

Memorandum

Dated: December 05, 2022 – [Additional Revisions of December 8, 2022](#)

Subject: Motion Proposal for Election and Notice of Process

MOTION – Proposal for Election/Process and Notice of Process

Moved by: Dr. Sarita Verma / Seconded by:

Moved that Senate approve the recommendation to strike the previous Senate Elections and move to a New Election with the Process outlined under the amended Bylaw and the schedule A – Senate Nominating and Election Procedures.

[Teaching Staff can elect 56 members from among the teaching staff in the following numbers:](#)

- [Clinical Sciences Division \(24 seats\)](#)
- [Medical Sciences Division \(12 seats\)](#)
- [Human Sciences Division \(12 seats\)](#)
- [Indigenous Academics- self identified \(4 seats\)](#)
- [Francophone Academics self identified \(4 seats\)](#)

[Students, elected from among their respective constituencies, in the following numbers:](#)

- [MD Program \(UME\) \(3 seats\)](#)
- [Health Sciences \(2 seats\)](#)
- [Graduate Student \(1 seat\)](#)
- [Residents \(PGME\) \(2 seats\)](#)

Further that consistent with the Act, all transitional Senators will continue their terms until the new Senate's terms begin, no later than April 1, 2023.

Background and Recommendations:

Thank you to those who allowed their names to stand and to those who voted. A challenge to the elections conducted in October – November 2022 has been made by OPSEU Unit #1. After consideration of the requests and after a review the President has made a recommendation to strike the previous election and recall an election for "Teaching Staff" from Clinical, Medical and Human Sciences on Senate.

Revisiting the calculation to the 2:1 Ratio for Teaching Staff to be articulated below:

Ex-Officio

- 1 President
- 1 Chancellor
- 1 Vice-President and provost of the university if one is appointed.
- 1 Registrar

6 **Vice dean** or associate dean of each academic portfolio; ¹
 0 the senior associate dean;²
 3 head of each academic division of the University, or the person designated by the head from within the teaching staff of each division;³
 1 Assistant Dean of Admissions
 1 Assistant Dean, Graduate Studies
 1 Assistant Dean, Research
 Director of research and health sciences library⁴
 1 ~~Director of Research~~
 1 [Director of Health Sciences Library](#) ~~ian~~
 1 Standing Committee Chair – AIHEC

Total - 158 Ex-Officio

8 students

2 people appointed by the Senate who are members of another University.

Total - 10 Other Members

Grand Total of 289 (2:1= 568) "Such number of persons elected by the teaching staff from among themselves, as set out in senate by-laws, which number shall be at least twice the total number of all other members of the senate."

Elected Members:

Teaching Staff can elect 568 members from among the teaching staff in the following numbers: ~~and these members are proportionately divided into Clinical Sciences Division (1834 staff), Medical Sciences Division (50 Faculty), Human Sciences Division (48 Faculty).~~

- Clinical Sciences Division (24 seats)
- Medical Sciences Division (12 seats)
- Human Sciences Division (12 seats)
- Indigenous Academics self identified (4 seats)
- Francophone Academics self identified (4 seats)

Students, elected from among their respective constituencies, in the following numbers:

- MD Program (UME) (3 seats)
- Health Sciences (2 seats)
- Graduate Student (1 seat)
- Residents (PGME) (2 seats)

¹ As of March 31, 2022, there are two new Vice Deans at NOSM University – Vice Dean Research, Innovation and International Relations and Vice Dean, Clinical Relations. Associate Deans are -UME, PGME-HSP, CEPD and Faculty Affairs.

² There are no Senior Associate Deans as of March 31, 2022

³ There are three (3) Divisions as of April 1, 2022

⁴ Position as stated in the regulations [is interpreted to be the Director Health Sciences Library \(Librarian\)](#)

New Senate Elections Process

IMPORTANT: For the purposes of this special election for the New Senate, all elected members of the former Academic Council and Transition Senate will be required to submit their name for election, except for the MD Students/1 Resident currently in place shall remain until the end of their terms.

