

Policy # IV.C.14**BOARD NOMINATIONS: INTERNAL BOARD GOVERNORS****Date of last revision:** September 15, 2017**Date of last review:** April 21, 2022**Board Approved:** April 21, 2022

POLICY**INTRODUCTION**

The *New Brunswick Community Colleges Act* (the Act) provides that the Lieutenant-Governor in Council (LGIC) shall appoint the following persons to the Board of Governors (the Board) of the New Brunswick Community College (NBCC):

- One (1) academic staff person, nominated by the academic staff
- One (1) non-academic staff person, nominated by the non-academic staff
- One (1) student, nominated by the students

The purpose of this policy is to describe the process by which these individuals will be nominated by their peers. The nominations will be made through an election process as described herein. The election of academic and non-academic staff persons will normally take place in the Spring while the election of a student nominee will normally take place in the Fall.

DEFINITIONS

For the purposes of this policy:

“Academic staff person” – means a person whose classification falls within the Scientific and Professional Category of Occupational Groups within NBCC

“Non-academic staff person” – means a person whose classification falls within either the Operational Category, the Administrative Support Category, or the Management and Administration Category of Occupational Groups within NBCC

“Student” – means a person who is currently enrolled as a student with NBCC

1. BOARD RESPONSIBILITIES

Persons who are interested in nominating individuals for election to the Board, and those who are considering seeking a nomination or agreeing to become nominated, should carefully review the document [*Information on the Role of the NBCC Board of Governors and Expectations of Individual Governors*](#), which can be found on nbcc.ca.

2. ELIGIBILITY TO RUN IN THE ELECTIONS**2.1. Academic Staff Persons and Non-Academic Staff Persons**

- 2.1.1. A staff member must be currently employed with NBCC in a full-time permanent or term position.

2.1.2. Staff members who are senior administrators, or administrative assistants to senior administrators, are excluded from eligibility to be elected to the Board. Senior administrators include the President & CEO, Vice-Presidents, Executive Directors, Directors; and Deans and their administrative assistants.

2.1.3. Staff members (academic or non-academic) who are on the Executive Committee or the Negotiating Team of their bargaining unit are not eligible for election to the Board.

2.2. Students

To be eligible for nomination to the Board, a student must be (a) 18 years of age or over, and (b) a student in good standing as defined in current academic policy¹.

3. ELIGIBILITY TO VOTE

3.1. Staff

Anyone who is eligible to run in an election for nomination to the Board is eligible to vote in such an election.

In addition, those mentioned in Clause 2.1.2 and 2.1.3 above, although not eligible to run in the staff election, are eligible to vote.

3.2. Students

Both full-time and part-time students are eligible to vote in a Board election.

4. TERMS OF OFFICE

4.1. Staff

4.1.1. An **academic staff person** nominated by the academic staff of NBCC may be appointed by the LGIC for a term of up to three years. That person, if re-nominated by the academic staff through another election, can only be re-appointed by the LGIC for a maximum of two (2) consecutive terms (i.e. a maximum duration of up to six (6) consecutive years of service on the Board).

4.1.2. A **non-academic staff person** nominated by the non-academic staff of NBCC may be appointed by the LGIC for a term of up to three years. That person, if re-nominated by the non-academic staff through another election, can only be re-appointed by the LGIC for a maximum of two (2) consecutive terms (i.e. a maximum duration of up to six (6) consecutive years of service on the Board).

4.2. Students

A student nominated by the students of NBCC may be appointed by the LGIC for a term of up to two years.

¹ NBCC Academic Policy 1113: Student Standing.

Definition of "good standing": "Academic status when a student's current academic achievement is meeting or exceeding the minimum academic requirements of their enrolled program."

5. NOTICE OF THE ELECTION

- 5.1. The Senior Executive Assistant for the Board of Governors (EA) will arrange for the posting of printed notices of an upcoming election for the nomination of all or any of an academic staff member, a non-academic staff member or a student in prominent locations in each campus (e.g. notice boards for students, divisions/departments and general campus notice boards) (the Notice of Election). The Notice of Election will also be posted on nbcc.ca.
- 5.2. The EA will appoint a Campus Election Officer for each campus location and NBCC's Corporate Office.

