

CONSOLIDATION OF BY-LAW NO. 11
OF
COLLEGE OF EARLY CHILDHOOD EDUCATORS -
(COMMITTEES BY-LAW)

CONSOLIDATION OF BY-LAW NO. 11

(June 17, 2020)

A by-law relating to the committees of the Council.

BE IT ENACTED as a By-law of the College as follows:

1. DEFINITIONS

1.01 In this By-law the words and phrases defined in By-law No. 1 of the College shall have the same meaning as set out in By-law No. 1, unless otherwise defined herein. In addition, in this By-law, unless otherwise defined or required by the context, the following words and phrases shall have the meanings set out below:

"**Act**" means the *Early Childhood Educators Act, 2007*, as the same may be amended from time to time.

"**Approval of Education Programs Policy**" means the policy approved by Council in relation to subsections 7.1.(ii). and 7.1.(iii). of O. Reg. 221/08 Registration as amended from time to time.

"**By-laws**" means the by-laws made under the Act.

"**Committee**" means a committee required by subsection 19(1) of the Act or any other committee established by Council.

"**Councillor**" means a member of Council elected or appointed in accordance with section 8 of the Act.

"**member of the College**" means an individual who holds a certificate of registration issued under the Act.

"**non-Council Member**" means a member of the College who is not a member of the Council.

"**presiding officer**" means the person who conducts the election of the President, Vice-President and other members of the Executive Committee in accordance with Schedule 1 to this By-law, as the case may be.

"**profession**" means the profession of early childhood education.

"**Registrar**" includes the person appointed to act as transitional Registrar and a person appointed as acting Registrar by the Council during a vacancy in the office of the Registrar or the disability or absence of the Registrar.

"**Statutory Committee**" means a committee of the Council required by subsection 19(1) of the Act.

2. COMMITTEES

- 2.01 The Council may, from time to time, establish such Committees as are required by the Act or as it considers necessary or advisable, with such duties as it considers advisable.
- 2.02 In accordance with the Act, the College shall have the following Statutory Committees:
- (a) Executive Committee;
 - (b) Registration Appeals Committee;
 - (c) Complaints Committee;
 - (d) Discipline Committee; and
 - (e) Fitness to Practise Committee.
- 2.03 In addition to the Statutory Committees, the College shall establish the following standing Committees, the composition and duties of which are set out in the By-laws:
- (a) Standards of Practice Committee;
 - (b) Registration Committee;
 - (c) Election Committee;
 - (d) Finance and Audit Committee; and
 - (e) Funding for Therapy and Counselling Committee.
- 2.04 The Council or the Executive Committee may, from time to time, appoint such special Committees, task forces and working groups as it deems necessary or advisable, and a chair for such special Committee, task force or working group. The appointments, if made by the Executive Committee, shall be reported to the Council at its next regular meeting. Every special Committee, task force or working group shall have specified terms of reference and a date upon which it shall dissolve.
- 2.05 Any Committee, other than a Statutory Committee, the Registration Committee, the Election Committee or the Funding for Therapy and Counselling Committee, shall only have the power to make recommendations to the Council.

3. EXECUTIVE COMMITTEE

- 3.01 The Executive Committee shall be composed of
- (a) four elected Councillors who are members of the College; and
 - (b) two Councillors appointed to the Council by the Lieutenant Governor in Council.

