

## **SENATE BY-LAWS**

### **PREAMBLE**

Speaker of Senate:

**TERRITORIAL ACKNOWLEDGEMENT for NIPISSING UNIVERSITY SENATE**

As we begin this Nipissing University Senate meeting, I would like to acknowledge that we are in the territory of the Robinson-Huron Treaty of 1850 and that the land on which we gather is the Nipissing First Nation Traditional Territory and the traditional territory of the Anishnabek. We respect and are grateful to hold this event on these lands with all our relatives.

Accepted and approved by NUACE (now, NUICE) 30 October 2018.

### **STATEMENT on the IMPORTANCE of COLLEGIAL GOVERNANCE at NIPISSING UNIVERSITY**

#### **STATEMENT ON COLLEGIALITY**

We believe collegiality is essential to the structure and practice of university governance. Given the diversity of its constituent groups and its mission of advancing truth and knowledge, Nipissing University is best served by the open expression of ideas and opinions; encouraging thoughtful dissenting views. Successful collegial governance depends on all participants acting in good faith and having access to relevant information to offer sound opinions. In the same spirit, we must strive for inclusiveness, equality, transparency, and broad participation in our decision making.

Recognizing the obligations, responsibilities and jurisdictions of the Senate and the Board of Governors, collegial governance requires interdependence and the highest standards of mutual respect and good relationships.

The shared governance and mission of the University is best served when the principles of collegiality are respected. All of us must do our part to uphold the ideals of academic freedom and democratic practice inherent in our system of collegial governance.

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## 1. DEFINITIONS

### 1.0 Duties and Powers of the Senate

The Senate of Nipissing University, established in 1992 by the Legislature of the Province of Ontario in *Bill Pr70 (An Act respecting Nipissing University)*, has the duties to “establish the educational policies of the University” and to “make recommendations to the board with respect to any matter of academic concern to the University”.

Without limiting the above, *Bill Pr70* (hereafter referred to as the Nipissing University Act) specifically stipulates that the Senate has the power to:

- (a) make recommendations to the board respecting the establishment, maintenance, modification or termination of organizational structures such as faculties, schools, institutes, departments or chairs within the University;
- (b) establish, maintain, modify or remove curricula of all courses of instruction, including extension courses, subject to the approval of the board in so far as the expenditure of funds is concerned;
- (c) determine procedures for and policies concerning the qualifications of members of faculty within the University with respect to appointments, promotions and the granting and termination of tenure;
- (d) determine standards of admission of students to the University;
- (e) consider and determine the conduct and results of examinations in all faculties;
- (f) hear and determine appeals from the decision of faculty councils on examinations and on applications for admission;
- (g) grant degrees, honorary degrees, diplomas, certificates or other awards for the University and its federated or affiliated colleges;
- (h) consider and co-ordinate long-range academic planning;
- (i) consider and recommend to the board policies concerning the allocation or use of University resources for academic purposes;
- (j) create councils and committees and delegate to them the power and authority to act for it on any matter; and
- (k) make by-laws and regulations for the conduct of its affairs.

### 1.1 General Definitions

In these By-Laws:

- (a) “Nipissing University Act” means *Bill Pr70 (An Act respecting Nipissing University)*;
- (b) “University” means Nipissing University;
- (c) “Board” means the Board of Governors of the University;
- (d) “Senate” means the Senate of the University;
- (e) “Faculty” means an academic faculty of the University;
- (f) “School” means a school of the University;
- (g) “Department” means a department of an academic faculty or of a school of the University;
- (h) “Division” means a division of an academic faculty or of a school of the University;
- (i) “Senator” means a voting member of the Senate;
- (j) “Speaker” means a Faculty Senator elected as Speaker of Senate
- (k) “Deputy Speaker” means a Faculty Senator elected as Deputy Speaker of Senate
- (l) “President” means the President of the University;
- (m) “PVPAR” means the Provost and Vice-President, Academic and Research of the University;
- (n) “VPFA” means the Vice-President, Finance and Administration of the University;
- (o) “Dean” means the Dean of an Academic Faculty of the University (Arts and Science & Education and Professional Schools) and also referred to as a Faculty Dean of the University (Dean of Teaching & Dean of Graduate Studies and Research);

- (p) “Chair” means a presiding officer, as in Chair of Senate, committee Chair, department Chair, division Chair or program Chair;
- (q) “Director” means a director of a program or school of the University;
- (r) “Faculty member” means a member of the University whose primary appointment and responsibility is either as a full-time faculty, academic librarian, lab, seminar or special course instructor;
- (s) “Student” means a full-time or part-time student of the University in good academic standing, as determined by the University;
- (t) “NUSU Executive” means the elected student members of the Nipissing University Student Union Executive;
- (u) “Alumni Board” means the Board of Directors of the Nipissing University Alumni Advisory Board;
- (v) “ICE” means the Indigenous Council on Education of the University; and
- (w) “Quorum” means the minimum number of voting members in attendance in order for a meeting to commence or continue; and
- (x) “Day” means operating business day.

### 1.2 Definitions Related to Senate Committees

In defining the membership of Senate committees in these By-Laws:

- (a) “Faculty Senator” means a faculty member who is a voting member of Senate;
- (b) “Faculty non-Senator” means a faculty member who is not a voting member of Senate;
- (c) “Student Senator” means a student who is a voting member of Senate;
- (d) “Representative” means a representative (student, Board, Alumni Advisory Board or ICE) who may or may not also be a voting member of Senate; and
- (e) “Designate” means a person formally delegated by an *ex officio* voting member of Senate to participate and vote on the member’s behalf at all meetings of a specified Senate committee during any given year. The Dean’s designate shall be in an academic position such as an Associate Dean; a Director; a Department, or Section Chair; or, a Faculty member.

### 1.3 Senate Year

The Senate year shall be deemed to commence on 01 July of any given year and end on 30 June of the following year.

## 2. SENATE MEMBERSHIP AND TERMS OF OFFICE

### 2.0 General Membership Provisions

- (a) The voting membership of Senate shall include, in numbers as specified below:
  - (i) *ex officio* Senators; (ii) student Senators; (iii) other non-faculty Senators; and (iv) faculty Senators.
- (b) Ex Officio members of Senate and its Committees are voting members and will be counted in the establishment of quorum for a meeting. Quorum will be 50% + 1 of voting members.
- (c) As stipulated in the Nipissing University Act, the number of faculty Senators in any given year shall be at least more than twice the total number of all other Senators.
- (d) In order that the membership of Senate is as broadly representative of the University’s academic community as possible, the various constituencies shall be expected to consider, and strive to reflect, gender balance and the diversity of academic and cultural traditions when choosing or electing their Senate representatives.
- (e) Membership on Senate cannot be delegated and shall be for a three-year term.
- (f) Faculty senators who accept an administrative position, or percent thereof, must vacate their senate position as a faculty senator upon acceptance of the appointment.

## 2.1 *Ex Officio* Senators

- (a) The following shall be *ex officio* voting members of Senate:
  - (i) the President;
  - (ii) the Provost Vice President Academic and Research;
  - (iii) The Vice President responsible for Finance and Administration
  - (iv) the Deans;
  - (v) the Registrar;
  - (vi) the Executive Director, Library Services; and

## 2.2 Student Senators

- (a) The following shall be voting members of Senate:
  - (i) three (3) student Senators chosen by and from the NUSU Executive;
  - (ii) one (1) undergraduate student Senator elected by and from the undergraduate students in each Faculty; and
  - (iii) one (1) graduate student Senator elected by and from the graduate students.

## 2.3 Other Non-Faculty Senators

- (a) The following shall be voting members of Senate:
  - (i) two (2) Senators chosen by and from the Board of Governors;
  - (ii) one (1) Senator chosen by and from the Alumni Advisory Board; and
  - (iii) one (1) Senator chosen by and from or designated by the NUICE.

## 2.4 Faculty Senators

- (a) The minimum number of faculty Senators shall be one more than twice the total number of Senators identified in 2.1, 2.2 and 2.3, above.
- (b) There shall be two (2) designated faculty Senate positions, as follows:
  - (i) two (2) faculty Senators elected by and from the full-time lab, seminar and service course instructors (North Bay), hereafter referred to as “instructor positions”.
- (c) The remaining faculty Senate positions shall be allocated to the individual Faculties according to their respective total proportions of faculty members at the rank of lecturer or above with appointments of at least 12 months.

