

THE UNIVERSITY OF BRITISH COLUMBIA



Enrolment Services
Senate and Curriculum Services
2016-1874 East Mall
Vancouver, BC V6T 1Z1
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Council of Senates

AGENDA

THE INAUGURAL MEETING OF THE COUNCIL OF SENATES

FRIDAY, MARCH 17, 2006

3:00 P.M. - 5:00 P.M.

**BOARD & SENATE ROOM, OLD ADMIN BLDG., 6328 MEMORIAL ROAD
(VANCOUVER CAMPUS)**

1. Membership: Introduction of Members
(information) (list circulated)
2. Adoption of Agenda
(approval)
3. Remarks from the Chair and Related Questions -- President Martha C. Piper
(information)
4. Rules and Procedures
 - a. Rules and Procedures of the Council of Senates
(approval) (circulated)
 - b. Interim Election Regulations
(approval) (circulated)
 - c. Ad hoc Committee to Consider Council Membership
(approval) (circulated)
5. From the Okanagan Senate
 - a. En'owkin Affiliation Agreement
(approval) (circulated)
6. Other Business

Regrets: Lisa Collins, telephone 604.822.2951 or email: lisa.collins@ubc.ca

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COUNCIL OF SENATES

March 17, 2006

Membership List

Ex officio: *University Act*, S. 38.1(1)(a through d)

Dr Allan McEachern, Chancellor
Dr Martha C Piper, President
Dr Richard C Tees for Barry McBride, Academic Vice-President, UBC Okanagan
Dr Lorne A Whitehead, Academic Vice-President, UBC Vancouver

Elected Members of the Vancouver Senate: *University Act*, S. 38.1(1)(e)

Dr David McLean, Faculty Senator, UBC Vancouver
Dr Ronald Yaworsky, Convocation Senator, UBC Vancouver
Ms Lianne McLean Student Senator, UBC Vancouver
Mr Phil Orchard, Student Senator, UBC Vancouver

Elected Members of the Okanagan Senate: *University Act*, S. 38.1(1)(f)

Dr Maurice Williams, Faculty Senator, UBC Okanagan
Mr Gary August, Convocation Senator, UBC Okanagan
Mr Matt Koovisk, Student Senator, UBC Okanagan
Mr Zach Webster, Student Senator, UBC Okanagan

Chairs of Vancouver Senate Committees: *University Act*, S. 38.1(1)(h)

Dr John Gilbert, Chair of the Senate Nominating Committee, UBC Vancouver
Dr Paul Harrison, Chair of the Senate Academic Policy Committee, UBC Vancouver
Dr Peter Marshall, Chair of the Senate Curriculum Committee, UBC Vancouver

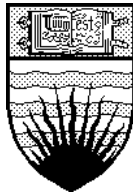
Chairs of Okanagan Senate Committees: *University Act*, S. 38.1(1)(i)

Dr Michael Isaacson, Chair of the Senate Policies and Procedures Committee, UBC Okanagan
Dr Sharon McCoubrey, Chair of the Senate Admissions and Awards Committee, UBC Okanagan
Dr Daniel Salhani, Chair of the Senate Curriculum Committee, UBC Okanagan

Vacancies: *University Act*, Section 38.1(1)(g)

One or 2 persons designated by the president and, if 2 are designated, one must be designated for the Okanagan Senate and one must be designated for the Vancouver Senate.

DRAFT
RULES
AND
PROCEDURES
OF
THE
COUNCIL OF SENATES



THE UNIVERSITY OF BRITISH COLUMBIA

MARCH 2006 – MARCH 6TH EDITION

Part 1 - Definitions

1. The following definitions are in use throughout, except as context requires otherwise:
 - “*Board of Governors*” means the Board of Governors of the University
 - “*Chair*” means the chair of meetings of the Council of Senates, or the chair of one of its committees, as context requires
 - “*Council of Senates*” means the Council of Senates of the University of British Columbia
 - “*Councillor*” means a member of the *Council of Senates*
 - “*Okanagan Senate*” means the Okanagan Senate of the University
 - “*President*” means the President of the University
 - “*Registrar*” means the Registrar of the University
 - “*Secretary to the Council of Senates*” means the *Registrar* or designate
 - “*Senate*” means the *Okanagan* or *Vancouver Senates*, as context requires
 - “*University*” means The University of British Columbia
 - “*University Act*” means the law titled as such in the Province of British Columbia with the citation Revised Statutes of British Columbia 1996, chapter 468 (RSBC 1996 c 468) and its successor legislation.
 - “*Vancouver Senate*” means the Vancouver Senate of the University

Part 2 - Rules and Procedures

2. The Executive Committee of the *Council of Senates* shall consider and make recommendations to the *Council of Senates* or its *Chair* on any matters relating to the rules and procedures of the *Council of Senates* that are not otherwise covered by these Rules and Procedures.
3. The *Council of Senates* may - with a two-thirds (2/3) vote in favour - amend or suspend any provision of these Rules and Procedures at any time.
4. In all cases in which they are not inconsistent with these Rules and Procedures the rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the *Council of Senates* and its committees.
5. Quorum shall be as follows:
 - a. For all meetings of the *Council of Senates* - Twelve (12) *Councillors*

- b. For committees of the *Council of Senates* - 50% of each committee's voting members, except for the Elections Committee, where quorum shall be 50% of the Committee's voting members except when considering an appeal of a for an office at only one (1) campus, in which case a quorum shall be four (4) voting members.

Part 3 - Membership and Officers

6. Membership of the *Council of Senates* is as set out in the *University Act*.
7. The *President* shall serve as *Chair* of the *Council of Senate* shall designate a *Councillor* as vice-chair to serve as *Chair* in the absence of the *President*.
8. The *Registrar* or designate shall serve as the *Secretary to the Council of Senates* and any committees thereof.
9. No *Councillor* may appoint a delegate, or voting proxy, to act in the *Councillor's* absence at meetings of the *Council of Senates* or any of its committees.

Part 4 - Meetings of Council of Senates

Regular Meetings

10. The *Council of Senates* shall have four (4) scheduled regular meetings per year, generally in December, March, June, and September as scheduled at a time and place by the *Secretary to the Council of Senates* in consultation with the *Chair*, which generally alternate between Vancouver and the Okanagan.
11. The Executive Committee may cancel a scheduled regular meeting on at least ten (10) day's notice unless at least fourteen (14) days prior to the date of the scheduled regular meeting a matter has been referred to the *Council of Senates* by:
 - a. The Board;
 - b. The *President*; or
 - c. Either or both of the *Senates*.
12. If a matter is referred to the *Council of Senates* with fewer than fourteen (14) days remaining before a scheduled regular meeting, that matter shall be considered at a subsequent regular meeting of the *Council of Senates*.
13. If the Executive Committee determines that a regular meeting is not necessary pursuant to Section 11, the Executive Committee may cancel the meeting if this decision is communicated to *Councillors* at least ten (10) days prior to the scheduled regular meeting.
14. Regular meetings shall adjourn no more than three hours after being called to order but only upon declaration of adjournment. The time for adjournment of regular meetings may be extended by resolution passed by majority vote. The motion to extend is not debatable but is amendable as to time.