- 3.02 The President and Vice-President of the Council shall be among the six members of the Executive Committee.
- 3.03 Four persons shall form a quorum of the Executive Committee.
- 3.04 Questions arising at any meeting of the Executive Committee shall be decided by a simple majority of votes cast by those members of the Executive Committee present at the meeting. In the case of an equality of votes, the chair of the meeting shall not have a second, or casting, vote and the motion shall be considered to be lost.
- 3.05 The President of the Council shall be the chair of the Executive Committee.
- 3.06 The Executive Committee shall have all the powers of Council (except the power to make, amend or revoke a regulation or a by-law) between the meetings of Council and shall be authorized to exercise any power or perform any duty of the Council (other than the power to make, amend or revoke a regulation or a by-law) between the meetings of Council.
- 3.07 The Council shall, at the first regular Council meeting following each regularly scheduled election, elect a President, a Vice-President and four other Councillors to the Executive Committee from among the Councillors, to hold office for a one year term provided that, in default of such election, the then incumbents, being Councillors, shall hold office until their successors are elected. The President, Vice-President and other members of the Executive Committee are eligible for re-election, provided each continues to be a Councillor.
- 3.08 Each of the President and the Vice-President and the four remaining Councillors on the Executive Committee may be any Councillor, provided that the requirements of section 3.01 are met.
- 3.09 The election of the President, Vice-President and other members of the Executive Committee shall be conducted in accordance with Schedule 1 to this By-law.
- 3.10 The presiding officer will determine any disputes that arise during the election.
- 3.11 Notwithstanding section 17.03, if the office of the President becomes vacant, the Vice-President shall become the President for the unexpired term of the office and the office of the Vice-President thereby becomes vacant.
- 3.12 Notwithstanding section 16.01, the Council shall fill any other Executive Committee vacancy at the next regular meeting or at a special meeting which the President may call for that purpose and the term of office of a person who is elected as a successor expires when the term of office of the person being replaced would have expired. The election of a person to fill the vacancy shall be conducted in accordance with the procedures set out in Schedule 1 to this By-law which relate to the position to be filled, with any necessary modifications.

4. REGISTRATION APPEALS COMMITTEE

4.01 The Registration Appeals Committee shall be composed of,

- (a) Two elected Councillors who are members of the College;
- (b) Two Councillors appointed to the Council by the Lieutenant Governor in Council;
and
- (c) Two members of the College who are non-Council Members.

5. COMPLAINTS COMMITTEE

5.01 The Complaints Committee shall be composed of:

- (a) Two elected Councillors who are members of the College;
- (b) Two Councillors appointed to the Council by the Lieutenant Governor in Council;
and
- (c) Two members of the College who are non-Council Members.

6. DISCIPLINE COMMITTEE

6.01 The Discipline Committee shall be composed of,

- (a) Five elected Councillors who are members of the College;
- (b) Four Councillors appointed to the Council by the Lieutenant Governor in Council;
and
- (c) Three members of the College who are non-Council Members.

6.02 Each member of the Discipline Committee shall be a member of the Fitness to Practise Committee.

6.03 Notwithstanding anything to the contrary herein contained, no member of the Complaints Committee shall be a member of the Discipline Committee.

7. FITNESS TO PRACTISE COMMITTEE

7.01 The Fitness to Practise Committee shall be composed of,

- (a) Five elected Councillors who are members of the College;
- (b) Four Councillors appointed to the Council by the Lieutenant Governor in Council;
and

(c) Three members of the College who are non-Council Members.

7.02 Each member of the Fitness to Practise Committee shall be a member of the Discipline Committee.

7.03 Notwithstanding anything to the contrary herein contained, no member of the Complaints Committee shall be a member of the Fitness to Practise Committee.

8. ADDITIONAL MEMBERS OF STATUTORY COMMITTEES

8.01 Notwithstanding the provisions of Articles 4, 5, 6 and 7, Council shall have the power to add to any Statutory Committee (except the Executive Committee):

(a) additional elected Councillors who are members of the College;

(b) additional non-Council Members; and

(c) additional Councillors appointed to the Council by the Lieutenant Governor in Council;

provided that the requirements of subsection 19(2) of the Act are complied with.

9. STANDARDS OF PRACTICE COMMITTEE

9.01 The Standards of Practice Committee shall be composed of not more than ten persons, of whom at least one is a Councillor appointed to the Council by the Lieutenant Governor in Council and at least two are elected Councillors who are members of the College, provided that each member of the Committee is either a Councillor or member of the College and that at least one member of the Committee is a person of indigenous heritage.

9.02 The Standards of Practice Committee shall

(a) advise Council on the development of a Code of Ethics and standards of practice for members of the College and a consultation process in connection with the Code of Ethics and standards of practice for members of the College; and

(b) perform such other duties as may from time to time be determined by Council.

10. REGISTRATION COMMITTEE

10.01 The Registration Committee shall be composed of not more than ten persons, of whom at least one is a Councillor appointed to the Council by the Lieutenant Governor in Council and at least two are elected Councillors who are members of the College, provided that each member of the Committee is either a Councillor or member of the College.

