names and known addresses of all members entitled to vote in an election, prepared and maintained by the Registrar.

Faculty: an educational administrative division of a university constituted by the board as a Faculty, or the dean and Faculty members of a Faculty, as the context requires.

Faculty Member: a person employed by the university as an instructor, lecturer, assistant professor, associate professor, professor or in an equivalent position designated by the Senate.

KPU: Kwantlen Polytechnic University.

Officers of KPU: President, Vice Presidents, Associate Vice Presidents, and the University Secretary.

Professional Support Staff: employees of the University who are not officers of the University, deans, chief librarian or Faculty members.

Voters List: a list of eligible voters available for viewing once an election or by-election has been called, listed by ID number.

ELECTIONS & CAMPAIGNS FOR ELECTION

ELECTIONS

The Registrar is responsible for conducting all elections at KPU. Decisions concerning the enforcement of these Election Rules will be made by the Registrar. The election of Faculty, Professional Support Staff and Student representatives shall normally be scheduled in the spring of each year.

The elections shall be conducted by an online ballot.

CAMPAIGNS FOR ELECTION

Candidates may campaign from the day the candidate list is posted until the close of polling, the timeline for which will be communicated by the Registrar. All candidates are required to act with honesty and integrity and conduct themselves in a professional and dignified manner in their campaigns. Fair play rules will apply. Breaking the rules of fair play include, but are not limited to:

- 1) Libel or slander
- 2) Sabotage of the campaigns of other candidates
- 3) Misrepresentation of facts
- 4) Voter coercion
- 5) In the case of students, breach of KPU's standard of conduct principles outlined in Policy ST7: *Student Conduct (Non-Academic)*
- 6) In the case of employees, breach of KPU's employee code of conduct

Candidates shall not be present when they are aware or ought to reasonably be aware that eligible voters are voting, and shall not provide any electronic devices or login credentials to voters for the purpose of voting.

Campaigning must be done on the individual's own time and the cost of the campaign materials must be borne by the candidate. Candidates are responsible for the removal of all posters and other campaign material immediately following the close of the elections.

Failure to comply with these Election Rules may result in an individual being disqualified from the current election and/or, if the breach of these Election Rules is sufficiently serious, be prohibited from running in future elections governed by these Election Rules. In addition to consequences to the Candidate under these Election Rules, the University reserves the right to initiate a process under the appropriate policy for anyone who aids, abets or assists a candidate in violating the election rules.

TERMS OF OFFICE

BOARD

The term of office of Faculty and Professional Support Staff representatives on the Board shall be three (3) years, normally commencing on September 1 of the year in which they were elected until a successor is elected or appointed. The term of office of student representatives on the Board shall be one (1) year, commencing on September 1 of the year in which they are elected, terminating August 31 of the following year.

A Faculty member elected to the University Board must have an employment appointment, consistent with the term of office from the Faculty. If an elected Faculty member's appointment with the University is terminated for any reason, the position will be declared vacant.

A Professional Support Staff member elected to the University Board must be employed by KPU for the entire three (3) year term of office for at least ten (10) months of each year the individual is in office. If an elected Professional Support Staff member's employment with the University is terminated for any reason, the position will be declared vacant.

A KPU student elected to the University Board must be enrolled in good standing for two (2) out of three (3) semesters while completing the student's term of office. Good standing is defined as having no outstanding notations on the student's record related to academic standing, student conduct, or fees in arrears that would prevent a student from being enrolled. If an elected student's enrolment is terminated for any reason, the position will be declared vacant.

The appointed members of the University 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.

Unless excused by resolution of the University Board, a member who does not attend at least half of the regular meetings of the University Board in any year is deemed to have vacated his or her seat.

SENATE

The term of office of Faculty and Professional Support Staff representatives on the Senate shall be three (3) years, normally commencing on September 1 of the year in which they were elected until a successor is elected or appointed. The term of office of student representatives on the Senate shall be one (1) year, commencing on September 1 of the year in which they were elected, terminating August 31 of the following year.

A Faculty member elected to the Senate must have an appointment, consistent with the term of office, within an educational administrative division of the University constituted by the board as a Faculty. If an elected Faculty member's appointment with the University is terminated for any reason, the position will be declared vacant.

A Professional Support Staff member elected to the Senate must be employed continuously for the entire three (3) year term of office for at least ten (10) months each year the individual is in office. If an elected Professional Support Staff member's employment with the University is terminated for any reason, the position will be declared vacant.

