

DALHOUSIE UNIVERSITY SENATE CONSTITUTION

1. SENATE AUTHORITY

1.1 Background

- (a) The University has a bicameral governance structure, which determines the roles and relationships between the Senate and the Board of Governors. The Senate is the University's senior academic governing body. The central role of the Senate in defining and pursuing the academic mission of the University ensures that the University's academic staff plays a decisive role in making educational decisions and setting educational policy.
- (b) The internal regulation of the University described above is committed to the Senate according to the Act of 1863, as amended. This general power of Senate is subject to the approval of the Board.
- (c) This Constitution is intended to codify the existing balance of power between Senate and the Board, and to establish operating procedures for Senate, and not to make any fundamental changes to the Senate's role in the governance of the University or the principles under which it operates.
- (d) As it relates to their academic activities, the Faculties of the University are committees of the Senate, and they must act in a manner consistent with Senate regulations, policies, procedures, and guidelines.
- (e) This Background section 1.1 shall form part and govern interpretation of this Constitution.

1.2 Jurisdiction and Functions of Senate

The Senate shall have the following jurisdiction and functions:

- (a) Subject to the approval of the Board, establish policies, procedures, guidelines and regulations on academic and research matters that affect the whole University community or a substantial part thereof;
- (b) Subject to the approval of the Board, to approve the establishment and termination of all Faculties, Schools, Colleges, Libraries and academic Departments;
- (c) Subject to the approval of the Board, to approve the establishment and termination of all academic and research Institutes and Centres;

- (t) To establish rules and regulations governing its own meetings and procedures for the transaction of business before it; and
- (u) In relation to any of the foregoing, including the delegation of authority thereof, to appoint such committees, working groups or other bodies as it may deem desirable and to specify the terms of reference of any such committees.

Amendments to this Constitution

- 1.3 Amendments to this Constitution may be made at any regular meeting of Senate, provided that due notice of motion has been given at least 5 working days in advance of the meeting, and at least two-thirds of the members present approve the amendment. Amendments to sections 1 and 3 of this Constitution require Board approval.

2. SENATE PRINCIPLES AND VALUES

2.1 Principles

Senate endorses the following principles as central to its conduct and decision making:

- (a) While acknowledging varying measures of excellence, Senate decisions must serve to enhance the quality of the teaching and research conducted at the University;
- (b) Decisions should be informed by and sensitive to changes both internal to the University and by changes in the broader external social, cultural and physical environments;
- (c) Flexibility is required to respond in a timely and effective fashion to opportunities and challenges. However, it must be tempered by considerations of efficiency, sustainability and the core values of the academic mission;
- (d) Human diversity provides essential elements of strength, resilience, and innovation to the University. Acknowledgement of the importance of diversity; broad, meaningful consultation; and commitment to actions required to promote inclusiveness must inform decisions at all levels;
- (e) The University is a public institution and should practice a default mode of openness, taking into account rights to privacy and confidentiality as necessary limits.

2.2 Values

Senate endorses the following values as central guides to its conduct and decision making:

- (a) Intellectual integrity – Rigorous standards of intellectual integrity must be upheld in all teaching, learning, and research activities;
- (b) Freedom of inquiry – Openness to free inquiry, the free expression of ideas, and open discussion in all matters internal and external to the University and in all contexts internal and external to the University must be respected. This openness is essential to the proper function of the Senate, the academic mission of the University, and to the role of the academy in a free and democratic society;
- (c) Equal dignity of persons – The University must reflect and respect the diversity of human experiences and backgrounds. Support for this diversity is required both by considerations of justice and to sustain rich and rigorous debate and free inquiry. The Senate must support the freedom of individuals to study, teach, work and carry out research without fear of harassment, intimidation or discrimination;
- (d) Collaborative and mutually respectful relationships – Senate’s relationship to other university bodies is dynamic. Crucial to its effective function these relationships must be cultivated, as described in its “Statement of Relationships,” in a collaborative, transparent, and mutually respectful manner.