10.02 The Registration Committee shall

- (a) advise Council on the development of policies that relate to the registration of members of the College;
- (b) advise Council on the development of processes to assess and approve educational programs and to assess the educational qualifications of individuals for the purposes of section 7.1. ii, iii, and iv of Ontario Regulation 221/08 made under the Act;
- (c) consider and make determinations in relation to requests for review pursuant to the Approval of Education Programs Policy; and
- (d) perform such other duties as may from time to time be determined by Council.

For greater certainty, the Registration Committee shall not have any involvement in a decision respecting the issuance of a certificate of registration to any applicant or any review of such decision.

11. FINANCE AND AUDIT COMMITTEE

- 11.01 The Finance and Audit Committee shall be composed of at least three persons, of whom at least one is an elected Councillor who is a member of the College and at least one is a Councillor appointed to the Council by the Lieutenant Governor in Council, provided that each member of the Committee is either a Councillor or member of the College and that a majority of the members of the Committee are Councillors.
- 11.02 A member of the Executive Committee shall be among the members appointed to the Finance and Audit Committee.
- 11.03 The Finance and Audit Committee shall:
 - (a) consider and make recommendations to Council on the College's financial matters, including, without limiting the generality of the foregoing, financial management and financial report monitoring, internal financial controls and risk management with respect to financial matters, investment policies and monitoring of investments, and the audit of the College's financial statements and matters related thereto; and
 - (b) perform such other duties as may from time to time be determined by Council.

12. FUNDING FOR THERAPY AND COUNSELLING COMMITTEE

- 12.01 The Funding for Therapy and Counselling Committee shall be composed of at least three (3) persons, of whom at least one (1) is an elected Councillor who is a member of the College and at least one (1) is a Councillor appointed to the Council by the Lieutenant Governor in Council, provided that each member of the Committee is either a Councillor or member of the College and that at least half of the members of the Committee are Councillors.

12.02 The Funding for Therapy and Counselling Committee shall:

- (a) develop and advise Council on policies to administer the program; and
- (b) consider and make determinations in relation to applications related to eligibility and specific therapy- or counselling-related expenses.

13. APPOINTMENT OF COMMITTEES

13.01 Subject to sections 2.04 and 3.07, the Executive Committee shall, annually at the first regular Council meeting following each regularly scheduled election, make recommendations to Council on the appointment of members of the Committees and on the appointment of a chair for each Committee (other than the Executive Committee).

13.02 Subject to sections 2.04 and 3.07, the Council shall, annually at the first regular Council meeting following each regularly scheduled election, appoint all members of the Committees, save and except the members of the Executive Committee who shall be elected.

14. TERM OF OFFICE

14.01 Subject to sections 2.04, 14.03 and 14.04, the term of office of a member of a Committee is one year.

14.02 A member of a Committee is eligible for reappointment.

14.03 Subject to section 14.04, the term of office of a member of a Committee begins on the date of appointment and the member shall continue to serve until a successor is appointed, or the member is disqualified in accordance with this By-law.

15. ELIGIBILITY FOR APPOINTMENT AS NON-COUNCIL MEMBER

15.01 A member of the College is eligible for appointment by the Council to a Committee as a non-Council Member if, on the date of the appointment, the member:

- (a) holds a certificate of registration;
- (b) practises the profession in Ontario, or if the member does not practise the profession, is resident in Ontario;
- (c) is not in default in the payment of any fees;
- (d) has not had a finding of professional misconduct, incompetence or incapacity against him or her in the three years preceding the date of appointment;
- (e) is not the subject of any disciplinary or incapacity proceeding;

- (f) holds a certificate of registration that has not been revoked or suspended in the six years preceding the date of appointment as a result of a professional misconduct, incompetence or incapacity proceeding;
- (g) holds a certificate of registration that is not subject to a term, condition or limitation arising from a professional misconduct, incompetence or incapacity matter;
- (h) is not an employee of the College and has not been an employee of the College in the twelve months prior to the date of appointment;
- (i) is not an employee, director or other member of the board of directors, governing council or other governing body, or officer, or any of the following:
 - (A) the Association of Early Childhood Educators Ontario, the Association francophone à l'éducation des services à l'enfance de l'Ontario or other professional association involving early childhood educators; or
 - (B) the Association of Day Care Operators of Ontario, Ontario Coalition for Better Child Care or other organization that has, as its mandate or a significant portion of its activities, advocacy about matters relevant to child care or early learning;
- (j) is not an employee, or member of the executive, of any collective bargaining unit representing early childhood educators; and
- (k) has not served as a non-Council Member on a Committee for ten consecutive years, unless a period of three years has expired since the end of the non-Council Member's last term of office.