## 2.5 Changes to Senate Membership

- (a) In accordance with 2.4(a), the future addition of any *ex officio* Senator, student Senator or other non-faculty Senator to the membership of Senate shall be accompanied by the addition of two (2) faculty Senators.
- (b) The proportions employed in 2.4(c), above in allocating faculty Senate positions shall be calculated annually, based on up-to-date full-time faculty distribution data maintained specifically for this purpose. In the event that such a calculation results in a reallocation of one or more faculty Senate positions from one Faculty to another Faculty, this reallocation shall be accommodated during the next annual election cycle, when positions become vacant as Senators from each Faculty complete their normal terms of office.

## 2.6 Terms of Office

- (a) *Ex officio* Senators shall serve for as long as they remain in office.
- (b) For student Senators, the normal term of office shall be:

- (i) one (1) year (renewable), for the three (3) student Senators chosen by and from the NUSU Executive;
- (ii) one (1) year (renewable), for each undergraduate student Senator elected by and from the undergraduate students; the graduate student Senator elected by and from the graduate students.
- (c) For other non-faculty Senators, the term of office shall be at the discretion of the respective constituencies.
- (d) For faculty Senators, the normal term of office shall be:
  - (i) three (3) years (renewable) for the two (2) designated faculty Senate representatives specified in 2.4(b), with roughly one-half (1/2) to be elected in alternate years; and
  - (ii) three (3) years (renewable), for the remaining faculty representatives allocated to the individual Faculties, with roughly one-third (1/3) to be elected each year.
- (e) All Senate terms of office shall commence at the beginning of the Senate year (i.e. 01 July), except:
  - (i) the terms of the three (3) student Senators chosen by and from the NUSU Executive, which shall run from 01 May each year to 30 April the following year; and
  - (ii) the terms of the graduate student Senator elected by and from the graduate students, and the undergraduate student Senators elected by and from the undergraduate students, shall run from 01 May each year to 30 April of the following year.

### **3. OFFICERS OF SENATE**

#### 3.0 Identification of Officers

- (a) The following shall be Officers of Senate:
  - (i) the Chair of Senate, who shall be the President;
  - (ii) the Vice-Chair of Senate, who shall be the PVPAR;
  - (iii) the Speaker of Senate, who shall be elected every three years by Senate from among the faculty Senators, normally at the May Senate meeting; and
  - (iv) the Deputy Speaker of Senate, who shall be elected every three years by Senate from among the faculty Senators, normally at the May Senate meeting.
- (b) There shall also be a (non-voting) Secretary of Senate, who shall be appointed by the Chair.

#### 3.1 Chair of Senate

Responsibilities of the Chair of Senate shall include:

- (a) executing all official communications of Senate;
- (b) signing all official documents of Senate;
- (c) conveying recommendations of the Senate to the Board, as necessary and appropriate;
- (d) such other responsibilities as may be specified in these By-Laws.

#### 3.2 Vice-Chair of Senate

Responsibilities of the Vice-Chair of Senate shall include:

- (a) fulfilling the responsibilities of the Chair of Senate whenever the Chair is unable or unavailable to do so, for any reason; and
- (b) such other responsibilities as may be specified in these By-Laws.

#### 3.3 Speaker of Senate

Responsibilities of the Speaker of Senate shall include:

- (a) conducting all meetings of Senate in accordance with these By-Laws and the basic rules of parliamentary procedure;
- (b) ruling on matters of procedure, questions of interpretation or points of order during Senate meetings, and should any such ruling be appealed, putting the appeal to an immediate vote;
- (c) providing advice and assistance to members of Senate and the University-at-large when called upon to do so, in matters of interpretation of these By-Laws or other Senate policies and procedures;
- (d) working closely with the Deputy Speaker to prepare the Deputy Speaker for the possibility of being elected by Senate as the next Speaker;
- (e) act as Chair of the Bylaws and Elections Committee;
- (f) such other responsibilities as may be specified in these By-Laws.

### 3.4 Deputy Speaker of Senate

Responsibilities of the Deputy Speaker of Senate shall include:

- (a) fulfilling the responsibilities of the Speaker whenever the Speaker is unable or unavailable to do so, for any reason;
- (b) working closely with the Speaker to prepare for the possibility of being elected by Senate as the next Speaker;
- (c) act as Vice-Chair of the Bylaws and Elections Committee; and
- (d) such other responsibilities as may be specified in these By-Laws.

### 3.5 Secretary of Senate

Responsibilities of the Secretary of Senate shall include:

- (a) preparing and distributing Senate agendas and Senate minutes, as required;
- (b) maintaining the official record of all Senate proceedings;
- (c) ensuring that the Senate website remains up-to-date;
- (d) through the Senate website or e-mail announcements, notifying all Senators and the broader University community of all regular or special meetings of Senate, and all meetings of Senate standing or ad hoc committees;
- (e) working with the Chair and the Speaker of Senate, as required, to ensure the smooth conduct of Senate affairs; and
- (f) such other responsibilities as may be assigned by the Chair or specified in these By-Laws.

## 4. ELECTION OF FACULTY SENATORS

### 4.0 Eligibility to Serve

- (a) For the faculty Senate representatives allocated to each Faculty in 2.4(c), any faculty member at the rank of lecturer or above with an appointment of at least 12 months in the respective Faculty, who will not be on leave during the designated term of the position, shall be eligible to serve as an elected Senator. A faculty member who is granted leave or whose contractually limited appointment ends without renewal, and whose Senate term will not be completed before such leave commences or the contractual period ends, shall resign.
- (b) For the two (2) designated instructor representatives in 2.4(b)(i), any full-time lab, seminar or service course instructor shall be eligible to serve as an elected Senator. A faculty member whose contractually limited appointment ends without renewal, and whose Senate term will not be completed before the contractual period ends, shall resign.

#### 4.1 Eligibility to Vote

For each constituency identified in 4.0, all constituency members, including those on approved leave at the time of the Senate election, shall be eligible to vote.

#### 4.2 Conduct of Elections

- (a) Elections for the faculty Senate representatives allocated to each Faculty shall be conducted by the respective Faculty Council, through the Office of the Dean.
- (b) Elections for the designated instructor representatives shall be conducted by the By-Laws & Elections Committee of Senate.

#### 4.3 Annual Election Procedures for Representatives Allocated to Each Faculty

- (a) By 10 February each year, the By-Laws & Elections Committee shall announce the list of Senate seats available in each Faculty to be filled in the next Senate election cycle.
- (b) By 17 February each year, the Deans shall invite nominations for all Senate seats available to be filled within their respective constituencies, and shall provide a list of all constituency members currently eligible to serve and/or to vote in the election. (Any faculty member holding a cross-appointment between two Faculties will declare a primary Faculty for election purposes to the appropriate Dean, and shall be eligible to serve and/or to vote only in that Faculty.)
- (c) Nominations shall be submitted in writing to the Dean, signed by the nominee and two eligible voters, not later than 28 February each year.
- (d) In the first week after the nomination period, each Faculty Council shall meet. The Deans will present the list of nominees, seek out new nominees if there has not been enough nominations (via a nominator and a seconder from the floor), to discuss the election procedures and to elect two scrutineers. After this meeting of Faculty Council, the final list of nominees and election procedures will be distributed by the Deans to all members of the respective faculty.
- (e) Unless all seats have been filled by acclamation and no later than the second week of February, the Deans shall announce the start of the election period. Elections for each Faculty shall normally be completed by no later than 15 March each year.
- (f) Voting shall take place Monday – Friday during 8:30 a.m. – 4:30 p.m. in the respective Dean’s offices. Voting shall be by secret ballot. Candidates shall be listed on the ballot in alphabetical order. Eligible voters may vote for as many candidates as there are seats on the ballot. Voting by proxy shall not be permitted. Each voter shall receive one ballot, to be filled out in private and returned to the ballot box, which will be monitored, by the Dean’s office.
- (g) At the close of voting in each Faculty, the ballots shall be counted and verified by two faculty scrutineers, elected by the respective Faculty Councils, who are eligible to vote in the constituency but who are not standing for Senate election.
- (h) The Deans shall notify their Faculties of the results within three days of the close of voting, and shall normally report their final slates of Faculty representatives to the By-Laws & Elections Committee no later than 01 April.

#### 4.4 Annual Election Procedures for Instructor Representatives

- (a) By 01 May each year, the By-Laws & Elections Committee shall announce any designated instructor position(s) to be filled in the next Senate election cycle and indicate the term of office for each position.
- (b) By 01 September each year, the By-Laws & Elections Committee shall invite nominations for any such designated faculty position(s) to be filled, and shall provide a list of all members eligible to serve and/or to vote in the election.
- (c) Nominations shall be submitted in writing, signed by the nominee and two eligible voters, not later than 15 September each year.

