

University of  
Lethbridge



# SENATE BYLAWS



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**WHEREAS** the Alberta *Post-Secondary Learning Act* (“Act”) provides in Sections 11 and 12 for the establishment of a Senate at The University of Lethbridge;

and **WHEREAS** the Senate has deemed it desirable to make certain regulations respecting the calling of meetings, the quorum and conduct of business at those meetings and generally as to the conduct of its affairs;

and **WHEREAS** Section 13 of the Act provides that the duty of Senate is to inquire into any matter that might benefit the university and enhance its position in the community;

Now therefore Senate resolves that:

## PART 1. ENACTMENT, DEFINITIONS AND INTERPRETATION

### A. Enactment

1. The Senate, consents to the enactment of these Bylaws by a motion passed at Senate on the 4th day of October 2014as amended on the 5<sup>th</sup> day of October 2018.
2. All prior Bylaws are rescinded, and resolutions and procedures of Senate, including Guidelines, inconsistent herewith are hereby amended, modified and revised in order to give effect to this Bylaw.

### B. Bylaw Definitions

1. **“Ad hoc”** shall mean a committee created to solve or perform a specific task.
2. **“Alumni Association”** shall mean the University of Lethbridge Alumni Association (ULAA).
3. **“APO”** shall mean Administrative Professional Officer.
4. **“AUPE”** shall mean the Alberta Union of Provincial Employees, Local 053.
5. **“Appointed”** shall mean elected from among members of body or organization within the University.
6. **“Board”** shall mean the Board of Governors of the University.
7. **“Bylaws”** shall mean the University of Lethbridge Senate Bylaws.
8. **“Chair”** shall mean the Chancellor.
9. **“Committee”** shall mean a standing or *ad hoc* committee established by Senate under Part 3 of these Bylaws.

10. **“Committee Chair”** shall mean a chair of any Committee of Senate.
11. **“Elected”** shall mean elected by vote of the Members of Senate.
12. **“ESS”** shall mean Exempt Support Staff of the University of Lethbridge.
13. **“Ex-officio”** shall mean by virtue of position and shall be members only as long as they hold the University office that entitles them to be *ex-officio* Members.
14. **“Executive Committee”** shall mean the Senate Executive Committee.
15. **“In-camera”** shall mean a closed meeting (or portion of) which covers information not recorded in the minutes or divulged to the public.
16. **“GFC”** shall mean the General Faculties Council of the University of Lethbridge.
17. **“Graduate Students’ Association”** shall mean The Graduate Students’ Association (GSA) of the University of Lethbridge.
18. **“Chancellor”** shall mean the Chancellor of the University of Lethbridge.
19. **“Majority”** shall mean the smallest whole number that is greater than 50.0% of the total.
20. **“Member”** or **“Members”** shall mean member(s) of Senate.
21. **“Minister”** shall mean the Minister of Advanced Education
22. **“Non-Academic Staff”** shall mean any member of APO, AUPE, or ESS of the University of Lethbridge.
23. **“Post-Secondary Learning Act (Act)”** shall mean the *Post-Secondary Learning Act*, Statutes of Alberta 2003, Chapter P-19.5 as amended.
24. **“Quorum”** shall exist when a majority of the members are in attendance in person, by telephone, or video link. From May until the end of August, students are not counted towards the membership base for the determination of quorum; however, they may attend Senate, Executive Committee or any Committee as members and count towards quorum.
25. **“Resolution”** shall mean a motion passed by a simple majority of those voting, not including abstentions, at a duly constituted meeting of Senate.
26. **“Secretary”** shall mean the administrative support to Senate.
27. **“Students’ Union”** shall mean the University of Lethbridge Students’ Union (ULSU).

28. **“Senate”** shall mean the Senate of the University of Lethbridge.
29. **“University”** shall mean the University of Lethbridge.
30. **“Vice-Chancellor”** shall mean the President of the University.

## **C. Amendments**

1. These Bylaws or any portion of them may be amended by a Resolution of Senate passed by a vote of two-thirds (2/3) of the votes cast at any duly constituted meeting of Senate at which notice of bylaw amendments was given.
2. Any Member may propose amendments to these Bylaws by submitting a written amendment to Executive Committee. Executive Committee may suggest changes to the proposed amendment, which may or may not be accepted by the Member. If the Member does not accept proposed changes, Executive Committee may provide written comments with the proposed amendment when it is placed on Senate Agenda.
3. Editorial amendments such as typos, punctuation, and change in position titles can be made by the Secretary without approval of Members.