SECOND CALL FOR INTEREST TO SERVE ON THE NOSM University Senate – If you share NOSM University’s commitment to improve health care access for the people and communities in Northern Ontario, this is an ideal opportunity for you. NOSM University’s vision of Innovative education and research for a healthier North means we remain steadfast in our commitment to providing high quality education to physicians and health professionals, and continue to be a leader in distributed, learning-centred, community-engaged education and research.

The University Secretary invites those interested to send their name as well as a short 150-word statement giving their qualifications, your division and/or the reasons for their interest, via online before **January 13, 2023**, at Noon.

***Please note that if you put your name forward for the previous election, you MUST resubmit your nomination.*

Please follow the **LINK to Enter Your Interest**

The term for elected teaching staff is 3 years and 1 year for student. Elected members are eligible for re-election, subject to the provisions in the By-Law and the NOSM University Act, 2021 and applicable policies. **The terms for this special election will begin March 31, 2023.**

This call is for the following:

- [Clinical Sciences Division \(24 seats\)](#)
- [Medical Sciences Division \(12 seats\)](#)
- [Human Sciences Division \(12 seats\)](#)
- [Indigenous Academics self identified \(4 seats\)](#)
- [Francophone Academics self identified \(4 seats\)](#)

~~Clinical Sciences Division (#) 46 seats~~

~~Human Sciences Division (#) 6 seats and Medical Sciences Division (#) 6 seats~~

~~**Note re: the full composite** There must be at least two stipendiary from the HSD and MSD each and 4 Indigenous academics and 4 Francophone academics within the total number of elected seats.~~

Key Dates: **IF APPROVED IN DECEMBER**

- December 19, 2022 – **Nomination Period open** – Link to Interest to Serve Form
- January 13, 2023 – **Nomination Period closes** at Noon **Late or incomplete nominations will be automatically disqualified*
- January 16, 2023, to January 23, 2023 – **Election Period** (if required) Note that for elections Clinical Sciences Division will vote for Clinical Sciences Division representatives, Human and Medical Sciences will vote for Human and Medical Sciences.
- March 31, 2023 – **Terms** will begin for the new Senators (first meeting is April 20, 2023)

BY-LAWS OF THE SENATE OF

NORTHERN ONTARIO SCHOOL OF MEDICINE
UNIVERSITY / UNIVERSITÉ DE L'ÉCOLE DE MÉDECINE
DU NORD DE L'ONTARIO

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SCHEDULE “A” A-1

**NORTHERN ONTARIO SCHOOL OF MEDICINE UNIVERSITY
/ UNIVERSITÉ DE L'ÉCOLE DE MÉDECINE DU NORD DE
L'ONTARIO**

SENATE BY-LAWS

being a by-law relating generally to the conduct of the affairs of the Senate

BE IT ENACTED as a by-law of the Senate as follows:

PART I – INTERPRETATION

SECTION 1 – INTERPRETATION

1.1 In this By-law and in all other by-laws and resolutions of the Senate, unless the context otherwise requires:

- (1) “**Act**” means the *Northern Ontario School of Medicine University Act, 2021* (Ontario), and where the context requires, includes the Regulations and any statute that may be substituted therefor, as amended from time to time.
- (2) “**Board**” means the board of governors of the University.
- (3) “**By-law**” means this Senate by-law.
- (4) “**Chancellor**” means the chancellor of the University, if one is appointed.
- (5) “**Deputy Speaker**” means the deputy speaker of the Senate, a Senator elected by the Senate from among the elected Senators to fulfill the responsibilities of the Speaker or Secretary whenever such Officer is unable or unavailable to fulfill their duties responsibilities.
- (6) “**ex-officio**” means membership “by virtue of office” and includes all rights, responsibilities, and power to vote, unless otherwise provided.
- (7) “**Officer**” means an officer described in Section 7.
- (8) “**President**” means the president of the University.
- (9) “**Registrar**” means the registrar of the University.
- (10) “**Regulations**” means the regulations made under the *Act*.
- (11) “**Secretary**” means the secretary of the Senate, who is responsible for preparing and distributing Senate agenda and minutes and for maintaining the official Senate records in the manner described in this By-law.
- (12) “**Senate**” means the senate of the University.

