



UNIVERSITY OF
SASKATCHEWAN

Orientation to University Governance (Part I of II)

September 2020
Governance Office

BE WHAT THE WORLD NEEDS

Executive Summary

For the benefit of members of the University of Saskatchewan's (USask) governing bodies the Governance Office developed this document as part of an orientation package on university governance. This is part one of two of the available orientation materials. The second parts of the materials are handbooks specific to the governing bodies (one each for University Council, the Board of Governors, and Senate, respectively). This document should be read in conjunction those governing body-specific handbooks. Below is an executive summary of part one of *Orientation to University of Saskatchewan Governance*.

The *University of Saskatchewan Act 1995* provides the university's governing bodies with their authority. The foundation of good governance at USask is embedded in the university's *Mission, Vision and Values* statement.

USask has a tricameral governance structure. The Board of Governors is responsible for financial oversight of the institution. Council is responsible for academic oversight. Senate provides for connection to the public.

“A university consists of a group of scholars and students working together to discover, test, and impart knowledge in the various fields of higher learning. It is a non-profit institution, dedicated to the search for an ever-expanding truth. The governors or other controllers of a university are trustees of the funds devoted for that purpose: they did not invent and cannot vary the purpose.”

- F.R. Scott, “The Law of the university constitution” in *A Place of liberty: Essays on the government of Canadian universities*, ed. G. Whalley. Clarke, Irwin, 1964.

Select best practices for governing in a university context are included as part of this material. Members' main responsibilities and roles as defined by *The Act* are summarized herein. Committee structures of each governing body are presented. Conflict of interest policies and guidelines are also outlined.

The appendix to this document provides links to USask's *Strategic Plan: 2025*, *The University of Saskatchewan Act 1995*, and contact information for the Governance Office.

As compendia to this orientation package, handbooks are also available for members of each of the governing bodies and are specific to the Board of Governors, Council, or Senate.

As each of the governing bodies meet, we acknowledge that we are on Treaty 6 Territory and the Homeland of the Métis. We pay our respect to the First Nations and Métis ancestors of our gathering place and reaffirm our relationship with one another.

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Mission, Vision, and Values of the University of Saskatchewan

Who we are

The University of Saskatchewan, situated in the vibrant City of Saskatoon on Treaty Six territory and the traditional homeland of the Métis, and on one of Canada's most beautiful campuses, is grounded in the character of a dynamic, forward-looking province. We have a well-deserved reputation for creativity, collaboration, and achievement. Supported by an innovative, energetic faculty, staff, student, and alumni community, and by a research infrastructure unique in Canada, we deliver across Saskatchewan and beyond one of Canada's widest arrays of academic and professional programs.

The university displays remarkable resilience and a commitment to problem solving, attributes drawn from our prairie roots and from the outstanding contributions by members of our community from around the world. Our university's unique spirit has transformed the lives of those who have experienced it.

Our Mission

The University of Saskatchewan advances the aspirations of the people of the province and beyond through interdisciplinary and collaborative approaches to discovering, teaching, sharing, integrating, preserving, and applying knowledge, including the creative arts, to build a rich cultural community. An innovative, accessible, and welcoming place for students, educators, and researchers from around the world, we serve the public good by connecting discovery, teaching, and outreach, by promoting diversity and meaningful change, and by preparing students for enriching careers and fulfilling lives as engaged global citizens.

Our Vision

We will contribute to a sustainable future by being among the best in the world in areas of special and emerging strengths, through outstanding research, scholarly, and artistic work that addresses the needs and aspirations of our region and the world, and through exceptional teaching and engagement.

We will be an outstanding institution of research, learning, knowledge-keeping, reconciliation, and inclusion with and by Indigenous peoples and communities.

Our Principles and Values

A belief in principles vital to our institution and a commitment to key values—ways of conducting ourselves—constitute the *raison d'être* of our mission and vision.

The University of Saskatchewan community believes in the following principles:

ACADEMIC FREEDOM
COLLABORATION
COMMITMENT TO COMMUNITY
DIFFERENT WAYS OF KNOWING, LEARNING, AND BEING DIVERSITY, EQUALITY, AND
HUMAN DIGNITY EXCELLENCE
A HEALTHY WORK AND LEARNING ENVIRONMENT INNOVATION, CURIOSITY, AND
CREATIVITY OPENNESS, TRANSPARENCY, AND ACCOUNTABILITY RECONCILIATION
SUSTAINABILITY

The University of Saskatchewan community is committed to acting in accordance with the following values:

COLLEGIALITY
FAIRNESS AND EQUITABLE TREATMENT
INCLUSIVENESS
INTEGRITY, HONESTY, AND ETHICAL BEHAVIOUR
RESPECT

Governance, Administration and Organization

Governance: The Legislative Branch

The basic governance structures at USask remained virtually unchanged from 1907 to 1995. The new *University of Saskatchewan Act 1995* created an elected faculty council and gave Council the authority to approve academic programs. Previously, the final academic approval authority was Senate. This change allowed Council to delegate to colleges the ability to manage their own curriculums, with Council retaining the authority to approve new programs and major program revisions.

