



**VANCOUVER ISLAND
UNIVERSITY**



Senate Handbook



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VANCOUVER ISLAND UNIVERSITY

SENATE Statement of Conduct

Although members of the Senate might be elected or appointed from specific divisions of the University, their actions in carrying out the business of the Senate will be directed toward the best interest of the University as a whole rather than any particular division or faction within it.

Members of Senate have the following duties:

- (a) **Duty of Integrity** - to act honestly and in good faith.
- (b) **Duty of Loyalty** - to act in the best interest of the University.
- (c) **Duty of Care** - to act in a prudent and diligent manner, keeping themselves informed as to the policies, business and affairs of the University.
- (d) **Duty of Confidentiality** - to ensure that information designated as confidential is held in confidence and is divulged only when legally required.
- (e) **Duty of Skill** - to exercise the degree of skill to be reasonably expected from persons of their knowledge and expertise.
- (f) **Duty of Prudence** - to act carefully and deliberately, trying to foresee the probable consequences of each proposed course of action.
- (g) **Duty to Participate** - to attend Senate meetings regularly and assist with Senate business. Expectations regarding attendance are described in the Senate Procedures.



SENATE BYLAWS

PREAMBLE

Pursuant to the [University Act](#), as amended (henceforth referred to as the “**Act**”), the Vancouver Island University Senate (henceforth the “**Senate**”) shall be formed and conduct its business according to this set of bylaws. These bylaws may be changed by resolution through Senate.

DEFINITIONS

(a) **Act**

The *University Act 2008*, as amended.

(b) **Resource Person**

A person appointed to provide technical and professional expertise to the Senate, committees, sub-committees, or taskforces. Resource persons are non-voting.

(c) **Senator**

A person deemed to be a Senator, appointed to the Senate or elected by a constituency as provided in the *Act*.

(d) **Closely Associated Person**

A person related by blood, adoption, marriage or common-law marriage to the Senator or a person with whom a Senator has a personal relationship; it may also include an individual with whom a Senator has previously had such a relationship.

(e) **Senate**

The Senate of Vancouver Island University and its associated committees, sub-committees and taskforces.

(f) **Faculty**

A Faculty, as defined in the *Act*, is “an educational administrative division of a university constituted by the Board.”

COMPOSITION AND ELECTION OF THE SENATE

The Senate shall be composed in accordance with the *Act*. All regulations regarding constituencies and procedures for election to Senate are the responsibility of the Registrar in accordance with the *Act* and the instructions of the Senate. These election regulations are included in the *Senate Procedures*.

1.1 **CHAIR AND VICE-CHAIR**

1.1.1 **Chair**

In accordance with the *Act*, the President is the Chair.

1.1.2 **Duties and Responsibilities of Chair**

Duties and responsibilities of the Chair are described in the *Senate Procedures*.

1.1.3 **The Vice-Chair**

The Vice-Chair of the Senate shall be elected annually from elected members by all voting members of the Senate present.

1.1.4 **Election of the Vice-Chair**

Each year, the Vice-Chair shall be elected at the May meeting of Senate.

1.1.5 **Duties and Responsibilities of the Vice-Chair**

Duties and responsibilities of the Vice-Chair are described in the *Senate Procedures*.

1.1.6 **Executive Committee of Senate**

There shall be an Executive Committee of Senate to conduct business of an urgent nature occurring between the regular business meetings of the Senate. The Executive Committee shall consist of the Chair, the Vice-Chair, and the Provost and Vice-President Academic. Quorum includes either the Chair or Provost and Vice-President Academic and the Vice-Chair (or his or her designated elected Senator). The Executive Committee may invite other Senators or resource people to assist in the urgent business at hand. All decisions of the Executive Committee shall be subject to ratification by the Senate at the next scheduled meeting.

1.2 **RESIGNATIONS FROM SENATE**

An elected Senator may resign from Senate by notifying the Chair in writing. The seat will be declared vacant. The Senate may consider holding a by-election to fill the seat if it is practical to do so.

2. **MEETINGS OF THE SENATE**

2.1 **GENERAL RULES**

Robert's Rules of Order shall govern the conduct of all Senate and standing committee meetings, subject to interpretation by the Chairs. Such matters on which these bylaws lay down specific procedures shall be excepted from the foregoing.

2.2 **FREQUENCY, AGENDA, QUORUM, MAJORITY**

2.2.1 **Regular Meetings**

The Senate shall normally have at least eight regular meetings per academic year. Normally there will be one regular meeting of the Senate per month between October and June, except for January.

2.2.2 **Copies of the Agenda and Materials to be Introduced**

Submissions for the agenda, including all substantive motions and all papers to be dealt with at a meeting, shall be submitted for inclusion in the agenda at least seven business days in advance of each regularly scheduled meeting. Copies of the agenda, including all substantive motions and all papers to be submitted to a meeting, shall be sent to Senators at least five business days in advance of each regularly scheduled meeting. Permission to introduce, at a Senate meeting, material relevant to motions not circulated to Senators at least five business days in advance of the meeting must receive unanimous consent of all voting Senators present.

2.2.3 **Wider Circulation of Agenda and Minutes**

Copies of the Senate agendas and minutes shall be posted to the [University Website](#).

2.2.4 **Special Meetings and Notice Thereof**

Special meetings may (and on the request of at least five voting Senators shall) be called by the Chair at any time. Notice of each special meeting, accompanied by copies of the agenda and all papers to be submitted at the meeting, shall be given to Senators at least forty-eight hours in advance.

2.2.5 **Quorum and Majority**

A quorum at all meetings of the Senate shall be 50 percent plus one of the Senators entitled to vote.

A simple majority of the voting Senators present will be sufficient to pass a motion, except in the case of an amendment to a Bylaw, Policy, or Procedure governing Senate, as per section 2.2.6.

As per the Act, all Senators are voting members with the exception of the Board Representative and the Registrar.

2.2.6 Amendments to the Bylaws, Policies and Procedures Governing Senate

Notice of Motion to Amend Bylaws, Policies, and Procedures governing Senate shall be given at a meeting of the Senate.

The motion shall be discussed and voted upon at a subsequent meeting.

The majority required to pass a motion to adopt or amend the Bylaws, Policies, and Procedures governing Senate shall be two-thirds of the voting Senators present.

2.2.7 Meeting Attendance

An elected or appointed Senator or an elected or appointed Senate Standing Committee member who fails to attend three consecutive meetings shall be deemed to have resigned. However, when appropriate, such a Senator or Senate Standing Committee member may be reinstated by a motion of the Senate or Senate Standing Committee.

2.3 OPEN AND *IN CAMERA* MEETINGS

2.3.1 Open Meetings

Meetings of the Senate shall normally be open to observers. All members of the Vancouver Island University community shall be encouraged to attend and observe. Observers will have no speaking or voting privileges.

2.3.2 *In Camera* Meetings

The Senate may decide at any time, by majority vote of those present and voting, that a whole meeting or any part of a meeting be held *in camera*.

The following subjects shall be considered *in camera*:

- (a) candidates for honorary credentials, scholarships, bursaries, and other honours;
- (b) reports (except summary reports) concerning appeals;
- (c) reports on admissions and academic standing where individuals are identified.

The details of any matter discussed at an in-camera meeting shall be held in strict confidence, in perpetuity, by all those in attendance.

The Chair may, with the approval of Senate, invite staff and other persons to attend in-camera sessions.

2.3.3 **Confidential Documents**

All documents presented to the Senate, except those related to matters specified in 2.3.2 above, shall normally be regarded as public. Nevertheless, the Chair may declare a document confidential, in which case the document shall be made available in advance only to Senators and appropriate standing committees, if the Senate so decides, and shall be discussed in camera.

3. **POWERS, TERM, LIMITATION OF LIABILITY, STATEMENT OF CONDUCT, AND CONFLICT OF INTEREST OF SENATORS**

3.1 **POWERS**

The Senate is constituted under the *Act*, and exists to exercise:

- (a) those powers and rights included in the *Act*;
- (b) additional advisory powers delegated to it from time to time by the University Board; and,
- (c) a general responsibility to advise appropriate authorities on any matter affecting the ability of the University to carry out its educational mission.

3.2 **TERM**

The terms of Senators will begin on July 1 of the pertinent academic year.

3.3 **LIMITATION OF LIABILITY**

No action or proceeding may be brought against a Senator in respect of an act or omission of a Senator committed in good faith in the course of the execution of the Senator's duties on behalf of the University.

3.4 **STATEMENT OF CONDUCT**

A statement to guide Senators in fulfilling their responsibilities to Senate shall be maintained in the *Senate Procedures*.

3.5 **CONFLICT OF INTEREST**

A Senator holds a position of trust. As such there is a general obligation on him or her to avoid situations of conflict of interest.

Given the nature of Senate activities, Senators might occasionally find themselves in potential conflict of interest situations. This section is intended to clarify general areas of conflict for all Senators.

3.5.1 Conflict of Interest Defined

A conflict of interest arises when a Senator's personal or professional interests supersede or compete with his or her dedication to the interests of the University, and may be financial or otherwise. For this purpose:

- (a) **"Real Conflict of Interest"** occurs when a Senator exercises an official power or performs an official duty or function and, at the same time, knows that in the performance of this duty or function or in the exercise of power there is the opportunity to further a private interest.
- (b) **"Potential Conflict of Interest"** occurs when there exists some private interest that could influence the performance of a Senator's duty or function or the exercise of power, provided that he or she has not yet exercised that duty or function.
- (c) **"Apparent Conflict of Interest"** exists when there is a reasonable apprehension which reasonably well-informed persons could properly have that a Real Conflict of Interest exists on the part of the Senator.

3.5.2 Declaration of Conflict

Senators must arrange their private affairs and conduct themselves to avoid a real, potential, or apparent conflict of interest. In cases where conflict cannot be avoided, a Senator has an obligation to declare an apparent conflict of interest prior to discussion or decision of an issue. Upon declaration of a conflict the person recording the events of the meeting should note only the declaration, and the Senator must:

- (a) in an *in camera* session or committee meeting, absent himself or herself from the proceedings during discussion or voting on that particular matter, contract or arrangement;
- (b) in a public session, refrain from discussion or voting on that particular matter, contract, or arrangement. Until the matter giving rise to the conflict is completed, the Senator deemed by Senate to be in conflict will not be counted in quorum or in any votes related to that matter.

