## 1.0 Purpose

1.1 Elections of faculty members to the Board of Governors are subject to the appropriate provisions of the UNB Act. The regulations and procedures below incorporate the provisions of the Act as indicated and make additional provisions as provided for under S. 25(1). In the event of conflict between these regulations and the Act, the Act shall prevail.

## 2.0 Applicability

2.1 University-wide

2.2 Eligibility:

2.2.1 No person is eligible for nomination under this section unless that person is, on the date prescribed for the closing of nominations, a faculty member; provided that a faculty member on leave, if otherwise qualified, is eligible for nomination only if the leave will expire before the date prescribed for the commencement of office. S. 25(2)

2.2.2 No person is eligible to vote at an election conducted under this section unless that person is, on the date prescribed for the election, a faculty member; provided that a faculty member on leave, if otherwise qualified, is eligible to vote only if the Board so provides. S. 25(3)

2.2.3 A faculty member on leave may vote by campus or regular mail, but no special time or communication provision shall be made to accommodate special circumstances.

## 3.0 Definitions

3.1 "Faculty member" means a full-time member of the teaching staff of the University who holds the rank of lecturer, instructor, senior instructor, senior teaching associate, assistant professor, associate professor or professor on the Fredericton/Saint John Campus.

3.2 "member" means an elected member of the Board within S. 23(1)(m).

3.3 "S" stands for Section of Act. [Sections of the Act are numbered in accordance with proposed 1986 Amendments.]

3.4 "Secretary" means the Secretary of the Board or Board designate.

3.5 "leave" includes "leave of absence" as stated in the Act and all forms of leave granted by the University.

## 4.0 Implementation

4.1 PROCEDURES FOR ELECTIONS:

4.1.1 An election under this section shall be held within three months prior to the date prescribed for the commencement of the term of office and not later than the fifteenth day of May previous to that date. S. 25(4)

4.1.2 The Secretary shall conduct all elections that are required under this section and shall report the results of the election to the Board at the next meeting following the election. S. 25(8)

4.1.3 The Secretary shall, in every year in which an election is to take place, prepare an alphabetical list, to be called the "Faculty Election Register," of the names and addresses of the faculty members who are entitled to vote at an election, and the Faculty Election Register shall be open for inspection at all reasonable hours by all faculty members. S. 25(7)

4.1.4 The call for nominations to fill a vacancy shall be issued at least two weeks before the closing date for nominations.

4.1.5 Candidates shall be given 48 hours after the closing of nominations to withdraw their names from nomination.

4.1.6 The call for nominations shall be sent by campus mail to all faculty members, and the notice shall include: eligibility for candidates and voters; method of nominations; closing date for nominations; term of office; number of positions vacant; names of continuing members (see Appendix A).

4.1.7 The nominations shall be in writing, addressed to the Secretary; shall be signed by five or more eligible voters; and shall include the signed consent of the nominee (see Appendix A).

4.1.8 Voting shall be by secret ballot and, unless the Board shall otherwise provide, the vote may be taken by campus mail or by regular mail, or both, as the Board may determine. S. 25(5)

4.1.9 The ballots, covering instructions and return envelopes shall be sent by campus mail to all eligible voters at least two weeks before the closing date of the vote, and may be returned by campus or regular mail, or by hand.

4.1.10 The ballots and the covering instructions shall be as outlined in Appendix B.

4.1.11 On an application made by a qualified voter before the close of the vote, the Secretary shall provide a substitute set of the papers to a qualified voter who makes an application on the ground

4.1.11.1 that the ballot papers have not been received;

4.1.11.2 that ballot papers have been inadvertently lost or destroyed.

4.1.12 The Secretary, in consultation with the scrutineers, shall reject

4.1.12.1 all ballot envelopes:

- that have not been supplied by the Secretary;
- that are unsigned;
- that have been returned by persons not eligible to vote on the date of the close of the vote or not eligible to vote at the office of the return;
- that are unsealed.

4.1.12.2 all inner ballot envelopes:

- that bear any writing or mark by which the voter can be identified;
- that, on being opened, are found to contain two or more ballots.

4.1.12.3 all ballots:

- that have not been marked for any candidate or have been marked for, or bear the name of, a person who is not a duly nominated candidate;
- that have been marked for more than the designated number of duly nominated candidates;
- upon which there is any writing or mark by which the voter may be identified.

4.1.13 The candidate may appoint an eligible voter as a scrutineer at the count and determination of the vote.

4.1.14 The counting of ballots and determination of the vote shall be conducted by the Secretary with the assistance of at least three eligible voters.

4.1.15 In the event of only one candidate being nominated, or of only so many candidates being nominated as are required to be elected to the Board, such candidate or candidates shall be deemed to have been elected. S. 25(9)

4.1.16 In the event of more candidates being nominated than are required to be elected to the Board, the candidates, to the number required, receiving the highest number of votes shall be deemed elected and, in the event of an equality of votes between candidates with respect to the last candidate required to be elected, or between candidates when only one is to be elected, the Board shall cast the deciding vote. S. 25(10)

4.2 TERM OF OFFICE:

4.2.1 The term of office of a member elected under this section shall commence on the first day of July following the election and shall continue for a period of three years from and inclusive of that date. S. 25(6)

4.2.2 A member shall remain in office until a successor is elected, and a member, except as expressly provided by the electing body or in this Act, if otherwise qualified, is eligible for re-election. S. 26

4.2.3 When a member refuses to act, becomes incapable of acting, or fails to attend the meetings of the Board for the space of two years from the date prescribed for the commencement of the term of office, the seat on the Board shall ipso facto become vacant. S. 27(1)

4.2.4 When a member accepts leave, the seat on the Board shall ipso facto become vacant on the date fixed for the commencement of the leave if the leave is to extend for a period of over six months, provided that the seat shall not be vacated if the leave is not taken up on that date or on a subsequent date. S. 27(2)

4.2.5 When a member ceases to be a member of the electing body, the seat shall ipso facto become vacant. S. 27(3)

4.2.6 In the case of a vacancy in the Board caused by death, resignation or any other cause which happens before the term of office for which a member has been elected has expired, a declaration of the existence of the vacancy, when entered upon the minutes of the Board, shall be conclusive evidence thereof. S. 27(4)

4.2.7 When a vacancy in the Board occurs from any cause in respect of an elected faculty member, the vacancy shall be filled by election in accordance with these Regulations, within three months of the vacancy occurring and such additional period as may be required to place the election within the regular academic year (i.e. September to May): a member elected under this subsection shall assume office from the date of election and shall hold office from that date and for a period of three years from and inclusive of the first day of July following the election. S. 27(9).

## 5.0 Interpretation and Questions

5.1 University Secretariat Office is located in Sir Howard Douglas Hall, Room 110. Questions concerning this policy may be directed to (506) 453-4613 sjd@unb.ca.