15. The location for regular meetings shall be determined by the *Secretary to the Council of Senates*, and shall generally alternate between Vancouver and the Okanagan.

Special Meetings

16. A special meeting may be called to discuss a particular topic or topics and shall be called:
- a. At the discretion of the *Chair*; or
 - b. If at least six (6) *Councillors* submit a request to the *Secretary to the Council of Senates* to that effect.
17. At least ten (10) days notice shall be given to *Councillors* of a special meeting.
18. The *Secretary to the Council of Senates* shall, in consultation with the *Chair*:
- a. Fix the date of a special meeting, provided that such a date shall be no more than twenty-one (21) days and no less than fourteen (14) days after a meeting is requested under Section 16 (b) and
 - b. Set the location in Vancouver or the Okanagan.
19. A notice of special meeting shall specify the purpose of the meeting. Such a notice shall be given to *Councillors* at least ten (10) days prior to the meeting. Only the matter or matters specified in the notice concerning the meeting shall be considered at such a special meeting.
20. Special meetings shall adjourn no more than three hours after being called to order but only upon declaration of adjournment. The time for adjournment of a special meeting may be extended by resolution passed by majority vote. The motion to extend is not debatable but is amendable as to time.

Open and Closed Sessions

21. Meetings of the *Council of Senates* are, in general, open to observers but observers, including staff and Senators who are not *Councillors* may only address the *Council of Senates* with permission of the meeting. Normally the *Chair* shall determine the will of the meeting informally.
22. The *Secretary to the Council of Senates* may:
- a. Designated public galleries, which shall normally be an area set aside from the voting members of the *Council of Senates*;
 - b. Limit or regulate admittance to the public gallery including by ticket or reservation; and
 - c. Establish and enforce rules of behaviour for observers.

23. No cameras, tape recorders or other electronic equipment may be brought into the meeting room of the *Council of Senates*, including the public gallery, except with permission of the meeting. Normally the *Chair* shall determine the will of the meeting informally.
24. The *Council of Senates* may, by simple majority vote, clear the public gallery and consider items of the agenda *in camera*. If an agenda item identified as an in camera item the meeting room is to be cleared of all but *Councillors* and guests identified as invited for that item, without need of a vote.

Order of Business

25. The agenda for regular or special meetings is normally prepared by the Executive Committee a minimum of ten (10) days prior to the scheduled meeting date of the *Council of Senates*. The Executive Committee shall add no item to the agenda that impedes the authority of a *Senate* under the *University Act* unless that item has been referred to the Council under Section 11.
26. The usual order of agenda items is:
 - a. **Call to Order**
 - b. **Quorum/Membership:** New members, declaration of vacancies. Quorum difficulties if noted.
 - c. **Agenda:** Motion to adopt (amendable)
 - d. **Minutes of Previous Meeting:** Motion to adopt, amend and/or correct the minutes.
 - e. **Chair's Report:** The *Chair* may report on issues of interest to the *Council of Senates*. *Councillors* shall have the opportunity to pose questions to the *Chair* regarding matters of interest to the *Council of Senates*.
 - f. **Reports:**
 - i. Reports of Standing Committees of the *Council of Senates*: Normally presented in alphabetical order. Reports should be circulated in advance. Committees may propose motions with respect to their reports
 - ii. Reports of *Ad hoc* Committees: Normally presented in alphabetical order. Reports should be circulated in advance. Committees may propose motions with respect to their reports.
 - g. **Correspondence and the Receipt of Petitions** (if no already included in a Committee Report): Petitions may be received by the *Council of Senates* and may

be forwarded to committees or other appropriate bodies for consideration. Statements may be circulated to *Councillors*

- h. **Unfinished Business and Business Arising from the Minutes:** Items brought forward from the previous meeting as noted in the minutes of the previous meeting
- i. **Announcements**
- j. **In Camera Session:** Held if required without need for request of any member.
- k. **Adjournment**

27. Any *Councillor* may give notice of a main motion from the floor of the *Council of Senates*, whereby the motion shall be placed on the agenda of the next regular of the *Council of Senate* under *Business Arising from the Minutes*, but a vote of two-thirds (2/3) majority in the affirmative will be required for the motion to pass.

Voting

28. Voting on ordinary business and motions is normally by show of hands. A vote shall be held by roll call or secret ballot if:

- a. The *Chair* so directs, at the *Chair's* discretion; or
- b. A motion to do so is approved by simply majority. A member may make this motion at any time before final announcement of the vote results by the *Chair*.

29. The *Chair* has the same voting rights as other members of the *Council of Senates*.

30. If there is a tie vote on a motion, the motion shall be lost.

31. Any *Councillor* may, by request, require that the vote count, or the *Councillor's* individual vote or abstention from voting, be recorded in the *Council of Senates* minutes.

Debate and Motions

32. *Councillors*, upon recognition by the *Chair*, normally may speak to a question only once except with permission of the meeting. Normally the *Chair* shall determine the will of the meeting informally.

33. Once a motion is moved and seconded, the mover may speak to it first, throughout debate may answer questions put through the *Chair* from the floor despite Section 32, and has the option to also speak last in debate.

34. When two motions on the agenda are conflicting, the *Chair* may rule that consideration of the second motion is unnecessary if the first is passed. If the first motion is lost, the second may then be considered.

35. A motion to rescind a motion requires a vote of two-thirds (2/3) majority in the affirmative to pass, or, if a notice of motion has been given, a simple majority in the affirmative to pass except for which such notice is given under Section 27 in which case a two-thirds (2/3) majority in the affirmative is still required.
36. A ruling of the *Chair* with regard to motions or any other matter may be challenged by seconded motion of any *Councillor* present if the motion of appeal is made immediately. Such an appeal is generally made after raising a point of order establishing the basis for the appeal, and is generally debatable. The *Chair's* decision stands until reversed by majority vote of the *Council of Senates*. The *Chair* remains presiding during any appeal, may vote on the appeal, and before the vote may explain the reasoning for the ruling or action without being considered as debate.