Where a Senator is unsure of whether he or she is in conflict that member should raise the apparent potential conflict with the Chair of the Senate, and the Chair may then seek a decision from the Senate as a whole on such a matter.

Any Senator who perceives another Senator to be in conflict of interest in a matter under consideration must identify the perceived conflict to the Chair of the Senate at the first opportunity. The Chair may then make a decision, or seek guidance from the Senate as a whole, as to whether or not a conflict of interest exists.

At its discretion, the Senate may invite the Senator in conflict to state his or her position on the issue in question prior to absencing himself or herself.

3.5.3 General Guidelines for Declaring Conflict of Interest

The following examples of conflict of interest are intended to provide a general guideline for declaring conflict of interest. These examples should not necessarily be considered exhaustive. Instead, the definitions of conflict found in Section 3.5.1 should be used as the ultimate measure of conflict.

A financial interest exists when a contract or other matter of a monetary nature is before the Senate which:

- (a) affects a private company in which a Senator or closely associated person is a proprietor or shareholder;
- (b) affects a public company of which the Senator or closely associated person holds more than 10% of the shares issued by that public company;
- (c) affects a partnership or firm in which the Senator or closely associated person is a member;
- (d) affects a corporation in which the Senator is a director;
- (e) affects an organization in which the Senator is a senior officer;
- (f) affects a private society, crown corporation or other organization in which the Senator by virtue of office holds a position of influence.

A conflict of interest due to representation of or relation to a specific constituency may occasionally arise. In general, however, voting on matters which have an effect on a broad group (i.e. students, staff, faculty) by a member of that group is not considered a conflict of interest.

3.5.4 Conflict of Interest after the Fact

Where an apparent conflict of interest is discovered after consideration of a matter, the conflict must be declared to the Senate and appropriately recorded at the first opportunity. If the Senator is declared by the Senate to have been in conflict, and that Senator voted on the matter declared to have brought about the conflict, then the matter will be reconsidered and any votes pertaining to it retaken.

3.5.5 **Appeal of Declaration of Conflict**

Any Senator who has been declared to have been in conflict on a matter has one opportunity at the next regular Senate meeting to present his or her case as to why he or she does not believe he or she was in conflict. If the appeal is upheld, the Senate will determine the appropriate outcome.

4. **STANDING COMMITTEES AND TASK FORCES**

The Senate shall appoint such standing and other committees as it, from time to time, shall determine necessary, and the Senate shall determine for each committee its membership, the method for appointing or electing its members, and its terms of reference.

4.1 **STANDING COMMITTEES**

The Standing Committees of Senate are as follows:

- (a) Awards & Honours Committee
- (b) Curriculum Committee
- (c) Educational Standards Committee
- (d) Elections Committee
- (e) Governance Practices Committee
- (f) Indigenous Commitments Committee
- (g) Planning & Priorities Committee

4.2 **STANDING COMMITTEE MEETINGS**

4.2.1 **Open Meetings**

Consistent with section 2.3.1, Standing Committee meetings, with the exception of the Awards & Honours Committee, shall normally be open to observers. Observers will have no speaking or voting privileges.

4.2.2 **In Camera Meetings**

Consistent with section 2.3.2, a Standing Committee may decide at any time, by majority vote of those present and voting, that a whole meeting or any part of a meeting be held *in camera*. The subjects listed in section 2.3.2 shall be considered *in camera*.

The details of any matter discussed at an in-camera meeting shall be held in strict confidence, in perpetuity, by all those in attendance.

4.3 **STANDING COMMITTEE CHAIRS**

4.3.1 **Election of Standing Committee Chairs**

For all Standing Committees, with the exception of the Indigenous Commitments Committee, Standing Committee Chairs shall be elected annually from elected members by all voting members of the Committee present. For the Indigenous Commitments Committee, Chairs shall be elected annually by all voting members of the Committee present. The term of a Standing Committee Chair is one year, renewable annually for up to two additional years, for a maximum of three consecutive years.

4.3.2 **Role of the Standing Committee Chairs as Official Correspondents at Senate Meetings**

The Chair or Vice-Chair of a standing committee shall report on the business of the standing committee, as well as answer questions and comment on business arising out of that report, at a Senate meeting.

When the Chair or Vice-Chair of a standing committee is not a Senate member, the chair or vice-chair shall have the right to report on the business of their standing committee and answer questions and comment on business arising out of the standing committee report at the Senate meeting.

Powers of Senate, Board of Governors, and Faculties (per University Act 2008)

Powers of Senate (VIU “B” Policies)	Senate’s Advisory Role (VIU “A” Policies)	Powers and Duties of Faculties
<p>35.2 (5) The senate of a special purpose, teaching university has the power and duty to do all of the following:</p> <ul style="list-style-type: none"> (a) regulate how its meetings and proceedings are conducted, including determining <ul style="list-style-type: none"> (i) the quorum necessary for the transaction of its business, and (ii) how a vice chair, who is to chair meetings in the absence of the president, is annually elected; (b) set criteria for awarding certificates, diplomas and degrees, including honorary degrees; (c) set curriculum content for courses leading to certificates, diplomas and degrees; (d) set qualifications for admission; (e) set policies concerning examinations and evaluation of student performance; (f) set residency requirements for awarding credentials for courses and programs; (g) set policies concerning student withdrawal from courses, programs or the special purpose, teaching university; (h) set criteria for academic standing, academic standards and the grading system; (i) set criteria for awards recognizing academic excellence; (j) set policies and procedures for appeals by students on academic matters and establish a final appeal tribunal for these appeals; (k) set policies on curriculum evaluation for determining whether <ul style="list-style-type: none"> (i) courses or programs, or course credit, from another university or body are equivalent to courses or programs, or course credit, at the special purpose, teaching university, or (ii) courses or programs, or course credit, from one part of the special purpose, teaching university are equivalent to courses or programs, or course credit, in another part of the special purpose, teaching university. 	<p>35.2 (6) The senate of a special purpose, teaching university must advise the board, and the board must seek advice from the senate, on the development of educational policy for the following matters:</p> <ul style="list-style-type: none"> (a) the mission statement and the educational goals, objectives, strategies and priorities of the special purpose, teaching university; (b) the establishment, revision or discontinuance of courses and programs at the special purpose, teaching university; (c) the preparation and presentation of reports after implementation by the special purpose, teaching university without prior review by the senate of <ul style="list-style-type: none"> (i) new non-credit programs, or (ii) programs offered under service contract; (d) the priorities for implementation of new programs and courses leading to certificates, diplomas or degrees; (e) the establishment or discontinuance of faculties at the special purpose, teaching university; (f) the evaluation of programs and educational services; (g) the library and resource centres; (h) the setting of the academic schedule; (i) the qualifications for faculty members; (j) the adjudication procedure for appealable matters of student discipline; (k) the terms for affiliation with other post-secondary bodies; (l) the consultation with community and program advisory groups concerning the special purpose, teaching university's educational programs; (m) other matters specified by the board. 	<p>40 A faculty has the following powers and duties:</p> <ul style="list-style-type: none"> (a) to make rules governing its proceedings, including the determining of the quorum necessary for the transaction of business; (b) to provide for student representation in the meetings and proceedings of the faculty; (c) subject to this Act and to the approval of the senate, to make rules for the government, direction and management of the faculty and its affairs and business; (d) to determine, subject to the approval of the senate, the courses of instruction in the faculty; (e) subject to an order of the president to the contrary, to prohibit lecturing and teaching in the faculty by persons other than appointed members of the teaching staff of the faculty and persons authorized by the faculty, and to prevent lecturing or teaching so prohibited; (f) subject to the approval of the senate, to appoint for the examinations in each faculty examiners, who, subject to an appeal to the senate, must conduct examinations and determine the results; (g) to deal with and, subject to an appeal to the senate, to decide on all applications and memorials by students and others in connection with their respective faculties; (h) generally, to deal with all matters assigned to it by the board or the senate. <p>Approval of rules</p> <p>41 A general rule made by a faculty is not effective or enforceable until a copy has been sent to the senate and the senate has given its approval.</p> <p>Advice to president</p> <p>42 Any of the faculties may advise the president in any matter affecting the interests of the university, whether academic or disciplinary, but that advice does not limit the powers and authority of the president.</p>

Board with Senate Role

- 27 (2) (d) in consultation with the senate, to maintain and keep in proper order and condition the real property of the university, to erect and maintain the buildings and structures on it that in the opinion of the board are necessary and advisable, and to make rules respecting the management, government and control of the real property, buildings and structures;
- (e) in consultation with the senate, to provide for conservation of the heritage sites of the university, including any heritage buildings, structures and land of the university;
- (f) with the approval of the senate, to establish procedures for the recommendation and selection of candidates for president, deans, librarians, registrar and other senior academic administrators as the board may designate;
- (r) with the approval of the senate, to determine the number of students that may in the opinion of the board, having regard to the resources available, be accommodated in the university or in any faculty of it, and to make rules considered advisable for limiting the admission or accommodation of students to the number so determined;
- 32 (2) A copy of the annual report must be sent promptly to the senate.

Rules by senate

- 9 (1) The senate is to make rules governing procedure for the transaction of business by the convocation.
- (2) The senate may add names to the roll of the convocation under section 5.

Chancellor

- 11 (1) There must be a chancellor of each university, who is to be appointed by the board on nomination by the alumni association and after consultation with the senate or, in the case of the University of British Columbia, after consultation with the council.

Report of election

- 16 (1) The registrar must report the results of the election to the senate at its first meeting following the election.
- (2) If there is a tie vote between 2 or more candidates for an office, the senate must cast the deciding vote.

Rules for election

- 43 (1) The senate must make and publish all rules necessary and consistent with this Act in respect of nominations, elections and voting.

Suspension of student

- 61 (3) The action of the president is final and subject in all cases to an appeal to the senate.

This Act is current to March 29, 2023

See the [Tables of Legislative Changes](#) for this Act's legislative history, including any changes not in force.

