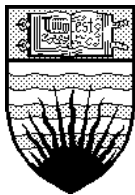


# THE UNIVERSITY OF BRITISH COLUMBIA



## ENROLMENT SERVICES

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To: Okanagan Senate, Vancouver Senate

From (respectively): Policies and Procedures Committee, Agenda Committee

Re: Joint Report on Council of Senates Membership and Changes to the *University Act*

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At its meeting on 8 June 2006, the Council of Senates approved changes to its membership for consideration by the Provincial government. The approved proposal requires changes to the *University Act* and would need changes to the Rules and Procedures of both Senates. This report has been drafted to enact the changes to each Senate's *Rules and Procedures* to comply with the new membership structure of the Council of Senates. Included are:

- A) Permanent changes to reflect the proposed new membership, which will be brought back to each Senate for approval when the *Act* is amended; and
- B) Interim changes to enact the as much as the Council's proposal as possible now, prior to amendment of the *Act* (**for approval of each Senate**)
- C) The Agenda Committee's recommendation regarding the Chair of the Vancouver Senate (**for approval of the Vancouver Senate only**)

Also included as an appendix is the current status of recommended changes to the *University Act*; a report formalizing all of these changes will go forward to the Council of Senates for recommendation to the President and the Government later this year. Members of both Senates are asked to bring any comments that they have to the attention of their representatives on the Council of Senates' Executive Committee and/or the Secretariat.

### Recommendations for the Vancouver Senate:

1) "That the changes to the Rules and Procedures of Senate on page 4 of this report, entitled "Rules and Procedures of the Vancouver Senate" under "Changes to the Rules and Procedures of the Okanagan and Vancouver Senates Not Incumbent on Changes to the University Act," and the subsequent directives listed regarding the memberships of the proposed committees be approved."

NB: Requires a 2/3<sup>rd</sup> supermajority to amend the *Rules and Procedures* of Senate, and to suspend those sections of *Rules and Procedures* that specify committees are to be created and their membership set on the recommendation of Nominating Committee

2) "That Senate recommend no change to the *University Act* in regards to the status of the President as Chair of Senate at this time"

### Recommendations for the Okanagan Senate

"That the changes to the Rules and Procedures of Senate on page 4 of this report, entitled "Rules and Procedures of Okanagan Senate" under "Changes to the Rules and Procedures of the Okanagan and Vancouver Senates Not Incumbent on Changes to the University Act," and the subsequent directives listed regarding the memberships of the proposed committees be approved."

NB: Requires a 2/3<sup>rd</sup> supermajority to amend the *Rules and Procedures* of Senate, and to suspend those sections of *Rules and Procedures* that specify committees are to be created and their membership set on the recommendation of Nominating Committee

## Membership of the Council of Senates

Set out below are the current maximum membership, and the proposed Council membership as approved by the Council:

Current (34 total members)	Proposed (32 total members)
<ul style="list-style-type: none"> <li>• Chancellor</li> <li>• President (Chair)</li> <li>• Academic Vice-President (Okanagan)</li> <li>• Academic Vice-President (Vancouver)</li> <li>• 4 Members Elected by and from the Okanagan Senate</li> <li>• 4 Member of Senate Elected by and from the Vancouver Senate</li> <li>• Up to 10 Chairs of Okanagan Senate Standing Committees</li> <li>• Up to 10 Chairs of Vancouver Senate Standing Committees</li> <li>• Up to 2 Appointees of the President</li> </ul>	<ul style="list-style-type: none"> <li>• Chancellor</li> <li>• President (Chair)</li> <li>• Academic Vice-President (Okanagan)</li> <li>• Academic Vice-President (Vancouver)</li> <li>• 9 Members Elected by and from the Okanagan Senate to Include: 4 Elected Faculty, 3 Students (Including 1 Graduate Student), 1 Dean, and 1 Convocation Senator</li> <li>• 9 Members Elected by and from the Vancouver Senate to Include: 4 Elected Faculty, 3 Students (Including 1 Graduate Student), 1 Dean, and 1 Convocation Senator</li> <li>• 4 Chairs of Okanagan Senate Standing Committees</li> <li>• 4 Chairs of Vancouver Senate Standing Committees</li> <li>• Up to 2 Appointees of the President, one from each Senate.</li> </ul>
NB: Vice-Chair is appointed by President	NB: Vice-Chair to be elected annually

In considering these changes to its membership, the Council was presented with recommended changes to both Senates' *Rules and Procedures* that - with each Senate's consent - could be implemented to enact the changes above, as well as proposed changes to the *University Act* to solidify the proposal.