## **D. Interpretation**

1. Unless otherwise defined in these Bylaws, words and expressions have the same meaning as those defined in the Act.
2. In the event of any conflict between this Bylaw and the Act, the Act shall prevail.

# **PART 2. SENATE**

## **A. Name**

The name of this body shall be the University of Lethbridge Senate.

## **B. Senate Year**

A Senate Year begins July 1 and ends on June 30 of the following year.

## **C. Membership**

1. Membership of Senate shall be as provided by the Act, Section 11.

2. Appointed *ex-officio* Members shall serve for as long as they hold office:
  - a. The Chancellor;
  - b. The President & Vice-Chancellor;
  - c. The vice-president designated by the Board - [Vice-President (Finance & Administration)];
  - d. The chief academic officer for student affairs - [Provost & Vice-President (Academic)];
  - e. The director of extension, or if none, the officer performing comparable functions - [Vice-President (Advancement)]; and
  - f. The president and vice-president of the Alumni Association.
  
3. The following appointed Members:
  - a. Two (2) deans, appointed by Deans' Council;
  - b. Two (2) members of the Board, appointed by the Board;
  - c. Three (3) members of the General Faculties Council, appointed by the General Faculties Council;
  - d. Two (2) members of the Alumni Association, appointed by the Alumni Association;
  - e. Two (2) non-academic staff members, appointed by the non-academic staff association;
  - f. Four (4) members of the Students' Union, appointed by the council of the Students' Union;
  - g. One (1) member of the Graduate Students' Association, appointed by the council of the Association; and
  - h. Nine (9) members of the public, appointed by the Minister.
  
4. Thirty (30) representative members, elected by the Members of Senate referred to in Part 2, Section C.5 are all the persons who, at the time of the election, are Members of Senate.
  
5. The persons eligible to vote in the election of a representative member under Part 2, Section C.4 are all the persons who, at the time of the election, are Members of Senate.
  
6. Only persons who are Canadian citizens or have been lawfully admitted to Canada for permanent residence are eligible to be appointed as Members under Part 2, Section C.3(h).

## **D. Terms of Office and Vacancy**

1. Terms of Office and Vacancy shall be as provided by the Act, Section 12.
  
2. A person shall cease to be a Member upon:
  - a. the resignation of the Member from Senate, in writing, to the Chair;
  - b. the expiration of an elected or appointed term;
  - c. the expiration of, or effective date of resignation from, an *ex-officio* appointment; or
  - d. When Senate is satisfied that an appointed or representative member is, for any reason, no longer capable of acting as a member or of fulfilling the member's duties, Senate may, on the vote of not less than two-thirds of the members present when the vote for removal from office is taken, remove that member from office. (refer to Meeting Attendance, Part 2, Section J)

## E. Duties of Senate

Each Members has a responsibility for the proper conduct (refer to Code of Conduct, Part 6 of these Bylaws) of the affairs of Senate and compliance with this Bylaw and regardless of the origination of the appointment, each Member shall act in the best interests of the University.

## F. Responsibility of Members

1. The primary duty of Senate is to inquire into any matter that might benefit the university and enhance its position in the community [Act 13(1)].
2. The Act Section 13(2) also indicates the Senate may:
  - a. require a report on any matter from any faculty or school council, the council of the students association, the council of the graduate students association and any member of the academic staff of the university,
  - b. receive and consider submissions from anyone interested in the university,
  - c. acquire and provide information with respect to the university and its functions through public meetings, radio and television programs and any other means that it considers appropriate, and
  - d. make any report and recommendations respecting the matters referred to in clauses (a) to (c) that it considers advisable to the board, the general faculties council or the Minister.
3. In addition to the duties set out in the Act, the Member of Senate shall:
  - a. attend meetings of Senate, assigned committees, seminars and task forces unless prevented by illness or unavoidable commitments;
  - b. promote the University and facilitate opportunities for the personnel of the University to speak to community groups;
  - c. elect a Chancellor (refer to the Act Sections 6 – 7 for nomination and election procedures);
  - d. contribute to the nomination process for honorary degrees;
  - e. support the Chancellor at convocation for the conferring of degrees by attending at least one convocation exercise each year;
  - f. participate in campus activities of a social, cultural or academic nature, particularly those related to a positive student experience;
  - g. become well acquainted with and support the University, its mission, academic plan, strategic plan, senior personnel, procedures, programs, and services;
  - h. approve the powers and duties of the Executive Committee, standing committees, and *ad hoc* committees;
  - i. direct questions of a general nature that a Senator is not familiar with, or questions of a potentially controversial nature, to the Secretary to ensure that accurate information is provided;
  - j. notify the Secretary of any change of address.