UNIVERSITY ACT
[RSBC 1996] CHAPTER 468

Text highlighted in this color is
not relevant to VIU

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Part 1 — Interpretation

Definitions

1 In this Act:

"alumni association" means the association of graduates of a university, membership in which is open to all graduates of the university;

"board" means the board of governors of a university;

"capital fee" has the prescribed meaning;

"chancellor" means the chancellor of a university;

"convocation" means the convocation of a university;

"council" means the council of senates of the University of British Columbia described by section 38.1;

"director of continuing education" means the officer of a university whose duty it is to direct the university's continuing education program;

"faculty" means,

- (a) in the case of a university named in section 3 (1), an academic administrative division of a university constituted by the board as a faculty under section 39, or the dean and faculty members of a faculty, as the context requires, or
- (b) in the case of a special purpose, teaching university, an educational administrative division of a university constituted by the board as a faculty under section 39, or the dean and faculty members of a faculty, as the context requires;

"faculty member" means a person employed by a university as an instructor, lecturer, assistant professor, associate professor, professor, or in an equivalent position designated by the senate;

"Okanagan senate" means the senate responsible for academic governance and powers under section 37 for purposes of the parts specified under section 3.1;

"president" means the president of a university;

"program or service fee" means

- (a) a prescribed fee, or
- (b) a fee for a prescribed program or a prescribed service

that is imposed and collected by the board on annual notice from a student society under section 27.1;

"registrar" means the registrar of a university;

"senate" means

- (a) for a university other than the University of British Columbia, the senate of the university, and
- (b) for the University of British Columbia, as circumstances require, the Okanagan senate or the Vancouver senate;

"special purpose, teaching university" means a university referred to in section 3 (1.1) and designated by the Lieutenant Governor in Council under section 71 (3) (a);

"student" means a person who is presently enrolled at a university in a credit course or who is designated by resolution of the senate as a student;

"student society" means a society, as defined in section 1 of the [Societies Act](#), whose purpose is to represent the interests of the general undergraduate or graduate student body, or both, but does not include a provincial or national student organization;

"university" means

- (a) each of the universities named in section 3 (1), and
- (b) a special purpose, teaching university;

"**Vancouver senate**" means the senate responsible for academic governance and powers under section 37 for purposes of the parts of the University of British Columbia not specified under section 3.1.

Part 2 — Power to Grant Degrees

Power to grant degrees

- 2 Each university has in its own right and name the power to grant degrees established in accordance with this Act.

Part 3 — University Structure

Continuation of universities

- 3 (1) The following corporations continue to be universities in British Columbia:
 - (a) The University of British Columbia;
 - (b) University of Victoria;
 - (c) Simon Fraser University;
 - (d) University of Northern British Columbia.
- (1.1) An institution that is designated as a special purpose, teaching university by the Lieutenant Governor in Council under section 71 (3) (a) is continued as a university in British Columbia.
- (2) Each university is composed of a chancellor, a convocation, a board, a senate and faculties.
- (2.1) Despite subsection (2), the University of British Columbia is composed of a chancellor, a convocation, a board, an Okanagan senate, a Vancouver senate, a council and faculties.
- (3) Each university continues as a corporation.
- (4) The *Business Corporations Act* does not apply to a university, but on the recommendation of the minister, the Minister of Finance, by regulation, may declare that all or part of that Act applies to a university.
- (5) [Repealed 2003-48-30.]

Parts for the Okanagan senate of the University of British Columbia

- 3.1 The board of the University of British Columbia must specify the parts of the university for which the Okanagan senate has responsibility for academic governance and powers under section 37.

Part 4 — Convocation

Convocation required

- 4 Each university must have a convocation.

Composition of convocation

- 5 (1) The convocation of a university is composed of the following persons:
 - (a) the chancellor, who is the chair;
 - (b) the president;
 - (c) the members of the senate;
 - (d) all faculty members;
 - (e) all persons who are graduates of the university;
 - (f) all persons whose names are added to the roll of the convocation by the senate;
 - (g) all persons not previously referred to in this section who are named on the roll of the convocation of that university immediately before July 4, 1974.
- (2) Twenty members of a convocation constitute a quorum for the transaction of business.

Meeting of convocation

- 6 A meeting of a convocation may be held for one or more of the following purposes:
 - (a) [Repealed 2008-24-4.]
 - (b) conferring degrees, including honorary degrees;
 - (c) awarding diplomas and certificates of proficiency granted by the university;
 - (d) additional purposes the senate may specify.

Roll of convocation

- 7 The roll of the convocation must be continued and kept up to date by the registrar.

Member's expenses of convocation

- 8 The convocation may set a fee to be paid by its members to defray the necessary expenses of convocation.

Rules by senate

- 9 (1) The senate is to make rules governing procedure for the transaction of business by the convocation.
- (2) The senate may add names to the roll of the convocation under section 5.

Secretary of convocation

10 The registrar is the secretary of the convocation.

Part 5 — Chancellor

Chancellor

11 (1) There must be a chancellor of each university, who is to be appointed by the board on nomination by the alumni association and after consultation with the senate or, in the case of the University of British Columbia, after consultation with the council.

(1.1) The chancellor holds office for 3 years and after that until a successor is appointed.

(2) A retiring chancellor is eligible for reappointment.

(3) A person may not hold the office of chancellor for more than 6 consecutive years in addition to the period of office held by the person as a result of having been appointed for the unexpired term of the person's predecessor.

(4) The chancellor must not be employed by a university.

Vacancy in office of chancellor

12 (1) If the office of chancellor becomes vacant for any reason before the expiration of the chancellor's term of office, the vacancy must be filled as soon as practicable as described in section 11 (1).

(2) A person appointed under subsection (1) holds office for the unexpired term of the predecessor in office.

Vice chancellor

13 The president of the university holds the office of vice chancellor.

Election of senate

14 (1) [Repealed 2008-24-7.]

(2) All nominations of candidates for membership in the senate must be signed by at least 3 persons entitled to vote in the election of the senate.

(3) The registrar must immediately send a written notice of nomination to each person nominated as a candidate for membership in the senate, with a request that the candidate forward to the registrar information about the following:

(a) the candidate's degrees and the dates of them;

(b) the candidate's occupation;

(c) offices held by the candidate at a university or in any other organization;

(d) the candidate's other professional or business interests;

(e) the candidate's publications.

Acclamation

- 15** If only as many candidates are nominated for the senate as are required to be elected, the candidates are declared to have been elected.

Report of election

- 16** (1) The registrar must report the results of the election to the senate at its first meeting following the election.
- (2) If there is a tie vote between 2 or more candidates for an office, the senate must cast the deciding vote.
- (3) If there is a tie vote between 2 or more candidates for an office at the University of British Columbia,
- (a) if the office is as a member of a senate, the senate must cast the deciding vote, and
 - (b) if paragraph (a) does not apply, the council must cast the deciding vote.

Chancellor to confer degrees

- 17** The chancellor is to confer all degrees.

Part 6 — Board of Governors

Board of governors

- 18** The board of governors for each university is continued.

Composition of board

- 19** (1) The board of a university, other than the University of British Columbia, is composed of 15 members as follows:
- (a) the chancellor;
 - (b) the president;
 - (c) 2 faculty members elected by the faculty members;
 - (d) 8 persons appointed by the Lieutenant Governor in Council, 2 of whom are to be appointed from among persons nominated by the alumni association;
 - (e) 2 students elected from students who are members of an undergraduate student society or a graduate student society;
 - (f) one person elected by and from the employees of the university who are not faculty members.

(2) The board of the University of British Columbia is composed of 21 members, as follows:

- (a) the chancellor;
- (b) the president;

- (c) a faculty member who works through a part specified under section 3.1, elected by the faculty members who work through the part;
- (d) 2 faculty members who work through a part not specified under section 3.1, elected by the faculty members who work through the part;
- (e) 11 persons, appointed by the Lieutenant Governor in Council, 2 of whom are to be appointed from among persons nominated by the alumni association;
- (f) a student who studies through a part specified under section 3.1, elected from the students who
 - (i) are members of an undergraduate student society or a graduate student society, and
 - (ii) study through any part specified under section 3.1;
- (g) 2 students who study through a part not specified under section 3.1, elected from the students who
 - (i) are members of an undergraduate student society or a graduate student society, and
 - (ii) study through any part not specified under section 3.1;
- (h) one person who must work through a part specified under section 3.1, elected by and from the employees of the university who
 - (i) are not faculty members, and
 - (ii) work through any part specified under section 3.1;
- (i) one person who must work through a part not specified under section 3.1, elected by and from the employees of the university who
 - (i) are not faculty members, and
 - (ii) work through any part not specified under section 3.1.

Best interests of university

19.1 The members of the board of a university must act in the best interests of the university.

Board chair

19.2 (1) The members of the board of a university, other than the University of British Columbia, must elect a chair from among the 8 members of the board appointed under section 19 (1) (d).

(2) The members of the board of the University of British Columbia must elect a chair from among the 11 members of the board appointed under section 19 (2) (e).

Term of office

20 (1) Each member of the board elected under section 19 (1) (c) and (f) and (2) (c), (d), (h) and (i) holds office for 3 years and after that until a successor is elected.

- (1.1) Each member of the board appointed under section 19 (1) (d) and (2) (e) holds office for a term of up to 3 years and after that until a successor is appointed.
- (2) Each member of the board elected under section 19 (1) (e) or (2) (f) or (g) holds office for one year and after that until a successor is elected.
- (3) The chancellor and president are members of the board for so long as they hold their respective offices.

Reappointment or re-election

- 21** The appointed members of the board are eligible for reappointment and the elected members are eligible for re-election, but those members must not hold office for more than 6 consecutive years.

Removal from office

- 22** (1) The Lieutenant Governor in Council may, at any time, remove from office an appointed member of the board.
- (1.1) Despite section 19, the Lieutenant Governor in Council may, on a resolution passed by the vote of at least a 2/3 majority of the members of the board, remove from office a member of the board
- (a) elected under section 19 (1) (c), (e) or (f) or (2) (c), (d), (f), (g), (h) or (i), or
 - (b) appointed under section 19 (1) (d) or (2) (e)
- if the board is satisfied that the person should be removed for cause.
- (2) Unless excused by resolution of the board, a member who does not attend at least half of the regular meetings of the board in any year is deemed to have vacated his or her seat.

Persons not eligible

- 23** (1) The following persons are not eligible to be or to remain members of the board:
- (a) members of the Parliament of Canada;
 - (b) members of the Executive Council or of the Legislative Assembly;
 - (c) [Repealed 2006-15-45.]
 - (d) a member of the public service in the ministry;
 - (e) a member of the public service designated by the minister.
 - (f) [Repealed 2003-48-32.]
 - (g) [Repealed 2018-36-3.]
- (2) A member of the board who ceases to be eligible during his or her term of office immediately ceases to be a member of the board.