The University of Saskatchewan has a tricameral governance model (as represented in Figure 1). Senate provides for public voice. The Board of Governors provides financial oversight. University Council provides academic oversight.

Figure 1. The Legislative Branch: a Tricameral Governance Model



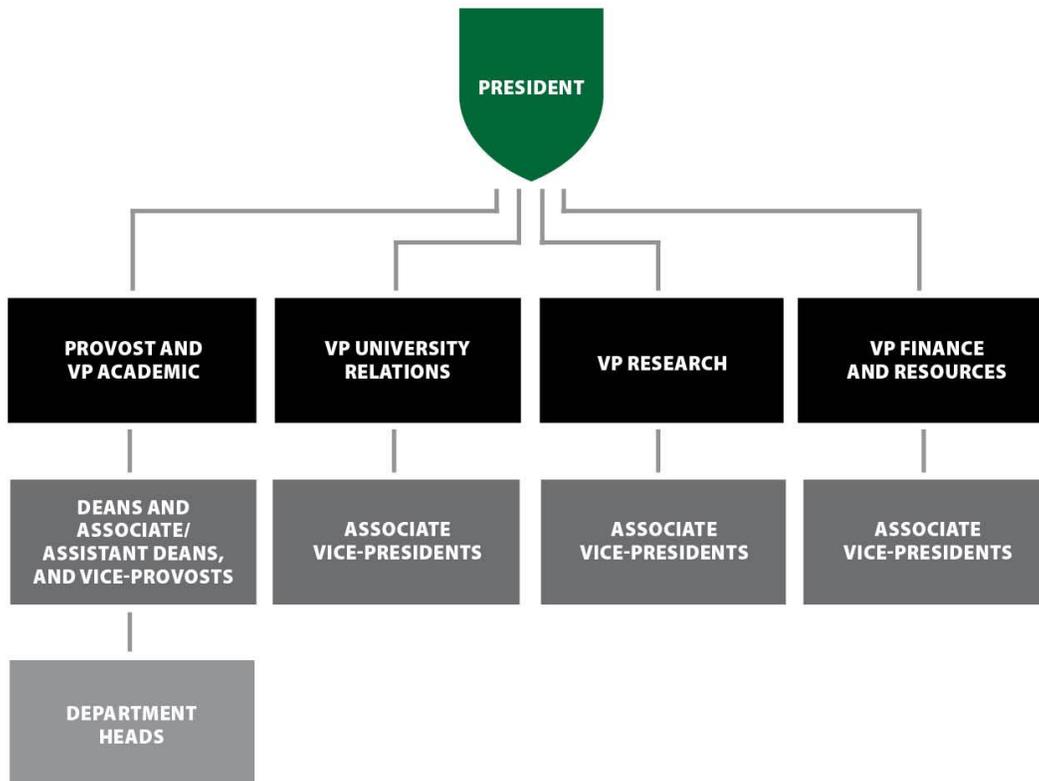
Administration: The Executive Branch

USask Executive Leadership supports each of the university’s governing bodies in fulfilling its role in accordance with the requirements of *The University of Saskatchewan Act 1995* and the principles of good governance.

The University of Saskatchewan Act 1995:

- Provides for an administration led by the chancellor, president and vice-chancellor, vice presidents, deans and department heads (not all colleges are departmentalized).

Figure 2. The Executive Branch



Organization: The Academic Structures

The *University of Saskatchewan Act 1995* provides for the establishment of colleges, schools, and departments led by deans (and executive directors of schools), with oversight provided by the provost.

USask's colleges and schools include:

- College of Agriculture & Bioresources
- College of Arts & Science
- College of Dentistry
- Edwards School of Business
- College of Education
- College of Engineering
- College of Graduate & Postdoctoral Studies
- College of Kinesiology
- College of Law
- College of Medicine
- College of Nursing
- College of Pharmacy & Nutrition
- Johnson-Shoyama Graduate School of Public Policy
- School of Environment & Sustainability
- School of Public Health
- University Library
- Western College of Veterinary Medicine

Tricameral Governance

In accordance with *The University of Saskatchewan Act 1995*, USask has three governing bodies. Most U15 universities (Canada's top research-intensive universities) have a bicameral governance structure, with a Board having the authority for financial oversight and a Senate being responsible for academic oversight. At USask, in addition to the role of the Board of Governors which has the authority for university finances, our Senate provides for public voice in the governance of the institution, and our academic oversight body is called 'Council.'

