

BY-LAW NO. 2

A By-Law relating generally to the election of
Elected Governors of the Board of Governors of
THE ST. LAWRENCE COLLEGE OF APPLIED ARTS AND TECHNOLOGY
(the "College")

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

PREAMBLE

This By-Law establishes a process for the election of Elected Governors (Internal Governors) to the Board in compliance with OCAATA, the Minister's Binding Policy Directive: Protocol for Board Nominations and Appointments and By-Law No. 1 of the College.

1. Definitions and Interpretations

In addition to the words defined elsewhere in this By-Law, the Definitions and Interpretations outlined in the By-Law No. 1, Section 1.1 (Definitions) shall carry the same meaning within this By-Law No. 2.

This By-Law shall be, unless the context otherwise requires, construed, and interpreted in accordance with the following:

- a) save as aforesaid, words and expressions defined in OCAATA have the same meanings when used herein;
- b) words in the singular include the plural and vice-versa and words in one gender include all genders and words importing persons include individuals, corporations, partnerships, trusts, and unincorporated organizations; and,
- c) the headings used in the By-Law are inserted for reference purposes only and are not to be considered or taken into account in construing the terms and provisions thereof or to be deemed in any way to clarify, modify, or explain the effect of any such terms or provisions.

2. Elections

Elections of the Elected Governors shall be executed in conjunction with the approved rules and regulations in accordance with the By-Laws No. 1 and No. 2 as well as the following internal College documents:

- a) Governor Certificate and Consent Form (for all Governors)
- b) Internal Governor Nomination Form Administrative (Management) Governor

- c) Internal Governor Nomination Form Academic Governor
- d) Internal Governor Nomination Form Student Governor
- e) Internal Governor Nomination Form Support Staff Governor
- f) Student Governor Election Package (Student Governors only)
- g) SLC Board of Governors Rotation Schedule (for Student, Academic, and Support Staff Governors)

Any vacancy that occurs shall be filled in accordance with Section 12 of this By-Law (by-elections).

3. Electoral Officers

The President of the College shall appoint a Chief Electoral Officer to oversee the election process.

4. Voter and Candidate Eligibility

In accordance with the SLC Board of Governors Rotation Schedule and the Internal Governor Rotation Schedule, an eligible candidate shall be an individual who:

- a) Student Governor – is a full time Student studying out of the appropriate campus for the duration of the Board term in question who is in good standing across the related SLC central repository of policies.
- b) Academic Governor – is a full time Academic Staff Member for the duration of the Board term in question and based out of the appropriate campus and is in good standing across the related SLC central repository of policies.
- c) Support Staff Governor – is a full time Support Staff Member for the duration of the Board term in question and based out of the appropriate campus and is in good standing across the related SLC central repository of policies.
- d) Administrative Governor – is a full time Administrative Staff Member for the duration of the Board term in question based out of any of the College's three campuses given their tri-campus responsibilities and is in good standing across the related SLC central repository of policies.

No candidate shall be an electoral officer or a polling clerk of the College or a member of the College executive team.

Candidates who are unsuccessful in an election are eligible to run in the next election so as long as they continue to meet the candidate eligibility criteria above.

5. Nominations and Campaign Periods

Nominations shall open twenty (20) business days and close ten (10) business days prior to the scheduled start of the election.

All nominations shall be submitted on the prescribed nomination forms and be sent to the Chief Electoral Officer through electronic means using an internal College platform (i.e. – URSLC, Top Desk) noting that alternative formats may be available upon request.

The campaign period shall begin with the opening of nominations and close at midnight on the day of the election.

6. Voter List

A list of eligible voters shall be produced by the Human Resources, Information Technology, or Registrar's Office departments of the College.

Eligible voters include:

- a) Student Governor – all Students studying out of the appropriate campus.
- b) Academic Governor – all Academic Staff Members based out of the appropriate campus.
- c) Support Staff Governor – all Support Staff Members based out of the appropriate campus.
- d) Administrative (Management) Governor – all Administrative Staff Members based out of any of the College's three campuses.

7. Polling Period

The electronic polls shall be open from 10:00am to 8:00pm EST on the date chosen for the election.

An advanced copy of the electronic poll can be made available upon request. Alternative formats for voters looking to cast their vote in the election will be made available.

Voters may be required to provide proof of employment at the College, or student identification to allow entry to the online polling portal. As each voter is identified, they will be granted access to the online voting portal where they are entitled to cast one (1) vote. Once the voters have made their selection, that person's name shall be electronically stroked off of the voters' list thus prohibiting them from voting again.

Confidential electronic voting shall be conducted from each voter's personal computer or electronic device. The Information Technology department will supply access to a College device as required.

All campaign materials must be removed the day before the election.

8. Counting of Ballots

Votes are counted through automatic electronic means.

The candidate receiving the highest number of votes will be declared the winner. The winning candidate will then be asked to declare their intention to take office via email to the Chief Electoral Officer, thus accepting the terms of the position.

If any candidate requests to examine the election results in writing or through electronic submission, such results shall be provided no less than three (3) business days after the receipt of the request.

In the event of a tie, the Chief Electoral Officer shall determine the winner by a method of chance (ie – flip of a coin) determined at the discretion of the Chief Electoral Officer, but only after it has been determined that neither candidate wishes to withdraw in favour of the other.

9. Inspection of Voting System

Each candidate may request a meeting with the Chief Electoral Officer to review the online voting system prior to the beginning of the polling period.

10. Announcing Election Results

Following the official declaration of a winner, the Chief Electoral Officer shall ensure that the election results are shared with both the College community and Governors in the College newsletter and online portal and on social media.

11. Appeal Procedure

Appeals to any action or decision shall be made to the President and/or Chief Electoral Officer. The decision of the President and/or Chief Electoral Officer shall be final. A written decision shall be given to any appeal within three (3) business days.

12. By-Election

Where for any reason, an ongoing vacancy should occur amongst any of the Elected Governors, a by-election will be held as early as possible, consistent with the provisions of the By-Laws of the College.

Elected Governors elected through a by-election will complete the terms of those whom they were elected to replace.

Wherever possible, the by-election process will follow the Internal Board of Governors Rotation (Appendix A) however in instances where there is a lack of campus representation amongst the Elected Governors, the rotation schedule may be subject to change at the purview of the President and Chief Electoral Officer to ensure there is Kingston, Brockville, and Cornwall representation amongst the Elected Governors.

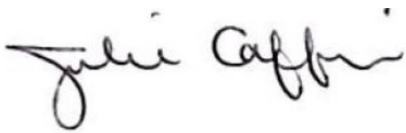
13. By-Laws

This By-Law shall be accessible to the public and available free of charge on the College's website.

A By-Law or an amendment to a By-Law passed by the Board shall have full force and effect from the time of the Board resolution or from such future time as may be specified in said Board resolution.

The previous version of By-Law No. 2 of the College is repealed upon the enactment of this By-Law. Such repeal shall not affect the validity of any act done or right or privilege, obligation or liability acquired or incurred under such By-Law prior to its repeal.

Enacted by the Board on this 19th day of September 2023.



Julie Caffin
Chair of the Board



Glenn Vollebregt
President & CEO