- (13) “**Senator**” means a member of the Senate.
- (14) “**Senate Committees**” means the committees established by the Senate.
- (15) “**Speaker**” means the speaker of the Senate, a Senator elected by the Senate from among the elected Senators to conduct Senate meetings.
- (16) “**Students**” means all learners registered at the University.
- (17) “**Teaching Staff**” means professors, associate professors, assistant professors, lecturers, instructors, and all others employed or contracted to do the work of teaching or giving instruction at the University.
- (18) “**University**” means the Northern Ontario School of Medicine University / Université de l’école de médecine du nord de l’Ontario.
- (19) “**Vice-President**” means the vice-president of the University, if one is appointed.

1.2 In this By-law and in all other by-laws and resolutions of the Senate hereafter passed, unless the context otherwise requires, words importing the singular number include the plural number and vice-versa; words importing one gender include all genders; and headings are used for convenience of reference and do not affect the interpretation of the by-law or resolution.

PART II – UNIVERSITY OBJECTS AND SPECIAL MISSIONS

SECTION 2 – OBJECTS AND SPECIAL MISSIONS

2.1 **Objects.** The objects of the University are:

- (1) to provide undergraduate and post-graduate medical health education and other programs and, in doing so, advance the highest quality of learning, teaching, research and professionalism;
- (2) to shape the medical profession and allied health services in a way that improves their responsiveness to the distinct needs of rural, remote, Indigenous and Francophone communities; and
- (3) to contribute to the advancement of healthcare in northern Ontario by facilitating student appreciation of the opportunities for quality educational and professional careers in northern Ontario.

2.2 **Special Mission.** It is the special mission of the University to provide programs that are innovative and responsive to the needs of individual students and to the unique healthcare needs of the people of northern Ontario and other northern regions of Canada, which includes people living in rural, remote, Indigenous and Francophone communities.

PART III – SENATE

SECTION 3 – SENATE AUTHORITY, POWERS, DUTIES, AND COMPOSITION

- 3.1 **Authority.** The Senate was established in 2022 by the Legislature of the Province of Ontario by virtue of the *Act*.
- 3.2 **Powers and Duties.** In accordance with the Regulations, the Senate has, subject to the approval of the Board with respect to the expenditure of funds, the power to determine and regulate the educational policy of the University and, without limiting the generality of the foregoing, has the power:
- (1) to make recommendations to the Board with respect to the establishment, change, or termination of programs and courses of study, schools, faculties, divisions, and portfolios;
 - (2) to make recommendations to the Board or the President on the allocation or use of University resources for academic purposes;
 - (3) to advise the President on staffing needs for academic purposes;
 - (4) to appoint the associate deans of academic portfolios and the heads of academic divisions, as may be required from time to time;
 - (5) to determine the curricula of all programs and courses of study, the standards of admission to the University and continued registration therein, and the qualifications for degrees, honorary degrees, certificates, and diplomas of the University;
 - (6) to oversee the accreditation of programs and courses of study;
 - (7) to conduct examinations, appoint examiners, and decide all matters relating thereto;
 - (8) to hear and determine appeals from the decisions of the faculty councils on examinations and on applications for admission;
 - (9) to award fellowships, scholarships, bursaries, medals, prizes, and other marks of academic achievement;
 - (10) to authorize the chancellor, the vice-chancellor, or such other person as may be determined by the Senate, to confer degrees, honorary degrees, certificates, and diplomas on behalf of the University;
 - (11) to create councils and committees to exercise its powers; and

- (12) to make by-laws regulating its proceedings and generally for the conduct and management of its activities, including in respect of any matters referred to in the Regulations as being set out in the Senate's by-laws.

3.3 Composition. In accordance with Section 7 of the Act, the Senate shall be composed of:

- (1) the following *ex-officio* Senators:
- (a) the President;
 - (b) the Chancellor, if one is appointed;
 - (c) the Vice-President and provost of the University, if one is appointed;
 - (d) the Registrar;
 - (e) the vice dean or associate dean of each academic portfolio;¹
 - (f) the senior associate dean;²
 - (g) the head of each academic division of the University, or the person designated by the head from within the teaching staff of each division;³
 - (h) the assistant dean of admissions;
 - (i) the assistant dean of graduate studies;
 - (j) the assistant dean of research;
 - (k) the director of research and health sciences library;⁴
 - (l) the chair of each standing committee of the Senate, or the person designated by the chair from within each standing committee⁵; and
- (2) the following elected Senators:

¹ As of March 31, 2022, there are two new Vice Deans at NOSM University – Vice Dean Research, Innovation and International Relations and Vice Dean, Clinical Relations.

