

# Governance at VIU

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VANCOUVER ISLAND  
UNIVERSITY

# Introduction

- This presentation is to provide an overview of the governance structure at VIU, and the role and responsibilities of the Faculty & Faculty Councils.
- Faculties have a legislated role in institutional governance, and it is important that opportunities are made available for learning and participation leading to a better understanding of governance, in general.
- That's what this presentation is about.

# Introduction

- One of our objectives today is to provide a better understanding of the difference between “governance” and “administration.”
- We also hope to provide a better understanding of your role and responsibilities as members of the governance structure at VIU.

# Introduction

1. Brief history and Governance Structures at VIU.
2. Governance versus Administration and Instruments of Governance.
3. What is a Faculty?
4. What is a Faculty Council?
5. Roles and Responsibilities.
6. Statement of Conduct.
7. Governance Tips.
8. Questions.

# Brief History

- In 2008 VIU, along with four other institutions, was designated as a new special purpose teaching university with a mandate to serve a geographic area or region of the province, and to offer ABE, ESL, ASE, career, technical, trade or academic programs.
- VIU also experienced a name change from Malaspina University-College to Vancouver Island University.
- At that time, VIU was moved under the legislative authority of the *University Act (the Act)* (as opposed to the *College and Institutes Act*).

# Brief History

- One of the key significant changes in response to the new legislation was the move to a *bicameral* governance structure, i.e., a Board of Governors and a Senate.
- Other changes include the appointment of a Chancellor, a shift in some areas of responsibility from the Board to the newly created Senate, and the creation of Faculties and Faculty Councils.

# What is Governance?

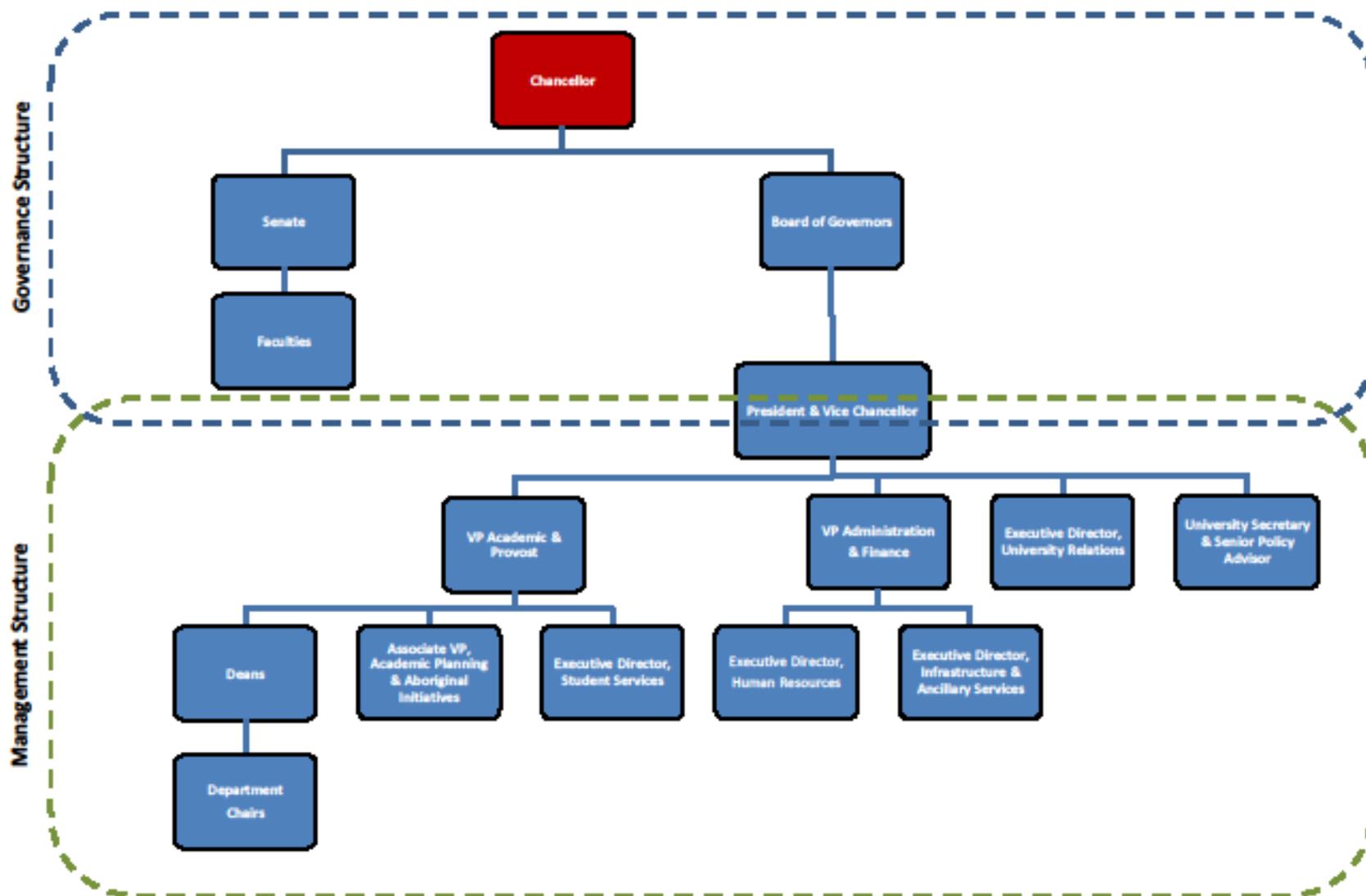
- There are many different definitions.
- Basically, governance is a term that refers broadly to the rules, processes, or laws by which organizations are operated, regulated, and controlled.
- Effective governance provides a structure that works for the benefit of everyone by ensuring that the organization adheres to accepted ethical standards and best practices, as well as to formal laws, bylaws, policies and procedures.
- At VIU that structure includes the Board of Governors, Senate, Senate & Board Standing Committees, the Faculties and Faculty Councils.

