

**UNIVERSITY COUNCIL
GOVERNANCE COMMITTEE
FOR INFORMATION**

PRESENTED BY: Roy Dobson, Chair, Governance Committee

DATE OF MEETING: March 16, 2023

SUBJECT: Update on Council Elections 2023/24

Summary

The Governance Committee is responsible for advising University Council on interpretations of legislation and bylaws for academic governance. Recently, the Committee has generally been considering matters of Council membership, elections, and nominations as they relate to interpretations of *The University of Saskatchewan Act, 1995*, and the Council Bylaws. In response to specific questions raised concerning the 2023/24 Council elections process, the committee has recently made decisions and recommendations to the University Secretary and Chief Returning Officer about the current 2023/24 Council Elections, as well as preparing for future Council elections. The Governance Committee is reporting to University Council on the advised procedures for and timing of Council elections in 2023/24, and the need to develop “guidelines” to clarify interpretations for future elections (beyond 2023/24).

The Governance Committee recommended that the call-for-nominations for University Council 2023/24 be extended. An announcement and invitation were sent to faculty to that effect, extending the nominations period to March 22, 2023, at 4:30pm. Faculty members can submit nominations at the following link.

https://www.surveymonkey.ca/r/USask_Council_2nd_Call-for-Nominations

Council Elections Processes

In February 2023 a question was raised to the Governance Office concerning the practices and interpretations of *The University of Saskatchewan Act, 1995*, and the Council Bylaws (2022) for the 2023/24 Council elections and nominations processes. The matter was referred to the Governance Committee of Council, per their responsibility for advising Council on its responsibilities within *The Act* and *The Bylaws*, at the committee’s regularly scheduled meeting.

On February 10, 2023, the Governance Committee reviewed these statutory documents. The University Secretary provided an overview of past practices and the interpretations

of the categories for nomination and elections (see Attachment 1). The Governance Committee determined that there was sufficient ambiguity such that a review would be required to determine the processes for future elections, i.e., in 2024/25. It was also deemed that until that review takes place, current Council election practices should continue.

College Representatives on University Council

On February 13, 2023, the 2023/24 call-for-nominations to University Council was opened. Several categories for nomination were listed per the applicable sections of *The Act* (Attachment 1), sections 53(2)(b), (c), (d), (e), and (i).

College faculty representation on University Council is covered under sections 53(b) and (c) of *The Act*. These seats on Council turn over every three years, so nominations in these categories were open to all the colleges. This is in addition to the regular annual turnover of members-at-large (section [i]), of which there are 18 vacancies for 2023/24).

Concerns were raised by some nominees to the Governance Office that faculty members should be able to run against the dean under *The Act* and Bylaws and requested clarification on this interpretation.

Governance Committee Review

On March 7, 2023, the Governance Office brought these concerns forward to the Governance Committee meeting. The Committee discussed the intentions and possible interpretations of these clauses in *The Act* and Council Bylaws. It was decided that the clauses were still sufficiently ambiguous that there should be a review of the language and an official interpretation documented. A recommendation from the Governance Office was endorsed to develop a set of council election guidelines, a document that does not currently exist.

In confirming the review, the committee also recognized that given the concerns raised by nominees, and given the ambiguity in *The Act* and Bylaws, that it would be prudent to err on the side of greater openness in elections. Therefore, requiring deans to run in an election should there be enough nominations to action that clause.

Governance Committee Decisions

The Governance Committee decided on three matters:

- The procedures for nominating, appointing, and/or electing deans and college representatives for Council elections in 2023/24;
- Extension of the call-for-nominations for Council members for 2023/24;
- Development of “guidelines” for Council elections.

These are respectively expanded upon below.

The Governance Committee passed the following motion on procedures for Council nominations and elections for populating Council vacancies in 2023/24. It was explicitly stated that this practice would only apply to this election cycle and the decision to do

this was not intended to set a precedent or to prejudice a more formal discussion and interpretation of these clauses for future Council elections.

