Lambton College | Board of Governors

03 – By-Law

MOTION: 2003-73

DATE APPROVED: November 27, 2003

REVIEWED: October 29, 2026

AMENDED: Changes Motion No. 2026-29

BY-LAW: No. 3

BE IT ENACTED as a By-law of The Board of Governors of The Lambton College of Applied Arts and Technology (hereinafter called the "Board") for the Election of Representatives of College Constituent Groups to the Board of Governors as follows:

1.0 Policy

1.1 In accordance with the Regulations emanating from the Ontario Colleges of Applied Arts and Technology Act 2002, all members of the constituent groups of the College (Academic, Administrative, Student and Support Staff) shall have an opportunity for effective participation in the nomination and election process for membership on the Board.

1.2 In support of this policy the following procedures have been developed after consultation with representatives of the constituent groups.

2.0 Definition

In this By-law, the following terms shall have the indicated meanings:

There are four constituent groups at Lambton:

2.1 "Academic staff" member means a person who is employed by the Board of Governors as a teacher, counsellor or librarian;

2.2 "Administrative staff" member means a person who is employed by the Board of Governors and who is not an academic staff member, a support staff member or a student;

2.3 "Board of Governors" means the members of the Board of Governors of The Lambton College of Applied Arts and Technology;

2.4 "College" means The Lambton College of Applied Arts and Technology;

2.5 "Course" means a credit course in a program of instruction;

2.6 "Program of Instruction" means a group of related credit courses leading to a diploma, certificate, applied degree or other accreditation awarded by the Board ;

2.7 "Student" means a person who is enrolled in a course or program of instruction in a college;

2.7.1 To qualify as a candidate in a student election, a candidate must be a full-time student with a Program GPA of at least 2.4 or a part-time student enrolled in at least 3 courses with a minimum Program GPA of 2.4.

2.8 "Support Staff" member means a person who is employed by the Board of Governors as a member of the office, clerical, technical, health care, maintenance, building service, shipping, transportation, cafeteria or nursery staff.

3.0 Electoral Committee

3.1 The Board has established an Electoral Committee to ensure the observance of this policy and the implementation of the Regulation. The Electoral Committee may include non-Governor committee members.

3.2 The Electoral Committee is composed of the presidents of or their designate:

- Students Administrative Council
- Support Staff Local
- Academic Employees Local
- .
- r Board of Governors

3.3 3.4 In addition, the Board will appoint the President of the College, or his/her designate, as Chair of the Electoral Committee.

3.5 The Electoral Committee reports to the Chair of the Board of Governors.

3.6 The Electoral Committee recognizes the rights of part-time members of the constituent groups as defined in the Regulation and will endeavour to ensure their participation in the electoral process.

3.7 The members of the Electoral Committee recognize that should a conflict of interest arise, the affected member will declare such conflict, propose a replacement and withdraw from participation on the Committee.

4.0 Procedure - Nomination Process

4.1 The Electoral Committee will supervise a call for nominations addressed to the specific constituency group.

4.2 The information sent to each group will provide details of:

- the nomination/election process (including dates and deadlines)
- the Regulation in summary form
- Board of Governor Roles and Responsibilities

4.3 The Electoral Committee will distribute a call for nominations. The call will be addressed also to the part-time members of the constituent groups.

4.4 The call for nominations will inform the constituent group where the information in section 4.2 above can be obtained.

4.5 Nominations must be supported by at least five (5) nominators for each nominee of the constituent groups.

4.6 The nomination form must indicate the name, and student/employee number of each nominator.

4.7 A member of a constituent group may nominate more than one candidate of the group for nomination.

4.8 Candidates submit their nomination form with five members of their constituent group in the online portal. Nominations received after the deadline will be rejected.

4.9 The Electoral Committee will have access to review all nomination forms for conformity to this procedure.

4.10 The Electoral Committee will publish the list of nominees.

5.0 Procedure - Canvassing Process

5.1 Between the establishing and publishing of the slate of candidates and the date of election there will be a period during which individuals may canvas their respective groups.