2.3 Expectation of Senators

To enhance collective knowledge and decision-making capacity of the Senate as a whole—both the Senate plenum and in committee—Senators must be engaged, prepared, knowledgeable, willing to represent both their constituencies and their own perspectives and expertise, and respectful and responsive to the perspectives and expertise of others. First and foremost, Senators must be committed to serving the best interests of the University and its diverse communities. Accordingly, Senators and members of Senate Standing Committees and working groups are expected to:

- (a) Act in good faith and in the best interests of the University, trying to foresee probable consequences of each proposed course of action;
- (b) Attend and be well-prepared for meetings and engage in these meetings with thoughtful consideration, respect and deliberation;
- (c) Maintain confidentiality of all information designated as such in all in-camera/closed sessions of Senate meetings of standing committees, disclosing only when appropriate;
- (d) Communicate with their Faculty constituency about the issues before Senate and raise any issues of concern;
- (e) Be knowledgeable of the Dalhousie University Senate Constitution and the terms of reference for its standing committees, including the jurisdiction and function of the Senate;

- (f) Understand and respect the distinction between the roles and responsibilities of the Board of Governors, the Senior Administration, and the Senate;
- (g) Be prepared to participate in Senate Standing Committees, Sub-Committees, or working groups as opportunities and scheduling permits.

3. SENATE MEMBERSHIP

3.1 Number and Composition of Members

- (a) Total Senate Members: The membership of the Senate shall consist of elected and appointed members from the Faculty (with the exception of the Faculty of Graduate Studies) and the Libraries (hereafter collectively "Academic Units"), elected student representatives, representatives from affiliated institutions (as described below), and senior academic administrators as ex-officio members.
- (b) Ratio of Academic Unit Senators to Other Members: The number of members from the Academic Units shall be at least ten times the number of ex-officio academic administrators who sit as Senators. The number of members from the Academic Units shall constitute a two-thirds majority of all Senators.
- (c) Number of Elected Senators: Using 58 as the base number of elected Senators, the number of elected Senators from each Academic Unit is adjusted every three years as required, in accordance with a formula that gives equal weight to the number of Academic Unit members (calculated as full-time equivalents) and the number of students (calculated as full-time equivalents) on December 1 of the academic year immediately preceding the three-year term. The calculations are to be approved

- (d) Appointed Academic Unit Senators: There shall be one faculty member with an academic appointment of 50% full time equivalent or greater appointed as a Senator by each of the following groups as determined by such groups:
- (i) Indigenous Advisory Council; and
 - (ii) Black Faculty and Staff Caucus.
- (e) Academic Unit Senators at Large: There shall be two Senators appointed by the Senate Planning and Governance Committee under criteria established by the Senate Planning and Governance Committee from time to time. The limitation set out in section 3.1(f) does not apply to these appointments.
- (f) Limitation on Eligible Academic Unit Senators: The right to vote and to be a member of Senate is limited to those with an academic appointment of 50% full-time equivalent or more in an Academic Unit.

3.2 Election of Senators by Academic Units

- (a) Guidelines for Elections: Senators shall be elected by Academic Units according to election guidelines approved by Senate for each such Academic Unit.
- (b) Term for Elected Senators: Where possible each Academic Unit shall elect its Senators to staggered 3-year terms. No Senator shall be elected for more than two terms consecutively, unless elected as an Officer of Senate.
- (c) Election Timing: Elections to Senate shall occur in March of each year for the Senate session beginning in July of the same year.

3.3 Vacancies and Leaves of Absence

Elected Academic Unit Senators who are not able to carry out their duties for more than six consecutive months as a result of an approved leave shall be replaced for the remainder of their term. Any unapproved absence for consecutive regular meetings shall result in a declaration of vacancy by the Secretary of Senate. A by-election shall be conducted by the Academic Unit within 20 working days of confirmation by the Senate Secretary that a vacancy exists, in the same manner as regular elections, to determine the replacement Senator.

3.4 Ex-Officio, Student and Affiliated Institution Members:

- (a) Ex-Officio: The ex-officio members of Senate shall consist of:

and Research Committee. The Vice-Chair (Academic Programs) presides over Senate meetings in the absence of the Chair and represents the Chair at meetings of other groups, as required.