A KPU student elected to Senate must be enrolled in good standing for two (2) out of three (3) semesters while completing the student's term of office. Good standing is defined as having no outstanding notations on the student's record related to academic standing or student conduct or fees in arrears that would prevent a student from being enrolled. If an elected student's enrolment is terminated for any reason, the position will be declared vacant.

The seat of any elected member who fails to attend three meetings of Senate between September 1 and August 31 may be declared vacant by the Chair.

VOTERS LIST/ELIGIBILITY TO VOTE

BOARD

FACULTY

The Voters List shall be comprised of all Faculty members with appointments within educational administrative divisions of the University constituted by the board as a Faculty. All Faculty members with a current appointment during the period of election will be eligible to vote.

The Voters List for a Faculty election will be provided by Human Resource Services. A copy of the Voters List will be available for viewing at Student Enrolment Services on the Surrey, Richmond and Langley campuses, as well as in the Dean's Office on the Cloverdale campus once an election or by-election has been called.

PROFESSIONAL SUPPORT STAFF

The Voters List shall be comprised of all Professional Support Staff who are not officers of the University, deans, chief librarian or Faculty members. Professional Support Staff with a current appointment during the period of election will be eligible to vote. The term of employment must be for at least ten (10) months each year the individual is in office.

The Voters List for a Professional Support Staff election will be provided to the Registrar by Human Resources. A copy of the Voters List will be available for viewing at Student Enrolment Services on the Surrey, Richmond and Langley campuses, as well as in the Dean's Office on the Cloverdale campus once an election or by-election has been called.

STUDENTS

The Voters List shall be comprised of all Current KPU Students.

The Voters List for a student election will be provided by the Registrar. A copy of the Voters List will be available for viewing at Student Enrolment Services on the Surrey, Richmond and Langley campuses, as well as in the Dean's Office on the Cloverdale campus, once an election or by-election has been called.

SENATE

FACULTY

The Voters List shall be comprised of all Faculty members with appointments within educational administrative divisions of the University constituted by the board as a Faculty. All Faculty members with a current appointment during the period of election will be eligible to vote.

The Voters List for a Faculty election will be provided by Human Resource Services. A copy of the Voters List will be available for viewing at Student Enrolment Services on the Surrey, Richmond and Langley campuses, as well as in the Dean's Office on the Cloverdale campus once an election or by-election has been called.

PROFESSIONAL SUPPORT STAFF

The Voters List shall be comprised of all Professional Support Staff who are not officers of the University, deans, chief librarian or Faculty members. Professional Support Staff with a current appointment during the period of election will be eligible to vote. The term of employment must be for at least ten (10) months each year the individual is in office.

The Voters List for a Professional Support Staff election will be provided to the Registrar by Human Resources. A copy of the Voters List will be available for viewing at Student Enrolment Services on the Surrey, Richmond and Langley campuses, as well as in the Dean's Office on the Cloverdale campus once an election or by-election has been called.

STUDENTS

The Voters List shall be comprised of all Current KPU Students.

The Voters List for a student election will be provided by the Registrar. A copy of the Voters List will be available for viewing at Student Enrolment Services on the Surrey, Richmond and Langley campuses, as well as in the Dean's Office on the Cloverdale campus, once an election or by-election has been called.

ELIGIBILITY TO RUN FOR OFFICE

In addition to the specific eligibility requirements below, if an individual is found to have breached these Election Rules and the breach is sufficiently serious, that individual may be prohibited from running in future elections for positions governed by these Election Rules.

BOARD

The following persons are not eligible to be or to remain members of the board:

- (a) Members of Parliament of Canada;
- (b) Members of the Executive Council or of the Legislative Assembly,
- (c) A member of the public service in the ministry,
- (d) A member of the public service designated by the minister,
- (e) A person who is an employee of the university and who is a voting member of the executive body of, or an officer of, an academic or non-academic staff association of the university who has the responsibility, or joint responsibility with others, to:
 - (i) Negotiate with the board, on behalf of the academic or non-academic staff association of that university, the terms and conditions of service of members of that association, or
 - (ii) Adjudicate disputes regarding members of the academic or non-academic staff association of that university.

FACULTY

Two (2) Faculty members, whose employment appointment is consistent with the term of office, from each Faculty will be elected by the members of that Faculty. Elections for each representative shall be limited to Faculty members in that particular Faculty.

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 in which Faculty they wish to stand for election and vote.