## G. Senate Meetings

1. Subject to Part 2, Section G.3, there shall be not less than four (4) meetings of the Senate in each year.

2. The dates, times and location of such meetings shall be determined or confirmed annually by the Secretary in consultation with the Executive Committee.
3. The Chair may cancel a regular meeting of Senate for lack of sufficient business, due to inclement weather, or for other reasonable cause. In such a case, best efforts shall be made to inform Members as soon as possible.
4. Meetings of Senate shall be open to the public. When Senate resolves to move *in-camera*, any guests and non-voting members (with the exception of the Secretary), shall remove themselves from the meeting.
5. When Senate is *in-camera*, the *in-camera* session ends with the adjournment of the meeting or following a resolution to return to open session, whichever occurs first.
6. A person who is not a Member of Senate may not participate in debate in any meeting of Senate unless such person has been invited by the Chair to participate in a specified manner.
7. Robert's Rules of Order shall govern in all cases in which they are applicable and not in conflict with these Bylaws.

## H. Notice of Meetings

1. In April of each year the Secretary shall propose dates for regular Senate Meetings for the proceeding two (2) years, subject to reschedule or cancellation by the Executive Committee.
2. A Notice of Meeting, including date, time, agenda, and location, shall normally be provided to Members four (4) calendar days prior to the meeting date.
3. Notices shall be deemed to be given when delivered, mailed, or sent electronically to each Member or posted on the Senate webpage.
4. Failure to give notice of a regular or special meeting to any Member of any accidental irregularity in connection with the giving of notice shall not invalidate the proceedings at such meeting.

## I. Quorum

1. Quorum shall exist, unless otherwise specified, when a majority of the Members are in attendance in person, by telephone or video link.
2. A meeting that begins with a quorum shall be deemed to continue with a quorum until the meeting is adjourned, or a Member challenges quorum and less than a majority of Members then holding office are present at the time of the challenge.

3. A meeting at which quorum is challenged and lost shall be deemed adjourned at the time that quorum is challenged.

## **J. Meeting Attendance**

1. Attendance by teleconference and video link shall be counted toward quorum.
2. If a Member of Senate or a Senate Committee fails to attend three (3) consecutive meetings or is no longer able to fulfill his or her duties to the Senate or Committee, Senate may terminate the appointment of the Member and request the Executive Committee of Senate to recommend a replacement for that Member.

## **K. Agendas and Minutes**

1. The agenda shall be distributed by the Secretary, under the direction of the Chair, and shall set forth the items of business to be discussed at the meeting.
2. The minutes of the meeting shall be presented to the next meeting of Senate or Committee to be adopted following such modifications and corrections as Senate or Committee Members deem necessary.
3. Minutes of meetings or portions of meetings held *in-camera* shall not form part of the regular minutes of Senate, but will be kept separately by the Secretary and made available for scrutiny only to Member of Senate or to anyone authorized by the Secretary to see them.

## **L. Voting and Eligibility to Vote**

1. Each Member present (in person, telephone, or by video link) at a meeting shall have one (1) vote. The Chair may exercise his/her vote only to break a tie.
2. Voting shall be conducted by a show of hands unless in relation to the appointment of the Chancellor or the approval of honorary degree recipients or if any Member requests a ballot vote (those attending by telephone or video link can submit a written vote in private to the Secretary).
3. Unless otherwise specified, all resolutions receiving a majority of affirmative votes of Members present (in person, by telephone, or by video link) and casting votes, shall be carried, except in the case of removal from office of a Member (Part 2, Section D.2), election of a chancellor (Part 5, Section B), or with changes to the Bylaws (Part 1, Section C.1).
4. Voting by proxy is not permitted.