- (d) Role of Vice-Chair (Student Affairs): The Vice-Chair (Student Affairs) provides oversight of all aspects of student academic integrity and student academic appeal functions. The Vice-Chair (Student Affairs) serves as an ex-officio member on the Senate Planning and Governance Committee and is the Chair of the Senate Learning and Teaching Committee. The Vice-Chair (Student Affairs) presides over Senate meetings in the absence of the Chair and the Vice-Chair (Academic Programs).
- (e) Secretary of Senate: The Secretary of Senate shall be the University Secretary, a non-elected, non-voting administrative position. The Secretary shall provide administrative and secretarial support to the Senate including in respect of agendas, resolutions, attendance, minutes, reports, and maintaining Senate records. The Secretary shall also coordinate Senate Officer elections and Committee appointments, and shall provide advice on interpretation of the Constitution and Senate rules and procedures.

4.2 Election of Officers

- (a) Qualifications: Candidates for Senate Officers must be present former (within the last ten years) Academic Unit Senators with a minimum of one year's prior service to Senate.
- (b) Terms: Officers are elected for staggered three-year terms.
- Permitted Consecutive Terms: Officers may stand for re-appointment, but may not serve more than two terms consecutively in the same role.
- (c) Membership on Senate: Persons elected as Officers of Senate will be members of Senate until the end of their terms as officers.
- (d) Re-appointments: Where an Officer wishes to stand for re-appointment, the Senate Nominating Committee shall conduct an assessment and shall either recommend to Senate that a re-appointment be made or declare the position vacant.
- (e) Vacancies and Leaves: In the event that an Officer resigns or the position otherwise becomes vacant, the Senate Nominating Committee shall recommend to Senate a temporary replacement from among the Senate Officers or Academic Unit Senators until the next scheduled election. In the event that an Officer is unable to fulfill the role due to an approved leave, the Senate Nominating Committee shall recommend to Senate a temporary replacement for the duration of the approved leave from among the Senate Officers or Academic Unit Senators.

- (f) Timing: Elections of Officers of Senate for vacant positions shall normally be held before the Academic Unit elections to Senate that occur in March of each year for the session that begins in July.
- (g) Voting Procedure: After nominations for Officers for vacant positions from the Senate Nominating Committee have been made at a meeting of Senate, the Chair shall call for nominations from the floor. In the event that an election is contested, the election shall be deferred to the next regular meeting of Senate, at least one week before which biographical summaries of the candidates shall be circulated to Senators. Voting in a contested election shall be secret and preferential ballot.

5. RULES OF PROCEDURE FOR SENATE MEETINGS

5.1 Rules

The rules set out in this part 5 shall be referred to herein as the "Rules".

5.2 Rules of Order for Senate

Robert's Rules of Order (Da Capo Press 2000, 10th edition, or later edition) shall govern the Senate in all procedural matters not otherwise addressed by this Constitution or approved procedures of the Senate. *Robert's Rules of Order* do not decide the point in question, then the decision shall rest with the Chair and such decision shall be final.

5.3 Suspension of Rules

The Senate may suspend a Rule in particular circumstances by a two-thirds vote in favour.

5.4 Meetings of the Senate

- (a) Session: A session of Senate includes all meetings in one year beginning July 1 and ending June 30. Business from one session shall be carried over to the next session unless the majority of Senators present at the final meeting of a session of Senate decide to the contrary.
- (b) Quorum: The quorum for the Senate shall be a majority of members, excluding vacancies as defined in section 3.3.