15.02 For greater certainty, the positions listed in subsection 15.01(i) do not include a director, officer or other member of the executive, of a local branch of any of the organizations described in subsection 15.01(i).

16. DISQUALIFICATION OF COMMITTEE MEMBERS

16.01 The Council shall disqualify a non-Council Member appointed to a Committee from sitting on the Committee, and the member shall cease to be a member of the Committee where the member is found to meet any of the following criteria:

- (a) is found, by the Discipline Committee, to be incompetent or to have committed an act of professional misconduct;
- (b) is found, by the Fitness to Practise Committee, to be incapacitated;
- (c) fails, without the permission of the Committee, to attend two consecutive meetings of the Committee or of a subcommittee of which such member is a

member. Such permission may be given either before or after the relevant meeting;

- (d) fails, without advance notice which is reasonable in the circumstances, to attend a hearing or proceeding of a panel for which the member has been selected;
- (e) (deleted);
- (f) (deleted);
- (g) ceases to reside in Ontario unless the member is practising in Ontario;
- (h) ceases to hold a certificate of registration;
- (i) holds a certificate of registration that has been suspended for failure to pay the annual fee or any penalty;
- (j) becomes an employee of the College;
- (k) becomes a person who holds a position described in subsection 14.01(i) or (j); or
- (l) has served as a non-Council Member on a Committee for ten (10) consecutive years.

16.02 The procedure set out in Article 28 of By-law No. 1 is the procedure to be followed *mutatis mutandis* in order to determine whether a non-Council Member meets any of the criteria set out in section 16.01 and the sanction, if any. Notwithstanding the foregoing and section 28.09 of By-law No. 1, if the Council or the Executive Committee determines that a non-Council Member meets any of the criteria set out in section 16.01, the non-Council Member shall be disqualified.

16.03 The Council shall disqualify an elected Councillor appointed to a Committee from sitting on the Committee, and the member shall cease to be a member of the Committee if the elected Councillor is disqualified from sitting on Council.

16.04 If a non-Council Member or elected Councillor appointed to a Committee becomes the subject of a disciplinary or incapacity proceeding, the member shall be suspended from sitting on the Committee pending the outcome of such proceeding.

16.05 Pending the outcome of the proceeding, a member suspended from sitting on a Committee under section 16.04 shall not participate in any meeting or other proceedings of the Committee but shall not cease to be a member of the Committee.

16.06 If the proceeding referred to in section 16.04 results in a finding of professional misconduct, incompetence or incapacity, the non-Council Member or elected Councillor shall cease to be a member of the Committee.

16.07 If the proceeding referred to in section 16.04 does not result in a finding of professional misconduct, incompetence or incapacity, the right of the non-Council Member or elected Councillor to participate in meetings and other proceedings of the Committee shall be reinstated.

16.08 Nothing in this Article 16 shall prevent the use of other provisions of the Act, Regulations or By-laws or other legal or equitable remedies in order for the Council to take action in connection with the conduct or actions of a non-Council Member.

16.1 ROSTER OF ELIGIBLE PANELLISTS FOR CERTAIN COMMITTEES

16.1.01 The Council may establish a roster of eligible panellists for each of the following Committees:

- (a) Registration Appeals Committee;
- (b) Complaints Committee;
- (c) Discipline Committee; and
- (d) Fitness to Practise Committee.

16.1.02 An individual is eligible for appointment by the Council to a roster of panellists for a Committee if, on the date of the appointment, the individual:

- (a) is:
 - (i) a former Councillor;
 - (ii) a former non-Council Member appointed to a Committee;
 - (iii) a current Councillor;
 - (iv) a current non-Council Member appointed to a Committee;
 - (v) a member of the College who has previously run for election to Council;
or
 - (vi) a member of the College who has previously applied for a position as a non-Council Member appointed to a Committee; or
 - (vii) a member of the College who has applied for appointment to the roster;
and
- (b) in the case of a member of the College, holds a certificate of registration:

- (i) that has not been revoked or suspended as a result of a professional misconduct, incompetence or incapacity proceeding in the six years preceding the date of appointment; or
- (ii) that is not subject to a term, condition or limitation arising from a professional misconduct, incompetence or incapacity matter; and
- (c) practises the profession in Ontario, or if the individual does not practise the profession, is resident in Ontario;
- (d) in the case of a member of the College, is not in default in the payment of any fees;
- (e) in the case of a member of the College, has not had a finding of professional misconduct, incompetence or incapacity against him or her in the three years preceding the date of appointment;
- (f) in the case of a member of the College, is not the subject of any disciplinary or incapacity proceeding;
- (g) is not an employee of the College and has not been an employee of the College in the twelve months prior to the date of appointment;
- (h) is not an employee, director or other member of the board of directors, governing council or other governing body, or officer, or any of the following:
 - (A) the Association of Early Childhood Educators Ontario, the Association francophone à l'éducation des services à l'enfance de l'Ontario or other professional association involving early childhood educators; or
 - (B) the Association of Day Care Operators of Ontario, Ontario Coalition for Better Child Care or other organization that has, as its mandate or a significant portion of its activities, advocacy about matters relevant to child care or early learning;provided that the positions listed in either (A) or (B) above do not include a director, officer or other member of the executive of a local branch of any of the organizations listed in either (A) or (B) above; and
- (i) is not an employee, or member of the executive, of any collective bargaining unit representing early childhood educators.

16.1.03 The Executive Committee may, from time to time as requested by the Registrar, make recommendations to Council on the appointment of individuals to the roster of eligible panellists for a Committee referred to in section 16.1.01.

- 16.1.04 The Council may, from time to time, appoint individuals to the roster of eligible panellists for a Committee referred to in section 16.1.01 each for a three year term, each such appointment to be effective in accordance with the terms of the appointment.
- 16.1.05 The term of appointment for each individual appointed to the roster of eligible panellists for a Committee referred to in section 16.1.01 begins on the effective date of appointment and shall continue until the term of the appointment expires or the individual is disqualified in accordance with this By-law.
- 16.1.06 If an individual on the roster of panellists for a Committee referred to in section 16.1.01 becomes the subject of a disciplinary or incapacity proceeding, the individual shall be suspended from the roster pending the outcome of such proceeding.
- 16.1.07 Pending the outcome of the proceeding referred to in section 16.1.06, an individual suspended from the roster under section 16.1.06 shall not be eligible to be appointed to a panel pursuant to section 20.01 but shall not cease to be on the roster.
- 16.1.08 A member of a panel who becomes disqualified to be on the roster of panellists for a Committee referred to in section 16.1.01 after a hearing of a matter has commenced before the panel, shall be deemed, for purposes of dealing with that matter, to remain a member of the panel until the final disposition of the matter.
- 16.1.09 The Council shall disqualify an individual from being on the roster of panellists for a Committee referred to in section 16.1.01, and the individual shall cease to be a member of such roster of panellists, where the individual:
- (a) is found, by the Discipline Committee, to be incompetent or to have committed an act of professional misconduct;
 - (b) is found, by the Fitness to Practise Committee, to be incapacitated;
 - (c) fails, without advance notice which is reasonable in the circumstances, to attend a hearing or proceeding of a panel for which the individual has been selected;
 - (d) ceases to reside in Ontario unless the individual is practising in Ontario;
 - (e) ceases to hold a certificate of registration;
 - (f) is in default in the payment of any fees;
 - (g) holds a certificate of registration that has been suspended for failure to pay the annual fee or any penalty;
 - (h) becomes an employee of the College; or
 - (i) becomes a person who holds a position described in subsection 16.1.02 (h) or (i).

17. VACANCIES

- 17.01 The Council or the Executive Committee may, from time to time, fill any vacancy on a Committee (other than the Executive Committee), however caused.
- 17.02 The term of office of a person who is appointed to fill a vacancy under section 17.01 expires when the term of office of the person being replaced would have expired.
- 17.03 If a member is not entitled to participate in the meetings or other proceedings of a Committee under section 16.04, the Council or Executive Committee may appoint a substitute member to participate at meetings or other proceedings of the Committee.
- 17.04 The term of office of a substitute member expires when,
- (a) a successor is appointed under section 17.01; or
 - (b) the right of the non-Council Member or elected Councillor to participate is reinstated under section 16.07.
- 17.05 If one or more vacancies occur in the membership of a Committee, the members remaining on the Committee constitute the Committee so long as their number is not fewer than the quorum of the Committee.