Part 5 - Committees

Standing Committees

- The Executive Committee

37. The Executive Committee shall be composed of:
- a. One (1) representative appointed by and from the committee responsible for preparing the *Okanagan Senate* Agenda;
 - b. One (1) representative appointed by and from the committee responsible for preparing the *Vancouver Senate* Agenda;
 - c. Three (3) *Councillors* from the *Okanagan Senate*, elected by and from the *Council of Senates*, who must include at least one (1) a faculty member and one (1) student;
 - d. Three (3) *Councillors* from the *Vancouver Senate* elected by and from the *Council of Senates*, who must include at least one (1) a faculty member and one (1) student.
38. The *Chair* of the Executive Committee shall be elected by the Committee from among those members specified by Section 37 (c) and 37 (d).
39. The Executive Committee shall be responsible for recommending the following to the *Council of Senates*:
- a. The agenda for meetings of the *Council of Senates*.
 - b. The disposition of any matter referred to the *Council of Senates* by a *Senate*, by the *Board of Governors*, or by the *President*;
 - c. Changes to these Rules and Procedures; and

- d. Terms of affiliation with other universities, colleges or other institutions of learning, or to modify or terminate the affiliation.

- The Elections Committee

40. The Elections Committee shall be composed of:

- a. Three (3) *Councillors*, elected by and from the *Council of Senates*; one of whom shall be elected *Chair* by the Committee;
- b. Three (3) members appointed by and from the *Okanagan Senate*, who must include at least one (1) a faculty member and one (1) student; and
- c. Three (3) members appointed by and from the *Vancouver Senate*, who must include at least one (1) a faculty member and one (1) student.

41. The Elections Committee shall be responsible for recommending to the *Council of Senates*, in consultation with the *Secretary to the Council of Senates*, any rules necessary for nominations, elections, and voting in any election:

- a. Of the Chancellor;
- b. To the *Council of Senates*;
- c. To the *Senates*,
- d. To the *Board of Governors*; or
- e. To any body or group created under the authority of the above groups unless the *Council of Senates* otherwise provides.

42. The Elections Committee shall decide the final disposition of any appeal filed for any election governed by Section 41 of these Rules and Procedure.

43. The Elections Committee shall determine its own rules for the conduct of its meetings and business, and shall approve and maintain regulations governing appeals filed under Section 42.

- The Budget Committee

44. The Budget Committee shall be composed of:

- a. Three *Councillors*, elected by and from the *Council of Senates*, one of whom shall be elected *Chair* by the Committee;
- b. Four members of the *Okanagan Senate* appointed by and from the *Okanagan Senate*, who must include at least two (2) faculty members and one (1) student; and

- c. Four members of the *Vancouver Senate* appointed by and from the *Vancouver Senate*, who must include at least two (2) faculty members and one (1) student; and
- 45. The Budget Committee shall elect two (2) vice-chairs - one from those members specified in Section 44 (b) and one from those members specified in Section 44 (c) - who shall be responsible for representing the Budget Committee to their respective *Senates*.
- 46. No member of the Budget Committee shall hold an administrative appointment as a Dean, Principal, Associate Vice-President or Vice-President.
- 47. The Budget Committee shall:
 - a. Meet with the *President* and assist in the preparation of the University budget; and
 - b. Make recommendations to the *President* and to report to the Okanagan and *Vancouver Senates* at least annually concerning academic planning and priorities as they relate to the preparation of the University budget.
- 48. In advising the *President* on the University budget, the Budget Committee may request information on any of the University's fund accounts.

Membership and Appointments to Committees

- 49. The *Registrar* shall conduct elections for all *Council of Senates* representatives on committees or other bodies using such procedures considered acceptable to the *Registrar*.
- 50. Each *Senate* shall appoint its representatives on committees using such procedures considered acceptable by that *Senate*.
- 51. The *Registrar* or designate is an ex-officio member of all *Council of Senates* committees and shall serve as committee secretary.
- 52. When a vacancy occurs or is expected to occur on a committee, the *Chair* of that committee shall notify the *Secretary to the Council of Senates*.
- 53. The *Council of Senates* may at any time by resolution, form and establish the terms of reference of a standing or an *ad hoc* committee of which the size and composition is recommended by the Executive Committee; however, it may not delegate any of its powers to any person, committee, or other body.
- 54. Members of committees whose terms of office have ended are requested to continue their committee memberships and attendance at committee meetings until their successors have been appointed.

Committee Meetings

55. Attendance at meetings of *Council of Senates* committees is normally limited to members of the committee and committee staff. Staff and others may attend only with the permission of the meeting. Normally the *Chair* shall determine the will of the meeting informally.
56. The *Secretary to the Council of Senates* or designate shall call the first meeting of each Committee as soon as feasible after the composition of the committees has been determined.

Committee Reports

57. A committee report is generally presented by the *Chair* of the committee, but in the *Chair's* absence another member of the committee may do so.
58. Committee reports are not required to be seconded to be discussed on the floor of the *Council of Senates*.
59. A committee report should normally consist of the body of the report with a collection of any recommendations at the end followed by text of any motions arising from the recommendations. These motions need not be seconded to be discussed or voted upon.
60. The work of an *ad hoc* committee is not complete until the committee is discharged. The final report of an *ad hoc* committee shall conclude with a recommendation, followed by text of the motion, that the *Council of Senates* discharge the committee.
61. A committee may report for information. Such a report may raise questions without making recommendations, or may make recommendations, with no motions or actions arising from the report.
-

The above text is a draft. If you have any questions regarding this document or any provisions therein, please contact:

Christopher Eaton,
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Enrolment Services
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christopher.eaton@ubc.ca

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To: **The Council of Senates**

From: **Michael Isaacson**

Re: **Rules and Procedures of the Council of Senates**

Date: 27/02/06

The attached Rules and Procedures have been drafted by the staff of the Secretary to the Senates in consultation with the office of the University Counsel. They are submitted to you with the understanding that they are not a final version, but rather a framework by which the Council of Senates can operate while it determines what regulations are necessary for its business to be properly conducted.

As such, I move the following:

That the proposed Rules and Procedures of the Council of Senates be adopted as proposed; and*

That the Executive Committee of the Council of Senates be directed to review the Rules & Procedures and the operation of the Council of Senates in a general sense and report back to the Council of Senates with any recommendations for changes thereof no later than March 2007.

*Requires 2/3rds approval

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To: **The Council of Senates**

From: **Brian J Silzer, Secretary to the Senates**

Re: **Interim University Election Regulations**

Date: 27/02/06

Under Section 43 (1) – as modified by Section 38.2 (4) – of the *University Act*, the Council of Senates has responsibility for providing the rules for University elections. To this end, the Rules and Procedures of the Council of Senates have been drafted to create an Elections Committee to oversee and make recommendations on this responsibility.

As it will take some time for this Committee to begin its work, the following interim election regulations are presented to you for approval until the Committee can consider the issue and bring forward a report to Senate. As such, I recommend:

That the Council of Senates approve the following regulations:

- 1) Interim Election Regulations for the Vancouver Campus;*
- 2) Interim Election Regulations for the Okanagan Campus;*
- 3) Interim Non-Act Election Regulations;*

That the Council of Senates direct the Elections Committee to consider and propose permanent election regulations in consultation with the Registrar; and

That the Elections Committee report back to the Council of Senates with its recommendations no later than September 2006.