² There are no Senior Associate Deans as of March 31, 2022

³ There are three (3) Divisions as of April 1, 2022

⁴ [This position is no longer a NOSM U position. It is interpreted to be the current Director Health Sciences Library \(Librarian\)](#)

⁵ As of December 15, 2022, all Standing Committees of the previous Academic Council and Transition Senate are disbanded and there is one (1) Standing Committee namely the Academic Indigenous Health Education Committee. The Senate Executive Committee referred to in Section 8 is a Business Committee that has membership already present on Senate.

- (a) such number of individuals, not exceeding eight, elected by the Students from among themselves;
 - (b) such number of individuals elected by the Teaching Staff from among themselves, which number shall be at least twice the total number of all other Senators; and
- (3) two individuals appointed by the Senate who:
 - (a) are members of the teaching staff of a university in Ontario, but not members of the Teaching Staff of the University; and
 - (b) are not engaged in the teaching of medicine or health sciences.
- 3.4 In order that the Senate membership is as broadly representative of the University's academic community as possible, the various constituencies shall be expected to consider, and strive to reflect, gender balance, and the diversity of academic and cultural traditions when choosing or electing their Senate representatives.
- 3.5 Membership on the Senate cannot be delegated, except according to explicit provisions in this By-law.
- 3.6 Nominations for the election of Senators shall be made in accordance with this By-law and the nominating and election procedures adopted by the Senate and attached as Schedule "A", which forms an integral part of this By-law.

SECTION 4 – TERM

- 4.1 The Senate year shall commence on July 1 and end on June 30 of the following year.
- 4.2 In accordance with the Regulation, the term of office for a Senator who is a Student shall be one year. Each such Student Senator shall be eligible for re-election for one further term of one year. If a Student Senator graduates during their term of office, they may continue to sit as a Senator for the remainder of their one-year term.
- 4.3 The Senate shall fix the term of office for the first slate of Senators who are not Students. Thereafter, the Senators to be elected pursuant to Section 3.3(2) or appointed pursuant to Section 3.3(3) shall be elected or appointed for a term of three years.
- 4.4 Each Senator shall be eligible for re-election or re-appointment provided that the Senator shall not be elected or appointed for a term that will result in the Senator serving more than two consecutive terms. A Senator who has served their maximum term of office is eligible for re-election or re-appointment after one year's absence from the Senate. An individual elected or appointed to the Senate to fill a

vacancy may be re-elected or reappointed upon the expiry of the term that they were elected or appointed to complete and are eligible for further re-election or re-appointment.

SECTION 5 – VACANCY

5.1 A vacancy on the Senate occurs if:

- (1) a Senator's term expires;
- (2) a Senator, by notice in writing to the University resigns, which resignation shall be effective at the time it is received by the Secretary or at the time specified in the notice, whichever is later;
- (3) a Senator ceases to be eligible for election or appointment to the Senate before the end of the Senator's term;
- (4) a Senator is incapable of continuing to act as a Senator and the Senate by resolution declares the membership to be vacated; or
- (5) the Senate by resolution declares a Senator's membership on the Senate to be vacated when the Senate determines that a Senator has failed to comply with Section 6.1.

5.2 If a Senator, who has not been granted a leave of absence, fails to attend three regular Senate meetings in one Senate year, the Senate may by resolution declare such membership vacant.

5.3 If a vacancy occurs on the Senate:

- (1) the remaining Senators may exercise all the powers of the Senate;
- (2) prior to three months before the completion of the term, the Senate shall fill the vacancy in accordance with the procedures described in this By-law (i.e., through a request to the representative body for election or appointment of a Senator); and
- (3) if the vacancy is for a remaining term that is three months or less, the vacancy may be left unfilled, or it may be filled by a qualified person for the remainder of the vacated term in accordance with Senate policy.

5.4 If the Senator who fills a vacancy on the Senate is reappointed or re-elected upon the expiry of their term, the Senator is subsequently eligible for further reappointment or re-election only after one year's absence from the Senate.