6. NOMINATIONS PROCESS

- 6.1. Each nominee will complete a **Nomination Form**, which is used as their official entry onto the Official Slate of Candidates. The entry provides each candidate with the opportunity to express their motivation for seeking the nomination to the Board and their relevant competencies and attributes.
- 6.2. A **Nomination Support Form** will be completed and submitted together with the Nomination Form. For staff candidates, the Nomination Support Form must bear the signatures of their direct supervisors; for students, the Nomination Support Form must bear the signature of their Dean, plus a faculty member. In both cases, these signatures are intended to confirm that a discussion has taken place regarding the time commitment to act as a Governor and that reasonable and workable arrangements have been made to enable the candidate's participation on the Board should they be successful in obtaining a nomination to the Board.
- 6.3. Both the Nomination Form and the Nomination Support Form will be available on nbcc.ca.
- 6.4. Completed forms should be sent by email (documents with signatures will need to be scanned and emailed) to the EA by the deadline date/time as noted on the Notice of Election. Once received, the EA, will add the entry to the Official Slate of Candidates for circulation throughout NBCC.
- 6.5. Nominees should note that each entry is copied directly into the Official Slate of Candidates **exactly as written** – spelling, grammar, punctuation, etc. are not corrected. The EA has the authority to determine if any information provided is offensive, or in some way contrary to this policy, and, if so determined, will return the forms to the candidate for correction.
- 6.6. The Official Slate of Candidates will be posted on nbcc.ca. Candidates have the option of including their email addresses on the Nomination Form to facilitate voter questions.

7. CAMPAIGN GUIDELINES

7.1. No Time Off

- 7.1.1. There will be no time off granted to either voters or campaigners for the purposes of elections for nominations to the Board. If a candidate arrives at a campus to campaign, no re-arrangement of schedules will be made to accommodate candidate-voter contact.
- 7.1.2. If a candidate would like to make arrangements to visit a campus outside of regular working and instructional hours, the EA will provide information on how this might be achieved. Considerations to be borne in mind by the EA are: (a) whether performing this

service would assist the students and staff of the campus to make an informed decision in casting their votes, and (b) ensuring that all candidates seeking to make any after-hours visits receive fair treatment.

7.2. Campaign Expenses

7.2.1. Candidates are permitted to spend up to \$200.00 on campaign expenses, but will only receive reimbursement of up to \$100.00 for appropriate expenses.

7.2.2. Candidates will be reimbursed if supported by appropriate receipts covering the cost of production of campaign marketing materials for up to \$100.00. These claims are to include any costs resulting from the use of NBCC facilities, equipment and photocopying.

7.2.3. Candidates are not permitted to use NBCC facilities, equipment, printing or photocopying without paying approved charges.

7.3. Distribution of Campaign Materials

Candidates have the option to distribute campaign materials; although it is not required.

7.3.1. Hard Copy Materials

The EA will liaise with each campus to designate a public area where election materials can be posted. This will ensure the amount of space being used is not overwhelming, and all candidates will have equal exposure.

Hard copy campaign materials are limited to an 8 ½ x 11 inch piece of paper. The content is at the discretion of the candidate but will be removed/not approved if the EA determines that the material is offensive or in some way contrary to this policy.

7.3.2. Email

Candidates who wish to have campaign material forwarded to a target audience by email should direct their request for such distribution to the EA.

The decision to forward email is at the discretion of the EA.

Only one email message per candidate will be considered for distribution.

7.3.3. Video

Candidates who wish to submit videos can do so to the EA for approval. The videos will be made available to the NBCC community on official NBCC social media platforms.

7.4. Election Day

There is to be no “electioneering” at any location on Election Day.

Electioneering includes, but is not limited to, putting up for display (or replacing) additional campaign materials, distributing campaign information (print or electronic), and speaking to members of the electorate with a view to asking them to vote for a particular candidate.

