

**UNIVERSITY COUNCIL
EXECUTIVE COMMITTEE
REQUEST FOR DECISION**

PRESENTED BY: Dirk de Boer, University Council Vice Chair

DATE OF MEETING: March 16, 2023

SUBJECT: Council Bylaws: Governance Committee Terms of Reference

MOTION: *That Council approve revisions to University Council Bylaws for the Governance Committee's terms of reference, effective March 16, 2023.*

SUMMARY:

In keeping with due process, following the Notice of Motion presented to University Council on January 26, 2023, it is recommended that University Council approve refinements to the Terms of Reference of the Governance Committee of Council (attached). The revisions will:

- More explicitly and accurately reflect the committee's role in advising University Council and Faculty Councils on their bylaws and recommending changes to those bylaws to Council;
- Editorial changes fore responsibilities of nominating members to the Nominations Committee of Council;
- Delegate approval authority for editorial changes to the Council Bylaws to the Governance Committee.

These proposed changes are in the spirit of good governance at USask, reflecting the need for accountability, transparency, and faculty and student engagement in academic decision-making. The second proposed change will make better use of University Council's time in deliberating and deciding on matters of academic governance. This will also provide for more efficient use of Council members' efforts while appropriately delegating operational and administrative tasks to the business of the standing committee.

FACULTY COUNCIL BYLAWS

It has been the practice that membership changes in Faculty Council bylaws have been brought forward for approval to University Council (Council) at the recommendation of the Governance Committee of Council. Yet the Governance Committee is also consulted on the full scope of the Bylaws and provides expert advice and guidance to Faculty Councils, their Governance and Executive Committees, and chairs. The authority of Faculty Councils is delegated by University Council. Therefore, their bylaws must be in keeping with University Council Bylaws and governance.

Through the Governance Committee's recent review of several proposals for revisions to Faculty Council bylaws (College of Graduate and Postdoctoral Studies, School of Environment and

Sustainability, College of Arts & Science, College of Pharmacy & Nutrition, College of Nursing), several misalignments between University Council and faculty council Bylaws became apparent. Furthermore, there must be alignment between legislation, bylaws, and practices. This is the role of a governance and/or executive committee in higher education organizations, hence these proposed revisions.

EDITORIAL CHANGES

In response to the Notice of Motion on January 26, 2023, it was suggested that approval authority for editorial changes to the Council Bylaws be delegated to the Governance Committee. The Executive Committee passed a motion to this effect on February 7, 2023, as follows:

(Detmer/de Boer): That in the March 16, 2023 request for decision to University Council, the Executive Committee add that the Governance Committee be delegated approval authority for editorial (not substantive) revisions to the Council Bylaws. Such changes will not change the reading of the Bylaws, their potential interpretations, meanings, or significance.

All Executive Committee members voted in favour of the motion, and the Governance Committee was in supportive of the amendment.

In practice, the Chair of the Governance Committee in agreement with the Chair of Council will affirm that such changes are not substantive, i.e., will not change the reading of the Bylaws, their potential interpretations, meanings, or significance (per Bylaws excerpt in attachment). For example, corrections related to title changes for senior administrative positions, spelling, formatting, or proofing can be approved by the Governance Committee. Such revisions will be communicated to the University Council by the committee on at least an annual basis.

NOMINATIONS TO THE NOMINATIONS COMMITTEE

Language is clarified for the role of the Governance Committee in nominating the Nominations Committee members and chair to University Council.

ATTACHMENT:

1. University Council Bylaws Excerpt: Governance Committee Terms of Reference – updated March 16, 2023

Attachment 1. University Council Bylaws Excerpt: Governance Committee Terms of Reference

GOVERNANCE COMMITTEE

Tracked changes as of March 16, 2023

Membership

Three elected members of Council, one of whom will be Chair

President's designate

Chair of Council

Chair, Academic Programs Committee of Council

Chair, Planning and Priorities Committee of Council

Ex Officio (non-voting)

University Secretary

Student members (non-voting)

One graduate student appointed by the GSA

USSU President or designate

Committee Coordination

Governance Office

The Governance Committee is responsible for:

- 1) Reviewing the Bylaws of Council and recommending to Council revisions to the Bylaws.
- 2) Reviewing the Bylaws of Faculty Councils and recommending to **University Council**, Colleges and Schools changes to their Bylaws.
- 3) Reviewing the membership, powers, and duties of committees of Council and recommending to Council revisions to the membership, powers, and duties of committees.
- 4) Recommending to Council regulations and procedures for Council and Council committees.
- 5) Advising Council with respect to its responsibilities and powers under *The University of Saskatchewan Act, 1995* and recommending to Council on proposed changes to the Act.
- 6) Nominating **the** members and **chair** of the Nominations Committee of Council to **University Council**.
- 7) Providing advice to the Chair of Council on the role of the Chair.
- 8) Recommending to Council rules and procedures, including the penalties as prescribed by section 61(1)(h) of *The University of Saskatchewan Act, 1995*, to deal with allegations of academic misconduct on the part of students.

- 9) Recommending to Council rules and procedures to deal with appeals by students and former students concerning academic decisions affecting them as provided in section 61 (1) (j) of *The University of Saskatchewan Act, 1995*.
- 10) Designating individuals to act as representatives of the Committee on any other bodies, when requested, where such representation is deemed by the Committee to be beneficial.
- 11) Reporting and recommending to Council on University policies that are within the purview of Council and/or the joint purview of the University's governing bodies.

~~12. To annually (or as needed) submit to University Council syntactical or technical corrections to the Bylaws (e.g., position titles) for approval, including position titles, e.g., for senior leaders in Council committee terms of reference.~~

- 12) To review and approve editorial (not substantive) revisions to the University Council Bylaws (e.g., corrections to title changes for senior administrative positions, spelling, formatting, proofing...), and report them to Council on an annual basis. Such revisions will not change the reading of the Bylaws, their potential interpretations, meanings, or significance.