- (c) Agendas: The Chair, or in the Chair's absence the Vice-Chair (Academic Programs), or in the absence of the Vice-Chair (Academic Programs) the Vice-Chair (Student Affairs) (hereafter "or absence a Vice-Chair") shall propose the agenda for Senate meetings.
- (d) Regular Meetings
- (i) Schedule: Senate shall typically meet on the second Monday of each month. In addition, if there are sufficient items of business, Senate will meet on the fourth Monday of the month.
 - (ii) Notice: For regular meetings, the agenda reports to be considered at the meeting shall be made available to Senators no less than 48 hours before the meeting.
 - (iii) Agenda: An agenda shall be presented near the beginning of a meeting and shall be adopted by a majority of Senators present. The business of a meeting shall be confined to the agenda adopted unless a majority of the Senators present agree to the introduction of a new matter.
 - (iv) Consent Agenda: A consent agenda may be presented by the Chair at the beginning of a meeting. Items may be removed from the consent agenda on the request of any one Senator. Items not removed may be adopted by general consent without debate. Removed items may be taken up either immediately after the consent agenda or placed later on the agenda at the discretion of the Chair.
 - (v) Cancellation of Regular Meetings: The Chair, with the agreement of a majority of the members of the Senate Planning and Governance Committee, may cancel a regular meeting of the Senate. Wherever reasonably possible, at least 48 hours' notice of such cancellation shall be sent to all Senate members by email.
- (e) Special Meetings:
- (i) Calling a Special Meeting: The Chair (or in absence a Vice-Chair) shall call a special meeting of Senate at any time upon the request of the President or not less than five members of Senate.
 - (ii) Date of Special Meeting: The Chair (or in absence a Vice-Chair) shall set the date for the special meeting.
 - (iii) Notice of Special Meeting: At least 48 hours' notice of special meetings shall be sent to all Senate members by email.
 - (iv) Cancellation of Special Meetings: If requested by the party or parties who asked that a special meeting of Senate be held, the Chair (or in absence a

Vice-Chair) may cancel a special meeting of Senate provided that a reasonable effort is made, under the circumstances, to notify members of the Senate by email as soon as reasonably possible.

- (f) No meeting during strike or lockout: No meetings of Senate shall be held during a strike or lockout of members of the Dalhousie Faculty Association.
- (g) Open and Closed Sessions, Confidential Material:
- (i) Meetings of Senate shall be generally open and may be attended by observers, except for in camera sessions identified by the agenda, or if otherwise directed by the Chair (or in absence a Vice-Chair).
 - (ii) Confidential matters may be referred in an appendix to the minutes, accessible only to members of the Senate, but the minutes themselves shall indicate the general nature of the confidential items and the reasons for them being considered.
 - (iii) At the end of an in camera session there may be a motion concerning whether any motions passed during the camera session, or any part of them, shall be made public.
- (h) Voting: Voting shall be by voice, unless directed by the Chair or approved on a motion by majority vote to be by show of hands or secret ballot.
- (i) No Proxies: Attendance or votes by proxy are not permitted.
- (j) Urgent deliberations by Senate Planning and Governance Committee: In respect of urgent matters where there is a material risk of serious prejudice to the University or a student or students, and, where quorum of the Senate is lacking or where a Senate meeting cannot be held due to a strike or lockout of members of the Dalhousie Faculty Association or due to force majeure, the Chair (or in absence a Vice-Chair) may instruct the Senate Planning and Governance Committee to consider matters, notwithstanding that jurisdiction for such matters resides with the Senate. Any motions or resolutions passed by the Senate Planning and Governance Committee on such matters shall be deemed to be passed by the Senate, but shall be subject to ratification at the next regular meeting of the Senate, and any such motions or resolutions not ratified shall be null as of the date of such vote by the Senate membership.
- (k) Electronic Voting in Extraordinary Circumstances:
- (i) Where the Senate Planning and Governance Committee determines that a matter is time-sensitive and is either routine in nature or has been the subject of substantive discussion by Senate prior meetings, and where the quorum of Senate is lacking, the Chair (or in absence a Vice-Chair) may call for an electronic vote on the matter.

- (ii) The motion to be considered must be conveyed to the Secretary. On the direction of the Chair (or in absence a Vice-Chair), the Secretary will circulate the motion by electronic mail to all members of the Senate with supporting documentation attached and posted on the web with a link provided to the relevant site.
- (iii) Once the motion and supporting material have been distributed and/or posted, members of Senate will have 3 working days (being Monday to

- (iii) Minutes of the most recent meeting(s) shall be circulated to members of Senate along with the agenda for approval at the next regular meeting.
- (iv) The minutes, once approved, and except for confidential material, are also to be published, at the Senate website or an equally available medium as approved by the Senate.
- (m) Reports: Senate shall receive and consider reports in accordance with guidelines approved by the Senate.