- (d) Within one week of the close of nominations, the By-Laws & Elections Committee shall inform the constituency of any position(s) filled by acclamation, and, where required, announce the days/times when voting will be conducted for any contested position(s).
- (e) Voting for contested positions shall be by secret ballot. Candidates shall be listed on the ballot in alphabetical order. Eligible voters may vote for as many candidates as there are contested seats on the ballot. Voting by proxy shall not be permitted.
- (f) At the close of voting, the ballots shall be counted and verified by two faculty scrutineers, appointed by the By-Laws & Elections Committee, who are eligible to vote but who are not standing for Senate election.
- (g) Elections for contested positions shall be completed by 30 September each year. The By-Laws & Elections Committee shall notify the results within three days of the close of voting.
- (h) If any election or acclamation results in vacancies, these vacancies will be filled in turn by the Faculty of Arts and Science, then the Faculty of Education and Professional Studies.

## **5. ELECTION OF STUDENT SENATORS**

### 5.0 Eligibility to Serve

- (a) For the undergraduate student representatives allocated to each Faculty in 2.2(a)(ii), any undergraduate student who remains in good academic standing during the designated term of the position shall be eligible to serve as an elected Senator. Undergraduate student Senators who graduate or withdraw from the University or who are no longer in good academic standing shall immediately be deemed to have forfeited their positions.
- (b) For the graduate student representative in 2.2(a)(iii), any graduate student who remains in good academic standing during the designated term of the position shall be eligible to serve as an elected Senator. A graduate student Senator who graduates or withdraws from the University or who is no longer in good academic standing shall immediately be deemed to have forfeited the position.

### 5.1 Eligibility to Vote

- (a) All undergraduate students currently registered at the time of the election shall be eligible to vote for the undergraduate student representative in their respective Faculty. Students in Concurrent Education or completing double majors in two different Faculties shall be required to declare one Faculty for purposes of the election.
- (b) All graduate students currently registered at the time of the election shall be eligible to vote for the graduate student representative.
- (c) In order to vote, currently-registered undergraduate and graduate students shall be required:
  - (i) to vote by e-mail according to established election procedures, using their University-assigned e-mail address.

### 5.2 Conduct of Elections

- (a) Elections for the undergraduate and graduate student representatives shall be conducted by the NUSU Board, coincident with its annual delegate elections.
- (b) Notwithstanding the conduct of the elections in (a) by the NUSU Board, the elected undergraduate and graduate student representatives shall be deemed to have no formal affiliation with NUSU or accountability to NUSU, in carrying out their responsibilities as Senators.

## 6. SENATE MEETINGS

### 6.0 Regular Senate Meetings

- (a) Unless otherwise determined and announced by the Senate Executive Committee, regular meetings of Senate shall normally be held once a month.
- (b) Once finalized, the dates of all regular Senate meetings for any given year shall be published on the University website.
- (c) Unless otherwise determined and announced by the Senate Executive Committee, regular Senate meetings shall normally commence at 2:30 PM.
- (d) Regular Senate meetings shall normally end no later than 5:30 PM.
- (e) All those responsible for the timetabling of University classes shall be instructed to make every effort to ensure that faculty Senators are not scheduled to teach during regular Senate meetings.
- (f) At the discretion of the Senate Executive Committee, a regular meeting of Senate may be cancelled if:
  - (i) the volume of business submitted for inclusion in the agenda is insufficient to warrant holding the meeting; and
  - (ii) there is no urgent or time-sensitive business requiring disposition prior to the next regular meeting.

### 6.1 Special Senate Meetings

- (a) A special meeting of Senate may be called at the discretion of either the Chair of Senate or the Senate Executive Committee. Moreover, a special meeting shall be called by the Senate Executive Committee upon receipt of a formal written request signed by a minimum of twelve (12) voting Senators.
- (b) Notice of a special Senate meeting shall be provided to all Senators and announced to the University community-at-large by e-mail, at least forty-eight (48) hours in advance of the meeting. The notice shall specify all items of business to be considered at the special meeting.

### 6.2 Senate Agenda and Senate Minutes

- (a) An agenda for each regular Senate meeting shall be prepared by the Senate Executive Committee. Agenda items should be received at least four (4) days prior to the meeting of the Committee.
- (b) The regular Senate agenda shall be published on the Senate website, and circulated to all Senators at least four (4) days prior to the regular meeting. An e-mail announcing the availability of the agenda on the website shall be sent to the University community-at-large.
- (c) For regular meetings of Senate, the agenda shall normally follow the order of business outlined in 6.3.
- (d) For special Senate meetings, the agenda shall consist solely of those items specified in the notice of the meeting.
- (e) Draft minutes of each regular or special Senate meeting shall be prepared and placed on the Senate website for review at least four (4) days prior to the next regular meeting of Senate, at which they shall be considered for approval.
- (f) Once adopted by Senate (after any necessary corrections or amendments), the minutes from the current Senate year and at least one (1) previous Senate year shall be made available on the Senate website.
- (g) A hard copy of all approved Senate minutes shall be signed by the Chair of Senate and kept as the official, permanent record of Senate proceedings. These proceedings shall be available for consultation in the Office of the President during regular business hours.
- (h) The Senate minutes in (e), (f) and (g) shall exclude any confidential motions passed during *in camera* segments of Senate meetings, until such time as the Senate Executive Committee determines that the reason for keeping them confidential no longer applies.

### 6.3 Order of Business

- (a) The order of business observed at all regular meetings of Senate shall normally be as follows:
  - (i) Acknowledgement of the traditional territory of the Robinson-Huron Treaty of 1850;
  - (ii) Approval of the Agenda;
  - (iii) Approval of the minutes of the previous meeting(s);
  - (iv) Business arising from the minutes;
  - (v) Reading and disposing of communications;
  - (vi) Written or oral reports for information only (which may include a motion to receive) from all sources, including other bodies on which Senate is represented (President, PVPAR, VPFA, Deans, Students, and Others);
  - (vii) Question period;
  - (viii) Written reports (which include substantive motions) of standing committees, Faculty or University councils, and ad hoc or other committees, with the order to be determined by the Senate Executive Committee;
  - (ix) Other business (which includes substantive motions);
  - (x) Motions from Question period;
  - (xi) Amendment of By-Laws;
  - (xii) Elections;
  - (xiii) New business (requiring a motion to consider);
  - (xiv) Announcements;
  - (xv) Adjournment
- (b) Business items submitted too late to be placed on the Senate agenda must be circulated in hard copy at the meeting for introduction under new business, and shall require the passage of a motion to consider before any further motions may be proposed.
- (c) The primary purpose of the question period is to provide an opportunity for Senators or others in attendance to raise questions or seek clarification regarding matters which may be of collective interest or concern. Substantive questions for which an adequate response may require research or preparation should normally be submitted to the Senate Secretary in writing at least four (4) days prior to the meeting. Should this not occur, the respondent may elect to answer the question at the next regular Senate meeting.

### 6.4 Senate Quorum

- (a) The quorum for all Senate meetings shall be 50% + 1 of the voting membership.
- (b) If Senate is not called to order within 15 minutes after its scheduled commencement time due to lack of quorum, the meeting shall be deemed lost and Senate shall stand adjourned.
- (c) Should it be confirmed that the quorum has been lost during any meeting in progress after Senate has been called to order, Senate shall immediately be declared adjourned.

### 6.5 Lost or Unfinished Meetings

In the event that a Senate meeting is lost altogether, or its agenda not completed, for any reason (including lack of quorum or loss of quorum), the Senate Executive Committee may, at its discretion and as necessary:

- (a) call a special Senate meeting to consider some or all of the agenda items from the lost or unfinished meeting; and/or
- (b) see that some or all of the agenda items from the lost or unfinished meeting are placed on the agenda of the next regular meeting.

## 6.6 Openness of Meetings and the Right of Non-Members to be Heard

- (a) All meetings of Senate shall be open to non-members, except when Senate votes to consider specific items of business *in camera*.
- (b) A non-member of Senate may be recognized and permitted to speak at any open portion of a Senate meeting:
  - (i) with the prior approval of the Senate Executive Committee; or
  - (ii) at the discretion of the Speaker; or
  - (iii) by Senate vote on a motion to that effect, which shall not be debatable.

