

## Report of the University Secretary and Chief Governance Officer

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### FOR INFORMATION

<b>PRESENTED BY:</b>	Julian Demkiw, University Secretary and Chief Governance Officer
<b>DATE OF MEETING:</b>	April 20, 2024
<b>SUBJECT:</b>	<b>Changes to the <i>Senate Bylaws</i> to Facilitate Elections to the Board</b>
<b>DECISION REQUESTED:</b>	That the Senate approve of the changes to the <i>Senate Bylaws</i> as included in Attachment 1, effective immediately.

#### **BACKGROUND AND SUMMARY:**

*The University of Saskatchewan Act, 1995* requires that there be “two members elected by the senate” (clause 42(c)) on the USask Board of Governors.

Currently, the *Senate Bylaws* set forth a detailed and restrictive process for conducting these elections – essentially, they must be conducted by written ballot and they must be conducted during a Senate meeting. The process for the election described in the bylaws is:

- 1) A written ballot is distributed to all present Senators.
- 2) Senators vote for their top candidate.
- 3) If no one candidate has over 50% of votes, the candidate with the lowest number of votes is eliminated and the process repeats until one candidate does have over 50% of votes.
- 4) This entire process is then repeated to elect the second representative.

This status quo approach described in the *Senate Bylaws* has numerous shortcomings:

- It does not allow for those attending the meeting by Zoom to vote or for those unable to attend the meeting at all to vote.
- The current bylaws require separate elections to each vacancy, and for each individual election to take multiple rounds of voting until one candidate has a majority of the votes. This is a time-intensive process to tally and administer, and would take a large amount of Senate’s time.

Because of these shortcomings, the Governance Office is proposing a two-part change to how these elections are held:

- 1) Conduct the elections after the meeting so it is less time-intensive.
- 2) Change the electoral system to make it more efficient and simpler for those participating.

The specific details of the changes can be found in Attachment 1 that outlines amendments to the *Senate Bylaws*, but a description of each of these changes is outlined below.

#### **Change 1: Election Timing**

Currently, the *Senate Bylaws* state that this election “shall occur in a meeting of the Senate.” It is recommended that, by moving to an electronic voting system, that the election can happen more efficiently, and more accessibly, outside of the Senate meeting proper. It is recommended that voting be open after the Senate meeting and remain open for a week.

## **Change 2: Election System**

The intent of the current electoral system is to ensure that successful candidates receive the majority of support from Senators. The current method employed is a multi-staged, sequential elimination method. This requires multiple ballots with individuals being eliminated until one has a majority of support. The *Senate Bylaws* also require that each of the elections for the two positions are administered separately.

This voting method, and the requirements stated in the bylaws to operate them, are highly time consuming. The time required increases as the number of candidates running increases (and because of the requirement for two separate elections for each position, the time to run the process is effectively doubled). The last time the Senate conducted these elections in-person (2018), there were only three candidates, so the election process was not as cumbersome.

It is recommended to employ a proportional ranked-choice voting system (sometimes referred to as a single transferable voting system) to make the most effective use of the time of Senate and allow for the vote to be easily administered. To participate in this election, voters rank as many candidates as they want and those with the greatest support are declared elected.

User-friendly software systems exist to facilitate this type of voting. This electoral system adheres to the spirit of the current bylaws' commitment to require a majority of support, but does so with one round of voting – making the administration of the election and the communication surrounding it simpler.

Additionally, to switch to an online vote held after the meeting, the *Senate Bylaws* need to be changed to eliminate reference to “written ballots.” The Governance Office operates electronic elections for Council, Board, and for other Senate elections, and is experienced in supporting these processes.

## **Benefits of Change**

These proposed changes have the following benefits:

- Allows for those attending the meeting remotely to vote.
- Allows those who are unable to make it to the meeting (perhaps due to illness, a family emergency, or a pre-existing commitment) to still be able to vote. This makes it more accessible for Senators and therefore makes the end result more representative of the will of Senate.
  - Note: To ensure that all voters are provided with complete information and the same information, the candidates' speeches will be recorded and the video confidentially shared with all members of Senate when the voting ballot is distributed.
- Aligns with the [USask Post-Pandemic Shift Project](#). This project requires that USask take innovative and adaptable approaches to how we go about our work and decision-making, and these changes in conducting this election are in line with these principles.
- Frees up more time for Senate to engage in other work that is necessary to conduct during a meeting. This allows for a more optimal use of Senate's time and is in line with the principles of the Senate Engagement Plan.
- Aligns with practices of USask's other governing bodies. Unless there is one candidate as part of an appointment process, no other USask governing body would conduct an election as part of a meeting itself. For example, if there are multiple candidates for the Chair of University Council, this is voted on outside of a meeting and is done so by electronic ballot.