6. COMMITTEES

6.1 Standing Committees

- (a) Standing Committees: The Senate Standing Committees shall include:
 - (i) Senate Planning and Governance Committee;
 - (ii) Senate Academic Programs and Research Committee;
 - (iii) Senate Learning and Teaching Committee;
 - (iv) Senate Nominating Committee;
 - (v) Senate Honorary Degrees Committee;
 - (vi) Senate Appeals Committee; and
 - (vii) Senate Discipline Committee.
- (b) Standing Committee Membership: The majority of voting members of the following Standing Committees shall be members of Senate: Senate Planning and Governance Committee, Senate Academic Programs and Research Committee, and Senate Learning and Teaching Committee.
- (c) Voting and Ex Officio Members of Standing Committees: The membership positions with voting privileges for each Standing Committee, and the *ex officio* members for each Standing Committee shall be specified in the terms of reference.
- (d) Appointment to Standing Committees: The Senate Nominating Committee shall present nominations of members to Senate Standing Committees for approval at a regular meeting of Senate. Membership on the Senate Planning and Governance Committee will be constituted to provide, as far as possible, full and proportional representation across the range of diverse Faculty interests and mandates spanning the University.

- (e) Term of Service on Standing Committees: Members of Standing Committees shall be appointed for three year staggered terms except where the terms of reference specify otherwise.
- (f) Vacancies, Absences:
- (i) Elected members of a Senate ~~Standing~~ Committee, whether they are a member of Senate or not, who are not able to carry out their duties for more than six consecutive months as a ~~result~~ of an approved leave shall be replaced for the remainder of their ~~term~~. Any unapproved absence for more than 3 consecutive regular meetings shall result in a declaration of vacancy by the Secretary of Senate.
 - (ii) The Senate Nominating Committee shall have the authority to make temporary replacements when a member of a Senate Standing Committee is absent for six months or less.
- (g) Non-Voting Members of Standing Committees: The Senate Planning and Governance Committee shall determine the non-voting membership positions for all Standing Committees, and shall notify the Senate of same.
- (h) Terms of Reference for Standing Committees: The terms of reference for all Standing Committees, and any amendments thereto shall require approval of Senate. The terms of reference for Committees may be amended by two-third majority approval at a regular Senate meeting.
- (i) Delegation by Standing Committees (Sub-Committees): Subject to the approval of the Senate Planning and Governance Committee, Standing Committees may determine their own sub-committees and working groups. Standing Committees may not sub-delegate their authority in any other manner without Senate approval.
- (j) Reports of Standing Committees: Standing Committees shall prepare annual reports for Senate in accordance with guidelines approved by the Senate.

6.2 Ad Hoc Committees

The Senate Planning and Governance Committee may establish Ad Hoc Committees and their terms of reference of their own volition or at the request of Senate. The Senate Planning and Governance Committee shall report to Senate on the work of the Ad Hoc Committees.

6.3 Committee Chair and other Officers

The Chair and other Officer positions (if any) for all Committees shall be as specified in the terms of reference.

6.4 Committee Quorum

The quorum for meetings of all Committees shall be a majority of voting members.

6.5 Committee Meeting Procedures

- (a) In Camera: All Committee meetings shall be ~~in~~ camera, except with permission of the Committee Chair. Minutes shall ~~be~~ provided to Committee members and shall be kept confidential. Minutes may be ~~made~~ available to other members of Senate where required for Senate business upon ~~request~~ to the Secretary of Senate.
- (b) Chair: In the absence of the Chair ~~at~~ Committee meeting, a Committee member as appointed at the meeting by the members present, shall serve as chair of the meeting.
- (c) No Proxies: Attendance or ~~vote~~ by proxy is not permitted.

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