## 6.7 *In Camera* Consideration

- (a) During a meeting, Senate may vote to consider specific items of business *in camera*, thereby closing the meeting to non-members while these matters are under discussion. Such a motion shall clearly identify all items of business to be considered *in camera*, and is debatable. Should the motion be carried, all non-members in attendance shall be required to leave the meeting immediately.
- (b) Upon completion of all *in camera* business items and after a motion to close *in camera*, the Speaker shall declare the meeting once again open to non-members.
- (c) Motions to consider specific matters *in camera* shall normally come from the Senate Executive Committee and appear in the Senate agenda, but they may also be raised during the course of a meeting by any Senator, as a question of privilege.
- (d) The approval by Senate of honorary degree candidates shall always be considered *in camera*. Other matters where individual students or University personnel are identified by name or where confidential financial or other information is involved may also warrant *in camera* consideration.
- (e) Notwithstanding (d), and as a matter of principle, unless a legitimate rationale for *in camera* consideration is evident or is provided, Senate meetings should remain open to non-members.

## 7. GENERAL SENATE PROCEDURES

### 7.0 The Role of Motions in Conducting Senate Business

- (a) Formal Senate decision-making shall normally proceed only through proposing and approving (or otherwise disposing of) appropriately worded motions.
- (b) Further to (a), during the consideration of any report, proposal or recommendation, there shall be a motion, and only one motion, before Senate at any given time.
- (c) All motions brought before Senate shall be moved and seconded before the subject matter of the motion is open for debate.
- (d) A motion may be withdrawn with the consent of both the mover and seconder, but if either objects the motion shall be considered and put to a vote.

### 7.1 Main Motions and Their Disposition

- (a) The initial motion proposed in connection with any item of business shall henceforth be referred to as the “main motion”. Once the main motion is before Senate, other motions (some of which apply directly to the main motion and some of which are purely procedural) may be introduced and shall be given higher precedence.
- (b) Specifically, once a main motion is under consideration, any of the following motions may be applied to it (listed from lowest to highest, in order of their precedence):
  - (i) a motion to divide the main motion;
  - (ii) a motion to amend the main motion;

- (iii) a motion to refer the main motion, with instructions;
  - (iv) a motion to postpone consideration of the main motion to a certain day/time; and
  - (v) a motion to close (or limit) debate on the main motion.
- (c) Notwithstanding (a) and (b), the end result in every case shall be that the original main motion or each of its individual parts if divided is carried (with or without amendments), defeated or otherwise disposed of.

## 7.2 Amendments

- (a) A proposed amendment to any motion before Senate shall be worded so as to:
  - (i) delete specified words from the motion;
  - (ii) add specified words to the motion; or
  - (iii) delete specified words from the motion and substitute others in their place.
- (b) If the mover and seconder of the original motion agree to do so, they may accept a proposed amendment as a “friendly amendment”, in which case the changes shall be incorporated into the original motion without the need for a vote.
- (c) While an amendment is under consideration, an amendment to the amendment may be proposed.
- (d) Any amendment which, if approved, would nullify the intent of the original motion is out of order, and shall be so declared by the Speaker.
- (e) Amendments shall be considered and voted on in the following order, where applicable:
  - (i) the amendment to the amendment;
  - (ii) the amendment, as amended in (i) or as originally proposed; and
  - (iii) the original motion, as amended in (ii) or as originally proposed.

## 7.3 Debatability and Plurality Requirements of Senate Motions

- (a) The following motions shall be debatable:
  - (i) any main motion;
  - (ii) any motion to divide;
  - (iii) any motion to amend;
  - (iv) any motion to refer, with instructions (debatable both as to the instructions and as to the advisability of referral);
  - (v) any motion to postpone consideration (debatable both as to the proposed day/time and as to the advisability of postponement);
  - (vi) any motion to reconsider a previously-carried or previously-defeated motion (debatable as to the merits of reconsideration, but only if the original motion was debatable and only if no subsequent irreversible action resulting from the original motion has already occurred);
  - (vii) any motion to consider specific items of business *in camera* (debatable both as to the list of items and as to the appropriateness of closing the meeting to non-members; see 6.7); and
  - (viii) any motion to conduct a vote by roll-call (debatable as to the need for such a vote; see 7.5(e)).
- (b) The following motions are not debatable and shall be put to an immediate vote:
  - (i) any motion to close (or limit) debate on a motion;
  - (ii) any motion objecting to consideration of a motion;
  - (iii) any motion to suspend one or more of these By-Laws;
  - (iv) any motion to adjourn;
  - (v) any motion to conduct a vote by secret ballot (see 7.5(d));
  - (vi) any motion to allow a non-member to speak (see 6.6(b)(ii)); and
  - (vii) any motion appealing a procedural ruling by the Speaker.
- (c) The following motions shall require a two-thirds (2/3) plurality:
  - (i) any motion to close (or limit) debate on a motion;
  - (ii) any motion objecting to consideration of a motion;

- (iii) any motion to suspend one or more of these By-Laws; and
- (iv) any motion to adopt or amend these By-Laws.

#### 7.4 Debate and Decorum

- (a) During the discussion of any substantive motion, the mover shall normally be offered the opportunity to speak first and also to make final comments at the close of debate. Other Senators shall normally speak only once, and in any case shall not be permitted to speak a second time until all those wishing to speak for the first time have been recognized and heard.
- (b) Providing clarification or explanation in direct response to a specific question or point of information shall not be counted as speaking to the motion.
- (c) In speaking to any motion, each Senator shall normally be limited to at most ten (10) minutes. The Speaker shall rule on any request to extend this time limit, and any such ruling shall be subject to appeal.
- (d) Senators shall be expected to observe appropriate decorum during any debate.

#### 7.5 Voting on Senate Motions

- (a) Except as otherwise specified in 7.3(c), Senate motions shall be carried by a simple plurality of votes in favour over votes against, with abstentions not being called or recorded.
- (b) Voting on Senate motions shall normally be conducted by a simple show of hands, with the Speaker declaring the motion to be carried or defeated. Should any member request that such a vote be recorded, Senators may be asked to stand or keep their hands in the air until the count is taken.
- (c) Notwithstanding (b), any Senator may, on a question of privilege, move that the vote on the motion before Senate be conducted by secret ballot. A motion to hold a secret ballot, once seconded, is not debatable and shall be put to an immediate vote.
- (d) Notwithstanding (b), any Senator may likewise, on a question of privilege, move that the vote on the motion before Senate be conducted by roll-call. A motion to conduct a vote by roll-call is debatable as to the need for such a vote.
- (e) Whether a vote is conducted by show of hands, secret ballot or roll-call, the Speaker or Deputy Speaker (whoever is conducting the vote) shall retain the right, as an elected Senator, to vote on the motion. Should the vote on any motion end in a tie, the motion shall be declared defeated.
- (f) Voting by proxy shall not be permitted.

#### 7.6 Elections Conducted in Senate

- (a) When elections are to be conducted during Senate meetings, these shall normally take place under the appropriate heading in the agenda.
- (b) If a candidate from one of the two faculties cannot be found to fill a Senate committee position, then nominations from the floor shall be accepted.
- (c) Nominating a Senator (or non-Senator, where applicable) who is not present at the time of the election shall be permitted, provided that it can be reliably reported that the nominee has agreed to accept the nomination.
- (d) Nominations shall be closed by a motion of Senate. If the number of nominees does not exceed the number of available positions, the nominees shall be declared elected by acclamation.
- (e) In each case where there are more nominees than available positions, a secret ballot shall be conducted to determine the outcome of the election.

#### 7.7 Audio/Video Recording of Senate and Senate Committees

Audio/Video recording of open Senate and Senate Committee proceedings is not normally permitted. A motion to allow audio/video recording of a meeting should clearly set out the purpose and use of the recording. Such a motion requires unanimous consent.

## 7.8 Unprovided Cases

For all procedural situations not covered in these By-Laws, Senate's authority shall be *Robert's Rules of Order*. However, should procedural situations arise in which these By-Laws and the aforementioned reference are not in accordance, these By-Laws shall prevail.

## 8. ROLE AND FUNCTION OF SENATE COMMITTEES

### 8.0 The Role of Representative Standing and Ad Hoc Committees

- (a) The effective conduct of Senate business relies heavily on the work of representative Senate committees or ad hoc committees established specifically to consider a broad range of matters related to the academic function of the University and to report on these to Senate, with recommendations as necessary and appropriate.
- (b) For academic matters of an ongoing nature, Senate shall establish a framework of standing committees as outlined in 9.0.
- (c) At its discretion, Senate may also form ad hoc committees to deal with specific matters. The proposed membership and terms of reference of any such ad hoc committee shall be specified in the motion to strike the committee.
- (d) Ad hoc committees within Standing Committees are problem-finding and problem-solving committees designed to accomplish an assigned task and to report back (with recommendations, if appropriate) to the respective Standing Committee for further consideration of recommendations and conveyance of motions, if applicable, to Senate.
- (e) Ad hoc committees of Senate shall serve until they are discharged by the respective Standing Committee or by Senate.
- (f) The membership of all Senate standing or ad hoc committees should be gender inclusive, and should reasonably represent the diversity of academic or cultural traditions and viewpoints.