SECTION 6 – CONDUCT AND ATTENDANCE

- 6.1 Senators shall conduct themselves in an ethical and professional manner and shall make decisions in the best interests of the University. A Senator shall have the duty to: act in good faith in the best interests of the University; respect the principles of collegiality and fairness; become and stay informed as to the guidelines, policies, and affairs of the Senate and the University; ensure that information designated as confidential is held in confidence and disclosed only when appropriate; make themselves available to their constituencies and keep their peers informed of major issues before the Senate.
- 6.2 Senators have an obligation to represent their constituents by attending Senate meetings; therefore, regular attendance and advance preparation is a requirement. The Secretary shall remind Senators of the attendance requirement prior to the beginning of the Senate year. Once a Senator has failed to attend three regular Senate meetings, without leave from the Speaker, the Senate Executive Committee will recommend to the Senate that the Senator's seat be declared vacant. The responsibility of informing the Senator will be that of the Secretary.
- 6.3 Senators who find they have an occasional scheduling conflict with Senate meetings such as teaching/laboratory or any other University-related commitment should appeal to the Secretary for attendance relief from the Senate. Such absences should be communicated in advance to the Secretary.
- 6.4 Teaching Staff members who are on authorized leaves of any kind shall not be obligated to serve on the Senate while on leave.

SECTION 7 – OFFICERS

- 7.1 The Senate shall appoint the following Officers:
 - (1) Speaker; and
 - (2) Deputy Speaker.
- 7.2 The Speaker shall, when present, preside at all Senate meetings and shall represent the Senate as may be required or appropriate.
- 7.3 In the absence of the Speaker, the Deputy Speaker shall fulfill the duties and responsibilities of the Speaker. In the absence of the Secretary, the Deputy Speaker shall record minutes of a Senate meeting.
- 7.4 The Speaker and Deputy Speaker shall be elected at a June Senate meeting from among the Teaching Staff members of the Senate, and shall hold office for two academic years, renewable once for a further term of two academic years.
- 7.5 The President shall appoint the Secretary.
- 7.6 The Secretary shall be responsible for recording the minutes of each Senate meeting, and for such other duties set out in this By-law.

SECTION 8 – COMMITTEES

- 8.1 The Senate may establish, merge, and dissolve committees from time to time.
- 8.2 The Senate Committees shall be:
- (1) the Senate Executive Committee;
 - (2) other standing committees, being those committees whose duties are normally continuous; and
 - (3) *ad hoc* committees, being those committees appointed for specific duties and whose mandate shall expire with the completion of the tasks assigned.
- 8.3 The functions, duties, responsibilities, and powers of the Senate Committees shall be provided in the Senate resolution by which a Senate Committee is established or in terms of reference or a committee charter adopted by the Senate.
- 8.4 Unless otherwise provided by a Senate by-law or resolution, the Senate shall appoint the chair, the vice-chair (if any), and the members of each Senate Committee.
- 8.5 Elections and appointments to the Senate and all Senate Committees shall be made on or before the June Senate meeting of each year. All Senate Committee members shall serve for a one-year term, commencing July 1; however, the Senate may remove a Senate Committee member.
- 8.6 Membership on Senate Committees (other than the Senate Executive Committee) may include non-members of Senate; however, only Senators may serve as the chair of a Senate Committee.

SECTION 9 – PROCEDURES FOR MEETINGS

- 9.1 Unless decided otherwise by the Senate:
- (1) the Senate shall meet at least four times during each academic year; and
 - (2) the Senate and each Senate Committee, respectively, shall fix the date, time, and place of its meetings.
- 9.2 The Speaker may call special Senate meetings. If 50% of the Senators so request in writing, the Speaker shall call a special Senate meeting. At such a meeting, the Senators shall only consider business that is specified in the notice calling the meeting, except that new business may be introduced by the unanimous consent of the Senators present.
- 9.3 Notice of regular meetings shall be given to the Senators through electronic communication and shall be included in the academic calendar, which shall be

made available to the public on the University's website. Notice of special meetings shall be given to the Senators through electronic communication with 72 hours' notice (excluding Saturdays, Sundays, and statutory holidays) to be given to each Senator and to be posted on the University's website.