### President as Chair of the Vancouver Senate

The Vancouver Senate had referred to President Toope an earlier recommendation that the *University Act* be changed such that the Chair of the Vancouver Senate be an individual other than the President. Based on advice given to President Toope, he has recommended that the Act not be changed in this regard at the present time. He notes that this does not preclude the President from deciding to delegate the role of the Chair to the vice-chair, possibly on a pilot basis. The Agenda Committee concurs with this viewpoint, and therefore corresponding changes to the *University Act* have not been included in this report.

### Changes to the Rules and Procedures of the Okanagan and Vancouver Senates Incumbent on Changes to the University Act

The amendment to Senate *Rules and Procedures* set out below would implement the proposed changes to the membership of the Council (NB: the same numbering scheme applies to the *Rules and Procedures* of both Senates at this time).

NEW: Part 6 – Council of Senates Members

37. *Election of Representatives*
  - a. *Senate shall elect nine (9) representatives to the Council of Senates, to serve terms of no more than three (3) years. Those representatives shall be apportioned as follows:*
    - i. *One (1) dean, elected by Senate on the recommendation of*

- the Nominating Committee;*
- ii. *Four (4) faculty members from those elected to Senate, elected by Senate on the recommendation of the Nominating Committee;*
- iii. *Three (3) student from those elected to Senate – one of whom must be a graduate student – elected by Senate with on the recommendation of the Nominating Committee;*
- iv. *One (1) convocation member from those elected to Senate, elected by Senate on the recommendation of the Nominating Committee*
- b. *The Nominating Committee shall make a recommendation required under Section 37 (a) (i-iv) within two (2) months of a declaration of a vacancy on the Council of Senate.*
- c. *In making a recommendation, the Nominating Committee shall take into consideration nominations and recommendations from the members of Senate eligible for the vacant position.*

38. *Standing Committee Chairs*

*(Vancouver Language)*

- a. *The chairs of the Curriculum, Admissions and Academic Policy Committees shall be recommended to the members of the Council of Senates who elect Committee chairs as those chairs to be elected. Additionally, the Nominating Committee shall recommend to Senate a fourth standing Committee, the chair of which shall also be recommend to said members for election.*
- b. *The Nominating Committee shall review the recommendation of the fourth chair specified above during its triennial review of committee terms of reference.*

*(Okanagan Language)*

- a. *The chairs of the Curriculum, Admission & Awards, & Policy and Procedures Committees shall be recommended to the members of the Council of Senates who elect Committee chairs as those chairs to be elected. Additionally, the Nominating Committee shall recommend to Senate a fourth standing Committee, the chair of which shall also be recommend to said members for election.*
- b. *The Nominating Committee shall review the recommendation of the fourth chair specified above during its triennial review of committee terms of reference.*

*NB: Requires a 2/3rds supermajority*

## ***Changes to the Rules and Procedures of the Okanagan and Vancouver Senates Not Incumbent on Changes to the University Act***

It is possible to implement the changes to Council membership specified above under the framework of the existing *University Act*. This lacks the foundation a legislative change would provide, but the *Council* is of the opinion that the recommended changes are important enough for its proper functioning that interim arrangements should be enacted under the provisions of the existing *University Act* until such time as the Province may consider changing the law. As such, recommended amendments to the *Rules and Procedures* of each Senate are set out below:

### ***Rules and Procedures of the Vancouver Senate***

At present, the four elected seats on senate have been designated for two students, 1 faculty member, and 1 convocation representative. This leaves five further seats needed for the 9 proposed by the Council. It is proposed that five new standing committees of senate be created, with one member each, and for that one members sole duty to be to serve on the Council of Senates.

