CONSOLIDATION OF BY-LAW NO. 7

OF

COLLEGE OF EARLY CHILDHOOD EDUCATORS

(ELECTION BY-LAW)

CONSOLIDATION OF BY-LAW NO. 7
(October 21, 2026)

A by-law relating to the elections of Councillors to 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:

"**Council**" means the Council duly constituted under section 8 of the Act.

"**Councillor**" means a member of the College elected to Council in accordance with this By-law.

"**count**" includes "tabulate" or "tabulation", depending on whether the word is used as a verb or as a noun.

"Electoral District" means each of the eight geographic areas of the Province described in and designated by the Regulation for purposes of the election of Councillors.

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

"**Non-Practising Member**" means a member of the College who is not practising the profession or who is not practising the profession in Ontario.

"**Practising Member**" means a member of the College who is practising the profession in Ontario.

"**principally**", in relation to "practising" or "practises", means practising or practises the greatest portion of the total time during which the member practises the profession.

"**principally**", in relation to "residing" or "resides", means residing or resides the greatest portion of the time.

"profession" means the profession of early childhood education.

"Regulation" means Ontario Regulation 222/08 made under the Act, as the same may be amended from time to time.

2. NUMBER OF MEMBERS ELECTED

2.01 In accordance with the Regulation, from each Electoral District referred to in Column 1 of the following table there shall be elected to Council the number of members of the College set out opposite in Column 2.

COLUMN 1	COLUMN 2
Electoral District	Number of Members of the College
1. North and North East Region	2
2. East Region	1
3. South East Region	1
4. Central East Region	2
5. Toronto Region	3
6. Central West Region	2
7. Hamilton/Niagara Region	1
8. South West Region	2

3. ELIGIBILITY TO VOTE

3.01 (a) Except as provided in section 7.03, a person who is a member of the College and in good standing, at least sixty (60) days before the election, is entitled to vote at an election of Councillors, provided that a member may only vote in an Electoral District in which, at least sixty (60) days before the election, in the case of a Practising Member, the member principally practises, or, in the case of a Non-Practising Member, the member principally resides.

(b) For the purposes of subsection (a), a member is deemed to be principally practising at or principally residing at the business or residential address last recorded in the records of the College.

4. TERM OF OFFICE

4.01 (a) Subject to subsection (b) and section 8.01, the term of office of a Councillor is three years. A Councillor may serve for more than one consecutive term, provided that no person may be a Councillor for more than ten consecutive years. After serving for the maximum permitted number of consecutive years, a member may not run for re-election until the expiration of a further three years. The term of office of a Councillor begins at the first regular Council meeting following the election and the

Councillor shall continue to serve until a successor takes office or the Councillor is disqualified in accordance with this By-law.

(b) Elections after the election held on February 6, 2009 shall be held in April, 2011 for all Electoral Districts and then as follows:

(i) for each of Electoral Districts 1, 2 and 6, in April, 2014, and in April of every third year after that;

(ii) for each of Electoral Districts 3, 4, and 8, in April, 2013, in April, 2015, and in April of every third year after that; and

(iii) for each of Electoral Districts 5 and 7, in April, 2013 and in April of every third year after that.

5. ELIGIBILITY FOR ELECTION

5.01 A member of the College is eligible for election as a Councillor if, on the date of nomination, the member:

(a) holds a certificate of registration;

(b) is nominated in the Electoral District where the member principally practises the profession, or, if the member is not practising or is not practising in Ontario, the member principally resides;

(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 nomination;

(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 before the date of nomination as a result of a professional misconduct, incompetence or incapacity proceeding;

(f.1) holds a certificate of registration that has not been revoked or suspended in the three years before the date of nomination for failing to comply with Continuous Professional Learning program requirements;

(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 nomination;

(i) is not, and has not in the twelve months prior to the date of nomination been,

an employee, director or other member of the board of directors, governing council or other governing body, or officer, of 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; and

(j) is not, and has not in the twelve months prior to the date of nomination been an employee, or member of the executive, of any collective bargaining unit representing early childhood educators;

(k) has completed any training or orientation program established by the Registrar; and

(l) has signed an agreement regarding the duties of Councillors in the form and manner requested by the Registrar.