- 9.4 The Senate Executive Committee shall prepare the agenda for each regular Senate meeting. Any Senator(s) requesting that business be considered by the Senate shall submit all items and supporting documentation proposed for the inclusion in the agenda to the Secretary at least two weeks prior to the regularly scheduled Senate meeting. The Secretary shall provide each Senator with, and post on the University's website, a meeting agenda not fewer than 72 hours prior to each meeting. No motion introducing a matter other than that listed in the agenda shall be taken into consideration at any regular Senate meeting except when accepted for consideration by at least a two-thirds majority of the Senators present.
- 9.5 All Senate meetings shall be open to the public, subject to Section 9.7.
- 9.6 All Senate Committee meetings shall be closed to the public, subject to this By-law, a Senate resolution, the terms of reference for the Senate Committee, or any Senate- approved general committee policy.
- 9.7 Where deemed appropriate by the Speaker or a majority of the Senators, the Senate may consider any matter in an *in-camera* session. Individuals present at a Senate meeting other than members of Senate shall not be permitted to participate in an *in camera* session unless otherwise permitted by the Speaker or a majority of the Senators. The Speaker may at any time during a Senate meeting, declare the meeting, or any part of it, *in camera*. For greater certainty, but without limiting the foregoing, it generally will be appropriate for the Senate to meet *in camera* to discuss matters of a personal nature concerning an individual, including matters concerning individual Students, Teaching Staff, or non-academic employees, or to discuss a confidential matter or any other matter the disclosure of which might be prejudicial to the University or an individual (unless the consent of that individual to the discussion of such matters in an open forum is first obtained).
- 9.8 The Speaker shall, when present, preside at all Senate meetings. If the Speaker is absent or otherwise unavailable, the Deputy Speaker shall preside at a Senate meeting. If the Speaker and Deputy Speaker are both absent or otherwise unavailable, the Senate shall appoint any elected Senator to preside at the meeting.
- 9.9 In accordance with the Regulations, a quorum of the Senate consists of a majority of the members of the Senate.
- 9.10 Senate Committee meetings may be called as provided in their terms of reference.
- 9.11 The Senate and any Senate Committee may hold meetings by such telephonic or electronic means that permits all participants to communicate adequately with

each other during the meeting. A Senator or Senate Committee member so participating in the meeting is deemed to be present at the meeting.

- 9.12 In exceptional circumstances where time is of the essence and there is no reasonable possibility of convening a meeting, electronic voting is permissible at a Senate meeting. The use of electronic voting is to be determined by the Senate Executive Committee, or when this is not possible, the Speaker. In circumstances where electronic voting is necessary, the wording of the motion and any background material shall be circulated to the Senators and posted on the University's website prior to the date scheduled for the vote. Normally, a period of no less than 48 hours (excluding Saturdays, Sundays, and statutory holidays) will be provided for Senators to electronically post comments and/or questions about the motion, with this electronic discussion accessible to all Senators and posted on the University's website. Immediately following this period, Senators will be asked to vote on the motion and their votes must be recorded with the Secretary on or before a specific date and time. Voting will be on the motion as presented. The result of the electronic vote shall be transmitted to the Senate and the number of votes shall be reported in the minutes. Senators may request that their own vote be reported in the minutes. Where secret ballots are necessary, the Senate Executive Committee will consult with the information technology department to ensure the anonymity of the responses.
- 9.13 A record of the proceedings of each Senate and Senate Committee meeting shall be kept. The minutes of meetings shall be submitted for approval at the next meeting of the Senate or Senate Committee, as applicable. After adoption by the Senate or Senate Committee, the minutes of meetings of open sessions are public documents.
- 9.14 Any questions of procedure at or for any Senate or Senate Committee meetings that have not been provided for in the *Act* or Regulations, this By-law, by Senate resolution, or in the terms of reference for a Senate Committee, or by Senate-approved general committee policy shall be determined by the Speaker or other presiding officer of the meeting in accordance with *Bourinot's Rules of Order*.
- 9.15 Each Senator and each Senate Committee member entitled to vote at a Senate or Senate Committee meeting, respectively, shall be entitled to one vote on each matter. Voting may not be by proxy.
- 9.16 Unless otherwise specified in the *Act*, business arising at any Senate or Senate Committee meeting shall be decided by a majority of votes, provided that:
- (1) subject to Sections 9.12, 9.16(3) and Part V11.3, votes shall be taken in the usual way by show of hands or voice vote among all Senators or voting Senate Committee members (as applicable) present;
 - (2) the Speaker will only vote to break a tie;