# Governance vs Administration

- The Board and Senate have a strategic oversight role in the governance of the institution.
- As a member of a governance structure your role is to set broad directions through goal setting and planning.
- The administration, on the other hand, takes those plans, shepherds them through the decision-making structure, and operationalizes them in the running of the institution.
- Some of the administrative structures at VIU include, for example, various administrative offices, Provost's Council, Administration & Finance Council, Departments, Chairs, etc.

# Governance Chart

## Vancouver Island University



*Executive Director titles are subject to change*

# Governance Structure

- As defined in the University Act, the VIU Board is composed of 15 members as follows:
  - The chancellor
  - The president
  - 2 faculty members elected by the faculty
  - 8 person appointed by the Lieutenant Governor in Council, 2 of whom are to be appointed from among persons nominated by the alumni association.
  - 2 students elected by the students
  - 1 person elected by and from the employees of the university who are not faculty members.

# Governance Structure

- Standing Committees of the VIU Board include:
  - Governance Committee
  - Compensation Committee
  - Labour Relations Committee
  - Facilities Committee
  - Finance Committee
  - Audit Committee
  - Policy Development & Review Committee

# Governance Structure

- Again, as defined by the University Act, the Senate is composed of 40 members as follows:
  - The chancellor
  - The president, who is Chair
  - VP Academic
  - Deans of faculties
  - Librarian
  - Registrar (non-voting)
  - Two faculty members for each faculty, elected by the faculty
  - Four students elected by the students
  - One alumni member
  - Two support staff
  - One Board member (non-voting)

# Governance Structure

- Senate Standing Committees include:
  - Curriculum Committee
  - Educational Standards Committee
  - Planning & Priorities Committee
  - Governance Practices Committee
  - Elections Committee
  - Awards & Honours Committee

# Instruments of Governance

- Consistent with Policy 11.01, instruments of Governance includes:
  - First - The University Act and/or any other statute.
  - Second - Regulations established under the University Act and/or any other statute.
  - Third - Common Law
  - Fourth - Any bylaw of the Board, Senate or Faculties.
  - Fifth - Policies and Procedure as published on the University Policies and Procedures Website (“A”, “B”, and “C” policies and procedures).
  - Sixth - Practices as established by the Board or Senate or Faculties or Roberts Rules of Order.

# What is a Faculty?

- As defined by legislation, a Faculty is an educational administrative division of a university constituted by the Board upon the recommendation of Senate.
- Faculties must be transparent, *representative*, and utilize consensus-building processes.

# VIU Faculties

- At VIU we have 9 Faculties:
  - Faculty of Management
  - Faculty of Arts & Humanities
  - Faculty of Science & Technology
  - Faculty of Trades & Applied Technology
  - Faculty of Health & Human Services
  - Faculty of International Education
  - Faculty of Social Sciences
  - Faculty of Education
  - Faculty of Adult & Career Preparation

# Faculty Bylaws

- Each Faculty must create and maintain bylaws which reflect the unique characteristics of that Faculty.
- Faculty bylaws and all general rules made by a Faculty must be approved by Senate.
- As a general rule, the Faculty Bylaws should avoid operational and procedural detail.
- Rather, they should provide a *governance framework* for the Faculty, both anchoring its governance committees and directing its policies and procedures.