## **CONSULTATION:**

These proposed changes went to the Senate Executive for approval at their meeting on March 26, 2024. The Executive Committee unanimously approved of changing the bylaws.

## **ATTACHMENTS:**

- 1) Changes to the *Senate Bylaws*

### SECTION III ELECTION AND MEMBERS OF SENATE

#### 5. Election by Senate of Members to the Board of Governors

The process for electing members to the Board of Governors shall be as follows:

- (a) The election shall occur within one week of the Senate meeting in which the candidates are presented in a meeting of the Senate.
- (b) At least three months prior to the meeting at which the election is to be ~~held~~introduced, the University Secretary will issue a call to all Senators to nominate candidates. The call will be accompanied by a description of the desired qualifications and qualities ascertained through the consultations conducted by the Executive Committee pursuant to Section V 2(d)(viii) of these bylaws.
- (c) All nominations shall be:
  - (i) submitted to the Nominations Committee no later than 45 days before the meeting in which the election is to take place;
  - (ii) accompanied by relevant biographical information on the candidate and the consent of the candidate to the nomination;
  - (iii) signed by three members of Senate, except for the nomination(s) submitted by the Executive Committee pursuant to Section V 2(d)(viii) of these bylaws.
- (d) Candidates may or may not be members of Senate.
- (e) All candidates nominated in accordance with Section III 5(c) of these bylaws will be presented by Nominations Committee for election along with a biography of each candidate. The Nominations Committee will not disclose the nominators of the candidates, including the candidate(s) nominated by the Executive Committee.
- (f) In the event that more than one candidate is nominated, the election shall be held by secret ballot. The University Secretary will administer and oversee the voting procedures for the ~~meeting~~election, in accordance with Appendix E.
- (g) Subject to Section III 6 of these bylaws, the winners of the election shall be the candidates who receives ~~at least 50% + 1~~ a majority of ~~support~~the votes cast at the meeting in the election in accordance with any voting procedures set out in Appendix E.
- ~~(h) A separate nomination call and a separate election shall be held for each of the members of Board of Governors being elected by Senate, though both elections can occur in the same meeting.~~

## APPENDIX E

### UNIVERSITY OF SASKATCHEWAN SENATE

#### VOTING PROCEDURE FOR THE ELECTION OF A CANDIDATE TO THE BOARD OF GOVERNORS

The following procedure shall govern the conduct of the ~~portion of the meeting at which the Senate elects~~selection of a Candidate to the Board of Governors:

#### 1. Presentation by Candidates

- 1.1 Each Candidate shall be allowed up to ten (10) minutes of the floor. Candidates will be asked to address, during their presentations, questions that have been provided at least one week in advance of the Senate meeting by the Senate Executive Committee. The questions at a given election will be the same for all Candidates.
- 1.2 After all Candidates in attendance have had a chance to present to the meeting, the Chair of the meeting shall ~~call for a vote.~~ensure that voting is open within a week from the date of the Senate meeting at which the candidate presentations have been made and that voting remains open for at least a week.
- 1.3 Each presentation will be recorded and made available to voters at the earliest opportunity.

#### 2. Selection of Election Administrators and Observers

- 2.1 The University Secretary shall appoint and supervise such number of staff members from the office of the University Secretary to be responsible to distribute, collect, and count the ~~written~~ ballots.
- 2.2 Each candidate may appoint ~~an observer~~a scrutineer to ~~monitor the administration~~review the collection and management of the vote.

#### 3. Type of Ballot and Voting Method

- 3.1 Although precautions may be taken to verify the eligibility of a voter, ~~The~~ ballot shall be secret ~~and written~~.
- 3.2 The voting shall be conducted under the authority and management of the University Secretary using a method aligned with section III(5) of these bylaws.
- 3.3 The ballot shall instruct each voter to select their ~~top candidates in ranked order.~~name of their desired

~~Candidate, and no other names. Ballots with more than one name indicated shall be considered spoiled and not counted.~~

#### **4. Calculation of Votes**

4.1 Once all the ballots are collected, the University Secretary shall count the votes for the Candidates.

4.2 The results of the votes will be presented by the University Secretary to the ~~meeting~~ Senate after the count is complete.

~~4.3 If no single Candidate receives over 50% of the votes at the meeting, the Candidate with the least amount of votes shall be removed from the election. The Secretary will announce the results. This process shall be repeated until such time as a single Candidate has received over 50% of the vote.~~

#### **5. Appeals and Complaints**

5.1 Any appeals and complaints regarding the conduct of the election and the results will be administered in accordance with the Appeal and Complaints process outlined in the Senate Bylaws (III.10).