Vacancies on the board

- 24** (1) If a vacancy arises on the board because of the death of a member or for any other reason before the end of the term of office for which a member has been appointed or elected, the secretary of the board must enter a declaration of the vacancy in the minutes of the board.
- (2) A declaration under subsection (1) is conclusive evidence of the vacancy.

Method of filling vacancies and effect of vacancy

- 25** (1) If a vacancy exists in respect of an appointed member, the Lieutenant Governor in Council must appoint a person to fill the vacancy.
- (2) If a vacancy exists in respect of an elected member, the appropriate body must elect a replacement.
- (3) A person appointed under subsection (1) or elected under subsection (2) holds office for the remainder of the term for which the person's predecessor was appointed or elected.
- (4) A vacancy on the board does not impair the authority of the remaining members of the board to act.

Meetings of board

- 26** (1) The board must meet as often as is necessary to transact the business of the board, and in any event at least once every 3 months.
- (2) Fifty one percent of the members of the board constitutes a quorum for the transaction of business of the board.
- (3) The chair has the same right to vote as the other members of the board, and, in the case of a tie vote on a motion, the motion is defeated, and the chair must so declare.

Powers of board

- 27** (1) The management, administration and control of the property, revenue, business and affairs of the university are vested in the board.
- (2) Without limiting subsection (1) or the general powers conferred on the board by this Act, the board has the following powers:
- (a) to make rules for the meetings of the board and its transactions;
 - (b) to elect from among its members appointed by the Lieutenant Governor in Council a chair, and, when necessary, an acting chair;
 - (c) to appoint a secretary and committees it considers necessary to carry out the board's functions, including joint committees with the senate, and to confer on the committees power and authority to act for the board;
 - (d) in consultation with the senate, to maintain and keep in proper order and condition the real property of the university, to erect and maintain the buildings and structures on it that in the opinion of the board are

- necessary and advisable, and to make rules respecting the management, government and control of the real property, buildings and structures;
- (e) in consultation with the senate, to provide for conservation of the heritage sites of the university, including any heritage buildings, structures and land of the university;
 - (f) with the approval of the senate, to establish procedures for the recommendation and selection of candidates for president, deans, librarians, registrar and other senior academic administrators as the board may designate;
 - (g) subject to section 28, to appoint the president of the university, deans of all faculties, the librarian, the registrar, the bursar, the professors, associate professors, assistant professors, lecturers, instructors and other members of the teaching staff of the university, and the officers and employees the board considers necessary for the purpose of the university, and to set their salaries or remuneration, and to define their duties and their tenure of office or employment;
 - (h) if the president is absent or unable to act, or if there is a vacancy in that office, to appoint an acting president;
 - (i) to consider recommendations from the senate for the establishment of faculties and departments with suitable teaching staff and courses of instruction;
 - (j) subject to section 29 and with the approval of the senate, to provide for the establishment of faculties and departments the board considers necessary;
 - (k) to provide for chairs, institutes, fellowships, scholarships, exhibitions, bursaries and prizes the board and the senate consider advisable;
 - (l) to receive from the president and analyse and adopt with or without modifications the budgets for operating and capital expenditure for the university;
 - (m) to set, determine and collect the fees
 - (i) to be paid for instruction, research and all other activities in the university,
 - (ii) for extramural instruction,
 - (iii) for public lecturing, library fees, and laboratory fees,
 - (iv) for examinations, degrees and certificates,
 - (v) for the use of any student or alumni organization in charge of student or alumni activities, and
 - (vi) for the building and operation of a gymnasium or other athletic facilities;
 - (n) to pay over

- (i) the fees collected for a student or alumni organization that the organization may request, and
 - (ii) in accordance with section 27.1, the fees collected for a student society or a provincial or national student organization;
- (n.1) in accordance with section 27.1 (1.1),
 - (i) to impose fees on and collect fees from students who are not members of a student society, and
 - (ii) remit those fees to the student society;
- (o) to administer funds, grants, fees, endowments and other assets;
- (p) to select a seal and arms for the university and have sole custody and use of the seal;
- (q) to provide for student loans;
- (r) with the approval of the senate, to determine the number of students that may in the opinion of the board, having regard to the resources available, be accommodated in the university or in any faculty of it, and to make rules considered advisable for limiting the admission or accommodation of students to the number so determined;
- (s) to enter into agreements on behalf of the university;
- (t) to regulate, prohibit and impose requirements in relation to the use of real property, buildings, structures and personal property of the university, including in respect of
 - (i) activities and events,
 - (ii) vehicle traffic and parking, including bicycles and other conveyances, and
 - (iii) pedestrian traffic;
- (t.1) to regulate, prohibit and impose requirements in relation to noise on or in real property, buildings and structures of the university;
- (t.2) for the purposes of paragraphs (t) and (t.1), to provide for the removal, immobilization or impounding, and recovery, of any property associated with a contravention of a rule or other instrument made in the exercise of a power under this section;
- (t.3) to set, determine and collect fees for the purposes of paragraphs (t) to (t.2), including in relation to approvals, permits, security, storage and administration, and expenses related to any of these;
- (t.4) to regulate, prohibit and impose requirements in relation to nuisance on or in real property, buildings and structures of the university, including providing for remediation of a nuisance and recovery of the costs of remediation;
- (u) to acquire and deal with

- (i) an invention or any interest in it, or a licence to make, use or sell the product of an invention, and
 - (ii) a patent, copyright, trade mark, trade name or other proprietary right or any interest in it;
 - (v) to require, as a term of employment or assistance, that a person assign to the board an interest in an invention or an interest in a patent, copyright, trade mark, trade name or other proprietary right resulting from an invention
 - (i) made by that person using the facilities, equipment or financial aid provided by the board, or
 - (ii) made by that person while acting within the scope of the person's duties or employment, or resulting from or in connection with the person's duties or employment as an officer or employee of the university;
 - (w) to pay to a municipality incorporated under an Act a grant in a year not exceeding the lesser of
 - (i) the amount that would be payable as general municipal taxes in the year on property of the university within the municipality if the property were not exempt from these taxes, and
 - (ii) the amount specified by the minister or calculated in the manner specified by the minister;
 - (x) to make rules consistent with the powers conferred on the board by this Act;
 - (x.1) to impose and collect penalties, including fines, in relation to a contravention of a rule or other instrument made in the exercise of a power under this section;
 - (x.2) to provide for the hearing and determination of disputes arising in relation to
 - (i) the contravention of a rule or other instrument made in the exercise of a power under this section, and
 - (ii) the imposition of a penalty under paragraph (x.1);
 - (y) to do and perform all other matters and things that may be necessary or advisable for carrying out and advancing, directly or indirectly, the purposes of the university and the performance of any duty by the board or its officers prescribed by this Act or the *Sexual Violence and Misconduct Policy Act*.
- (3) A person appointed under subsection (2) (h) has, during the period for which he or she is appointed, all the powers, rights and privileges of the president.
- (4) The board may require a student to provide the university with

- (a) the personal information that relates directly to and is necessary for an operating program or activity of the university, and
 - (b) the personal information necessary to obtain a personal education number for the student.
- (5) The board must submit the personal information collected under subsection (4) (b) to the minister responsible for the administration of the *School Act* to obtain a personal education number for the student.
- (6) The board may use the personal education number obtained under subsection (5) for the following purposes:
- (a) carrying out its responsibilities in respect of an operating program or activity of the university;
 - (b) research and statistical analysis of personal information in the possession of the board;
 - (c) facilitating the provision of personal information under section 49.
- (7) In subsections (4), (5) and (6):

"personal education number" means a unique identification number for a student obtained under section 170.2 of the *School Act*;

"student" includes a person applying to enrol in a credit course at a university.

Student society fees and equivalent fees

27.1 (1) Subject to subsection (2), on annual notice from a student society, the board must collect student society fees from members of the student society and remit them to the student society if

- (a) the board collected fees on behalf of the student society between June 1, 1998 and June 1, 1999, or
- (b) the student society has been designated by regulation and the amount of the student society fees has been approved by a majority of the members of the student society who voted in a referendum of that student society.

(1.1) If student society fees to be collected under subsection (1) include a capital fee or a program or service fee, the board must

- (a) impose on and collect from students who are not members of the student society a fee in an amount equal to an amount of the capital fee or the program or service fee that those students would have had to pay if they had been members of the student society, and
- (b) remit the fees to the student society.

(2) Subject to subsection (2.1), if a student society referred to in subsection (1) (a) or (b) changes student society fees, the new amount or the rate of change must be approved, before a notice is issued under subsection (1), by a majority of the members of the student society who vote in a referendum of that student society.

- (2.1) If a student society changes student society fees that include a capital fee or a program or service fee, the new amount of or rate of change in the capital fee or the program or service fee must be approved, before a notice is issued under subsection (1), by a majority of those who vote in a referendum in which the following may vote:
- (a) the members of the student society;
 - (b) the students who are not members of the student society if those students would have been entitled to vote in the referendum if they had been members of the student society.
- (2.2) For the purposes of a referendum under subsection (2.1),
- (a) a student society must include in the referendum students who are not members of the student society if those students would have been entitled to vote in the referendum if they had been members of the student society, and
 - (b) the bylaws and policies of the student society in relation to a referendum apply to students described in paragraph (a).
- (2.3) For the purposes of a referendum under subsection (2.1),
- (a) the registrar must provide the student society with information, including personal information, about the students who are not members of the student society to enable the student society to include those students in the referendum as required under this section, and
 - (b) the student society may collect the information, including the personal information, from the registrar and only use that information to include those students in the referendum as required under this section.
- (3) On annual notice from a student society, the board must collect fees on behalf of a provincial or national student organization, and remit them to the student society or directly to the provincial or national student organization, as may be agreed by the board and the student society, if
- (a) the board collected fees on behalf of the provincial or national student organization between June 1, 1998 and June 1, 1999, or
 - (b) the student society has held a referendum and the majority of the members of the student society voting in that referendum voted in favour of joining the provincial or national student organization.
- (4) The board may cease to collect or remit student society fees, or fees collected under subsection (1.1), to a student society if one of the following applies:
- (a) the student society fails to do one of the following in a timely manner:
 - (i) make available to its members annual audited financial statements and a report on those financial statements by an auditor who meets the requirements of section 112 of the *Societies Act*;

(ii) inform the board in writing that the requirements set out in subparagraph (i) have been met;

(b) the student society is dissolved under section 126, 164, 214 or 215 of the *Societies Act*.