- (3) votes shall be taken by written ballot if so demanded by the Speaker or presiding officer of the meeting or any Senator present; and
- (4) a declaration by the Speaker or presiding officer of the meeting that a resolution, vote, or motion has been carried and an entry to that effect in the minutes shall be admissible in evidence as *prima facie* proof of that fact without proof of the number or proportion of the votes recorded in favour of or against such resolution, vote or motion.

PART IV – OTHER MATTERS

SECTION 10 – NOTICE

- 10.1 In computing the date when notice must be given under any provision of this By-law requiring a specified number of days' notice of any meeting or other event, the date of giving the notice shall be excluded and the date of the meeting or other event shall be included.
- 10.2 The accidental omission to give notice of any Senate or Senate Committee meeting, or the non-receipt of any notice by any Senator or Senate Committee member, or any error in any notice not affecting its substance, does not invalidate any resolution passed or any proceedings taken at the meeting. For the purpose of sending notice to any Senator or Senate Committee member for any meeting or otherwise, the address of the Senator or Senate Committee member shall be their last address, e-mail address, or fax number recorded on the books of the University. Any Senator or Senate Committee member may at any time waive notice of any meeting and may ratify and approve any or all proceedings taken thereat.

PART V – AMENDMENTS TO BY-LAWS

SECTION 11 – AMENDMENTS TO BY-LAWS

- 11.1 Subject to the *Act* and Regulations, the Senate may make, amend, or repeal any by-law that regulates the affairs of the Senate.
- 11.2 Notwithstanding any other provision of this By-law, a notice of motion to make, amend, or repeal any by-law of the Senate, together with the draft of the proposed by-law or amendment, shall be given at least 10 calendar days before the meeting at which it is presented for approval.
- 11.3 Any such enactment, amendment, or repeal of the by-laws of the Senate must be approved at a Senate meeting by an affirmative vote of at least two-thirds of the voting members of the Senate. Unless otherwise provided, a by-law, amendment, or repeal passed by the Senate is effective from the date of the Senate resolution.

SECTION 12 – EFFECTIVE DATE AND REPEAL

12.1 This By-law shall be effective immediately following approval by the Senate.

12.2 The Constitution of the Academic Council in effect prior to the University’s continuance under the *Act* is repealed as of the effective date of this By-law.

ENACTED by the Transition Senate on ~~April 7, 2022~~.

Chair _____

Secretary _____

SCHEDULE “A”

SENATE NOMINATING AND ELECTION PROCEDURES

Senate elections are managed centrally by the University Secretary/Chief Electoral Officer and are held annually in preparation for the upcoming academic year.

1. Call for Nominations

The University Secretary/Chief Electoral Officer shall circulate a call for nominations within those constituencies that have Senators whose term of office is expiring or who are otherwise resigning from their position at the end of the academic year. The call shall state the number of vacancies to be filled, the terms of office, the eligibility requirements to stand for nomination and to vote, the date and hour for the closing of nominations, and the date and method of the vote. The nomination period shall be at least five working days. To be eligible for nomination, candidates shall be:

- Teaching Staff in good standing, either full time or stipendiary from one of the divisions, or a Student in good academic standing; and
- available to attend all Senate meetings.

For the purposes of this Schedule “A”, a “**Student**” shall mean a person formally registered at the University in a full-time course or program of study or a resident. A Student may be registered in an undergraduate, a graduate, NODIP, health sciences, or a postgraduate program.

2. Nominations Process

All nominations for Senate positions must be made in writing and endorsed by at least one other member of that constituency, except for Student nominations. All nominations must be accompanied by a declaration/statement by the nominee that they are a member in good standing of the constituency they are being nominated for and, if elected, agree to attend and participate in all scheduled Senate meetings, and agree to be bound by the By-laws.