# Composition of the Faculty

- The Dean of the Faculty (also the Chair of the Faculty);
- The President (ex officio and voting);
- The Chief Librarian (voting status is determined by the Faculty bylaws).
- The Registrar (ex officio and non-voting);
- All faculty members.
- Other members of the teaching or administrative staff of the Faculty or University as set out in the Faculty Bylaws.
- Student representatives elected with rules established by the Faculty.

# Powers and Duties

- Section 40 of the Act outlines the powers and duties of faculties, summarized as follows:
  - Make rules governing its proceedings.
  - Provide for student representation in the meetings and proceedings of the faculty.
  - Make rules for the government, direction and management of the Faculty.
  - Determine courses of instruction in the Faculty.

# Powers and Duties

- Subject to an order of the president to the contrary, 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.
- Appoint examiners.
- Decide on applications and memorials (a petition) by students.
- Deal with all matters assigned to it by the board or senate.
- Advise the President in any matter affecting the interests of the university, whether academic or disciplinary.

# Powers and Duties

- Elect Faculty representatives to Senate.
- Form committees for the conduct of its affairs and business, and to empower such committees, where advisable, to report directly to the appropriate committee(s) of Senate.
- Nominate candidates for honorary credentials and other awards.
- Bring to the attention of Senate any other matters affecting the Faculty.

# What is a Faculty Council?

- Of the 9 Faculties, 8 have Faculty Councils.
- The Faculty Council is the representative governance council of the Faculty.
- It is accountable to the Faculty as a whole, which is the foremost decision-making body of the Faculty.
- It may make decisions on behalf of the Faculty. Such decisions are subject to ratification by the Faculty.

# What is a Faculty Council?

- Faculties may meet once or twice a year; whereas, Faculty Councils meet no fewer than three or four times per year.
- Faculty & Faculty Council Meetings are not substitutes for Faculty administrative meetings, such as Chairs' meetings.

# Composition of the Faculty Council

- Composition of the Faculty Council must be representative of the Faculty.
- It differs from Faculty to Faculty subject to the individual Faculty bylaws.
- Composition of the Faculty Council includes:
  - Elected faculty members from the departments;
  - Student members of the Faculty elected by students;

# Composition of the Faculty Council

- It may include membership by virtue of office (e.g., department chairs or advisors) *providing that more than half of the council consists of elected representatives*; or it may make some or all ex-officio members non-voting members to ensure that there are more elected than non-elected *voting* members.
- The Vice-Chair and the elected Senators are voting or non-voting members as specified in the Faculty Bylaws.
- The Faculty Council is chaired by the Dean.

# Statement of Conduct

- As a member of the Faculty Council you have limited responsibilities:
  - Duty of Integrity – to act honestly and in good faith.
  - Duty to Participate – to attend meetings regularly and execute the office to which you were elected.
  - Representation - You are responsible for representing the constituency from which you were elected and acting in their best interest, and not your own.
  - Avoid Conflicts of Interest - You must avoid or declare any real or perceived conflicts of interest.

# Some notes on Conflict of Interest

- Conflicts can arise where you have an interest which conflicts (or might conflict, or might be perceived to conflict) with the interests of the Faculty.
- You must disclose any duty or interest that might conflict or be perceived to conflict with your duty or interest to the Faculty.

# Statement of Conduct – cont'd.

- Duty of Care – to act in a prudent and diligent manner, keeping yourself informed of the policies, business and affairs of the university.
- Duty of Loyalty – to act in the best interest of the Faculty in discharging his or her duties.
- Duty of Prudence – to act carefully and deliberately, trying to foresee the probably consequences of each proposed course of action.
- Duty of Skill - to use one's level of knowledge and one's expertise effectively in dealing with the affairs of the Faculty.

# What does Best Interest mean?

- When casting a vote, you are obligated to do so based exclusively on what you think is in the best interest of the Faculty and not based on the best interests of the group from which you are drawn, or your own best interests.
- Best interests are subjective and open to debate, but your opinion on best interest must be supportable based on your fiduciary responsibilities.
- A fiduciary duty is the highest standard of care at either equity or law.
- A fiduciary is expected to be extremely loyal to the person to whom he/she owes the duty (the “principal”): he/she must not put his/her personal interests before the duty.

# Governance Tips

- Tips to maximize your contribution and make the most of your opportunity:
  - DO the necessary reading and preparation for meetings so you can participate equally with other members.
  - DO send regrets when you can't attend and when attending, show up on time.
  - DO ask questions and make sure that your questions and concerns are addressed before voting.
  - DO pay attention and participate in the debate. You are there to participate: you are not there as an observer.

# Questions



[www.viu.ca](http://www.viu.ca)

[www.viu.ca/board](http://www.viu.ca/board)

[www.viu.ca/senate](http://www.viu.ca/senate)

<http://www.viu.ca/gap/govresourcecentre.asp>



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