Tenure, appointment and removal of teaching staff and others

28 (1) Unless otherwise provided, the tenure of persons appointed under section 27 (2) (g) is during the pleasure of the board.

(2) A person must not be appointed a member of the teaching staff of the university or of any faculty of the university unless the person is first nominated for the position by the president.

(3) A member of the teaching staff of the university or of any faculty of the university must not be promoted or removed except on the recommendation of the president.

Limit on expenditures

29 (1) In this section:

"expenditure" includes amortization, allowances for doubtful accounts and other non-cash expenses;

"revenue of the university from other sources" does not include

(a) unrealized gains or losses on investments, or

(b) endowments received by the university.

(1.1) The board must not incur any liability or make any expenditure in a fiscal year beyond the amount unexpended of the grant made to the university and the estimated revenue of the university from other sources up to the end of and including that fiscal year, unless an estimate of the increased liability or over-expenditure has been first approved by the minister and Minister of Finance.

(2) [Repealed 1998-6-18.]

Reduction of grant

30 (1) If the services of employees of a university are withheld, or the university locks out the employees, as a consequence of a dispute or other disagreement between the university and employees of the university

(a) the total of unexpended amounts of the grant made to the university in the fiscal year is reduced by the value of the benefits, and

(b) the amount of the reduction calculated under paragraph (a) is a debt due and owing to the government and must be

(i) paid by the university to the government, or

(ii) withheld by the minister from future grants to the university in the fiscal year or a future fiscal year.

- (2) In subsection (1) (a) the "value of the benefits" is the value of the benefits the employees would receive for the period of the withholding or lockout in the fiscal year if the employees had worked, less the costs necessarily incurred by the university as a consequence of the withholding or lockout and approved by the minister.

Short term borrowing

- 31** (1) The board may, by resolution, borrow money required to meet the expenditures of the university until the revenues of the current year are available.
- (2) Money borrowed under subsection (1) must be repaid out of current revenues and may be secured by promissory notes of the university.

Annual report

- 32** (1) The board must make an annual report of its transactions to the minister, in which it must set out
- (a) a balance sheet and a statement of revenue and expenditure for the year ending on the preceding March 31, and
 - (b) other particulars the minister may require.
- (2) A copy of the annual report must be sent promptly to the senate.

Audit

- 33** Unless the Auditor General is appointed in accordance with the *Auditor General Act* as the auditor of the board, the board must appoint an auditor to audit the accounts of the board at least once each year.

Advisory boards

- 34** (1) The board may
- (a) appoint advisory boards, consisting, either wholly or partly, of persons unconnected with the university, on terms and for purposes the board may consider advisable, and
 - (b) refer to an advisory board for advice and report any subject or matter that the board considers advisable.
- (2) The advice and report of an advisory board appointed under subsection (1) must be considered and weighed by any body in the university to which the board directs the advice to be given or report to be made.

Part 7 — Senate

35 (1) The senate for each university other than the University of British Columbia or a special purpose, teaching university is continued.

(2) The senate of each university other than the University of British Columbia or a special purpose, teaching university is composed of the following:

- (a) the chancellor;
- (b) the president, who is the senate's chair;
- (c) the academic vice president or equivalent;
- (d) the deans of faculties;
- (e) the chief librarian;
- (f) the director of continuing education;
- (g) a number of faculty members equal to twice the number of senate members provided in paragraphs (a) to (f), to consist of 2 members of each faculty elected by the members of that faculty, and the remainder elected by the faculty members in the manner that they, in joint meeting, determine;
- (h) a number of students, equal to the number of senate members provided in paragraphs (a) to (f), elected from the students who are members of an undergraduate student society or a graduate student society, in a manner that ensures that at least one student from each faculty is elected;
- (i) 4 persons who are not faculty members, elected by and from the convocation;
- (j) one member to be elected by the governing body of each affiliated college of the university;
- (k) additional members, determined by the senate, without altering the ratio set out in paragraphs (g) and (h).

Senates of the University of British Columbia

35.1 (1) The University of British Columbia must have a Vancouver senate and an Okanagan senate.

(2) The Vancouver Senate is composed of the following:

- (a) the chancellor;
- (b) the president, who is the senate's chair;
- (c) the academic vice president who must work through a part not specified under section 3.1 or equivalent;
- (d) the deans of faculties who must work through a part not specified under section 3.1;
- (e) the chief librarian or a person designated for the purpose by the chief librarian;

- (f) the director of continuing education or a person designated for the purpose by the director;
- (g) a number of faculty members equal to twice the number of senate members provided in paragraphs (a) to (f), to consist of 2 members of each faculty elected by the members of that faculty, and the remainder elected by the faculty members in the manner that they, in joint meeting, determine, but only faculty members employed through parts not specified under section 3.1 can vote or be elected;
- (h) a number of students, equal to the number of senate members provided in paragraphs (a) to (f), elected from the students who are members of an undergraduate student society or a graduate student society, in a manner that ensures that at least one student from each faculty is elected, but only students studying through parts not specified under section 3.1 can vote or be elected;
- (i) 4 persons who are not faculty members, elected by and from the convocation;
- (j) one member to be elected by the governing body of each affiliated college of the university;
- (k) additional members, determined by the senate, without altering the ratio set out in paragraphs (g) and (h).

(3) The Okanagan Senate is composed of the following:

- (a) the chancellor;
- (b) the president, who is the senate's chair;
- (c) the academic vice president who must work through a part specified under section 3.1 or equivalent;
- (d) the deans of faculties who must work through a part specified under section 3.1;
- (e) the chief librarian or a person designated for the purpose by the chief librarian;
- (f) the director of continuing education or a person designated for the purpose by the director;
- (g) a number of faculty members equal to twice the number of senate members provided in paragraphs (a) to (f), to consist of 2 members of each faculty elected by the members of that faculty, and the remainder elected by the faculty members in the manner that they, in joint meeting, determine, but only faculty members employed through parts specified under section 3.1 can vote or be elected;
- (h) a number of students, equal to the number of senate members provided in paragraphs (a) to (f), elected from the students who are members of an undergraduate student society or a graduate student society, in a manner

- that ensures that at least one student from each faculty is elected, but only students studying through parts specified under section 3.1 can vote or be elected;
- (i) 2 persons who are not faculty members, elected by and from the convocation;
- (j) additional members, determined by the senate, without altering the ratio set out in paragraphs (g) and (h).

Senate of a special purpose, teaching university

35.2 (1) A special purpose, teaching university must have a senate.

(2) The senate of a special purpose, teaching university is composed of the following:

- (a) the chancellor;
- (b) the president, who is its chair;
- (c) the academic vice president or equivalent;
- (d) the deans of faculties;
- (e) the chief librarian;
- (f) the registrar;
- (g) two faculty members for each faculty, elected by faculty members of the faculty;
- (h) four students elected by the students;
- (i) one alumni member who is not a faculty member, appointed by the president on nomination by the alumni association;
- (j) two support staff elected by the support staff;
- (k) one non-voting member of the senate, if appointed to the senate by the board to serve for one year.

(3) For the purposes of subsection (2) (j), "**support staff**" means employees of the special purpose, teaching university who are not

- (a) officers of the special purpose, teaching university, or
- (b) deans or faculty members.

(4) The senate of a special purpose, teaching university must make bylaws for the conduct of the business of the senate, including bylaws specifying the duties of members of the senate in conflict of interest situations.

(5) The senate of a special purpose, teaching university has the power and duty to do all of the following:

- (a) regulate how its meetings and proceedings are conducted, including determining
 - (i) the quorum necessary for the transaction of its business, and

- (ii) how a vice chair, who is to chair meetings in the absence of the president, is annually elected;
 - (b) set criteria for awarding certificates, diplomas and degrees, including honorary degrees;
 - (c) set curriculum content for courses leading to certificates, diplomas and degrees;
 - (d) set qualifications for admission;
 - (e) set policies concerning examinations and evaluation of student performance;
 - (f) set residency requirements for awarding credentials for courses and programs;
 - (g) set policies concerning student withdrawal from courses, programs or the special purpose, teaching university;
 - (h) set criteria for academic standing, academic standards and the grading system;
 - (i) set criteria for awards recognizing academic excellence;
 - (j) set policies and procedures for appeals by students on academic matters and establish a final appeal tribunal for these appeals;
 - (k) set policies on curriculum evaluation for determining whether
 - (i) courses or programs, or course credit, from another university or body are equivalent to courses or programs, or course credit, at the special purpose, teaching university, or
 - (ii) courses or programs, or course credit, from one part of the special purpose, teaching university are equivalent to courses or programs, or course credit, in another part of the special purpose, teaching university.
- (6) The senate of a special purpose, teaching university must advise the board, and the board must seek advice from the senate, on the development of educational policy for the following matters:
- (a) the mission statement and the educational goals, objectives, strategies and priorities of the special purpose, teaching university;
 - (b) the establishment, revision or discontinuance of courses and programs at the special purpose, teaching university;
 - (c) the preparation and presentation of reports after implementation by the special purpose, teaching university without prior review by the senate of
 - (i) new non-credit programs, or
 - (ii) programs offered under service contract;
 - (d) the priorities for implementation of new programs and courses leading to certificates, diplomas or degrees;

- (e) the establishment or discontinuance of faculties at the special purpose, teaching university;
- (f) the evaluation of programs and educational services;
- (g) the library and resource centres;
- (h) the setting of the academic schedule;
- (i) the qualifications for faculty members;
- (j) the adjudication procedure for appealable matters of student discipline;
- (k) the terms for affiliation with other post-secondary bodies;
- (l) the consultation with community and program advisory groups concerning the special purpose, teaching university's educational programs;
- (m) other matters specified by the board.

Term of office

- 36** (1) The term of office of a member of the senate, other than one elected under section 35 (2) (h), 35.1 (2) (h) or (3) (h) or 35.2 (2) (h) or appointed under section 35.2 (2) (k), is 3 years and after that until a successor is appointed or elected.
- (2) The term of office of a member of the senate elected under section 35 (2) (h), 35.1 (2) (h) or (3) (h) or 35.2 (2) (h) or appointed under section 35.2 (2) (k) is one year and after that until a successor is elected.
- (3) Members of a senate who remain eligible under section 35, 35.1 or 35.2 may be reappointed or re-elected in the manner provided under section 35, 35.1 or 35.2 for further terms.
- (4) If a vacancy arises on the senate, the vacancy must be filled,
- (a) in the case of an appointed member, by the body possessing the power of appointment, or
 - (b) in the case of an elected member, in the manner specified by the senate.
- (5) A person appointed or elected to fill a vacancy holds office for the remainder of the term for which the person's predecessor was appointed or elected.
- (6) The secretary of the senate must enter a declaration of the vacancy in the minutes of the senate.
- (7) A declaration under subsection (6) is conclusive evidence of the vacancy.