18. CHAIRS

- 18.01 Subject to section 2.04, the Council shall, annually at the first regular Council meeting following each regularly scheduled election, appoint one of the members of each Committee as the chair of that Committee. Subject to sections 2.04 and 18.02, the term of office of the chair of each of the Committees is one year provided that, in default of appointment of a chair of any of the Committees, the then incumbent shall continue to serve as chair of that Committee until a successor is appointed. The chair of each of the Committees is eligible for reappointment.
- 18.02 The Council or the Executive Committee may, from time to time, remove the chair of any Committee, other than the chair of the Executive Committee, or fill any vacancy in the chair of a Committee, however caused, other than the chair of the Executive Committee.

19. COMMITTEE MEETINGS

- 19.01 Each Committee shall meet at the call of its chair at a place in Ontario, date and time designated by the chair.
- 19.02 Committees shall operate in accordance with the policies and procedures of the College.
- 19.03 No written notice is required for a meeting of a Committee but reasonable efforts will be made to notify all the members of the Committee of every meeting and to arrange meeting dates and times for the convenience of the members of the Committee.

- 19.04 A majority of the members of a Committee constitutes a quorum unless it is a meeting of a panel of a Statutory Committee.
- 19.05 The chair shall preside over meetings of the Committee.
- 19.06 Each Committee shall elect or appoint a vice-chair from among its members. During the absence or inability of the chair, the chair's duties and powers may be exercised by the vice-chair.
- 19.07 Every motion which comes before a Committee shall be decided by a majority of votes. In the case of an equality of votes, the chair of the meeting shall not have a second, or casting, vote and the motion shall be considered to be lost.
- 19.08 The chair of a meeting shall cause minutes to be taken of the proceedings of the meeting, and the minutes, when approved at a subsequent meeting of the Committee and signed by the chair of that meeting, are prima facie proof of the accuracy of the contents of the minutes.
- 19.09 Meetings of any Committee or of panels of a Statutory Committee or of the Registration Committee that are held for a purpose other than conducting a hearing, may be held in any manner that allows all persons participating to communicate with each other simultaneously and instantaneously.

20. COMPOSITION AND QUORUM OF PANELS

- 20.01 The chair of a Statutory Committee, other than the Executive Committee, may appoint panels from among the members of the Statutory Committee or, subject to section 16.1.07, from among a roster of eligible panellists for that Committee appointed by the Council or appointed by the Lieutenant Governor in Council. The chair of the Registration Committee may appoint panels from among the members of the Registration Committee.
- 20.02 The chair of the Registration Appeals Committee may authorize a panel to conduct a review and exercise any other powers or duties of the Registration Appeals Committee under the Act. The chair of the Complaints Committee may authorize a panel to consider and investigate written complaints and exercise any other powers or duties of the Complaints Committee under the Act. The chair of the Discipline Committee may authorize a panel to hold hearings and exercise any other powers or duties of the Discipline Committee under the Act. The chair of the Fitness to Practise Committee may authorize a panel to hold hearings and exercise any other powers or duties of the Fitness to Practise Committee under the Act. The chair of the Registration Committee may authorize a panel to conduct a review and exercise any other powers or duties of the Registration Committee under the Approval of Education Programs Policy.
- 20.03 Each panel appointed under section 20.01 shall be composed of at least three persons. At least one member of each panel shall be a Councillor appointed to the Council by the Lieutenant Governor in Council. At least one member of each panel shall be an elected

Councillor. A majority of the persons on the panel must be members of the Statutory Committee. A member of the panel who is not a member of the Statutory Committee must be on a roster of eligible panellists for that Committee.

20.04 Three members of a panel constitute a quorum.

20.05 Notwithstanding sections 20.03 and 20.04, the chair of the Discipline Committee or Fitness to Practise Committee may appoint a panel of one or more members to hear and determine a procedural or interlocutory matter.

20.06 A member of a panel who ceases to be a member of the relevant Statutory Committee or on a roster of eligible panellists for that Committee after a hearing of a matter has commenced before the panel, shall be deemed, for purposes of dealing with that matter, to remain a member of the panel until the final disposition of the matter.