5.2 Complaints with regard to the conduct of nominees must be addressed to the Electoral Committee.

6.0 Procedure - Election Process

6.1 The elections will be supervised by the Electoral Committee which will determine supplementary procedures that are not addressed in this by-law.

6.2 A secure anonymous online vote will be conducted.

6.3 The vote will be an anonymous secure online vote.

6.4

6.4 The Human Resources department (responsible for maintaining employee lists) will provide the most current employee lists to the Information Technology Department. For Student Governor elections, the College Registrar will provide the student lists.

6.5 The vote is tabulated by the online voting program.

6.6 The Electoral Committee will inform the Chair of the Board of the election results and the Manager Board of Governors, on behalf of the Chair, will inform the candidates and the constituency group.

6.8 The successful candidate for each constituent group will require a plurality of the votes cast by the appropriate group.

7.0 Procedure - Dispute Resolution

7.1 Any individual who has a complaint as to the application of this by-law through its procedures has the right to address such complaint to the Manager, Board of Governors .

7.2 The complaint must be in writing and must indicate the details of the alleged violation of policy and procedure.

7.3 The Manager Board or Governors will forward the complaint to the Electoral Committee for review.

7.4 The Electoral Committee will investigate the complaint and attempt to resolve it.

7.5 Failing resolution by the Electoral Committee, the complaint may be referred by either the complainant or the Electoral Committee to the Chair of the Board who shall, within 5 days of such referral, appoint an independent third party to investigate the complaint.

7.6 The third party's mandate is restricted to a determination as to whether the policy and procedures of this by-law have been correctly applied and if not:

7.6.1 If the election has not yet been completed, what remedial measures should be undertaken to remedy, so far as is reasonably possible, the impact of the acts or omissions upon which the complaint was based; and

7.6.2 If the election has been completed, whether the will of the constituent group is nevertheless reflected in the election results and if not whether the election must be repeated.

7.7 The third party will commence the dispute resolution process within ten (10) working days of appointment and shall complete the dispute resolution within 20 days of the third party's appointment.

7.8 The third party will establish appropriate procedures and the Board and representatives of the constituent groups will comply with all reasonable requests by the third party for information relating to the complaint.

7.9 The report of the third party will be binding on the Board, the complainant, and the affected constituent group.

8.0 Procedure - Equality of Votes

8.1 In the event that the election shall result in a tie vote between two or more candidates, then, upon the written request of any of the tied candidates delivered to the Chair of the Electoral Committee within 48 hours of the announcement of the election results, the votes shall be reviewed under the supervision of an independent third party to be appointed by the Electoral Committee.

8.2 The independent third party shall be appointed as quickly as is possible and in any event within 4 working days of the written request for a recount being given to Electoral Committee. Such recount shall be completed as quickly as is reasonably possible and in any event within 7 working days of the appointment of the independent third party. The results of the recount shall be set out in a written report of the independent third party which shall be delivered to the Chair of the Electoral Committee and to each candidate. The report of such independent third party shall be final and binding on all parties concerned and the candidate shown by such recount to have received the greatest number of votes shall be declared to have been elected.

8.3 In the event that the written report of the independent third party shall report that the votes for two or more candidates remain tied, then the tie shall be resolved by the drawing of straws under the supervision of the Electoral Committee. The winner of such drawing of straws shall be declared to have been elected.

9.0 Procedure - Other

9.1 In the event of a mid-term vacancy the Electoral Committee will reconvene and supervise a nomination and election process for the constituent group affected by the vacancy.

9.2 This by-law becomes effective on the date that it is passed and the pre-existing policy relating to the election of College constituent group representatives to the Board are repealed as of said date.

Reviewed this day of October 29, 2026

Jason McMichael , Chair

Signature on Original

Spencer Dickson, Secretary-Treasurer

Signature on the original