Powers of senate of university named in section 3

- 37** (1) The academic governance of the university is vested in the senate and it has the following powers:
- (a) to regulate the conduct of its meetings and proceedings, including the determination of the quorum necessary for the transaction of its

- business, and the election of a vice chair at least annually, who is to chair meetings in the absence of the president;
- (b) to establish committees it considers necessary and, by 2/3 vote of its members present, to delegate to one or more committees those of its powers as it may determine;
 - (c) to determine all questions relating to the academic and other qualifications required of applicants for admission as students to the university or to any faculty, and to determine in which faculty the students pursuing a course of study must register;
 - (d) to determine the conditions under which candidates must be received for examination, to appoint examiners and to determine the conduct and results of all examinations;
 - (e) to establish a standing committee to meet with the president and assist the president in preparing the university budget;
 - (f) to consider, approve and recommend to the board the revision of courses of study, instruction and education in all faculties and departments of the university;
 - (g) to provide for courses of study in any place in British Columbia and to encourage and develop extension and correspondence programs;
 - (h) to provide for and to grant degrees, including honorary degrees, diplomas and certificates of proficiency, except in theology;
 - (i) to recommend to the board the establishment or discontinuance of any faculty, department, course of instruction, chair, fellowship, scholarship, exhibition, bursary or prize;
 - (j) to award fellowships, scholarships, exhibitions, bursaries and prizes;
 - (k) to determine the members of the teaching and administrative staffs who are to be members of each faculty;
 - (l) to make rules for the management and conduct of the library;
 - (m) to establish policies regarding the conservation of heritage objects and collections that are owned by or in the possession of the university or any of its faculties, divisions, departments or other agencies;
 - (n) to provide for the preparation and publication of a university calendar;
 - (o) to make recommendations to the board considered advisable for promoting the interests of the university or for carrying out the objects and provisions of this Act;
 - (p) to deal with all matters reported by the faculties, affecting their respective departments or divisions;
 - (q) to establish a standing committee to consider and take action on behalf of the senate on all matters that may be referred to the senate by the board;

- (r) subject to the approval of the board, to enter into agreements with any corporation or society in British Columbia entitled under any Act to establish examinations for admission to the corporation or society, for the purpose of conducting examinations and reporting results, and those corporations or societies have power to enter into the agreements;
 - (s) to make rules respecting the conduct and financing of examinations referred to in paragraph (r) and other examinations conducted by the senate under any other Act;
 - (t) to make rules respecting the reporting of results of examinations referred to in paragraphs (r) and (s);
 - (u) to set the terms of affiliation with other universities, colleges or other institutions of learning, and to modify or terminate the affiliation;
 - (v) to establish a standing committee of final appeal for students in matters of academic discipline;
 - (w) to establish a standing committee on relations with other post secondary institutions in British Columbia;
 - (x) to require any faculty to establish an advisory committee consisting of students of the faculty and members of the community at large.
- (1.1) For the purposes of subsection (1), the academic governance and powers at the University of British Columbia are vested in
- (a) the Okanagan senate for the purposes related to the parts specified under section 3.1, and
 - (b) the Vancouver senate for the purposes related to the parts of the university not specified under section 3.1.
- (2) A vice chair elected under subsection (1) (a) must not serve more than 2 consecutive terms.
- (3) No part of the cost of examinations referred to in subsection (1) (r) or (s) may be a charge on or be paid out of university funds.
- (4) In this section, "**university**" means a university named in section 3 (1).

Approval by board

- 38** (1) A certified copy of every resolution or order of the senate or council, providing for any of the matters or things mentioned in section 37 (1) (i), (p) and (u), must be sent to the board within 10 days of the resolution or order being passed.
- (2) A resolution or order referred to in subsection (1) has no effect until approved by the board.

Council of senates of the University of British Columbia

- 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:

- (a) the chancellor;
 - (b) the president, who is the chair;
 - (c) the academic vice president or equivalent, for the parts specified under section 3.1;
 - (d) the academic vice president or equivalent, for the parts of the university not specified under section 3.1;
 - (e) 4 persons, who are not referred to in paragraphs (a), (b), (c) or (d), elected by the Vancouver senate from among its members;
 - (f) 4 persons, who are not referred to in paragraphs (a), (b), (c) or (d), elected by the Okanagan senate from among its members;
 - (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;
 - (h) up to 10 chairs of the standing committees of the Vancouver senate elected by the persons referred to in paragraphs (a) to (g);
 - (i) up to 10 chairs of the standing committees of the Okanagan senate elected by the persons referred to in paragraph (a) to (g).
- (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.
- (3) The term of office on the council of a 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.
- (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.

Powers of the council of senates of the University of British Columbia

- 38.2** (1) The president, the board, the Vancouver Senate, the Okanagan Senate or the council 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.
- (2) If a direction is made under subsection (1),
- (a) the council may act to consider and dispose of the matter under section 37 as though it were a senate,
 - (b) the Vancouver senate or the Okanagan senate involved must cease to act under section 37 concerning the matter insofar as the council may act under paragraph (a), and

- (c) the council may substitute its disposition in respect of the matter for any disposition the Vancouver senate or the Okanagan senate may have made.
- (3) The council may regulate the conduct of its meetings and proceedings, including the determination of the quorum necessary for the transaction of its business.
- (4) Sections 37 (1) (e), (o) 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.

Part 8 — Faculties

Faculties

- 39 (1) The faculties of each university may be constituted by the board, on the recommendation of the senate.
- (2) A dean of a faculty is the chair of the faculty of which he or she is the dean.

Powers and duties of faculty

- 40 A faculty has the following powers and duties:
 - (a) to make rules governing its proceedings, including the determining of the quorum necessary for the transaction of business;
 - (b) to provide for student representation in the meetings and proceedings of the faculty;
 - (c) subject to this Act and to the approval of the senate, to make rules for the government, direction and management of the faculty and its affairs and business;
 - (d) to determine, subject to the approval of the senate, the courses of instruction in the faculty;
 - (e) subject to an order of the president to the contrary, to prohibit lecturing and teaching in the faculty by persons other than appointed members of the teaching staff of the faculty and persons authorized by the faculty, and to prevent lecturing or teaching so prohibited;
 - (f) subject to the approval of the senate, to appoint for the examinations in each faculty examiners, who, subject to an appeal to the senate, must conduct examinations and determine the results;
 - (g) to deal with and, subject to an appeal to the senate, to decide on all applications and memorials by students and others in connection with their respective faculties;
 - (h) generally, to deal with all matters assigned to it by the board or the senate.

Approval of rules

- 41** A general rule made by a faculty is not effective or enforceable until a copy has been sent to the senate and the senate has given its approval.

Advice to president

- 42** Any of the faculties may advise the president in any matter affecting the interests of the university, whether academic or disciplinary, but that advice does not limit the powers and authority of the president.

Part 9 — Nominations, Elections and Voting

Rules for elections

- 43** (1) The senate must make and publish all rules necessary and consistent with this Act in respect of nominations, elections and voting.
- (2) The registrar must conduct all elections that are required.

Nomination paper to registrar

- 44** A nomination paper is not valid unless at least 4 weeks before the date of the election
- (a) it is delivered at the office of the registrar, or
 - (b) if sent by mail, it is received by the registrar.

Election register

- 45** (1) In every year in which an election is to take place, the registrar must prepare an alphabetical list, to be called the election register, of the names and known addresses of all members of the convocation who are entitled to vote at an election.
- (2) The election register must be open to inspection at all reasonable hours by all members entitled to vote.
- (3) The registrar must similarly keep an alphabetical list of the names of all students who are members of the undergraduate student society or the graduate student society.

Voters to be registered

- 46** Only those persons whose names appear in the election registers are entitled to vote at an election.

Part 10 — Powers and Duties of a University

Power and capacity of a natural person

- 46.1** A university has the power and capacity of a natural person of full capacity.

Functions and duties of university named in section 3

47 (1) In this section, "**university**" means a university named in section 3 (1).

(2) A university must, so far as and to the full extent that its resources from time to time permit, do all of the following:

- (a) establish and maintain colleges, schools, institutes, faculties, departments, chairs and courses of instruction;
- (b) provide instruction in all branches of knowledge;
- (c) establish facilities for the pursuit of original research in all branches of knowledge;
- (d) establish fellowships, scholarships, exhibitions, bursaries, prizes, rewards and pecuniary and other aids to facilitate or encourage proficiency in the subjects taught in the university and original research in all branches of knowledge;
- (e) provide a program of continuing education in all academic and cultural fields throughout British Columbia;
- (f) generally, promote and carry on the work of a university in all its branches, through the cooperative effort of the board, senate and other constituent parts of the university.

Functions and duties of special purpose, teaching university

47.1 A special purpose, teaching university must do all of the following:

- (a) in the case of a special purpose, teaching university that serves a geographic area or region of the province, provide adult basic education, career, technical, trade and academic programs leading to certificates, diplomas and baccalaureate and masters degrees, subject to and in accordance with regulations under section 71 (3) (c) (i);
- (b) in the case of a special purpose, teaching university that serves the whole province, provide applied and professional programs leading to baccalaureate and masters degrees, subject to and in accordance with regulations under section 71 (3) (c) (ii);
- (c) provide, in addition to post-secondary programs referred to in paragraph (a) or (b), post-secondary programs specified in regulations under section 71 (3) (c) (iii);
- (d) so far as and to the extent that its resources from time to time permit, undertake and maintain applied research and scholarly activities to support the programs of the special purpose, teaching university.

Minister not to interfere

48 (1) The minister must not interfere in the exercise of powers conferred on a university, its board, senate and other constituent bodies by this Act respecting any of the following:

- (a) the formulation and adoption of academic policies and standards;
 - (b) the establishment of standards for admission and graduation;
 - (c) the selection and appointment of staff.
- (2) Despite subsection (1), a university must not establish a new degree program without the approval of the minister.