There are eight Faculties for purposes of these elections:

Faculties

Faculty of Arts
Chip & Shannon Wilson School of Design
School of Business
Faculty of Academic and Career Advancement
Faculty of Health
Faculty of Science and Horticulture
Faculty of Trades and Technology
Faculty of Educational Support and Development

PROFESSIONAL SUPPORT STAFF

One (1) Professional Support Staff representative shall be elected from the membership at large, with all staff members on the Voters List being entitled to stand for election.

A Professional Support Staff member elected to the University Board must be employed for the entire three (3) year term of office for at least ten (10) months of each year the individual is in office. If an elected Professional Support Staff member's employment with the University is terminated for any reason, the position will be declared vacant.

STUDENTS

Two (2) positions shall be elected to represent the membership at large. A student elected to the Board must be enrolled in good standing for a period consistent with the term of office and shall not be an employee of the University except where that employment is dependent upon being a student. Good standing is defined as having no outstanding notations on the student's record related to academic standing, student conduct or fees in arrears that would prevent a student from being enrolled. If an elected student's enrolment is terminated for any reason, the position will be declared vacant.

SENATE

FACULTY

Two (2) Faculty members, whose employment appointment is consistent with the term of office, from each Faculty will be elected by the members of that Faculty. Elections for each representative shall be limited to Faculty members in that particular Faculty.

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 in which Faculty they wish to stand for election and vote.

There are eight Faculties for purposes of these elections:

Faculties

- Faculty of Arts
- Chip & Shannon Wilson School of Design
- School of Business
- Faculty of Academic and Career Advancement
- Faculty of Health
- Faculty of Science and Horticulture
- Faculty of Trades and Technology
- Faculty of Educational Support and Development

PROFESSIONAL SUPPORT STAFF

Two (2) positions shall be elected to represent the membership at large. Any Professional Support Staff member on the Voters List may stand for election.

A Professional Support Staff member elected to the Senate must be employed for the entire three (3) year term of office for at least at least ten (10) months of each year the individual is in office. If an elected Professional Support Staff member's employment with the University is terminated for any reason, the position will be declared vacant.

STUDENTS

Four (4) positions shall be elected to represent the membership at large. A student elected to Senate must be enrolled in good standing for a period consistent with the term of office and shall not be an employee of the University except where that employment is dependent upon being a student. Good standing is defined as having no outstanding notations on the student's record related to academic standing, student conduct or fees in arrears that would prevent a student from being enrolled. If an elected student's enrolment is terminated for any reason, the position will be declared vacant.

NOMINATIONS

Nomination papers will be made available by the Registrar on all campuses and in the online election portal once a call for election has been made. Instructions and deadlines for the receipt of nominations will be made available at the same time. The nomination period is typically two weeks. The close of nominations shall be four weeks prior to the date of the election. Original copies of the nomination must be in the hands of the Registrar on the Surrey campus by the date and time established for the close of nominations. No exceptions will be made.

If only as many candidates are nominated for the senate as are required to be elected, the candidates are declared to have been acclaimed.

The election will be held no less than four weeks after the close of nominations.

A nomination paper is not valid unless it is received by the Office of the Registrar (Surrey Campus) no later than four weeks before the date of the election.

FACULTY

Each candidate shall be nominated in writing, the nomination to be signed by three (3) persons from that Faculty entitled to vote in the election of the senate and by the nominee indicating a willingness to run for election. Nominations for persons who are not on the Voters List or for whom there are not at least three (3) co-signers who are on the Voters List will be disallowed.

PROFESSIONAL SUPPORT STAFF

Each candidate shall be nominated in writing, the nomination to be signed by three (3) Professional Support Staff members on the Voters List and by the nominee indicating a willingness to run for election. Nominations for persons who are not on the Voters List or for whom there are not at least three (3) co-signers who are on the Voters List will be disallowed.

STUDENTS

Each candidate shall be nominated in writing, the nomination to be signed by three (3) students on the Voters List and by the nominee indicating a willingness to run for election. Nominations for persons who are not on the Voters List or for whom there are not at least three (3) co-signers who are on the Voters List will be disallowed.

CANDIDATE LISTS

Candidate lists for each election will be posted online where applicable no later than three (3) working days following the close of nominations.

COUNTING OF BALLOTS

The counting of ballots is calculated within the online election portal, and the results are validated by the Registrar.

In the event of a tie between two or more candidates for an office, the Senate must cast the deciding vote. Random selection will occur in the event of a tie for the Board of Governors election.