The above regulations maintain the status quo while addressing some problems in elections that have occurred in the past few years. They do *not* address the election of the Chancellor of the University (as this is a University-wide position) nor recent requests from student representatives to change the term dates for students on senates. Draft changes to the permanent regulations have been created to address both of these matters, but I feel that these substantive changes are best to be considered by the new Committee.

Respectfully submitted,

Brian J Silzer
Associate Vice-President &
Registrar

**Election of Vancouver Representatives to the Board of Governors and
Vancouver Senators – Interim Regulations**

1) General

- a. This document governs the election of representatives of the Vancouver campus of the University of British Columbia (hereafter the University) to the Board of Governors of the University, and of members of the Vancouver Senate of the University (hereafter the Senate).
- b. The Registrar shall be responsible for all required elections.
- c. Voting shall be accomplished by means satisfactory to the Registrar, including the Internet and paper ballots, with a preference given to Internet voting.
- d. Notices of nominations, voting, and results shall be made via the Internet, and by other means deemed appropriate by the Registrar.
- e. The nomination period shall last for a minimum of five (5) days, and may be extended if deemed necessary by the Registrar. Notice of such an extension shall be given as per Section 1(d) above.
- f. Polls in each required election shall be open for a minimum of five (5) days, and that candidates shall be given at least seven (7) days notice prior to the opening of polls. In exceptional circumstances, the Registrar reserves the right to extend voting.
- g. Only those persons eligible to hold an office shall be deemed as eligible to be nominated.
- h. The Registrar may allow Faculties to conduct elections for their representatives to Senate using such procedures acceptable to both the Faculty and the Registrar, or student organizations to conduct elections for student representatives to the Senate or the Board of Governors using such procedures acceptable to both the student organization and the Registrar with the proviso that the Registrar reserves the right to assume the conduction of any election at any time.
- i. In the case of an election conducted under section 1 (h), the term “Registrar” shall, in those parts of Sections 2 and 3 designated by the Registrar, be taken to mean the official or officials in the Faculty or Student Organization responsible for the conduction of the election in question.
- j. A copy of these regulations shall be posted on the Internet.

2) Board of Governors

- a. The following offices are to be elected:
 - i. Two (2) Faculty Representatives, elected by and from the academic staff of the Vancouver campus of the University with the rank of Professor, Associate Professor, Assistant Professor, Senior Instructor, Instructor II, Instructor I, and Lecturer;
 - ii. Two (2) Student Representatives, elected by and from the undergraduate, diploma, and graduate student body of the Vancouver campus; and
 - iii. One (1) Staff Representative, elected by and from all staff of the Vancouver campus who do not hold an academic appointment set out in Section 2(a)(i).
- b. Each Candidate for the Board of Governors must be nominated by at least seven (7) persons eligible to vote in the respective election.
- c. Each Candidate must consent to their nomination before standing for election
- d. Generally, the nomination and consent required by Sections 2(b) and 2(c) above shall be deemed by the signing of a nomination form provided by the Registrar; however, confirmation may also be given to the Registrar by other means, including electronic means.
- e. The deadline for all nominations shall be as determined by the Registrar.
- f. Each Candidate is requested to provide the Registrar with a statement of no more than one hundred and fifty (150) words to be distributed to prospective voters. In addition to this statement, each Candidate is requested to also provide the Registrar with the following information:
 - i. The Candidate's academic and honorary degrees;
 - ii. The Candidate's current occupation;
 - iii. The Candidate's current and past academic, societal, governmental, or commercial offices held;
 - iv. The Candidate's current professional or business interests; and
 - v. The Candidate's list of publications.

- g. The information requested in Section 2(f) must be provided to the Registrar at least seven (7) days prior to the opening of polls. Failure to provide this information by the day specified may result in it not being made available to voters by the Registrar.
- h. In such cases where only one (1) nomination is received by the close of nominations, that Candidate shall be declared acclaimed.
- i. In such cases where a vacancy exists for a Representative to the Board of Governors between normal elections, a new election shall be called by the Registrar forthwith, to be held in accordance with these regulations insofar as possible. A person so elected shall complete the remainder of the original term of office.

3) Senate

- a. The following offices are to be elected:
 - i. A number of Faculty representatives equal to twice the number of senate members set out in Section 35.1 (3) (a) through (f) of the *University Act (RSBC 1996, c. 468)*, elected by and from the academic staff of the Vancouver campus of the University with the rank of Professor, Associate Professor, Assistant Professor, Senior Instructor, Instructor II, Instructor I, and Lecturer;
 - ii. A number of Student representatives equal to the number of people set out in Section 35.1 (3) (a) through (f) of the *University Act (RSBC 1996, c. 468)*, elected by and from the undergraduate, diploma, and graduate student body of the Vancouver campus; and
 - iii. Four (4) Representatives of the Convocation, elected by and from the Convocation of the University, provided that no faculty member eligible under Section 3(a)(i) above may run for these offices.
 - iv. Such other positions on Senate that Senate directs are to be filled by election, including additions to those positions enumerated above.
- b. The election of the Representatives of the Faculty shall be conducted in such a way to ensure that at least two (2) representatives of each Faculty are elected, provided that at least two (2) candidates from each Faculty are nominated.

- c. The election of the Representatives of the Student Body shall be conducted in such a way to ensure that at least one (1) representative of each Faculty is elected, provided that at least one (1) candidate from each Faculty is nominated.
- d. Each Candidate for the Senate must be nominated by at least three (3) persons eligible to vote in the respective election.
- e. Each Candidate must consent to their nomination before standing for election
- f. Generally, the nomination and consent required by Sections 3(d) and 3(e) above shall be deemed by the signing of a nomination form provided by the Registrar; however, confirmation may also be given to the Registrar by other means, including electronic means.
- g. The deadline for all nominations shall be as determined by the Registrar.
- h. Each Candidate is requested to provide the Registrar with a statement of no more than one hundred and fifty (150) words to be distributed to prospective voters. In addition to this statement, each Candidate is requested to also provide the Registrar with the following information:
 - i. The Candidate's academic and honorary degrees;
 - ii. The Candidate's current occupation;
 - iii. The Candidate's current and past academic, societal, governmental, or commercial offices held;
 - iv. The Candidate's current professional or business interests; and
 - v. The Candidate's list of publications.
- i. The information requested in Section 3(h) must be provided to the Registrar at least seven (7) days prior to the opening of polls. Failure to provide this information by the day specified may result in it not being made available to voters.
- j. In such cases where the number of nominations received is equal or less than the number of positions available, those candidates nominated shall be acclaimed, and the Senate shall fill any remaining vacancies.
- k. In such cases where a vacancy exists for a Representative of the Faculty to Senate, such a position shall be offered - in the order of the number of votes received - to the persons who received the most number of votes in

the most recent election to that office who were not elected. If no such persons are willing or able to accept the position, the vacancy shall be filled by the Senate on the recommendation of the Faculty in the case of a representative from a specific faculty, or on the recommendation of the remaining Representatives of the Faculty to Senate in the case of a representative of the joint faculties.