Reports to minister

- 49** (1) At the request of the minister, a university must provide the minister with reports and any other information that the minister considers necessary to carry out the minister's responsibilities in relation to universities.
- (2) Information requested under subsection (1) may include personal information about a student.
- (3) Personal information obtained under this section or under section 170.2 of the *School Act* may not be used to make a decision respecting an individual student.
- (4) For the purposes of subsections (2) and (3), "**student**" has the same meaning as in section 27 (7).

Property

- 50** (1) For the purposes of carrying out and advancing, directly or indirectly, the purposes of a university, a university may acquire, by gift, purchase or any other manner, and hold, property of any kind.
- (2) Subject to the approval of the minister and to the terms of any grant, conveyance, gift or devise of land, a university may
- (a) mortgage, sell, transfer, lease for not more than 99 years, or otherwise dispose of its land, and
 - (b) lease for any term any of its land to a college affiliated with the university.
- (3) Subject to the terms of any grant, conveyance, gift or bequest of any personal property, a university may mortgage, sell, transfer, lease or otherwise dispose of its property.
- (4) Despite this or any other Act, The University of British Columbia may lease portions of land described in a grant made on or about December 4, 1924, under section 5 (a) of the *British Columbia University Site Act, 1918*, S.B.C. 1918, c. 94, for a term not exceeding 999 years to any incorporated theological college affiliated with The University of British Columbia, subject to the following provisions:
- (a) a lease must not be made under this subsection except with the prior approval of the Lieutenant Governor in Council;
 - (b) the rental reserved by the lease may be less than fair rental for the land leased, or may be a nominal rental;

- (c) every lease made under this subsection must contain provisions, satisfactory to the Lieutenant Governor in Council, for re-entry and taking possession by The University of British Columbia of the land leased and all buildings on it, if
- (i) the land or any part of it ceases to be occupied and used by the incorporated theological college to which the land is leased, or
 - (ii) the land or any part of it is occupied or used for a purpose other than college purposes.

Expropriation of land

51 A university may expropriate any land that it considers necessary for its purposes.

Perpetuities

52 The rule against perpetuities and other rules restricting the holding of land do not apply to property of a university.

Exemption from expropriation

53 (1) Land that is vested in a university is not liable to be entered, used or taken by any municipal or other corporation, or by any person possessing the right of taking land compulsorily for any purpose.

(2) A power to expropriate land under an Act enacted after July 4, 1974 does not apply to land vested in a university, unless, in the Act, the power is, in express terms, made to apply to that land.

Exemption from taxation

54 (1) Unless otherwise provided in an Act, the property vested in a university and held or used by or on behalf of the university for university purposes is exempt from taxation under the *Community Charter*, the *Local Government Act*, the *Police Act*, the *School Act*, the *Vancouver Charter* and the *Taxation (Rural Area) Act*.

(2) If property vested in a university is disposed of by lease to a college affiliated with the university, so long as it is held for college purposes, the property continues to be entitled to the exemption from taxation provided in this section.

(3) If property vested in a university is held or used by or on behalf of a student society affiliated with the university, so long as it is held or used for university purposes, the property continues to be entitled to the exemption from taxation provided in this section.

(4) Subsections (1), (2) and (3) do not apply to property used for a prescribed purpose.

Powers regarding certain property

55 A university may acquire, take and hold all property that may be in good faith

- (a) mortgaged or pledged to it by way of security,

- (b) foreclosed, or conveyed to it in satisfaction of debts previously contracted, or
- (c) purchased at judicial sales on levy for the indebtedness, for the purpose of avoiding a loss to the university or to the owners.

Execution of documents

- 56** All deeds, transfers, mortgages, instruments or documents required to be in writing, and to which a university is a party, are deemed to be properly executed by the university if
- (a) the corporate name and seal of the university are affixed to them by an officer authorized by the board, and
 - (b) the corporate name and seal are witnessed by the signature of an officer authorized and the chair of the board or other person authorized by the board.

Investments

- 57** Subject to a contrary intent expressed in a gift, devise, bequest or trust, section 15 of the *Trustee Act* does not apply to investments made by a board of a university and each board
- (a) may invest money belonging to the university and available for investment, and
 - (b) must, when investing under paragraph (a), make investments that a prudent person would make.

Borrowing

- 58** (1) With the approval of the minister and Minister of Finance, a university may borrow money for the purpose of
- (a) purchasing or otherwise acquiring land for the use of the university, or
 - (b) erecting, repairing, adding to, furnishing or equipping any building or other structure for the use of the university.
- (2) The board may
- (a) enter into any agreement that it may consider necessary or advisable for carrying out the purposes mentioned in this section, and
 - (b) execute in the name of the university all agreements, deeds and other instruments considered necessary or advisable to carry into effect the provisions of the agreement.
- (3) [Repealed 1998-6-19.]

President and powers

- 59** (1) There must be a president of the university, who is to be the chief executive officer and must generally supervise and direct the academic work of the university.
- (2) Without limiting subsection (1), the president has the following powers:
- (a) to recommend appointments, promotions and removal of members of the teaching and administrative staffs and the officers and employees of the university;
 - (b) to summon meetings of a faculty when the president considers it necessary or advisable to do so, and at his or her discretion to convene joint meetings of all or any of the faculties;
 - (c) to authorize lectures and instruction in any faculty to be given by persons other than the appointed members of the teaching staff;
 - (d) to establish the committees the president may consider necessary or advisable.

Suspension of staff member

- 60** (1) The president has power to suspend any member of the teaching and administrative staffs and any officer or employee of the university.
- (2) On the exercise of the power, the president must promptly report the action to the board with a statement of his or her reasons.
- (3) A person who is suspended under this section has a right of appeal to the board.

Suspension of student

- 61** (1) The president has power to suspend a student and to deal summarily with any matter of student discipline.
- (2) On the exercise of the power, the president must promptly report the action to the standing committee established under section 37 (1) (v) with a statement of his or her reasons.
- (3) The action of the president is final and subject in all cases to an appeal to the senate.

Duties of president

- 62** (1) The president must
- (a) prepare and publish an annual report on the progress of the university,
 - (b) make any necessary recommendations to the board and the senate, and
 - (c) report on any matter referred to the president by the board or the senate.
- (2) The president must prepare and submit to the board an annual budget in consultation with the appropriate standing committee of the senate.
- (3) The president must present the submissions of the university to the minister.

Offices of president

63 The president

- (a) is a member of the board and must attend its regular meetings,
- (b) is chair of the senate,
- (c) is a member of all standing committees of the senate except the standing committee on appeals,
- (d) is a member of each faculty, and
- (e) in the absence of the chancellor, is chair of convocation and must confer degrees.

Registrar

64 (1) There must be a registrar, who must keep the records and perform the duties that the board or senate may require.

(2) The registrar is the secretary of convocation, the senate and of each of the faculties, but has no right to vote as such.

Acting registrar

65 If the registrar is unable to act or is absent, the board may appoint an acting registrar, who must perform the duties of the registrar and has all the powers of the registrar.

Part 12 — General

Theological colleges

66 (1) A university must be non-sectarian and non-political in principle.

(2) Despite subsection (1), a theological college incorporated in British Columbia may be affiliated with a university under a resolution or order made by the senate and approved by the board.

(3) An incorporated theological college affiliated with a university may, despite that affiliation, have power to confer and grant degrees in theology, including honorary degrees.

(4) Despite any other provisions of this Act, an affiliated college may

- (a) make provisions it considers proper in regard to religious instruction and religious worship for its own students, and
- (b) require religious observance as part of its discipline.

Granting of degrees, use of name and coat of arms, etc.

67 (1) A person in British Columbia other than a university must not use or be known by the name of a university.

- (2) A person must not in British Columbia hold itself out or be known as a university, or grant degrees in its own name except in accordance with powers granted under this Act.
- (3) An institution under the *College and Institute Act* may grant the degrees it is entitled to grant under that Act.
- (4) [Repealed 2004-33-31.]
- (5) A person must not assume or use, in the course of trade, occupation or calling, or otherwise,
 - (a) the coat of arms of a university or used in the various offices or departments of a university,
 - (b) any design in imitation of that coat of arms, or calculated by its resemblance to deceive, or
 - (c) any paper or other material on which the coat of arms or any design in imitation, or resemblance calculated to deceive, is stamped, engraved, printed or otherwise marked.
- (6) [Repealed 2012-7-51.]
- (7) [Repealed RS1996 (Supp)-468-1.]
- (8) Despite subsection (2), the Royal Roads University established under the *Royal Roads University Act* may grant degrees in its own name in accordance with that Act.
- (9) [Repealed 2002-35-15.]
- (10) Despite subsection (2), a person to whom consent under the *Degree Authorization Act* is given to grant or confer a degree may grant the degree in its own name in accordance with the consent.
- (11) Despite subsection (2), the Thompson Rivers University established under the *Thompson Rivers University Act* may grant degrees in its own name in accordance with that Act.

No liability for acts of students

- 68** An action, prosecution or other proceeding does not lie and must not be instituted against a university, the board, the senate or the members of the board or the senate, or any officer or employee of a university, in respect of any act or omission of a student arising out of an association or activity organized, managed or controlled, in whole or in part, by students of a university or of an affiliated college.

Limitation of liability

- 69** (1) An action or proceeding must not be brought against a member of a board, senate or faculties, or against an officer or employee of a university, in respect of an act or omission of a member of a board, senate or faculties, or officer or employee, of the university done or omitted in good faith in the course of the execution of the person's duties on behalf of the university.

- (2) In an action against a university, if it appears that the university acted under the authority of this Act or any other Act, the court must dismiss the action against the university.

Jurisdictional disputes

- 70** (1) If a question arises respecting the powers and duties of the convocation, chancellor, president, faculties or an officer or employee of the university, that is not provided for in this Act, the board must settle and determine the question.

- (2) A decision of the board under subsection (1) is final.

Provision of personal information

- 70.1** (1) In this section, "**personal education number**" and "**student**" have the same meanings as in section 27 (7).

- (2) The minister must provide to the minister responsible for the administration of the *School Act* the personal information about a student that is in the possession of the minister if the minister responsible for the administration of the *School Act* requests that information and provides the minister with a valid personal education number for that student.

Offences

- 70.2** (1) A person who contravenes section 67 (1), (2) or (5) commits an offence.

- (2) Section 5 of the *Offence Act* does not apply to this Act or a regulation made under it.

Part 13 — Regulations

Power to make regulations

- 71** (1) The Lieutenant Governor in Council may make regulations referred to in section 41 of the *Interpretation Act*.