## M. Ballot

1. If a ballot is required (Part 2, Section L), the Chair shall appoint two Returning Officers, one who shall normally be the Secretary.
2. The Returning Officers shall distribute ballots to all Members present.
3. Ballots shall be returned at the call of the Chair to the Returning Officer.
4. The Returning Officers shall count the votes and announce the count to the Chair.

## N. Chair and Vice-Chair of Senate

1. The Chair shall be the Chancellor of the University.
2. The Vice-Chair shall be the Vice-Chancellor of the University.
3. If the Chair is not present in person at the meeting, the Vice-Chancellor shall chair. Should the Vice-Chancellor be unable to chair, the Provost & Vice-President (Academic) shall then chair.

# PART 3. COMMITTEES

## A. Committees of Senate

There shall be three classes of committees of Senate:

1. Executive Committee;
2. Standing committees; and
3. *Ad hoc* committees.

## B. Senate Executive Committee

(Amended October 5, 2018)

1. Membership:
  - a. Chancellor, Chair (*ex-officio*);
  - b. Vice-Chancellor, Vice-Chair (*ex-officio*);
  - c. chairs of all Standing Committees of Senate;
  - d. one (1) student representative, appointed by the Students' Council;
  - e. one (1) GFC representative to the Senate, appointed by the Senate; and
  - f. at least one (1) other Member of Senate
2. Term of Office

Members are selected annually by Senate [Act, Section 14(1, and are eligible for reappointment.

### 3. Powers and Duties

- a. Review the organization and procedures of Senate and its committees, and report with appropriate recommendations for improved effectiveness.
- b. Set the agendas and call all meetings of Senate.
- c. Carry out directives from Senate.
- d. Delegate matters to the appropriate standing committees of Senate.
- e. Establish *ad hoc* committees to carry out specific assignments when authorized by Senate.
- f. Provide Senate with reports from various segments of the University community and from Senate committees.
- g. Obtain information and inform Senate concerning the financial condition of the University each year.
- h. To solicit, review, and recommend to Senate a list of nominees for:
  - i. all Senate committees;
  - ii. vacancies on Senate of those elected by Senate;
  - iii. positions on any external body on which Senate has representation; and
  - iv. *ad hoc* committees.
- i. Act of behalf of Senate for the period from May 1 to August 31 and for matters requiring immediate action when a quorum of Senate is not reached. The Executive Committee shall not remove any member of the Executive Committee or amend the Bylaws.

## C. Establishment of Standing Committees

1. Senate may establish Standing Committees from time to time and in relation to any committee may:
  - a. determine the name of the Committee;
  - b. determine the number of members of the Committee and any other conditions pertaining to the composition of the Committee;
  - c. appoint or rescind the appointment of the members of the Committee annually upon the recommendation of the Executive Committee;
  - d. determine the powers and duties of the committee; and
  - e. dissolve the committee.
2. Unless otherwise specified, Standing Committees shall be subject to the same procedural rules as Senate.
3. Committee Chairs shall report on activities undertaken by their Committees throughout the Senate year.

## D. Standing Committee Membership, Powers and Duties

### General

(Amended October 5, 2018)

1. Unless otherwise stated, standing committee members serve for one (1) year, and are eligible for reappointment.

2. Each committee may appoint a Committee Vice-Chair, as required, to function in the absence of the Chair.
3. Each committee may invite resource members as required. Those designated as resource members are non-voting members.
4. Unless otherwise specified, the Secretary shall be secretary to a committee.

### Engagement Committee

1. Membership
  - a. Chancellor (*ex-officio*); and
  - b. minimum of seven (7) members of Senate, including a Chair, appointed by Senate.
2. Powers and Duties
  - a. Ensure Members of Senate are informed and constructively engaged in matters related to the public interest in the University of Lethbridge.
  - b. Support on-going Senate Member orientation and explore new communication strategies for Senate Members and retired Senate Members.
  - c. Support gatherings and events that would include Senate Members and retired Senate Members.

