

Senate Operations Review Committee
Notice of Motion
Senate Meeting of March 23, 2011

Background

In the fall of 2010, SORC began its review of the composition of Senate and its committees by examining the Functions of Senate, last amended November 1982. The Committee met several times to discuss Senate Functions. At SORC's request, two informal sessions took place at Senate (Sept 23, 2010 and Jan 20, 2011) to receive input and feedback. SORC considered [letter to QUFA from David Mullar](#) dated January 6, 2011. University Legal Counsel prepared an opinion for SORC and Senate's consideration (Appendix C, 60-67, Memo from Diane Kelly to Daniel Woolf and Jean Stairs) on the proposed revisions to the functions of Senate. The proposed "Functions of Senate," (Appendix G, page 72) reflect the counsel, feedback and comments received.

Analysis and Discussion

The following points highlight the reasons for reviewing the Functions of Senate and SORC's analysis and discussion on the Functions of Senate:

- x The authority of Senate is enshrined in the Charter and it cannot be diminished;
- x The Functions of Senate have not been reviewed since 1982 and some functions no longer reflect the way that Senate operates;
- x Senate needs to execute its authority effectively through a defined set of activities that are appropriate to the current context;
- x The University has grown in size and become more complex over time;
- x Some activities are no longer carried out by Senate, for example, the publication of University calendars, #5);
- x Some of the current functions as described are too general (for example, #11 - "to have responsibility for the well-being of students") and some are too narrow (for example, #13, which does not cover the scope of expanded services);
- x SORC concluded that it would be valuable to identify categories of activity that will clarify the varying roles of Senate and Senators;
- x Some functions required modifications to be in compliance with the Collective

•

In 1912, the Parliament of Canada amended the Charter by, among other things, changing the name of Queen's College to Queen's University and revising provisions regarding the

interpreting its provisions. The principles of statutory interpretation direct that one is to construe legislation “*with reasonable regard to its object and purpose and to give it such interpretation as best ensures the attainment of such object and purpose.*” As a result, a purpose statement gives context for the entire Act. For that reason, I think it could be helpful to have a statement which reflects Senate’s broad role as the body responsible for matters of an academic nature.

However, there is a difference between the descriptive or interpretive components of legislation, such as a purpose statement, and its substantive provisions. It is the substantive provisions in legislation which set out specific rights and obligations, for example. It is my opinion that Senate should retain as a Function its mandate to determine all matters of an academic character, or language to that effect. In other words, there could be both a purpose statement and a Function to address this cf 29.69 ge to 3(e)4(c)1(la)6(, o)2(e) la, oela, oe foecr224

.../4

though the development of policies and procedures. It is, however, the University administration and the Board which bear the ultimate responsibility and corresponding liability for maintaining a safe, healthy, supportive environment for students in all the varied aspects of campus life which contribute to the well-being of students, what Senator Pierce referred to as their living and learning environment. These are day to day responsibilities that Senate has no capacity to

addressed itself to more seriously and more intensively are now being discharged we believe with greater success by other bodies upon whom they have devolved. Besides, in the result, attrition may provide a basis for opportunity. For the present state of affairs means, in fact, that the Senate, while preserving a reserved power to deal with respect with its traditional functions, is now freer than it would have been, had devolution not taken place, to undertake additional responsibilities if there are new problems and tasks a world of university wide importance calling for its attention. The Committee is persuaded that there are such tasks, clearly and imperatively at hand and that the Senate ought to take them up”.

The

.../8

elements of an already approved operating budget with a view to possibly influencing next year's budgetary process. The Charter makes it clear that it is the members of the Board of

CURRENT FUNCTIONS OF SENATE	PROPOSED FUNCTIONS OF SENATE
Function 11 To have responsibility for the well-being of students (see proposed function 3) and to have final responsibility for their discipline including the power to dismiss students for cause (reworded). The Alma Mater Society of Queen's University and the Society of Graduate and Professional Students share responsibility for, and have the right to promote, the well-being of their members. In the discharge of its disciplinary power, the Senate shall have regard to the initial responsibility of the Alma Mater Society of Queen's University and the Society of Graduate and Professional Students for the discipline of students in non-academic matters; the Senate may review the decisions of the Alma Mater Society of Queen's University and the Society of Graduate and Professional Students with respect to the discipline of students, and may take such action as it deems appropriate.	10. approve policies and procedures regarding student academic and non-academic matters. The authority to discipline students, including the power to require a student to withdraw from the University, resides with the Senate; responsibility for non-academic discipline of students may be delegated to student organizations.
Function 12 To establish the procedures to be followed in the appointment of members of the academic staff, vice principals, deans, and heads of departments, and to establish policies and procedures concerning the conditions under which, in the case of academic staff, promotions shall be given, tenure granted, appointments terminated and sabbatical or other leave granted.¹	See proposed function 13
Function 13 To establish university policy governing the central academic services of the University such as the library system and the computer system.	Removed

CURRENT FUNCTIONS OF SENATE	PROPOSED FUNCTIONS OF SENATE
Function 9 To review the main elements of the approved operating budget of the University so as to advise the Principal on its consistency with the general needs and interests of the University and on any considerations for future budgeting. Function 10 To advise the Board of Trustees through the Principal as to what buildings and other capital facilities are required to meet the needs of the University and in what order of priority.	11. approve the Academic Plan and the Strategic Research Plan.
	Appointment/Selection Functions: Senate will:
Function 14 To share with the Board of Trustees the responsibility for the selection of the Principal through a committee composed equally of members of the Senate and the Board and instructed to recommend to the Board a virtually unanimous choice.	12. share with the Board of Trustees the responsibility for the selection of the Principal through a committee composed equally of members of the Senate and the Board.
Former Function 12	13. establish the procedures to be followed in the

PURPOSE AND FUNCTIONS OF SENATE (PROPOSED REVISIONS) – March 15, 2011

Central Function:

1. Under the jurisdiction of the Royal Charter of 1841 Senate determines all matters of an academic character that affect the University as a whole, and is concerned with all matters that affect the general welfare of the University and its constituents. Senate shall serve as a forum for discussion and exchange of ideas among the members of the University community.

Academic Planning and Educational Environment Functions:

Senate will:

2. participate in strategic planning for the University.
3. assume a shared responsibility along with the Board of Trustees and the Administration of Queen's for a living and learning environment that promotes the well-being of students.
4. commit through policies and programs to an environment at the University that recognizes equity