### 8.1 General Committee/Ad Hoc Committee Procedures

- (a) In general, where appropriate and feasible, the procedures of Senate standing or ad hoc committees shall parallel those of Senate.
- (b) Except as stated otherwise in these By-Laws, the President shall be an *ex officio* non-voting member of every Senate standing or ad hoc committee.
- (c) Unless otherwise stipulated in these By-Laws, all Senate standing or ad hoc committees shall report directly to Senate, while ad hoc committees within Senate standing committees shall bring reports and recommendations to their parent committees for consideration and possible conveyance to Senate.
- (d) A Senate standing or ad hoc committee may also report to another such committee at the other committee's request. Any such report shall also be conveyed to Senate, for information.
- (e) The Chair of Senate shall appoint a recording secretary for each standing committee. In the event of his/her absence, the committee shall appoint another person to act as recording secretary.
- (f) Secretarial support for each committee shall be provided through the office of:
  - (i) the Chair of the committee, when the Chair is an *ex officio* voting or non-voting member; or
  - (ii) a senior *ex officio* voting member of the committee, when the Chair is a faculty Senator.
- (g) Committee business, including the passing of motions to be conveyed to Senate, shall normally be done in regular meetings. In the event that a time-sensitive motion must be considered before the next scheduled meeting of the committee, a vote over email is permissible under the following conditions:
  - (i) all members of the committee must be provided the motion and all supporting documentation;

- (ii) the motion must be moved and seconded;
- (iii) members must be given a minimum of two business days to ask questions and discuss the proposed motion before votes are cast;
- (iv) members must be given a minimum of two further business days to respond with their vote;
- (v) a simple majority of votes is sufficient to approve a motion over email but the total number of votes cast must make up a quorum of the committee;
- (vi) motions passed over email will be included in supplemental minutes at the next in-person meeting of the committee and clearly marked as motions passed over email.

## 8.2 Chair and Vice-Chair

- (a) Each Senate standing or ad hoc committee shall have a Chair and a Vice-Chair, who shall either be designated when stipulating the membership or elected by the committee.
- (b) Responsibilities of the Chair shall include:
  - (i) acting as the presiding officer for the committee/ad hoc committee;
  - (ii) working with the committee/ad hoc committee to establish an appropriate meeting schedule;
  - (iii) ensuring that meeting agendas and all relevant supporting documentation are circulated to all committee/ad hoc committee members at least four (4) days before each meeting;
  - (iv) ensuring that the minutes of each committee/ad hoc committee meeting are circulated to all committee/ad hoc committee members;
  - (v) ensuring that the committee/ad hoc committee undertakes adequate consultation with all those who may be affected by any proposals being considered by the committee/ad hoc committee before such proposals are conveyed to Senate or to the parent committee;
  - (vi) preparing committee/ad hoc committee reports and recommendations as necessary and appropriate, for approval by the committee and conveyance to Senate;
  - (vii) acting as the lead spokesperson when reports and recommendations of the committee are presented to Senate;
  - (viii) in general, seeing that all work required of the committee/ad hoc committee is completed in an expeditious and timely fashion.
- (c) The Vice-Chair shall be responsible for fulfilling the responsibilities of the Chair whenever the Chair is unable or unavailable to do so, for any reason.

## 8.3 Committee/Ad Hoc Committee Meetings and Quorum

- (a) Each committee/ad hoc committee shall establish the frequency and duration of its meetings.
- (b) All meetings of Senate standing or ad hoc committees shall normally be open to non-committee (including non-Senators), and, once scheduled, such meetings shall be announced on the Senate website at least two (2) days in advance, where possible.
- (c) A non-committee member may be recognized and permitted to speak at any committee/ad hoc committee meeting at the discretion of the Chair.
- (d) A voting member of a committee/ad hoc committee may move that a meeting be closed to non-members while certain specified matters are under discussion. Such a motion shall clearly identify all items of business to be considered *in camera*, and is debatable. Should the motion be carried, all non-members in attendance shall be required to leave the meeting immediately.
- (e) Upon completion of all *in camera* business items, the Chair shall declare the meeting once again open to non-members.
- (f) The quorum for all Senate standing or ad hoc committee meetings shall be 50% +1 of the voting membership.

#### 8.4 Committee/Ad Hoc Committee Reports

- (a) Written reports of Senate standing or ad hoc committee should be clear and concise. Each recommendation intended for Senate consideration should be clearly stated within the main body of the report, and accompanied by an adequate rationale.
- (b) At the end of each written report submitted for Senate consideration, a list of motions shall be provided, as follows:
  - (i) a motion that Senate receive the report (required even if the report includes no other recommendations for Senate consideration); and
  - (ii) a motion for each individual recommendation within the report, carefully worded to reflect the appropriate Senate action being proposed (i.e. that Senate approve the implementation of a new program, that Senate recommend to the President, for conveyance to the Board, the addition of a new tenure-track position, etc.).
- (c) A motion that Senate receive a written report provides an opportunity for general discussion regarding the report and its recommendations, including questions or comments concerning the committee's procedures or the adequacy of the report's analyses and rationales. A motion to receive should normally not be defeated; rather, it should be carried if Senate is generally satisfied with the report and prepared to consider the recommendations therein, or referred back to the committee (with specific instructions) if there are significant concerns.
- (d) Carrying a motion to receive a written report in no way binds Senate to accept the individual recommendations within it.
- (e) Senate may amend the individual motions presented at the end of a written report, but may in no way alter the main body (including the recommendations) of the report itself.
- (f) Oral reports of Senate standing or ad hoc committees shall be permitted, provided that they are brief and for information only. Such oral reports shall not require a motion to receive.
- (g) That all reports sent to Senate committees from Senate for revisions, or documents that have undergone substantive revisions by a Senate standing committee, clearly identify any changes made to the document using track changes or some other form of highlighting.

#### 8.5 Annual Reports of Standing Committees

- (a) All standing committees of Senate shall present an annual report to Senate at the June meeting.
- (b) Annual standing committee reports shall include:
  - (i) summarized information on the number of meetings, meeting dates, and the attendance records of individual members;
  - (ii) a summary of the various activities and outcomes for the year (matters considered, recommendations/actions arising from such matters, final outcomes of such recommendations/actions and any matters which remain unfinished); and
  - (iii) where appropriate, a list of matters which are anticipated for consideration in the following year, prioritized if possible.
- (c) Annual reports shall include a motion to receive the report, but shall normally not include other substantive recommendations or motions.

### 9. STANDING COMMITTEES OF SENATE

#### 9.0 Annual Standing Committee Election Process

- (a) Senate standing committee members shall be elected annually by respective faculty councils with the exception of student Senators;
- (b) The normal term of office for Senate representatives on Senate standing committees shall be three (3) years with the exception of student Senators (c.f.: Article 5.3);
- (c) The committee election process shall be co-ordinated by the faculty councils, and/or by NUSU;

- (d) During April of each year, the faculty councils shall begin preparing a slate of faculty (Senators and non-Senators) for the various standing committees and present the slate in time for the May Senate meeting;
- (e) If a candidate from one of the two faculties cannot be found, then the vacant position can be filled from the other faculty for that Senate year only.

#### 9.1 Academic Awards, Appeals and Petitions Committee

- (a) *Ex Officio* Members:
  - (i) the Registrar, who shall be Chair;
  - (ii) a Dean appointed by PVPAR;
  - (iii) two (2) undergraduate student representatives, one elected from each Faculty by NUSU;
  - (iv) one (1) graduate student representative elected by NUSU.
- (b) Members Elected by Senate, Faculty Council:
  - (i) four (4) Faculty Senators, two from each Faculty, one of whom shall be elected by the Committee to serve as Vice-Chair;
  - (ii) a member of the NUSU Executive;
  - (iii) two (2) non-Senator Faculty; one elected from each Faculty;
- (c) Terms of Reference:
  - (i) to consider and rule on petitions and appeals by undergraduate and graduate students for exceptions to University academic regulations;
  - (ii) to consider and recommend undergraduate and graduate awards for those that require the committee review;
  - (iii) to convene appropriate ad hoc committees to ensure compliance with regulations and responsibilities respecting awards, appeals, and petitions;
  - (iv) to recommend to Senate, as deemed by the Chair in consultation with the Vice-Chair, revisions to academic regulations;
  - (v) to deal with such other matters as may be assigned from time to time by Senate.