*That Section 24 be amended to add the following standing committees:*

- (n) Council of Senates Vancouver Representative Committee One*
- (o) Council of Senates Vancouver Representative Committee Two*
- (p) Council of Senates Vancouver Representative Committee Three*
- (q) Council of Senates Vancouver Representative Committee Four*
- (r) Council of Senates Vancouver Representative Committee Five*

*That Senate directs that there be one (1) person appointed the committees specified under Section 24 (n) through (r) of the Rules and Procedures of Senate, and that such appointment shall be made by Senate in such a way as to ensure that three such committees shall be comprised of elected faculty members of Senate, one shall be comprised of an elected student member of Senate, and one shall be comprised of a Dean on Senate. In such cases were one of the two (2) students elected to the Council of Senates is not a graduate student, Senate shall appoint a graduate student as student specified above.*

*That the Nominating Committee be directed to report back to Senate at its next meeting with recommendations for the memberships of the five (5) committees listed above, and that in making its recommendations, the Committee consider nominations and recommendations from the members of Senate eligible for each position.*

***NB: Requires a 2/3rds supermajority***

### ***Rules and Procedures of the Okanagan Senate***

*That Section 24 be amended to add the following standing committees*

- (g) Council of Senates Okanagan Representative Committee One*
- (h) Council of Senates Okanagan Representative Committee Two*
- (i) Council of Senates Okanagan Representative Committee Three*
- (j) Council of Senates Okanagan Representative Committee Four*
- (k) Council of Senates Okanagan Representative Committee Five*

*That Senate directs that there be one (1) person appointed the committees specified under Section 24 (g) through (k) of the Rules and Procedures of Senate, and that such appointment shall be made by Senate in such a way as to ensure*

*that three such committees shall be comprised of elected faculty members of Senate, one shall be comprised of an elected student member of Senate, and one shall be comprised of a Dean on Senate. In such cases where one of the two (2) students elected to the Council of Senates is not a graduate student, Senate shall appoint a graduate student as student specified above.*

*That the Nominating Committee be directed to report back to Senate at its next meeting with recommendations for the memberships of the five (5) committees listed above, and that in making its recommendations, the Committee consider nominations and recommendations from the members of Senate eligible for each position.*

NB: Requires a 2/3rds supermajority

## Appendix: Compellation of Proposed Changes to the *University Act*

We expect that the Office of the Legislative Counsel and the Ministry of Advanced Education will draft any changes they find acceptable themselves; however, for the sake of clarity in understanding the University's desire both internally and externally, and in the tradition of the Senate providing suggested wording for proposed changes to the *University Act* we set out proposed changes to the *Act* below:

### *From the Review of the Council of Senates Committees:*

Elimination of the Power of the Council to Self-Refer matters

Current <i>Act</i> Language:	Proposed <i>Act</i> Language:
38.2 (1) The president, the board, the Vancouver Senate, the Okanagan Senate <b>or the council</b> may direct that a matter that the Vancouver senate or the Okanagan senate might consider, is considering or has considered in the exercise of that senate's powers under section 37 is referred to the council for consideration and disposition.	38.2 (1) The president, the board, the Vancouver Senate, the Okanagan Senate may direct that a matter that the Vancouver senate or the Okanagan senate might consider, is considering or has considered in the exercise of that senate's powers under section 37 is referred to the council for consideration and disposition.

Adjustment of those Senate Responsibilities Transferred to the Council from the Senate and Vice-Versa

Current <i>Act</i> Language:	Proposed <i>Act</i> Language:
38.2 (4) (4) Sections 37 (1) (e), <b>(o)</b> and (u) and 43 (1) do not apply to the Vancouver senate or the Okanagan senate and the council may act under those sections as though it was a senate.	38.2 (4) (4) Sections 37 (1) (e), <b>(l)</b> and (u), and 43 (1) do not apply to the Vancouver senate or the Okanagan senate and the council may act under those sections as though it was a senate.