SCHEDULE 1

(a) General Procedures Applicable to the Election of the Members of the Executive Committee

1. The election of the members of the Executive Committee shall be conducted in the following order: the President, then the Vice-President, then the positions on the Executive Committee to be filled by elected Councillors who are members of the College, and lastly the positions on the Executive Committee, if any, to be filled by Councillors appointed to the Council by the Lieutenant Governor in Council.
2. The election of the President, Vice-President and remaining four members of the Executive Committee shall be conducted by confidential vote, unless the candidate or candidates are elected by acclamation.
3. Each candidate for election to an office or a position will be given an opportunity to address the Council for a maximum of two minutes prior to the vote for such office or position.
4. The Council shall appoint two scrutineers for the election of the members of the Executive Committee. The scrutineers will in the case of a vote using ballots count the ballots and in the case of an electronic vote review the results and will then report to the presiding officer the results in writing including the number of votes cast for each candidate.
5. The Registrar shall be the presiding officer for the election of the members of the Executive Committee. The presiding officer will announce the results without referring to the number of votes cast for each candidate.

(b) Election of the President and Vice-President

6. (deleted)
7. The presiding officer shall call for nominations for the office of President.
8. Any Councillor is eligible to be a candidate for the office of President.
9. If only one candidate is nominated, the presiding officer shall declare that person elected by acclamation.
10. If there is more than one candidate nominated for the office of President, the presiding officer shall conduct an election by confidential vote.
11. Each Councillor present at the meeting will be given access to a paper or electronic ballot with the names of all candidates.

12. Each Councillor may cast one vote.
13. The candidate receiving the highest number of votes shall be declared elected as President.
14. (deleted)
15. If there is a tie vote, each Councillor present at the meeting will be given access to an additional ballot containing the names of the candidates who tied on the first vote. . In the case of a second tie, the tie shall be broken by the presiding officer by random selection. Random selection shall be made by lot or by electronic generation.
16. (deleted)
17. Any Councillor is eligible to be a candidate for the office of Vice-President.
18. The election of the Vice-President shall be conducted in the same manner as the election of the President.

(c) Election of the Remaining Positions on the Executive Committee

19. (deleted)
20. The number of remaining positions to be filled by elected Councillors who are members of the College shall depend on the results of the election of the President and Vice-President and shall be determined in accordance with the requirements of section 3.01 (such number is referred to in paragraphs 23, 24, and 26 as the “positions to be filled”).
21. The presiding officer shall call for nominations for the positions to be filled by elected Councillors who are members of the College.
22. Any elected Councillor who is a member of the College is eligible to be a candidate for the positions to be filled by elected Councillors who are members of the College.
23. If the number of candidates nominated is equal to the number of positions to be filled, the presiding officer shall declare those persons elected by acclamation.
24. If the number of candidates nominated is greater than the number of positions to be filled, the presiding officer shall conduct an election by confidential vote.
25. Each Councillor present at the meeting will be given access to a paper or electronic ballot with the names of all candidates.
26. The number of votes that each Councillor may cast shall be less than or equal to the number of positions to be filled, provided that a Councillor may not cast more than one vote for any one candidate.
27. The candidates receiving the highest number of votes shall be declared elected to the positions.

28. Where two or more candidates receive the same number of votes and they cannot both or all be declared elected, each Councillor present at the meeting will be given access to an additional ballot containing the names of the candidates who tied on the first vote. In the case of a second tie, the tie shall be broken by the presiding officer by random selection. Random selection shall be made by lot or by electronic generation.
- (d) (deleted)
29. (deleted)
30. The number of positions, if any, to be filled by Councillors appointed to the Council by the Lieutenant Governor in Council shall depend on the results of the election of the President and Vice-President and shall be determined in accordance with the requirements of section 3.01.
31. Any Councillor appointed to the Council by the Lieutenant Governor in Council is eligible to be a candidate for the positions, if any, to be filled by Councillors appointed to the Council by the Lieutenant Governor in Council.
32. The election of the positions on the Executive Committee, if any, to be filled by Councillors appointed to the Council by the Lieutenant Governor in Council shall be conducted in the same manner as set out in paragraphs 19 to 28 inclusive hereof.
- (d) **Destruction of Ballots**
33. Unless Council directs otherwise, the ballots shall be destroyed immediately following the election of all of the members of the Executive Committee in accordance with this By-law.