#### 9.2 Academic Curriculum Committee

- (a) *Ex Officio* Members:
  - (i) the PVPAR, or designate (Chair);
  - (ii) Faculty Deans, or designates;
  - (ii) the Registrar, or designate;
  - (iii) the Executive Director, Library Services;
  - (iv) a Student Senator from the NUSU Executive;
  - (v) two (2) undergraduate student representatives; one elected from each Faculty by NUSU;
  - (vi) one (1) graduate student representative from the NUSU Executive.
- (b) Members Elected by Senate, Faculty Council:
  - (i) four (4) faculty Senators\*, two from each Faculty elected by Senate;
  - (ii) two (2) non-Senator Faculty; one elected from each Faculty by respective Faculty Councils;
  - (iii) two (2) Graduate Coordinators/ Graduate Chairs; one elected from each Faculty by Respective Faculty Councils.  
\*tenured or tenure-track Faculty preferred
- (c) Terms of Reference:
  - (i) to engage in on-going review of all academic curriculum matters related to undergraduate and graduate studies (including degree and program requirements) and to make recommendations to Senate, as necessary and appropriate;
  - (ii) to periodically review the criteria and policies with respect to admission of all students to the University and the transfer of credits from other educational institutions as necessary and appropriate, for conveyance to Senate;
  - (iii) to review the annual report on the School of Graduate Studies' activities;

- (iv) to establish the criteria for membership in the Graduate Faculty;
- (v) to deal with such other matters as may be assigned from time to time by Senate.

### 9.3 Academic Quality Assurance and Planning Committee (AQAPC)

- (a) *Ex Officio* Members:
  - (i) the PVPAR, or designate (Chair);
  - (ii) all Deans, or designates;
  - (iii) the Registrar, or designate;
  - (iv) the Director of Institutional Research and Planning;
  - (v) the Executive Director, Library Services;
  - (vi) one (1) representative chosen by and from the Board of Governors;
  - (vii) one (1) student Senator from the NUSU Executive.
- (b) Members Elected by Senate or Faculty Council:
  - (i) four (4) tenured or tenure-track faculty Senators \* with at least two from each Faculty, one of whom shall be elected by the Committee to serve as Vice-Chair;
  - (ii) four (4) tenured or tenure-track faculty non-Senators \*\* with at least one from each Faculty;
  - (iii) one (1) undergraduate student representative;
  - (iv) one (1) graduate student representative.

\* tenured or tenure-track Faculty preferred with a minimum two (2) years previous Nipissing University experience required;  
 \*\* 50% tenured faculty preferred.
- (c) Terms of Reference:
  - (i) to engage in an on-going process of long-range academic planning in accordance with the overall academic objectives of the University, and to make recommendations to Senate as necessary and appropriate;
  - (ii) as a part of (i) to review and update on an annual basis for Senate approval, the Nipissing University Strategic Academic Plan, which includes the setting of priorities related to the introduction of new programs or adjustments to current offerings and associated recommendations for appropriate resources;
  - (iii) to review academic programs, regulations, policies, and standards and to make recommendations to Senate as necessary and appropriate;
  - (iv) to review and provide Senate the substantive outcomes of cyclical review of existing academic programs;
  - (v) to report to Senate the recommendations resulting from program reviews;
  - (vi) to direct to Senate or its relevant committees, as necessary, any issues which arise from the Committee's planning discussions regarding physical facilities or other aspects of the educational environment;
  - (vi) to deal with such matters as may be assigned from time to time by Senate.

### 9.4 By-Laws & Elections Committee

- (a) *Ex Officio* Members:
  - (i) the Speaker (Chair);
  - (ii) the Deputy Speaker (Vice-Chair);
  - (iii) the PVPAR, or designate;
  - (iv) one (1) student Senator from the NUSU Executive;
  - (v) the Senate Secretary (non-voting).
- (b) Members Elected by Faculty Council:
  - (i) one (1) faculty Senator or non-Senator from each Faculty.
- (c) Terms of Reference:

- (i) to periodically review the Senate By-Laws and the governance practices of Senate and its standing committees, and make recommendations to the Senate Executive Committee as necessary and appropriate, for conveyance to Senate;
- (ii) when called upon to do so, to consult with Senate committees or individual Senators on matters of Senate policy and procedure, including possible changes to or interpretation of the Senate By-Laws;
- (iii) to oversee the annual election of faculty and student Senators, ensuring that election procedures are properly followed and results are reported to the Senate Executive Committee for conveyance to Senate;
- (iv) to prepare and submit to the Senate Executive Committee, for conveyance to Senate, the annual slate of nominees for all Senate standing committees, as well as for Senate representatives on other bodies;
- (v) to deal with such other matters as may be assigned from time to time by the Senate Executive Committee or by Senate.

#### 9.5 Honorary Degrees Committee

- (a) *Ex Officio* Members:
  - (i) the President (Chair);
  - (ii) the PVPAR, or designate, (Vice-Chair);
  - (iii) one (1) Dean, or designate, chosen by the Senate Executive Committee;
  - (iv) one (1) representative chosen by and from the Board of Governors;
  - (v) one (1) representative chosen by and from the Alumni Advisory Board;
  - (vi) one (1) student Senator from the NUSU Executive.
- (b) Members Elected by Faculty Council:
  - (i) one (1) faculty Senator or non-Senator from each Faculty.
- (c) Terms of Reference:
  - (i) to periodically review the criteria and procedures for the awarding of honorary degrees, professorships emeriti and other University honours, and to make recommendations to the Senate Executive Committee as necessary and appropriate, for conveyance to Senate;
  - (ii) to call annually for nominations for honorary degrees and other University honours, and to recommend candidates for all such honours to the Senate Executive Committee, for conveyance to Senate;
  - (vii) to deal with such other matters as may be assigned from time to time by the Senate Executive Committee or by Senate.

#### 9.6 Joint Committee of the Board and Senate on Governance

- (a) *Ex Officio* Members:
  - (i) the President (non-voting);
  - (ii) the President of the Nipissing University Student Union (NUSU), or designate.
- (b) Members Elected by Senate:
  - (i) three (3) faculty Senators.
- (c) Members Elected by the Board of Governors:
  - (i) three (3) members of the Board of Governors, including the Chair of the University Governance Committee and two (2) non-constituent Board members elected by the Board.
- (d) Terms of Reference:
  - (i) to periodically review, on at least an annual basis, the governance structures and practices of the University to foster bicameral communication and collegiality and to recommend amendments to by-laws, practices, or policies as may be advisable;
  - (ii) to establish and oversee a procedure for providing a joint orientation to new members of the Senate and Board as a means of promoting effective governance of the University;

- (iii) to establish and oversee a statement on the importance of collegial governance at Nipissing University;
- (iv) to address issues that may arise concerning a lack of civility and decorum in the conduct of the interaction of Senate or Board and which cannot be satisfactorily addressed under the existing policies and by-laws, practices, or policies as may be advisable;
- (v) to oversee the implementation of the recommendations of the Special Governance Commission Report of October 27, 2016.

#### 9.7 Research Committee

- (a) *Ex Officio* Members:
  - (i) the Dean of Graduate Studies who shall be Chair;
  - (ii) the PVPAR;
  - (iii) the Executive Director of Library Services, or designate;
  - (iv) one student Senator from NUSU Executive;
  - (v) one (1) graduate student representative.
- (b) Members Elected by Senate:
  - (i) four (4) Faculty members, elected by Senate for a three (3) year term, one of whom shall be elected as vice-Chair;
- (c) Terms of Reference:
  - (i) to engage in on-going advice on all matters related to research, including but not limited to research planning, policies, and support;
  - (ii) to recommend to Senate research polices appropriate to the University;
  - (iii) to review and update on a regular basis, the Nipissing University Research Plan and to recommend the Plan to Senate;
  - (iv) to advise the Provost and Vice-President Academic and Research and report to Senate on issues relating to the external granting agencies that provide funding to the University;
  - (v) to evaluate applications for internal research funding, assess all requests and make recommendations to the Provost and Vice-president Academic and Research regarding the allocation of such funds;
  - (vi) to review requests for, and recommend the formation of, research centres and institutes in accordance with University policy;
  - (vii) to provide advice and direction, as necessary or when called upon to do so, to the Provost and Vice-President Academic and Research, the Vice-President responsible for Finance and Administration and others on matters related to research support, including resources, infrastructure, accounts and the needs of faculty and students;
  - (viii) to provide written reports to Senate on its meetings as well as an Annual Report. Recommendations intended for Senate should be clearly stated and accompanied by an adequate rationale;
  - (ix) to deal with such matters relating to research as may be assigned from time to time by the Provost and Vice-President Academic and Research or by Senate.