### Honorary Degree Committee

(Amended October 5, 2018)

1. Membership
  - a. Chancellor (*ex-officio*);
  - b. Vice-Chancellor (*ex-officio*);
  - c. Vice-President (Research) (*ex-officio*);
  - d. three (3) members of Senate, including a Chair, appointed by Senate;
  - e. one (1) Alumni representative, appointed by the Alumni Association;
  - f. two (2) members of the Academic Staff, appointed by GFC;
  - g. one (1) student representative, appointed by the Students' Union; and
  - h. one (1) graduate student , appointed by the Graduate Students' Association
2. A member of the committee shall not nominate or write a letter of support for an honorary degree candidate.
3. Powers and Duties
  - a. To work with Senate and the University Advancement Office to devise sufficient procedures for encouraging submission of nominations for honorary degrees from members of the public at large, including procedures which enable appropriate candidates to be nominated and considered on an expedited basis if sufficient circumstances exist.
  - b. To work with the Deans' Offices to solicit nominations for academic Honorary Degree recipients representative of outstanding academic accomplishments consistent with the University philosophy, and to ensure that at least one academic degree is awarded each year.

- c. To generate a pool of nominees for honorary degrees that have advanced humanity generally by their works with diverse characteristics of personal experience, history, background, culture, leadership, innovation, and education in order to promote the multicultural values of the University.
- d. Review all nominations and select a slate of nominees for presentation to Senate.
- e. Review Committee activity for the Executive Committee and submit to Senate a recommendation and curriculum vitae (CV) of selected nominees.
- f. Be concerned about Convocation ceremonies as they relate to Honorary Degree recipients and, in particular, with proprieties and academic etiquette, and make recommendations as they see fit to the Convocation Committee of the University.

## Outreach Committee

- 1. Membership
  - a. Chancellor (*ex-officio*);
  - b. Vice-Chancellor (*ex-officio*); and
  - c. minimum of five (5) members of Senate, including a Chair, appointed by Senate.
- 2. Powers and Duties
  - a. To discuss possible visitations and events in communities with interest to the University. Visitations and events that are chosen by the Committee to become 'Outreach Committee Activities' will be planned, booked, and executed by the Committee as a whole.
  - b. To engage the Senate Members and Retired Senate Members in those communities and surrounding areas to become involved in the chosen 'Outreach Committee Activities'.
  - c. To encourage educational, business and community leaders in the various communities to become familiar with and supportive of the University and the 'Outreach Committee Activities' planned for their area.
  - d. To involve Members, as may be required, of the entire University community in the 'Outreach Committee Activities'.

## Volunteer Award Committee

(Amended October 5, 2018)

- 1. Membership
  - a. Chancellor, Chair (*ex-officio*);
  - b. Vice-Chancellor (*ex-officio*); and
  - c. Ten (10) members of Senate, appointed by Senate as follows:
    - i. one (1) member of the Alumni Association Executive;
    - ii. one (1) member of the Non-Academic Staff;
    - iii. one (1) member of the Graduate Students' Association;
    - iv. one (1) member of the General Faculties Council;
    - v. one (1) member of the Students' Union; and
    - vi. five (5) public members of Senate.

2. A member of the committee shall not nominate or write a letter of support for a Volunteer Award candidate.
3. Powers and Duties
  - a. Develop criteria and process for selection.
  - b. Widely solicit nominations for consideration.
  - c. Review all nominations, select a recipient and report to Senate.
  - d. Nominations will be held for three (3) years from receipt. Accordingly, each year on completion of the selection process, either the nomination will be moved to the approved pool, or held over for a second or third (final) year. Updates of nominations are possible, but they must be received prior to the annual deadline for nominations.
  - e. There will normally be one award per year, presented at the Chancellor's Dinner.
  - f. The form of the award will be determined by the selection committee. The administration of the award will be handled by the Senate Office.
  - g. All proceedings of the Committee are strictly confidential.

## **E. *Ad hoc* Committees**

1. Senate may by resolution establish *Ad hoc* Committees for limited terms as Senate may deem necessary.
2. The procedures shall be in accordance with Part 3, Section C of these Bylaws.
3. Senate shall establish the date or event that result in the dissolution of the Committee at the time the Committee is established.
4. Each *Ad hoc* Committee shall report to Senate at the end of its mandate. If the Committee mandate extends beyond one year, the Committee shall report to Senate annually and at the end of the Committee mandate.
5. An *Ad hoc* Committee may become a Standing Committee by an amendment to these Bylaws.