Motion to Endorse the Recommended Practice Regarding Council Elections and Deans (Dobson/Yao): *The Governance Committee of Council advises the University Secretary and Chief Returning Officer that if two, or more faculty put their name forward to be elected as a representative for a College under 53(2)(b) or 53(2)(c), and they wish to let their name stand, and the dean wishes to let their name stand, an election among the candidates, including the dean, shall occur.*

CARRIED March 7, 2023.

In addition, the Governance Committee decided that in the spirit of electoral fairness that the nominations period, which already closed on February 24, 2023, would be extended, as determined by the Governance Office.

Motion to Extend Call-for-Nominations for the 2023-24 Council Elections

(Larre/Squires): *In light of the interpretations of The University of Saskatchewan Act, 1995, and University Council Bylaws (2022) at the meeting of the Governance Committee on March 7, 2023, the Governance Committee advises the University Secretary and Chief Returning Officer to extend the call-for-nominations to University Council for 2023-24, which had previously closed on February 24, 2023. CARRIED March 7, 2023.*

The Committee also agreed with the University Secretary's recommendation that an elections guideline document be crafted to better support future Council elections. This would follow from the review by the Governance Committee of interpretations of *The Act, Council Bylaws*, and practices regarding elections of members to University Council.

ATTACHMENTS:

1. Excerpts from *The University of Saskatchewan Act, 1995*
2. Excerpts from the University of Saskatchewan Council Bylaws (2022)

ATTACHMENT 1.

Excerpts from *The University of Saskatchewan Act, 1995*

Composition of council

53(1) In this section:

- (a) “member of a college” means a faculty member whose primary responsibilities are within the college;
- (b) Repealed. 2009, c.31, s.15.
- (c) “student member of the college” means a full-time student registered in the college.

(2) The council is composed of:

- (a) the following persons who are members of the council by reason of their office:
 - (i) the president;
 - (ii) the vice-president designated by the president as the vice-president responsible for academic affairs;
- (b) one faculty member representing each college and affiliated and federated college [and University Library per (d) and (e)] who is a member of the college and who has been elected by the members of the college;
- (c) one representative, in addition to the member mentioned in clause (b), representing each college and affiliated and federated college who is either:
 - (i) the dean of the college, or a member of the college, who has been elected by the members of the college; or
 - (ii) if there is no election, the dean of the college;
- (d) one librarian elected by the librarians employed by the university;
- (e) one librarian, in addition to the member mentioned in clause (d), who is either:
 - (i) a librarian, including the University Librarian, elected by the librarians employed by the university; or
 - (ii) if there is no election, the University Librarian;
- (f) Repealed. 2009, c.31, s.15.
- (g) Repealed. 2009, c.31, s.15.
- (h) one student representing each college and each affiliated and federated college who is a student member of the college and who has been elected by the student members of the college; and
- (i) 54 faculty members who have been elected by faculty members.

1995, c.U-6.1, s.53; 2009, c.31, s.15.

ATTACHMENT 2.

Excerpts from the University of Saskatchewan Council Bylaws (2022)

Part One, II. Election of Faculty Members to Council

3. A faculty member may choose to stand for election under one of the following sections:

(a) Section 53(2)(b), 53(2)(d); “one faculty member representing each college or affiliated and federated college who is a member of the college and who has been elected by the members of the college;”

(b) Section 53(2)(c), 53(2)(e), “one representative, in addition to the member mentioned in clause (b), representing each college or affiliated and federated college who is either:

(i) the Dean of the college, or a member of the college, who has been elected by the members of the college; or

(ii) if there is no election, the Dean of the college;”

...

6. If there is a nomination or nominations under section 53(2)(c), or 53(2)(e), the Dean of the college or Dean, University Library, as the case may be, will be so informed and asked if they wish to stand for election under this section.

Part Two, II. The Governance Committee Terms of Reference

The Governance Committee is responsible for:

1) Reviewing the Bylaws of Council and recommending to Council revisions to the Bylaws.

4) Recommending to Council regulations and procedures for Council and Council committees.