- l. In such cases where a vacancy exists for a Representative of the Student Body to Senate, such a position shall be offered - in the order of the number of votes received - to the persons who received the most number of votes in the most recent election to that office who were not elected. If no such persons are willing or able to accept the position, the vacancy shall be filled by Senate on the recommendation of the Student Council of the Vancouver campus.
- m. In such cases where a vacancy exists for a Representative of the Convocation to Senate, such a position shall be offered - in the order of the number of votes received - to the persons who received the most number of votes in the most recent election to that office who were not elected. If no such persons are willing or able to accept the position, the vacancy shall be filled by the Senate on the recommendation of the remaining Representatives of the Convocation to Senate.

4) Electoral Integrity

- a. All candidates shall act with integrity in their campaigns. Activities contrary to the good conduct of the election may result in a candidate or candidates being disqualified and / or the election being declared void by the Registrar, subject to appeal to the Elections Committee of the Council of Senates (hereafter, the Committee). The action taken by the Registrar shall stand until the Committee has ruled on the matter, but no new election shall occur nor candidate or candidates declared elected until the Committee has ruled.
- b. The Registrar may take such remedial actions as he or she deems necessary to enforce these regulations, correct or mitigate any unfair advantage received by any candidate, or to contend with any situation not covered by these regulations, subject to appeal to the Committee. In considering such an appeal, the Committee may uphold or reject the action taken, or substitute its own action in place. The action taken by the Registrar shall stand until the Committee has ruled on the matter.
- c. For an action to be taken by the Committee, the Registrar must receive a formal statement of appeal. No such statement shall be accepted once voting has completed except those regarding the actual tabulation of

results. Statements contesting the vote totals reported must be made within two (2) days of the publication of those totals.

- d. In deciding appeals under Sections 4 (a) and (b), the Committee shall determine its own procedures, with the provisos that
 - i. its determination of appeals shall be final and;
 - ii. it shall not invalidate an election if it is satisfied that the election was conducted in good faith and the matter under appeal did not materially affect the result.

**Election of Okanagan Representatives to the Board of Governors and
Okanagan Senators – Interim Regulations**

1) General

- a. This document governs the election of representatives of the Okanagan campus of the University of British Columbia (hereafter the University) to the Board of Governors of the University, and of members of the Okanagan Senate of the University (hereafter the Senate).
- b. The Registrar shall be responsible for all required elections.
- c. Voting shall be accomplished by means satisfactory to the Registrar, including the Internet and paper ballots, with a preference given to Internet voting.
- d. Notices of nominations, voting, and results shall be made via the Internet, and by other means deemed appropriate by the Registrar.
- e. The nomination period shall last for a minimum of five (5) days, and may be extended if deemed necessary by the Registrar. Notice of such an extension shall be given as per Section 1(d) above.
- f. Polls in each required election shall be open for a minimum of five (5) days, and that candidates shall be given at least seven (7) days notice prior to the opening of polls. In exceptional circumstances, the Registrar reserves the right to extend voting.
- g. Only those persons eligible to hold an office shall be deemed as eligible to be nominated.
- h. The Registrar may allow Faculties to conduct elections for their representatives to Senate using such procedures acceptable to both the Faculty and the Registrar, or student organizations to conduct elections for student representatives to the Senate or the Board of Governors using such procedures acceptable to both the student organization and the Registrar with the proviso that the Registrar reserves the right to assume the conduction of any election at any time.
- i. In the case of an election conducted under section 1 (h), the term “Registrar” shall, in those parts of Sections 2 and 3 designated by the Registrar, be taken to mean the official or officials in the Faculty or Student Organization responsible for the conduction of the election in question.
- j. A copy of these regulations shall be posted on the Internet.

2) Board of Governors

- a. The following offices are to be elected:
 - i. One (1) Faculty Representative, elected by and from the academic staff of the Okanagan campus of the University with the rank of Professor, Associate Professor, Assistant Professor, Senior Instructor, Instructor II, Instructor I, and Lecturer;
 - ii. One (1) Student Representative, elected by and from the undergraduate and graduate student body of the Okanagan campus; and
 - iii. One (1) Staff Representative, elected by and from all staff of the Okanagan campus who do not hold an academic appointment set out in Section 2(a)(i).
- b. Each Candidate for the Board of Governors must be nominated by at least seven (7) persons eligible to vote in the respective election.
- c. Each Candidate must consent to their nomination before standing for election
- d. Generally, the nomination and consent required by Sections 2(b) and 2(c) above shall be deemed by the signing of a nomination form provided by the Registrar; however, confirmation may also be given to the Registrar by other means, including electronic means.
- e. The deadline for all nominations shall be as determined by the Registrar.
- f. Each Candidate is requested to provide the Registrar with a statement of no more than one hundred and fifty (150) words to be distributed to prospective voters. In addition to this statement, each Candidate is requested to also provide the Registrar with the following information:
 - i. The Candidate's academic and honorary degrees;
 - ii. The Candidate's current occupation;
 - iii. The Candidate's current and past academic, societal, governmental, or commercial offices held;
 - iv. The Candidate's current professional or business interests; and
 - v. The Candidate's list of publications.

- g. The information requested in Section 2(f) must be provided to the Registrar at least seven (7) days prior to the opening of polls. Failure to provide this information by the day specified may result in it not being made available to voters by the Registrar.
- h. In such cases where only one (1) nomination is received by the close of nominations, that Candidate shall be declared acclaimed.
- i. In such cases where a vacancy exists for a Representative to the Board of Governors between normal elections, a new election shall be called by the Registrar forthwith, to be held in accordance with these regulations insofar as possible. A person so elected shall complete the remainder of the original term of office.

3) Senate

- a. The following offices are to be elected:
 - i. A number of Faculty representatives equal to twice the number of senate members set out in Section 35.1 (3) (a) through (f) of the *University Act (RSBC 1996, c. 468)*, elected by and from the academic staff of the Okanagan campus of the University with the rank of Professor, Associate Professor, Assistant Professor, Senior Instructor, Instructor II, Instructor I, and Lecturer;
 - ii. A number of Student representatives equal to the number of people set out in Section 35.1 (3) (a) through (f) of the *University Act (RSBC 1996, c. 468)*, elected by and from the undergraduate and graduate student body of the Okanagan campus; and
 - iii. Two (2) Representatives of the Convocation, elected by and from the Convocation of the University, provided that no faculty member eligible under Section 3(a)(i) above may run for these offices.
 - iv. Such other positions on Senate that Senate directs are to be filled by election, including additions to those positions enumerated above.
- b. The election of the Representatives of the Faculty shall be conducted in such a way to ensure that at least two (2) representatives of each Faculty are elected, provided that at least two (2) candidates from each Faculty are nominated.