## **PART 5. CHANCELLOR**

### **A. Primary Role**

As defined in the Act (Section 9), the Chancellor shall represent the University at ceremonial occasions, preside over all degree-conferring ceremonies of the University and confer the degrees, and represent the public interest in the University.

### **B. Nomination of Chancellor**

(Amended October 5, 2018)

1. The Senate shall establish a joint committee [Act, Section 7(1)]when
  - a. a vacancy occurs during the term of office of the chancellor, or
  - b. the expiry of the term of office of the chancellor is imminent.
2. Membership of the joint committee consists of the required individuals and indicated in the Act, Section 7(2), and is chaired by the Vice-Chancellor:
  - a. Vice-Chancellor, Chair (*ex-officio*);
  - b. three (3) members of the General Faculties Council, appointed by the General Faculties Council;
  - c. three (3) members of the Alumni Association, appointed by the Alumni Association;
  - d. three (3) members of the Senate, appointed by the Senate;
  - e. one (1) member of the Students' Union, appointed by the Students' Union; and
  - f. one (1) member of the Graduate Students' Association, appointed by the Graduate Students' Association.
3. A member of the committee shall not nominate or write a letter of support for chancellor candidate.
4. Powers and Duties
  - a. Develop criteria and process for selection.
  - b. Widely solicit nominations for consideration.
  - c. Review nominations and make a recommendation for approval by Senate.
  - d. All proceedings of the committee are strictly confidential.
5. Quorum shall exist when two-thirds (2/3) of eligible voting Committee Members are in attendance.

### **C. Term of Office and Removal**

1. The Chancellor holds office for a term of four (4) years and is not eligible for reappointment as Chancellor [Act, Section 8(1)].
2. If Senate is satisfied that a person elected as Chancellor is, for any reason, no longer capable of acting as Chancellor or of fulfilling the Chancellor's duties, Senate may remove that person from office [Act, Section 8(2)].

### **D. Duties**

1. In addition to the Chancellor's other functions under the Act, the Chancellor shall:
  - a. act as Chair of Senate. Shall order and decorum not be maintained, the Chair shall exclude or cause to be removed from a meeting of Senate any persons whose improper conduct impedes the orderly transaction of business of Senate;
  - b. participate as an *ex-officio* member of the Board of Governors; and
  - c. serve as an advocate for the University.

2. When the office of Chancellor is vacant or the Chancellor is absent or unable to act, the Vice-Chancellor may perform all the functions of the Chancellor [Act, Section 9(2)].
3. When the Chancellor and the Vice-Chancellor are absent or unable to act when the offices are vacant, Deans' Council may designate a person to perform the Chancellor's functions at degree-conferring ceremonies [Act, Section 9(3)].

## PART 6. CODE OF CONDUCT

### A. Best Interests

The Members of Senate must act in the best interests of the University. Each Member, regardless of how he or she is appointed as a Member, has a responsibility first and foremost to the welfare of the University and must function primarily as a Member of Senate, not as a member of any particular constituency.

### B. Conflict of Interest

Conflict of Interest is a set of circumstances in which a situation or circumstance involving a private interest of a Senate and/or Committee Member, which is sufficient to influence, or appear to influence, a Member's exercise of an official power or performance of an official duty or function on behalf of Senate, its Committees, and the University.

### C. Conflict of Duty

Conflict of Duty means a set of circumstances in which a Senate and/or Committee Member has or appears to have a conflict between their duties to act in the best interests of the University and their duties they have or appear to have because of another role and/or private interest.

### D. Confidentiality

Committee minutes, agenda material and related documents shall remain confidential to Committee Members. Committee Members shall be responsible for their safe custody unless they are explicitly released to the public by Senate.

### E. Personal Security

Personal security means freedom from violence, the threat of violence, harassment, hazing, abuse of supervisor's authority, verbal abuse, and discrimination in contravention of the Alberta Human Rights, Citizenship and Multiculturalism Act.

### F. Personal Conduct

Members of Senate shall not engage in any illegal activity or behaviour that would (not only reflect badly upon the individual) reflect negatively on Senate and on the University of Lethbridge.

## **G. Non-Compliance**

A Member who breaches any of the terms of this Code shall be subject to sanction by Senate, up to and including a request for the Member's resignation, or removal from Senate, as the case may require.