5.02 For greater certainty, the positions listed in subsection 5.01(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 5.01(i).

6. ACCLAMATION

6.01 If, after the deadline for the receipt of nominations, the number of candidates nominated in an Electoral District is less than or equal to the number of members to be elected in that Electoral District, the Registrar shall declare that the candidates are elected by acclamation.

6.02 If the number of candidates elected by acclamation in an Electoral District is fewer than the number of those to be elected in that Electoral District, or if no eligible candidate is nominated in an Electoral District, then the members of Council shall elect any person who is willing to fill the vacancy, meets the criteria set out in the by-laws for eligibility to be nominated for the position, and signs an agreement regarding the duties of a Councillor, in the form provided by the Registrar.

6.03 .

7. VACANCIES

7.01 For the purposes of this By-law, there is a vacancy on Council if a Councillor dies, resigns or is disqualified from sitting on the Council or if a Council position (other than a position to be held by a person who is appointed by the Lieutenant Governor in Council) has not been filled or is vacant for any other reason, other than a reason

set out in section 6.02.

7.02 If there is a vacancy on Council, then the Registrar shall declare elected as a Councillor, the person who had the most votes of all the unsuccessful candidates in the last election of Councillors for that Electoral District, not including those persons who, as of the date of the declaration,

(a) are not willing to fill the vacancy, or

(b) do not meet the criteria set out in the by-laws for eligibility to be nominated for the position, as the by-laws read on the day of such last election.

7.03 Notwithstanding anything to the contrary contained in this By-law, if no person can be declared a Councillor under section 7.02, then the members Council shall elect any person who is willing to fill the vacancy, meets the criteria set out in the by-laws for eligibility to be nominated for the position, and signs an agreement regarding the duties of a Councillor, in the form provided by the Registrar.

7.04 A person declared or elected as a Councillor under section 7.02 or section 7.03 to fill the seat of a former Councillor shall hold office until the former Councillor's term would have expired.

8. COUNCILLORS

8.01 When an election of members to Council is not held within the required period, the Councillors then in office shall continue in office until their successors are elected.

9. NOMINATIONS

9.01 The Registrar shall supervise and administer the nominations and elections. Without limiting the generality of the foregoing, the Registrar shall set the deadline for returning nominations to the College.

9.02 The Registrar may enter into an agreement or agreements for the purpose of the election, including, without limitation, for the purpose of using electronic means for the nomination of candidates, for voting and for counting results.

9.03 At least one hundred and twenty (120) days prior to the date of an election, the Registrar shall send, to each member eligible to vote, notice of:

(a) the deadline for returning nominations and applications to the College,

(b) how such member may obtain access, by electronic means, to information regarding the nomination and application procedure, and

(c) the date of the election.

9.04 A completed nomination shall be in writing in the form provided by the Registrar, shall be signed by a member of the College who holds a certificate of registration in good standing and meets the criteria established by the Registrar, and shall be

received by the Registrar no later than the deadline specified in the notice referred to in section 9.03.

9.05 A candidate shall submit a completed application in the form and manner requested by the Registrar, and shall ensure that it is received by the Registrar no later than the deadline specified in the notice referred to in section 9.03.

9.06 At least seven (7) days prior to the date of an election, the Registrar shall send, to each member eligible to vote, notice of how such member may obtain access, by electronic means, to a ballot and the following information:

(a) a list of candidates in the Electoral District in which the member is eligible to vote; and

(b) an explanation of voting procedures.

9.07 In addition to any method of giving notice permitted under the Act or By-laws, a notice or document to be given to a member of the College under this By-law is sufficiently given if it is sent by e-mail to the e-mail address of the member of the College last recorded in the records of the College.

9.08 Notwithstanding anything to the contrary set out in this By-law, if a member of the College has not provided an e-mail address to the College, there is no requirement for the College to send any notice or document referred to in this Article 9 to such member.