- c. The election of the Representatives of the Student Body shall be conducted in such a way to ensure that at least one (1) representative of each Faculty is elected, provided that at least one (1) candidate from each Faculty is nominated.
- d. Each Candidate for the Senate must be nominated by at least three (3) persons eligible to vote in the respective election.
- e. Each Candidate must consent to their nomination before standing for election.
- f. Generally, the nomination and consent required by Sections 3(d) and 3(e) above shall be deemed by the signing of a nomination form provided by the Registrar; however, confirmation may also be given to the Registrar by other means, including electronic means.
- g. The deadline for all nominations shall be as determined by the Registrar.
- h. Each Candidate is requested to provide the Registrar with a statement of no more than one hundred and fifty (150) words to be distributed to prospective voters. In addition to this statement, each Candidate is requested to also provide the Registrar with the following information:
 - i. The Candidate's academic and honorary degrees;
 - ii. The Candidate's current occupation;
 - iii. The Candidate's current and past academic, societal, governmental, or commercial offices held;
 - iv. The Candidate's current professional or business interests; and
 - v. The Candidate's list of publications.
- i. The information requested in Section 3(h) must be provided to the Registrar at least seven (7) days prior to the opening of polls. Failure to provide this information by the day specified may result in it not being made available to voters.
- j. In such cases where the number of nominations received is equal or less than the number of positions available, those candidates nominated shall be acclaimed, and the Senate shall fill any remaining vacancies.
- k. In such cases where a vacancy exists for a Representative of the Faculty to Senate, such a position shall be offered - in the order of the number of votes received - to the persons who received the most number of votes in

the most recent election to that office who were not elected. If no such persons are willing or able to accept the position, the vacancy shall be filled by the Senate on the recommendation of the Faculty in the case of a representative from a specific faculty, or on the recommendation of the remaining Representatives of the Faculty to Senate in the case of a representative of the joint faculties.

- l. In such cases where a vacancy exists for a Representative of the Student Body to Senate, such a position shall be offered - in the order of the number of votes received - to the persons who received the most number of votes in the most recent election to that office who were not elected. If no such persons are willing or able to accept the position, the vacancy shall be filled by Senate on the recommendation of the Student Council of the Okanagan campus.
- m. In such cases where a vacancy exists for a Representative of the Convocation to Senate, such a position shall be offered - in the order of the number of votes received - to the persons who received the most number of votes in the most recent election to that office who were not elected. If no such persons are willing or able to accept the position, the vacancy shall be filled by the Senate.

4) Electoral Integrity

- a. All candidates shall act with integrity in their campaigns. Activities contrary to the good conduct of the election may result in a candidate or candidates being disqualified and / or the election being declared void by the Registrar, subject to appeal to the Elections Committee of the Council of Senates (hereafter, the Committee). The action taken by the Registrar shall stand until the Committee has ruled on the matter, but no new election shall occur nor candidate or candidates declared elected until the Committee has ruled.
- b. The Registrar may take such remedial actions as he or she deems necessary to enforce these regulations, correct or mitigate any unfair advantage received by any candidate, or to contend with any situation not covered by these regulations, subject to appeal to the Committee. In considering such an appeal, the Committee may uphold or reject the action taken, or substitute its own action in place. The action taken by the Registrar shall stand until the Committee has ruled on the matter.
- c. For an action to be taken by the Committee, the Registrar must receive a formal statement of appeal. No such statement shall be accepted once voting has completed except those regarding the actual tabulation of results. Statements contesting the vote totals reported must be made within two (2) days of the publication of those totals.

- d. In deciding appeals under Sections 4 (a) and (b), the Committee shall determine its own procedures, with the provisos that
 - i. its determination of appeals shall be final and;
 - ii. it shall not invalidate an election if it is satisfied that the election was conducted in good faith and the matter under appeal did not materially affect the result.



The University of British Columbia – Enrolment Services

Regulations for Elections to Non-Governing Bodies

Part 1 - General

1. These regulations govern elections conducted by the Registrar (hereafter Enrolment Services) for elected positions on bodies or to offices other than those set out in the *University Act*.
2. The originator of a request for Enrolment Services to conduct an election (hereafter, the originator) may request changes to Parts 2 or 3 of these regulations for use in that election. Such changes must be specified before any call for nominations is issued for the election in question. Enrolment Services reserves the right to refuse any such request should it compromise the integrity of the election in the opinion of Enrolment Services and to not conduct the election should the originator not abide by procedures required.
3. To preserve the impartiality of the electoral processes, the originator shall not be involved in the conduct of the election except as set out in these regulations or as requested by Enrolment Services.
4. Enrolment Services shall be notified by the originator of any requests for an election no less than two (2) weeks before the opening of nominations, but may conduct elections with less notice at its discretion.
5. The originator shall supply Enrolment Services with:
 - a. the title of the office to be elected;
 - b. the date by which the election needs to be completed;
 - c. the number of positions to be elected; and
 - d. a definition of who is eligible to vote and stand for election.
6. Communication with voters, including notices of the call for nominations, voting, and the issuance of results shall be made via the Internet and by other means deemed appropriate by Enrolment Services.
7. The responsibility for a procedure for resolving a tie between two (2) or more candidates is with the originator. However, if such a procedure is not specified, a tie shall be resolved by lot drawn by the Registrar.
8. A copy of these regulations shall be posted on the Internet.

Part 2 - Nominations

9. In such cases where there are more than one hundred (100) eligible voters each candidate shall be nominated by at least three (3) persons eligible to vote in the election other than themselves. If there are fewer than one hundred (100) eligible voters, only one nominator shall be required.
10. Candidates shall consent to their nomination before standing for election.
11. Generally, the nomination and consent required by Sections 9 and 10 above shall be deemed given by the signing of a nomination form provided by Enrolment Services; however, confirmation may also be given to Enrolment Services by other means suitable to Enrolment Services, including electronic means.
12. Enrolment Services shall specify the date and time nominations are due on the nomination form.
13. Nominations shall be submitted to the office, email address, or fax number specified by Enrolment Services on the nomination form.

14. The nomination period shall last for a minimum of five (5) days, and may be extended if deemed necessary by Enrolment Services.
15. Each candidate is requested to provide Enrolment Services with a statement of not more than one hundred and fifty (150) words to be made available to prospective voters.
16. The statement requested in Section 15 must be provided to Enrolment Services at least seven (7) days prior to the opening of polls. Failure to provide this information by the date specified may result in it not being made available to voters.
17. In such cases where the number of nominations received is equal to or less than the number of positions to be elected, those candidates who submitted completed nominations shall be deemed acclaimed.
18. The responsibility for a procedure for filling positions to which no candidate was nominated is with the originator.