7.5. Removal of Campaign Materials

Candidates shall be responsible for removing their approved campaign materials from campus bulletin boards, or other approved designated areas, within forty-eight (48) hours or two (2) business days after the election has ended.

7.6. Campus-Specific Rules

The EA has the authority to establish campus-specific rules regarding an election; i.e. posting and removing of notices and the use of campus facilities for speeches or question and answer periods.

8. VOTING GUIDELINES

The EA will confirm the Official Slate of Candidates at the time of the election.

8.1. Eligible Voters Lists

- 8.1.1. A list of eligible academic staff voters will be generated by the office of Employee Engagement & Culture.
- 8.1.2. A list of eligible non-academic staff voters will also be generated by the office of Employee Engagement & Culture.
- 8.1.3. A list of eligible student voters will be generated by office of Information Technology.

8.2. Election Days

Voting will be scheduled on a date set by the EA and outlined in the Notice of Election.

9. VOTING

- 9.1. A voter is permitted to cast only one vote, and is limited to voting for a person in his/her peer group (as determined by the person's primary relationship with NBCC - i.e. an academic staff member can only vote for an academic staff member).
- 9.2. Voting will be electronic and facilitated by an independent external service provider.
- 9.3. Each voter will be provided with a unique "voter ID" and "voter key", thereby ensuring complete voter anonymity.
- 9.4. Voters will be notified via email when the election launches.
- 9.5. Voting will be available through either mobile or desktop devices.
- 9.6. On request, a computer terminal can be made available at each NBCC location to provide staff and/or students with an opportunity to cast their ballots in a secure environment if they do not have access to their own electronic device.
- 9.7. **Vote Counting**

Election results are automatically tabulated by the external service provider.
- 9.8. **Tied Vote**

In the event of a tie, the EA will draw by lot (names in a hat) to determine the winning candidate.

9.9. Acclamation

Where only one nomination is received from across NBCC for a particular group, that candidate will be declared elected as the nominee to the Board for that group.

9.10. Appeals

Should a dispute arise from the election procedures, the disputant shall bring his/her concerns in writing within five (5) calendar days of the voting results being released, to the attention of the EA who, in turn, shall notify the Governance Committee (a standing committee of the Board), for the purpose of resolving the issue(s). Any member(s) of the Governance Committee who is/are affiliated with the group in which the dispute has arisen shall not participate in the discussion or resolution. The Governance Committee's decision shall be final and binding.

10. APPOINTMENT PROCESS

The EA will present a report on the election process, including the results of the election to the Board. The Board, through the Board Chair, will then advance the nominations to the LGIC for finalization of the appointment process. This will be done through the office of the Minister responsible for NBCC.

11. FORFEITURE OF OFFICE/MID-TERM VACANCIES

11.1. An academic staff member or a non-academic staff member appointed to the Board must resign from the Board in the event that they (a) cease to be employed by NBCC, or (b) accept a position that is excluded from eligibility to serve on the Board under this policy (see Clause 2 above).

11.2. An employee's term on the Board will not change as a result of a change in position (even between academic and non-academic categories), department or campus location.

11.3. A student appointed to the Board must resign from the Board in the event that they cease to be a student in good standing with NBCC.

11.4. Mid-term vacancies

11.4.1. At the close of elections, a list in order of candidate finish will be prepared for each nominating group.

11.4.2. Where the incumbent can no longer fulfill their term, the position will be declared vacant and the replacement will be the individual with the second highest votes received, and is eligible and willing to serve.

11.4.3. Where there is no candidate eligible and willing to serve, a determination will be made whether a bi-election should be called.

11.4.4. The EA will assess the circumstances surrounding vacancies and provide the Board with a recommended plan of action.

12. POST-ELECTION PROCESS REVIEW

The EA's report on the election process will be reviewed by the Governance Committee who will determine if any changes to this policy should be recommended to the Board in an effort to continuously improve the effectiveness and efficiency of the process.