10. ESTABLISHMENT AND EXECUTION OF ELECTION PROCEDURES

10.01 The Registrar shall, from time to time, determine the procedures to be followed in carrying out an election and shall inform the Council of such procedures. Without limiting the generality of the foregoing, the procedures shall provide for the use of electronic means for voting and for counting results.

10.02 The Registrar shall ensure the election procedures are carried out. Any decision made by the Registrar under this By-law shall be final and binding.

10.03 Disputes as to whether a member is eligible to stand for election to Council or vote in an election for Councillors will be determined by the Registrar. The Registrar may refer a dispute to the Executive Committee for advice, but the decision made by the Registrar shall be final and binding.

10.04 The Registrar shall set the date for each election and shall inform the Council of each date so set.

10.05 Notwithstanding anything to the contrary set out in this By-law, the Registrar, in his or her sole discretion, may extend, abridge or otherwise vary any date, deadline, time period, process or requirement set out in this By-law if the Registrar deems it necessary to preserve the fairness and integrity of the elections process.

11. ELECTIONS

11.01 Voting for candidates for election to the Council shall be by ballot cast by electronic means. The ballots used for voting shall be those provided by the Registrar. The procedures for voting shall be such that reasonable efforts are made to ensure that any records that connect the name of a member who casts a vote and the vote(s) cast by the member remain confidential and are only used to the extent necessary for the purposes of voting and counting the results.

11.02 Members may cast as many votes in an election of Councillors as there are members to be elected as Councillors in the Electoral District in which the member is eligible to vote. A member shall not cast more than one vote for any one candidate.

11.03 If a candidate, who was eligible for election at the time of nomination, ceases to be eligible for election on the date of the election, all votes cast for that candidate are void and shall be deemed to be rejected votes.

11.04 If there is a tie vote, it shall be broken by the Registrar, by lot.

11.05 If a candidate dies or withdraws from nomination for election prior to the date of the election, all votes cast for that candidate, if any, are void and shall be deemed to be rejected votes, provided that, if the remaining number of candidates nominated in that candidate's Electoral District is equal to the number of members to be elected in that candidate's Electoral District, the Registrar shall declare that the remaining candidates are elected by acclamation.

12. ELECTION RESULTS

12.01 As soon as practicable after each election, the Registrar shall notify each candidate of the results of the election and of the number of votes cast for each candidate in the candidate’s Electoral District, other than a candidate referred to in section 11.03 or section 11.05.

12.02 The Registrar shall declare the candidate (or candidates in the case of Electoral Districts 1, 4, 5, 6, and 8) receiving the greatest number of votes in the Electoral District to be elected upon receipt of an acceptance of election and agreement regarding duties of members of Council in the form and manner provided by the Registrar. If the acceptance of election and agreement regarding duties of members of Council is not received in the time prescribed the Registrar, the candidate shall be declared ineligible and the procedure in s. 11.03 shall apply.

12.03 The Registrar shall cause all ballots cast by electronic means to be destroyed thirty days after the candidates are notified of the results of the election.

13. DISQUALIFICATION OF ELECTED COUNCILLORS

13.01 A Councillor is disqualified from sitting on Council where the Councillor 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 Council, to attend two consecutive meetings of Council. 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 Councillor has been selected;

(e) (deleted);

(f) (deleted);

(g) ceases to reside in Ontario unless the Councillor 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 5.01(i) or (j); or

(l) has served as a Councillor for ten consecutive years.

13.02 A Councillor who is the subject of a disciplinary or incapacity proceeding is suspended from office pending the outcome of such proceeding.

13.03 A Councillor who is suspended under section 13.02 shall not participate in any meeting or other proceeding of the Council.

13.04 A Councillor who is disqualified from sitting on the Council ceases to be a Councillor.

13.05 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 Councillor meets any of the criteria set out in section 13.01 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 Councillor meets any of the criteria set out in section 13.01, the Councillor shall be disqualified.

13.06 Nothing in this Article 13 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 Councillor.