Part 3 – Voting and Results

19. A period of at least seven (7) days shall elapse between the close of nominations and the start of voting.
20. Voting shall occur for a period of no less than three (3) and no more than twenty-eight (28) days, the exact duration to be determined by Enrolment Services in consultation with the originator. The voting period may be extended if deemed necessary by Enrolment Services.
21. Voting shall be accomplished by means satisfactory to Enrolment Services, generally via Internet and paper ballots. A preference will be given to the use of the Internet.
22. Results for elections shall generally be made available to candidates and the public within forty-eight (48) hours of the close of voting; however,
 - a. Enrolment Services may, at the request of the originator, withhold results for up to one (1) month, generally so that other related elections or appointments may be completed; and
 - b. Enrolment Services shall withhold results if an appeal is filed under Part 4 below, and then only provide the results to the Committee - in confidence and upon request - until the appeal is ruled upon. If a new election is ordered, the results of the invalidated election shall not be made available.

Part 4 - Electoral Integrity

23. Appeals of electoral decisions shall be to a committee (hereafter, the Committee) of at least three people as specified by the originator. In the case of elections where the Board, Council of Senates, or a Senate is the originator, that committee shall be the Election Committee of the Council of Senates.
24. All candidates shall act with integrity in their campaigns. Activities contrary to the good conduct of the election may result in a candidate or candidates being disqualified and / or the election being declared void by the Registrar, subject to appeal to the Committee. The action taken by the Registrar shall stand until the Committee has ruled on the matter, but no new election shall occur nor candidate or candidates be declared elected until a ruling is made.
25. Enrolment Services may take such remedial actions as they deem necessary to enforce these regulations, correct or mitigate any unfair advantage received by any candidate, or to contend with any situation not covered by these regulations, subject to appeal to the Committee. In considering such an appeal, the Committee may uphold or reject the action taken, or substitute its own action in place. The action taken by the Registrar shall stand until the Committee has ruled.
26. For an action to be taken by the Committee, the Registrar must receive a formal statement of appeal. No such statement shall be accepted once voting has completed except those regarding the actual tabulation of results. Statements contesting the vote totals reported must be made within two (2) days of results being made available to the candidates or public.

27. In deciding appeals under Part 4, the Committee shall determine its own procedures, with the provisos that
- a. its determination of appeals shall be final and;
 - b. it shall not invalidate an election if it is satisfied that the election was conducted in good faith and the matter under appeal did not materially affect the result.

THE UNIVERSITY OF BRITISH COLUMBIA



Enrolment Services
Senate and Curriculum Services
1874 – 2016 East Mall
Vancouver, BC
V6T 1Z1

To: **The Council of Senates**

From: **Dr Michael Isaacson**

Re: **Ad Hoc Committee on the Membership of the Council of Senates**

Date: 27/02/06

As you are aware, with the rejection by the Okanagan Senate and the approval by the Vancouver Senate of the report of the committees to review the Council of Senates, an impasse has been reached. Under the President's direction, an interim compromise has been put into effect to allow each Senate to send three committee chairs, with the understanding that the Council itself determine its permanent membership.

As such, I move the following:

That an Ad Hoc Committee on Membership be struck to consider the issue of the allotment of committee chair seats from each Senate to the Council of Senates;

That the Ad Hoc Membership Committee be comprised of:

Three Councillors from those elected from the Okanagan Senate;

Three Councillors from those elected from the Vancouver Senate; and

The two chairs of the Vancouver and Okanagan Senate committees who reviewed the Council of Senates (Dr John Gilbert of UBC Vancouver and Dr Bernard Bauer of UBC Okanagan); and

That the Ad Hoc Committee on Membership submit its recommendations to the Council of Senates by the next regular meeting.

THE UNIVERSITY OF BRITISH COLUMBIA | OKANAGAN



ENROLMENT SERVICES
3333 University Way
Kelowna, B.C. Canada V1V 1V7

To: **Council of Senates**
From: **Okanagan Senate**
Subject: **En'owkin Affiliation Agreement** (approval)
Date: **12 March 2006**

Please find attached a background document for the En'owkin Affiliation Agreement and the corresponding Memorandum of Affiliation proposed by Deputy Vice-Chancellor McBride. This agreement was endorsed by the Okanagan Policies and Procedures Committee and by the Okanagan Senate, and is recommended for approval by the Council of Senates.

Approval by the Council of Senates is consistent with the *University Act*, Section 38.2 (4).

The Okanagan Senate therefore recommends:

That the Council of Senates approve the En'owkin Affiliation Agreement as outlined in the attached document.

Respectfully Submitted,

Brian J. Silzer
Secretary, Okanagan Senate and Council of Senates

En'owkin Affiliation Agreement

UBC through its vision document TREK 2010 and UBCO through its Academic Plan have articulated a commitment to building stronger relationships with First Nations and other aboriginal peoples. The goals are to dramatically increase the number of aboriginal students in all disciplines, to create and expand programs in indigenous studies, to increase awareness of indigenous peoples' culture, spirituality and understanding of the world and, as appropriate, partner with indigenous people in social science and science research.

To be successful in reaching these goals it will be necessary to form meaningful partnerships with representative groups of indigenous people. These should be partnerships of equals, where each of the partners brings something of value to the partnership.

We have begun this process in the Okanagan by signing an MOU with the Okanagan Nation Alliance (ONA) and an MOU with the En'owkin Center.

The ONA represents the seven (7) bands in the Okanagan-Similkameen. The ONA created the En'owkin Centre in Penticton as the physical space in which they could focus their interests in post-secondary education, Okanagan language and culture. UBCO wishes to continue and expand the programs first developed between OUC and En'owkin. This affiliation agreement was developed in consultation with En'owkin representatives; UBCO faculty and staff, the Dean of Creative and Critical Studies, the Dean of the Barber School and the UBC Legal office.

The affiliation agreement sets out the general principles that will guide the development of new education and research programs. These programs will be brought to Senate for approval.

THIS MEMORANDUM OF AFFILIATION

BETWEEN

THE UNIVERSITY OF BRITISH COLUMBIA

Student Services Centre, 102F - 3333 University Way, Kelowna, BC V1V 1V7

Hereinafter referred to as "UBC"

AND

OKANAGAN INDIAN EDUCATIONAL RESOURCES SOCIETY

RR2, S50, C8, Lot 45 Green Mt Rd, Penticton, BC, V2A 6J7

Hereinafter referred to as the "En'owkin Centre"

WHEREAS:

- A. The En'owkin Centre is an Indigenous cultural, educational, ecological and creative arts post-secondary institution affiliated with the Okanagan Nation that practices and implements Indigenous knowledge and systems.
- B. UBC is a post-secondary institution with a campus in the Okanagan region. UBC is interested in fostering research and educational opportunities with Indigenous Peoples and in attracting Indigenous students.
- C. The parties wish to develop and formalize an affiliation that will facilitate cooperation in the creation of research and educational programs in the Okanagan region that build upon their respective strengths.