#### 9.8 Senate Budget Advisory Committee (Recommendation 3.1 Special Governance Committee)

- (a) *Ex Officio* Members
  - (i) the PVPAR (Chair);
  - (ii) the Vice-President, Finance & Administration;
  - (iii) a Dean, appointed by PVPAR;
  - (iv) one (1) Student Senator from the NUSU Executive.
- (b) Members elected by Senate:
  - (i) three (3) Faculty Senators (at least one from each Faculty).
- (c) Terms of Reference

- (i) to consider the financial position of the University and to make recommendations to Senate on budget planning;
- (ii) to make recommendations to Senate on the details of the annual university operating budget as it pertains to the allocation of resources for academic purposes;
- (iii) to provide input into long-range planning within the context of the Academic Plan;
- (iv) to convey recommendations from Senate on the annual operating budget and long-term financial plans to the Board of Governors which has ultimate fiduciary responsibility for the University;
- (v) to deal with such matters as may be assigned from time to time by Senate.

#### 9.9 Senate Executive Committee

- (a) *Ex Officio* Members:
  - (i) the President (Chair);
  - (ii) the PVPAR, or designate (Vice-Chair);
  - (iii) Deans, or their designates, appointed by PVPAR;
  - (iv) the Registrar;
  - (v) the Speaker;
  - (vi) the Deputy Speaker;
  - (vii) one (1) student Senator from the NUSU Executive.
- (b) Members Elected by Faculty Council:
  - (i) one (1) tenured or tenure-track faculty Senator\* from each Faculty Council.  
\* tenured faculty preferred.
- (c) Terms of Reference:
  - (i) to call Senate meetings and prepare the agendas of Senate;
  - (ii) to approve Senate minutes for circulation prior to adoption;
  - (iii) to manage the workflow of Senate and its committees in order that business is carried out in an expeditious and timely fashion;
  - (iv) to ensure that Senate By-Laws are followed and that Senate decisions are properly recorded, transmitted and implemented;
  - (v) to consider, for approval and conveyance to Senate, reports and recommendations of the By-Laws & Elections Committee and Honorary Degrees Committee;
  - (vi) to approve degree audits for all undergraduate students who have applied to graduate, and to recommend all candidates to Senate for the conferring of undergraduate degrees, diplomas and certificates;
  - (vii) meetings at which candidates for honorary degrees are discussed shall be conducted *in camera* and considered strictly confidential;
  - (viii) to deal with such other matters as may be assigned from time to time by Senate.

#### 9.10 Teaching and Learning Committee

- (a) *Ex Officio* Members:
  - (i) the Dean of Teaching \*;
  - (ii) the Executive Director of Library Services, or designate;
  - (iii) two (2) undergraduate student representatives; one elected from each Faculty;
  - (iv) one (1) graduate student representative.  
\* The Dean will serve as pro-tem Chair and call the first meeting of the Committee in September to elect a Chair and Vice-Chair.
- (b) Members Elected by Senate, Faculty Council:
  - (i) four (4) Faculty Senators, two from each Faculty, one of whom shall be elected by the Committee to serve, on an annual basis, as Chair and one of whom shall be elected to serve as Vice-Chair;
  - (ii) two (2) non-Senator Faculty; one elected from each Faculty;
- (c) Terms of Reference:

- (i) to engage in on-going review and discussion of all matters related to teaching and learning for faculty and students (conceived of as mutually supporting and informing activities), including but not limited to technology and infrastructure, library services, the evaluation of teaching, instructional development and the promotion of teaching excellence, teaching awards policy, and the various resources and services available to support student learning and faculty research;
- (ii) to participate in on-going review of policies, practices, and objectives and their role in providing teaching and learning support for faculty and students;
- (iii) to adopt an advocacy role in support of new initiatives, and when and as appropriate, advise with priority-setting with matters related to library resources and services;
- (iv) to consider, for approval and conveyance to Senate, reports and recommendations;
- (vi) to deal with such other matters as may be assigned from time to time by Senate.

## 10. FACULTY COUNCILS

### 10.0 General Council Provisions

- (a) In addition to the Senate standing and ad hoc committees as outlined in Articles 8 and 9, the Faculty councils shall be recognized as part of the academic decision-making structure of the University;
- (b) Each Faculty Council shall be authorized to draft its own constitution, committee structure, terms of reference and procedures, except where Senate delegates its academic authority in a specific area to the Faculty Councils but retains the right to stipulate that all Faculty Councils follow consistent procedures for rendering decisions and reporting to Senate.

### 10.1 Faculty Councils

- (a) Membership:
  - (i) the Dean, or designate, who shall be Chair;
  - (ii) Associate and Dean of the Faculty;
  - (iii) all faculty members holding appointments in the Faculty;
  - (iv) one (1) part-time instructor (if any) from each department/program\* within the Faculty;

\* the list of departments/programs to be approved from time to time by the Faculty Council.
- (b) Terms of Reference:
  - (i) in matters not directly under Senate jurisdiction, to conduct its own affairs according to its constitution and established policies/procedures;
  - (ii) to consider, for approval and conveyance to the Academic Curriculum Committee of Senate as appropriate, proposals from individual departments/programs for changes or additions to undergraduate curriculum;
  - (iii) to make recommendations to Senate, or to an appropriate Senate standing committee on any matter deemed to be of relevant academic concern to the University;
  - (iv) to deal with such other matters as may be assigned from time to time by Senate.

#### 10.1.1 Faculty Council Curriculum Procedures

- (a) All undergraduate curriculum proposals from individual departments/programs which are submitted for consideration by the Faculty Councils shall be expected to adhere to any Senate-approved guidelines or policies with respect to providing all information necessary for their approval and implementation (including, where applicable, information required by the Registrar's Office in order to maintain the University's credit transfer database);

- (b) Undergraduate curriculum proposals shall normally be considered by an appropriate committee of the Faculty Council, such as a Faculty Executive Committee or Faculty Curriculum Committee, prior to their presentation to the full Faculty Council;
- (c) The following undergraduate curriculum matters shall require the approval of the relevant Faculty Council(s), the Academic Curriculum Committee and Senate:
  - (i) proposals for new undergraduate programs prepared in accordance with the Nipissing University IQAP-C Protocol, as required in the provincial Quality Assurance Guidelines; or
  - (ii) proposals requiring changes to existing undergraduate degree or program requirements; or
  - (iii) undergraduate curriculum proposals which involve adding new courses, deleting existing courses, or substantive changes to existing courses.
- (d) The following undergraduate curriculum matters shall require the approval of the relevant Faculty Council(s), with conveyance to the Academic Curriculum Committee and Senate for information:
  - (i) undergraduate curriculum proposals which involve non-substantive changes to existing courses and which do not directly affect another Faculty (i.e.: minor changes to course titles or course descriptions, banking courses);
- (e) Where there is disagreement or uncertainty as to whether a proposed undergraduate curriculum change is significant or minor or substantive/non-substantive, the more rigorous standard shall be applied.

#### 10.1.2 Faculty Council Nominations and Elections Committee Procedures

- (a) The Nominations and Elections Committee is charged with soliciting nominations from their respective faculty and preparing a recommended slate of nominations for Senate committees and Board representatives to present to Faculty Council;
- (b) Membership will include a Faculty representative on the Bylaws and Elections Committee who shall be Chair; two other faculty representatives; and the Dean of the Faculty;
- (c) The committee will solicit nominations for Senate committees and Board representatives through the distribution of a nomination form that lists first, second and third choice/preference, beginning 02 April, to be returned to the committee Chair no later than 17 April;
- (d) Where possible, the proposed slate of committee/board members will reflect continuity of membership as well as consideration involving new faculty members in the work of Senate, Senate committees and the Board of Governors;
- (e) The normal term of office for Senators on Senate Committees shall be three (3) years;
- (f) All results will be reported to the Bylaws and Elections Committee by 25 May.

### 11. SENATE REPRESENTATIVES on OTHER BODIES

#### 11.0 Senate Representatives on the Board of Governors

- (a) In accordance with the Nipissing University Act, there shall be two (2) representatives on the Board of Governors elected by Senate from among its faculty Senators. (Two additional Board representatives shall be elected by the faculty-at-large from among the faculty members who are non-Senators.);
- (b) The normal term of office for Senate representatives on the Board shall be three (3) years;
- (c) Elections for Senate representatives on the Board shall normally be held at the same time as elections for Senate standing committees;
- (d) Senate representatives on the Board shall endeavour to represent the majority opinion of Senate in any Board discussion pertaining to Senate matters;

- (e) Senate representatives on the Board shall provide a written or oral report to Senate following each Board meeting. Specifically, the representatives shall be responsible for ensuring that Senate is kept informed of:
  - (i) the outcome of all Senate recommendations conveyed to the Board;
  - (ii) any Board matters affecting or of interest to Senate, subject to reporting restrictions in the By-Laws of the Board.
- (f) Senate representatives on the Board shall have such other responsibilities as may be assigned from time to time by the Senate or the Board.