DECLARATION OF ELECTION

BOARD

FACULTY

The successful candidate for each position shall be the candidate with the greatest number of votes for their Faculty. If only as many candidates are nominated as are required to be elected, the candidates are declared to have been acclaimed.

PROFESSIONAL SUPPORT STAFF

The successful candidate shall be the candidate with the greatest number of votes. If only as many candidates are nominated as are required to be elected, the candidates are declared to have been acclaimed.

STUDENTS

The successful candidate-for each position shall be the candidate with the greatest number of votes. If only as many candidates are nominated as are required to be elected, the candidates are declared to have been acclaimed.

SENATE

FACULTY

The successful candidate for each position shall be the candidate with the greatest number of votes for their Faculty. If only as many candidates are nominated as are required to be elected, the candidates are declared to have been acclaimed.

PROFESSIONAL SUPPORT STAFF

The successful candidate for each position shall be the candidate with the greatest number of votes. If only as many candidates are nominated as are required to be elected, the candidates are declared to have been acclaimed.

STUDENTS

The successful candidate-for each position shall be the candidate with the greatest number of votes. If only as many candidates are nominated as are required to be elected, the candidates are declared to have been acclaimed.

ANNOUNCEMENT OF RESULTS/REPORT OF ELECTION

The names and voting counts for all candidates will be posted online within the election portal after validation of the results has occurred. The Registrar will report the results of the Board and Senate election(s) at the first meeting of the Board/Senate following the election.

COMPLAINTS/APPEALS

COMPLAINTS

Any complaint with respect to breaches of these Election Rules, enforcement of these Election Rules, or results of elections held under these Election Rules must be made in writing to the Registrar within seven (7) days of the circumstances that are the subject matter of the complaint. Complaints will be considered by the Registrar as to what action, if any, should be taken unless the complaint is about the Registrar in which case another person will be named by the Vice Provost, Students to consider the complaint.

Without limiting the generality of the foregoing, in the event the complaint arises from a candidate's alleged breach of these Election Rules and the Registrar determines a breach of these Election Rules has occurred, the Registrar may enforce any penalty the Registrar deems appropriate in the circumstances, including but not limited to:

1. Removing the candidate from the current election.
2. Prohibiting the candidate from running in future elections for positions governed by these Election Rules.

APPEALS

The decision of the Registrar (or alternate decision maker selected by the Vice Provost, Students in the event a complaint is about the Registrar) may be appealed only on the basis of alleged unfairness or bias demonstrated during the complaints process. Appeals will be referred to the Senate Standing Committee on Appeals.

To initiate an appeal a written submission must be provided to appeals@kpu.ca indicating how and why alleged unfairness or bias in the process has occurred within seven (7) days of the receipt of the decision. The request for appeal will be submitted for consideration to the Chair of the Senate Standing Committee on Appeals in order to determine if an adequately developed case of alleged unfairness or bias in the process has been presented for consideration by the committee.

Decisions of the Senate Standing Committee on Appeals are final.

VACANCIES DURING A TERM OF OFFICE

BOARD

If a vacancy arises on the board 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. A declaration is conclusive evidence of the vacancy.

If a vacancy exists in respect of an appointed member, the Lieutenant Governor in Council must appoint a person to fill the vacancy. If a vacancy exists in respect of an elected member, the appropriate body (Faculty, Professional Support Staff or Students) must elect a replacement. 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. A vacancy on the board does not impair the authority of the remaining members of the board to act.

SENATE

If a vacancy arises on the senate, the vacancy will be filled, in the case of an appointed member, by the body possessing the power of appointment, or in the case of an elected member, in the manner specified below.

If a vacancy occurs on senate, 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 following steps will occur:

1. If the seat is declared vacant between the months of February and September, a by-election will take place in the fall to find a replacement.
2. If the seat is declared vacant between the months of October and January and the remainder of the term is less than one year in length, a regular election will occur in the spring and the outstanding months remaining on the vacant term will be added to term of office for the seat up for election.
3. If all the seats in a given constituency are acclaimed, a random selection from the acclaimed candidates will occur to assign the remaining term of office. If more than one seat is being elected in this grouping, then the candidate who receives the most votes will be awarded the extended term of office.
4. If the remainder of the term is more than one year, a by-election will occur.

The Secretary of the Senate (the Registrar) must enter a declaration of the vacancy in the minutes of the senate. A declaration under subsection 36(6) is conclusive evidence of the vacancy.

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. A vacancy on the senate does not impair the authority of the remaining members of the senate to act.