- (2) Without limiting subsection (1), the Lieutenant Governor in Council may make regulations

- (a) defining any expression used but not defined in this Act,

- (a.1) for the purposes of the definition of "capital fee" in section 1, including, without limitation,

- (i) prescribing types of fees, or what constitutes a fee, in relation to buildings and facilities, including fees for the operation and maintenance of buildings and facilities,

- (ii) prescribing criteria for when a fee is included or excluded from a capital fee, and

- (iii) prescribing circumstances in which a fee is included or excluded from a capital fee,

- (a.2) for the purposes of the definition of "program or service fee" in section 1,
 - (i) prescribing fees to support the activities and operations of a student society, including, without limitation, association fees and membership fees, and
 - (ii) prescribing a program or a service, or types of programs or services, that a student society provides or intends to provide,
 - (b) for the purposes of section 27.1 (1) (b),
 - (b.1) prescribing purposes for the purpose of section 54 (4), and
 - (c) prescribing conditions or limitations for the purpose of section 54.
- (2.1) In making a regulation under subsection (2) (a.1) or (a.2), the Lieutenant Governor in Council may
- (a) establish different classes of universities, circumstances, things or other matters, and
 - (b) make different provisions, including exceptions, for those classes.
- (3) Without limiting subsection (1), the Lieutenant Governor in Council may make regulations as follows:
- (a) designating as a special purpose, teaching university an institution that is designated under section 5 of the *College and Institute Act*, and specifying a name for the special purpose, teaching university;
 - (b) specifying the geographic area or region that a special purpose, teaching university designated under paragraph (a) serves;
 - (c) specifying the following:
 - (i) in the case of a special purpose, teaching university that serves a geographic area or region of the province, the adult basic education, career, technical, trade or academic programs that the special purpose, teaching university must provide;
 - (ii) in the case of a special purpose, teaching university that serves the whole province, the applied or professional programs that the special purpose, teaching university must provide;
 - (iii) other post-secondary programs that the special purpose, teaching university must provide.
- (4) On the designation of a special purpose, teaching university under subsection (3) (a), the special purpose, teaching university is continued as a corporation composed of a chancellor, a convocation, a board, a senate and faculties with the name given it by the Lieutenant Governor in Council.



Awards & Honours Committee Terms of Reference

Members

- president
- vice-chair of senate (1 year term)
- 1 dean – elected by senate (3 year term)
- 5 faculty members – elected from and by senate (3 year term)
- 1 student – elected from and by senate (1 year term)
- 1 support staff – elected from and by senate (3 year term)

Provide advice to Senate regarding:

1. setting policy and criteria for awarding honorary credentials, including degrees;
2. setting policy and criteria for awards recognizing academic excellence;
3. setting policy and criteria for awarding academic emeritus designation;
4. setting policy and criteria for awards recognizing outstanding service to the university;
5. setting policy and criteria for awards recognizing outstanding achievement by alumni;
6. nominating candidates for honorary credentials, outstanding service awards and alumni awards;
7. developing strategies for recognition of student, staff, faculty and administrative achievement;
8. other matters as assigned by Senate.



Curriculum Committee Terms of Reference

Members

- president (ex-officio, non-voting)
- provost & vice-president academic
- 1 dean – elected by senate (3 year term)
- 1 faculty member from each faculty – elected from and by the relevant faculty (3 year term)
- 1 faculty member - elected from and by senate (3 year term)
- 1 student – elected from and by senate (1 year term)
- 1 support staff – elected from and by support staff (3 year term)

Resource Persons

- advising
- associate registrar, admissions
- associate vice-president academic
- calendar editor
- financial aid & awards
- indigenous education & engagement
- information technology
- innovation & learning
- library
- registrar
- university planning & analysis

Provide advice to Senate regarding:

1. setting and revising curriculum content for courses and programs, including those leading to certificates, diplomas and degrees;
2. setting qualifications for admission to specific courses and programs;
3. establishing, revising, or discontinuing courses and programs;
4. setting policy for the curriculum development and approval process;
5. other matters as assigned by Senate.

On behalf of Senate:

1. approve non-credit certificates of program completion.

Note: The committee may make comment on the financial and resource implications, if any, of proposals for new and revised courses and programs.



**VANCOUVER ISLAND
UNIVERSITY**

Educational Standards Committee Terms of Reference

Members

- president (ex-officio, non-voting)
- provost & vice-president academic
- registrar
- 1 dean – elected by senate (3 year term)
- 1 faculty member from each faculty – elected from and by the relevant faculty (3 year term)
- 1 faculty member - elected from and by senate (3 year term)
- 1 student – elected from and by senate (1 year term)
- 1 support staff – elected from and by support staff (3 year term)

Resource Persons

- advising
- associate registrar, admissions
- associate registrar, international admissions
- associate vice-president academic
- associate vice-president, student affairs
- financial aid & awards
- indigenous education & engagement
- university planning & analysis

Provide advice to Senate regarding:

1. setting criteria for awarding certificates, diplomas and degrees;
2. setting qualifications for admission to the university;
3. setting policies concerning examinations and evaluation of student performance;
4. setting residency requirements for awarding credentials for courses and programs;
5. setting policies concerning student withdrawal from courses, programs or the university;
6. setting criteria for academic standing, academic standards and the grading system;
7. setting policies and procedures for appeals by students on academic matters;
8. setting policies on curriculum evaluation for determining whether
 - courses or programs, or course credit, from another university or body are equivalent to courses or programs, or course credit, at the university, or
 - courses or programs, or course credit, from one part of the university are equivalent to courses or programs, or course credit, in another part of the university;
9. setting of the academic schedule;
10. developing educational policy for the qualifications for faculty members;
11. setting educational policies on the adjudication procedure for appealable matters of student discipline;
12. other matters as assigned by Senate.



**VANCOUVER ISLAND
UNIVERSITY**

Elections Committee Terms of Reference

Members

- president (ex-officio, non-voting)
- registrar (chair)
- 1 faculty member – elected from and by senate (3 year term)

Resource Person

- administrative coordinator, senate

Provide advice to Senate regarding:

1. policy governing its elections and appointments;
2. the appointment of its members to standing committees;
3. reinstatement of its members when necessary;
4. other matters as assigned by Senate.

On behalf of Senate:

1. oversee the election of members to Senate and, where relevant, its standing committees;
2. seek and promote nominations for Senate and for the relevant standing committees.



Governance Practices Committee Terms of Reference

Members

- president (ex-officio)
- senate vice-chair
- 2 elected senators from faculty or support staff - elected from and by senate (3 year terms)
- 1 ex-officio senator - elected from and by senate (3 year term)
- 1 student - elected from and by senate (1 year term)

Resource Person

- university secretary

Provide advice to Senate regarding:

1. cyclical review of Senate bylaws, policies, and procedures, and other institutional policies and procedures for relevance, appropriateness, and clarity;
2. the review of University bylaws, policies, and procedures, where, under legislation, the University is required to consult with Senate;
3. the review of faculty bylaws;
4. the creation, amendment, or dissolution of Senate bylaws, policies, and procedures;
5. the creation, amendment, or dissolution of faculty bylaws;
6. committee structures and terms of reference;
7. governance practices;
8. other matters as assigned by Senate.



Indigenous Commitments Committee Terms of Reference

Members

- president (ex-officio, non-voting)
- provost & vice-president academic
- director of office of aboriginal education
- 3 elders – selected by and from the viu elders council to represent each of the three campus locations
- 1 dean – elected by senate (3 year term)
- 9 faculty members – 1 elected by and from each faculty and 1 elected from and by senate (3 year terms)
- 1 indigenous navigator/advisor/or counsellor selected by and from indigenous people in these positions (3 year term)
- 2 students – elected from and by indigenous students (1 year term)
- 1 support staff – elected from and by viu indigenous people in support staff positions (3 year term)
- 3 community members – selected from and by hwulmuxw mustimuxw siiem (2 year term)
- 1 indigenous alum – nominated by the alumni association and appointed by the president

Resource Persons

- director of the office of diversity, equity, and human rights
- head librarian or designate
- office of university planning & analysis

Provide advice to Senate regarding:

1. indigenization initiatives relevant to academic planning, academic programming, academic support services or Indigenous students;
2. indigenous curriculum for courses and programs, including those leading to certificates, diplomas, and degrees;
3. identification of educational needs of indigenous peoples relative to first nations, metis, and inuit social and economic needs;
4. policy related to reconciliation and the rights of indigenous peoples as per the united nations declaration on the rights of indigenous peoples;
5. other matters as assigned by senate.



Planning & Priorities Committee Terms of Reference

Members

- president (ex-officio, non-voting)
- provost & vice-president academic
- 1 dean from each faculty
- 1 faculty member from each faculty – elected from and by senate (3 year term)
- 1 regional campus faculty member - from or associated with a regional campus and elected from and by senate (3 year term)
- 1 student – elected from and by senate (1 year term)
- 1 support staff – elected from and by senate (3 year term)

Resource Persons

- aboriginal education
- associate registrar, student recruitment & advising
- associate vice-president academic
- associate vice-president scholarship, research, & creative activity
- chief financial officer and vice-president administration
- university planning & analysis
- regional campus administrator (Cowichan)
- regional campus administrator (Powell River)
- university librarian

A. Provide advice to Senate regarding:

1. implications of the annual budget as presented by the president;
2. the financial and resource implications, if any, of proposals for new courses and programs;
3. developing educational policy for
 - establishing or revising the mission statement, educational goals, objectives, strategies and priorities of the University;
 - establishing, developing, revising, or discontinuing courses, programs and instructional disciplines;
 - prioritizing new programs and courses leading to certificates, diplomas or degrees;
 - establishing or discontinuing Faculties;
 - developing the library and resource centres;
 - establishing the terms for affiliation with other post-secondary bodies;
 - reporting on implementing new non-credit program and programs offered under service contracts that were not previously reviewed by Senate;
 - establishing or revising processes for evaluating departments, programs and educational services;
 - consulting with the community on the University's educational programs (e.g., advisory committees);
4. other matters as assigned by Senate.

B. In order to provide advice to Senate under VIU Policy 31.15, and to ensure instructional programs are aligned with the values, goals, and objectives of the institution, Planning and Priorities will:

- review all new program proposals prior to their approval and implementation;
- monitor evidence-based periodic program reviews for all existing instructional programs;
- review Provost recommendations as a result of the summative assessment of all existing instructional programs.