#### 11.1 Senate Representative on the Council of Ontario Universities (COU)

- (a) In accordance with the provisions of the Council of Ontario Universities (COU), and in addition to the President who is an *ex officio* COU member, there shall be one (1) representative elected by Senate from among its faculty Senators to serve as the University's "academic colleague" on COU. An alternate COU representative may also be elected to attend in the representative's absence;
- (b) The normal term of office for the Senate representative on COU shall be three (3) years;
- (c) Elections for Senate representatives on COU shall normally be held at the same time as elections for Senate standing committees;
- (d) The Senate representative on COU shall provide periodic written or oral reports to Senate on any COU activities or matters of interest to Senate;
- (e) The Senate representative on COU shall have such other responsibilities as may be assigned from time to time by the Senate.

#### 11.2 Additional Senate Representatives on Other Bodies

- (a) From time to time, Senate may be requested or invited to elect one or more representatives to serve on an external (standing or ad hoc) body;
- (b) The term of office for any such Senate representative shall be determined by the body initiating the request or invitation;
- (c) Elections for Senate representatives on other bodies shall normally be held at the first regular Senate meeting following receipt of the request or invitation;
- (d) Where appropriate, Senate representatives on other bodies shall provide periodic written or oral reports to Senate on any activities or matters of interest to Senate.

## 12. RESPONSIBILITIES OF SENATORS

### 12.0 General Responsibilities

As in other deliberative or legislative bodies, the general responsibilities of Senators shall include:

- (a) the responsibility to attend Senate meetings regularly;
- (b) the responsibility to become familiar with the Senate By-Laws, as well as with other relevant Senate policies and procedures;
- (c) the responsibility to keep informed regarding the issues which come before Senate;
- (d) the responsibility to read published Senate agendas and other related materials beforehand, and to come to the meetings prepared;
- (e) the responsibility to endeavour to vote in accordance with the long-term academic interests of the University;
- (f) where they have been chosen or elected by and from specific constituencies, the responsibility to represent the interests of their respective constituent groups by informing constituents as necessary when Senate matters of direct concern or impact are pending, by reporting to or meeting with constituents as appropriate or when called upon to do so, and by endeavouring to convey the views and concerns of their constituents to Senate to the best of their ability.

## 12.1 Attendance Expectations

- (a) It is understood that there are legitimate reasons why Senators may miss a regular or special Senate meeting from time to time. Nevertheless, all Senators shall be expected to attend meetings whenever reasonably possible;
- (b) Senators who are unable to attend a regular or special Senate meeting for legitimate reasons shall be expected to notify the Secretary of Senate in writing;
- (c) Elected Senators who miss three (3) regular Senate meetings in any given Senate year shall be deemed to have forfeited their position unless legitimate written reason for each absence is provided;
- (d) Any disagreement regarding the legitimacy of reasons given for absence from Senate shall be adjudicated by the Senate Executive Committee.

## 12.2 Participation on Senate Standing Committees

- (a) Recognizing the importance of its standing committees to the effective function of the Senate, all Senators shall be expected to serve on, and regularly attend the meetings of, one or more standing committees each year. *Ex officio* Senators may be required to serve on, and in some cases chair, several standing committees as part of their normal responsibilities;
- (b) Notwithstanding (a), and in order that the committee workload be distributed as equitably as possible, every reasonable effort shall be made to minimize the number of non-*ex officio* Senators required to serve on more than one standing committee in any given year;
- (c) Serving as a Senate representative on the Board of Governors (11.0) or on COU (11.1) shall be considered equivalent to serving on a Senate standing committee.

## 13. VACANCIES

### 13.0 Vacant Senate Positions

- (a) In this Article:
  - (i) *ex officio* Senators shall be those identified in 2.1;
  - (ii) constituent Senators shall be those identified in 2.2 and 2.3;
  - (iii) elected Senators shall be those identified in 2.4.
- (b) Senate positions may become vacant before the completion of their normal terms of office (3 years) for a variety of reasons, including:
  - (i) the resignation of an elected or constituent Senator with advance notice, effective at the end of a particular Senate year;
  - (ii) the resignation of an elected or constituent Senator without advance notice, effective immediately;
  - (iii) the forfeiture of an elected Senator's position for any reason;
  - (iv) the inability of any Senator to continue to serve on Senate, due to other unforeseen circumstances.
- (c) Resignations from Senate positions shall be submitted in writing to the Chair of Senate;
- (d) A vacancy in any *ex officio* Senate position shall remain vacant until the position in question is filled by University appointment (including an interim or acting appointment);
- (e) A vacancy in any constituent Senate position shall be filled by the respective constituent body, in accordance with the body's approved procedures;
- (f) A vacancy in any elected Senate position shall be filled:
  - (i) as part of the next annual election cycle, for a vacancy due to (b)(i);
  - (ii) by holding a by-election within thirty (30) days, in the case of a vacancy due to (b)(ii), (b)(iii) or (b)(iv), where there is deemed to be sufficient time remaining in the current Senate year to make such a by-election practical; or

- (g) The By-Laws & Elections Committee shall be responsible for initiating and overseeing any arrangements necessary to ensure that Senate vacancies are appropriately filled, in accordance with (d)-(f).

### 13.1 Vacancies on Senate Committees

- (a) Positions on Senate standing or ad hoc committees may become vacant during the Senate year for a variety of reasons, including:
  - (i) a Senate vacancy arising as a result of 13.0(b)(ii), 13.0(b)(iii) or 13.0(b)(iv);
  - (ii) the resignation of a committee member (whether Senator or non-Senator), due to an on-going scheduling conflict which prevents the member from attending meetings on a regular basis; or
  - (iii) the inability of a member (whether Senator or non-Senator) to continue to serve on a committee due to other unforeseen circumstances.
- (b) Resignations from Senate standing or ad hoc committees shall be submitted in writing to the Chair of the committee and the Chair of Senate;
- (c) A vacancy in any *ex officio* standing or ad hoc committee position shall be:
  - (i) filled with an appropriate replacement from the same office, department or constituent body, where there is deemed to be sufficient time remaining in the current Senate year to make such a replacement practical; or
  - (ii) left vacant, with Senate approval, where the vacancy is not deemed to be critical to the function of the committee and there is deemed to be insufficient time remaining in the current Senate year to make filling the vacancy practical.
- (d) A vacancy in any elected standing or ad hoc committee position shall be:
  - (i) filled by election as soon as reasonably possible at a regular meeting of Senate, where there is deemed to be sufficient time remaining in the current Senate year to make such an election practical; or
  - (ii) left vacant, with Senate approval, where the vacancy is not deemed to be critical to the function of the committee and there is deemed to be insufficient time remaining in the current Senate year to make filling the vacancy practical.
- (e) The By-Laws & Elections Committee, in consultation with the relevant committee Chair, shall be responsible for initiating and overseeing any arrangements necessary to ensure that vacancies in Senate standing or ad hoc committees are appropriately addressed, in accordance with (c) and (d).

## 14. ADOPTION OR AMENDMENT OF SENATE BY-LAWS

- (a) Adoption or amendment of these By-Laws shall require:
  - (i) inclusion of an appropriate Notice of Motion within the agenda for a regular meeting of Senate, where publication of the agenda occurs at least four (4) days prior to the regular meeting at which the Notice is to be presented;
  - (ii) presentation of the Notice of Motion at the regular meeting for which the Notice was published;
  - (iii) inclusion of the corresponding Motion to Adopt or Amend the By-Laws within the agenda for the regular meeting of Senate which follows the meeting at which the Notice was presented, where publication of the agenda occurs at least four (4) days prior to the regular meeting at which the Motion is to be presented;
  - (iv) consideration and passage of the Motion with a two-thirds (2/3) plurality at the regular meeting for which the Motion was published.
- (b) Proposals to amend the By-Laws shall be submitted in writing to the By-Laws & Elections Committee, including the suggested wording and a rationale for each such amendment.

**15. SUSPENSION OF SENATE BY-LAWS**

- (a) One or more of these By-Laws may be suspended temporarily for a specific stated purpose, by Senate motion. Such a motion is not debatable and requires a two-thirds (2/3) plurality;
- (b) Upon completion of all business items conducted under suspension of one or more of these By-Laws, the Speaker shall immediately declare such suspended by-law(s) to be re-instated.

Passed by Senate: June 2008  
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Revised: March 2013  
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