NB: Section 37 (1) (e) refers to the power to form a budget committee  
 Section 37 (1) (l) refers to the power to manage the Library  
 Section 37 (1) (o) refers to the power to make recommendations to the Board in furtherance of the *Act*  
 Section 37 (1) (u) refers to the power to set, modify, or terminate terms for affiliation agreements with UBC

Introduction of a Requirement for Council Members to Maintain Membership on their Respective Senate

Current <i>Act</i> Language:	Proposed <i>Act</i> Language:
38.1 (4) The fact that persons referred to in subsection (1) (e) or (f) cease to be members of the Vancouver senate or the Okanagan senate does not disqualify them from completing their term of office on the council of senates of the University of British Columbia.	38.1 (4) Should a persons referred to in subsection (1) (e) or (f) cease to be members of the Vancouver senate or the Okanagan senate <b>they immediately cease to be a member of the Council of Senates.</b>  38.1 (5) A vacancy created by subsection (4) shall be filled by the Vancouver senate or the Okanagan senate as required.  38.1 (6) A person elected under subsection (5) holds office for the unexpired term of his or her predecessor.

Reduction in the Term a Student Senator May Serve on the Council of Senates

Current <i>Act</i> Language:	Proposed <i>Act</i> Language:
38.1 (3) The term of office on the council of an person referred to in subsection (1) (e) or (f) is	38.1 (3) The term of office on the council of an person referred to in subsection (1) (e) or (f) is

3 years from the date of their election and they may continue in office after that date until another person is elected to the position.	3 years from the date of their election and they may continue in office after that date until another person is elected to the position, except in such cases where the person elected is a student member of a senate, in which case his or her term of office is 1 year from the date of their election and they may continue in office after that date until another person is elected to the position
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From the Ad-hoc Committee of the Council of Senates to Consider Council Membership

Current <i>Act</i> Language:	Proposed <i>Act</i> Language:
<p>38.1 (1) A council of senates of the University of British Columbia is established for the University of British Columbia and is composed of the following:</p> <p>(a) the chancellor;</p> <p>(b) the president, who is the chair;</p> <p>(c) the academic vice president or equivalent, for the parts specified under section 3.1;</p> <p>(d) the academic vice president or equivalent, for the parts of the university not specified under section 3.1;</p> <p>(e) 4 persons, who are not referred to in paragraphs (a), (b), (c) or (d), elected by the Vancouver senate from among its members;</p> <p>(f) 4 persons, who are not referred to in paragraphs (a), (b), (c) or (d), elected by the Okanagan senate from among its members;</p> <p>(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;</p> <p>(h) up to 10 chairs of the standing committees of the Vancouver senate elected by the persons referred to in paragraphs (a) to (g);</p> <p>(i) up to 10 chairs of the standing committees of the Okanagan senate elected by the persons referred to in paragraph (a) to (g).</p> <p>(2) The vice chair of the council is the member of the council specified by the president and serves as chair in the absence of the president.</p>	<p>38.1 (1) A council of senates of the University of British Columbia is established for the University of British Columbia and is composed of the following:</p> <p>(a) the chancellor;</p> <p>(b) the president who is the chair;</p> <p>(c) the academic vice president or equivalent, for the parts specified under section 3.1;</p> <p>(d) the academic vice president or equivalent, for the parts of the university not specified under section 3.1;</p> <p>(e) 9 persons, who are not referred to in paragraphs (a), (b), (c) or (d), elected by the Vancouver senate from among its members;</p> <p>(f) 9 persons, who are not referred to in paragraphs (a), (b), (c) or (d), elected by the Okanagan senate from among its members;</p> <p>(g) one or 2 persons designated by the president and, if 2 are designated, one must be designated from the Okanagan Senate and one must be designated for the Vancouver Senate;</p> <p>(h) up to 4 chairs of the standing committees of the Vancouver senate elected by the persons referred to in paragraphs (a) to (g);</p> <p>(i) up to 4 chairs of the standing committees of the Okanagan senate elected by the persons referred to in paragraph (a) to (g).</p> <p>(2) The vice chair of the council is to be elected at least annually by and from the Council and serves as chair in the absence of the president.</p>