Nomination Period: The nomination period shall be posted by the University Secretary/Chief Electoral Officer. [Nominations will remain open for 14 business days.](#)

Nomination Forms: The appropriate official nomination form (electronic) shall be distributed and posted on the Senate website, and must be completed as indicated.

- The eligibility of all Teaching Staff nominees and nominators shall be verified by the University Secretary/Chief Electoral Officer.
- Student eligibility shall be confirmed with the Registrar’s office.

- All nominees must confirm their acceptance of the nomination through the means indicated on the form.
- The University Secretary/Chief Electoral Officer must receive all nomination forms by the close of nominations – incomplete nominations or forms will be disqualified.

3. Elections

Elections shall be held in a **fair and transparent manner** for those positions where more than one nomination is received. Following the close of nominations, the names of the nominated candidates, along with their declarations/statements, shall be collated by the University Secretary/Chief Electoral Officer.

Elections shall take place for a specified period through an electronic confidential voting process. Provisions shall be made for those who are unable to vote online. Only those members of the specified constituency may nominate and vote for the nominee of that constituency. No minimum voter turnout is required to validate an election.

Elections shall be conducted and completed no later than March 31 ~~(except for the inaugural year)~~.

Student Nominations

Only Students may nominate and vote for Student candidates. Students, elected from among their respective constituencies, in the following numbers:

- MD Program (UME) (3 seats)
- Health Sciences (2 seats)
- Graduate Student (1 seat)
- Residents (PGME) (2 seats)

Teaching Staff Nominations

The Teaching Staff shall elect the Teaching Staff Senators from among themselves, the total number of which shall be at least twice the total number of all other Senators, and proportionately divided amongst the Clinical Sciences Division, Medical Sciences Division, and Human Sciences Division based upon the number of Teaching Staff including non-unionised stipendiary staff identified by Faculty Affairs at the beginning of an election year namely the 1st of January of that year. Within this total number of Teaching Staff Senators, four must be self-identified as Indigenous, four must be self-identified as Francophone, and two must be stipendiary (one from the Medical Sciences Division and one from the Human Sciences Division). ~~Teaching Staff Senators may be counted more than once as Indigenous, Francophone, or stipendiary.~~

Teaching Staff (56 seats) elected from among the teaching staff in the following numbers:

- [Clinical Sciences Division \(24 seats\)](#)
- [Medical Sciences Division \(12 seats\)](#)
- [Human Sciences Division \(12 seats\)](#)
- [Indigenous Academics self identified \(4 seats\)](#)
- [Francophone Academics self identified \(4 seats\)](#)

[Only Teaching Staff in the Clinical Sciences Division, Medical Sciences Division, and Human Sciences Division may nominate and vote for Teaching Staff candidates in their respective Divisions. All teaching staff may nominate and vote for teaching staff candidates within the self identified Francophone and Indigenous Academic positions.](#)~~Only Teaching Staff in the Clinical Sciences Division may nominate and vote for Teaching Staff candidates in the Clinical Sciences Division. Teaching Staff in the Medical Sciences Division and the Human Sciences Division may nominate and vote for candidates in both the Medical Sciences Division and Human Sciences Divisionself identified.~~

[Where multiple positions are available in a particular constituency, a candidate may only be nominated for one \(1\) position.](#)

Posting for Senate Website

Each candidate must supply a short candidate profile to be published in the election electronic communications.

Acclamation

If at the close of nominations, the number of candidates is equal to or less than the number of seats available for that constituency, the candidates shall be acclaimed.

4. Election Results

All election results shall be reported at the first available meeting date of the Senate Executive Committee and Senate. Once all candidates have been notified of the election results, the names of those elected shall be posted on the Senate website.

5. Senate Committee Nominations

The University Secretary shall issue to all Senators and respective Divisions a call for nominations or request for volunteers for the vacant position(s). Nominations shall remain open for no more than 14 business days, unless otherwise determined by the requesting committee. A representative elected or appointed to fill the vacancy of a committee member shall hold office for the remaining term of that committee member. Nominations for standing committees and/or other committees of the University shall follow their respective Terms of Reference.

6. Posting of Results

The election results shall be posted on the Senate website.

7. Interpretation

Questions of interpretation regarding these senate nominating and election procedures shall be referred to the University Secretary at governance@nosm.ca.