THEREFORE the parties agree with each other as follows:

Purpose

1. The purpose of this Memorandum of Affiliation is to formalise, expand and enhance the working relationship between the parties, and to set forth the principles, objectives and process for the planning and development of specific educational and research programs that capitalize on the respective strengths of the parties. This Memorandum of Affiliation is restricted to the operations of UBC's Okanagan campus.

Benefits

2. It is acknowledged that an affiliation between the parties will benefit both institutions, in that:

- UBC will benefit from increased interaction with members of the Okanagan Nation.
- The En'owkin Centre's students will benefit from enhanced opportunities for laddering and integration into the UBC system.
- UBC will be able to attract more Indigenous students to its programs consistent with its goals outlined in the UBC Okanagan Campus Academic Plan.
- Both parties may enhance their ability to access external funding opportunities.

Development Committee

3. The En'owkin Centre and UBC will create a committee (the "Development Committee"). The Development Committee will be composed of three representatives appointed by UBC and three representatives appointed by the En'owkin Centre. UBC and the En'owkin Centre shall each appoint one of its representatives to act as Co-Chair. UBC and the En'owkin Centre may each appoint one single alternate representative who shall be entitled to attend and vote at Development Committee meetings in the place of any representative of a party when any one or more of the representatives of that party cannot attend a particular meeting. The UBC representatives will be appointed by the Deputy Vice Chancellor of UBC Okanagan Campus. En'owkin Centre representatives will be appointed by the Executive Director of En'owkin Centre. At the commencement of this Memorandum of Affiliation, each party will advise the other party of its appointees in writing. Each party may change its appointees from time to time by advising the other party in writing.

4. The objective of the Development Committee will be to make recommendations on areas of cooperation between the En'owkin Centre and UBC. It is hoped through such cooperation that:

- UBC may gain access (as more particularly agreed upon) to the En'owkin Centre's expertise in Indigenous learning systems, knowledge and its curriculum materials.
- The En'owkin Centre may gain access (as more particularly agreed upon) to UBC's expertise in teaching and research and its curriculum materials.

Possible areas of cooperation may include, but are not limited to:

- facilitating the transfer, cross-listing and/or cooperative offering of course credits between the institutions;
- the co-ordination of complementary programs to permit the En'owkin Centre's students to ladder into UBC programs;

5. The Development Committee will meet on a schedule determined by the Development Committee. Meetings will alternately be hosted by the En'owkin Centre and UBC. The Co-Chair appointed by a party will be responsible for chairing meetings hosted by that party. Where desirable, meetings via phone conference will be permitted. Each party will be responsible for its own costs. The hosting party will be responsible for the cost of providing meetings rooms.

6. All decisions of the Development Committee shall be made by consensus at a meeting of the Development Committee where a quorum is present. Each representative present, including Co-Chairs, are entitled to one vote. Quorum will consist of 2 representatives from each of UBC and the En'owkin Centre.

7. The procedures of the Development Committee will be determined and recorded in writing at its initial meeting. The procedures shall require that a written record of all minutes be maintained for the guidance of subsequent members of the Development Committee.

Implementation Memorandums

8. When the Development Committee has agreed upon a recommendation to implement a program it will jointly prepare its recommendations in writing and submit them to the Deputy Vice Chancellor of UBC and the Executive Director of the En'owkin Centre. UBC and the En'owkin Centre will each consider the recommendation and, if it is accepted by both, attempt to negotiate and execute a memorandum (the "Implementation Memorandum") outlining the specific responsibilities of each party with respect to that program.

9. The parties acknowledge that this Memorandum of Affiliation, and any Implementation Memorandum or program proposed by the parties, is subject to the review and approval of the Senate and/or the Board of Governors of UBC, as required by the University Act, and the Board of Directors of the En'owkin Centre, and that neither this Memorandum of Affiliation nor any Implementation Memorandum will be effective unless signed by authorized signatories of the parties.

10. Upon execution of the Memorandum of Affiliation, UBC and the En'owkin Centre will each appoint a person who is responsible for carrying out the terms of the Implementation Memorandum.

General Principles

11. UBC and the En'owkin Centre acknowledge that this Affiliation is based upon the following principles and that any Implementation Memorandum will reflect these principles:

- recognition of the autonomy of the En'owkin Centre, its mission, and its academic responsibilities;
- recognition of the autonomy of UBC, its mission and its academic responsibilities;
- respect for the people of the Okanagan Nation, and their interest, in the protection and enhancement of their culture and language;
- recognition that the En'owkin Centre maintains ownership over all cultural material for which it has intellectual property rights;
- recognition that any intellectual property rights created through collaboration should reflect the respective contributions of the parties;

This Memorandum not Legally Binding

12. This Memorandum of Affiliation is not meant to be a legally binding agreement, and will not be interpreted as waiving, creating, recognizing, denying or amending any legally enforceable rights or interests of the parties. For greater certainty, it does not affect the legal rights or obligations that either party may possess.

Relationship not Exclusive

13. Nothing in this Memorandum of Affiliation will be construed as preventing the En'owkin Centre from entering into other memoranda or relationships with other universities or educational institutions.

14. Nothing in this Memorandum of Affiliation will be construed as preventing UBC from entering into other memoranda or relationships with other educational institutions, other Indigenous Peoples, or organisations that promote the interests of Indigenous Peoples.

Termination

15. Either party may terminate this Memorandum of Affiliation by providing 60 days written notice to the other party. Notwithstanding such notice, this Memorandum of Affiliation will remain in effect for any course that is in progress on the date the notice is given until such time as that course is completed.

Trademarks

16. The parties acknowledge that each of them has a proprietary interest in their respective names as well as their trademarked crests and logos ("Trademarks") and each

party agrees not to use another party's Trademarks without the prior written consent of that party for each and every example of usage.

General Provisions

17. Nothing contained in this Memorandum of Affiliation will be construed or deemed to authorize one party to act as agent for the other, and neither party will contract, agree or make any commitment, representation or warranty which binds the other party, or otherwise do any act in the name of, or purport to act on behalf of, the other party.

18. Any modification to this Memorandum of Affiliation must be made in writing by the authorized signatories of the parties.

19. The headings appearing in this Memorandum of Affiliation have been inserted for reference and as a matter of convenience and in no way define, limit or enlarge the scope of any provision of this Memorandum.

20. Subject to the existing Memorandum of Agreement between the En'owkin Centre and UBC dated September 2005, this Memorandum of Affiliation constitutes the entire agreement between the parties pertaining to the subject matter hereof and supersedes all prior and contemporaneous agreements, understandings, negotiations and discussions, whether oral or written, of the parties.

Commencement

21. Notwithstanding the date of execution of this Memorandum of Affiliation, its date of commencement shall be January 1, 2006.

In witness whereof the Parties have executed this Memorandum of Affiliation this
day of _____, 2005.

THE UNIVERSITY OF BRITISH COLUMBIA

Per _____ Per: _____

OKANAGAN INDIAN EDUCATIONAL RESOURCES SOCIETY

Per: _____ Per: _____