Main Responsibilities

Senate

The Senate is the university's window on the province and the province's window on the university. Senate is responsible for:

- appointing the Chancellor
- confirming decisions of Council related to admission requirements and quotas
- recommendations regarding the establishment or disestablishment of any college, school, or department;

- receiving proposals respecting the affiliation or federation of any educational institution with the university and recommend to the board and council whether it should be made
- appointing examiners for and making bylaws respecting the conduct of examinations for professional societies;
- authorizing the establishment of an advisory council for any college, school, department; prescribe its composition, duties and powers; and also discontinue it
- recommending to the Board or Council any matters or things that the senate considers necessary to promote the interests of the university
- the granting of honorary degrees; and
- non-academic student discipline

Board of Governors

The Board of Governors is responsible for overseeing and directing all matters respecting the management, administration and control of the university's property, revenues and financial affairs. This includes:

- construction and maintenance of buildings, equipment and capital assets;
- appointing the president and other senior officers of the university and fixing salaries;
- compensation and terms of employment for all employees, and pension plans for retirees;
- overseeing the university's finances, investments and pension plans;
- providing for the establishment and/or disestablishment of colleges, schools, departments, endowed chairs and institutes;
- affiliation and federation with other educational institutions;
- setting of tuition and other fees; and
- establishment and oversight of good governance practices, including regulating the conduct of its meetings, establishing its committees and making bylaws respecting matters over which it has responsibility.

Council

Council oversees and directs the university's academic affairs including:

- grants academic degrees, diplomas and certificates;
- grants scholarships, prizes, fellowships, bursaries and exhibitions;
- approves all academic programs, new programs and program deletions;
- authorizes the board to establish new colleges, schools, departments, endowed chairs and institutes;
- prescribes methods and rules for evaluating student performance;
- disciplines students for academic misconduct and hears student appeals;
- prescribes qualifications for admission;
- sets the academic schedule;
- reviews library policies;
- makes recommendations on physical and budgetary plans for the university;
- and makes recommendations on any other matters it considers to be in the interest of the university

General Academic Assembly

The *University of Saskatchewan Act 1995* establishes the General Academic Assembly as the body to whom Council is responsible. It has the power to require Council to reconsider certain decisions and ultimately to dissolve Council.

The General Academic Assembly is composed of the president, vice-presidents, registrar, deans and directors employed by the university or an affiliated or federated college, all full-time faculty members and a number of USask students. The President is chair and quorum is 150 members. The assembly meets annually to hear the report of the President respecting the state of the University and any other matters that the President considers appropriate

Membership and Committee Structures

Senate

Senate membership includes:

- 116 members, including:
- Elected alumni
- Representatives of professional associations
- Students and university administrators

The following is the structure of Senate standing committees:

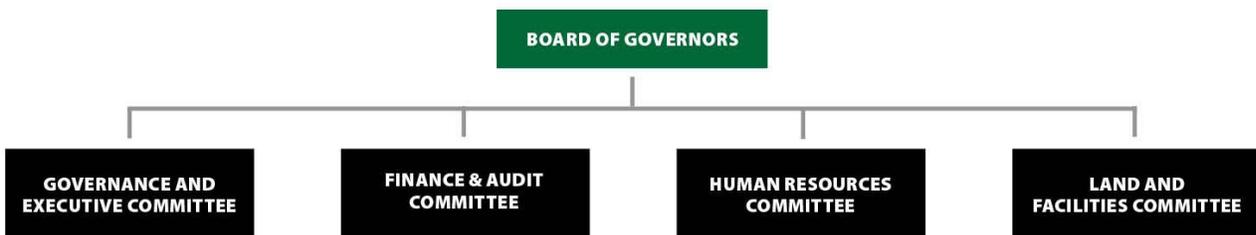


Board of Governors

Board of Governors membership includes:

- 11 members, including:
- Five members appointed by government
- Two members elected by Senate
- One member elected by faculty
- The president of the University of Saskatchewan Students’ Union
- The president
- The chancellor

The following is the structure of Board of Governors standing committees:



Council

Council membership includes:

- 103 members, including:
- The president
- The provost
- Two elected members from each college and affiliated and federated college, one of whom may be dean
- Two librarians, one of whom may be the university librarian
- One elected student representing each college and affiliated and federated college
- 54 elected faculty

The following is the structure of Council standing committees:



Governance Best Practices

Roles of Members

“Members of governing bodies... have a legal obligation to make decisions that they believe to be in the best interests of the university... members are empowered collectively not as owners but as stewards or trustees of the university... members sit as individuals and not as servants of their specific constituency; they must, in the same way, act collectively as stewards or trustees of the university in discharging the academic and administrative responsibilities vested in them.”

-- Andre Côté, Glen A. Jones, and Bernard J. Shapiro, 2011.

Senate

In summary, according to the Senate bylaws, Senate members share with members of the university's other governing bodies the following responsibilities:

- to abide by the policies of the university;
- to seek to be fully informed about the university, its mission, its strategic plan, its culture, and its role in the province and in higher education;
- to help the university be responsive to the changing environment that affects it;
- to promote and defend the autonomy of the university;
- to find opportunities to communicate the university's role and mission to the external community.

Board

In summary, the Board of Governor's bylaws require the following of board members:

- to understand the University, its mission, its strategic plan, and its culture in order to advocate on behalf of the university;
- to exercise diligence, critical powers and independent judgement in the oversight of the university as an active, energetic, and probing member of the Board of Governors;
- to understand the ethical responsibilities incumbent upon a member of the Board;
- to seek to be fully informed about the University and its role in the province and in higher education and to help the university to be responsive to the changing environments which affect it.

Council

Council members are expected to:

- Make principled contributions to governance of the university (collegial self-governance)
- See the whole picture—step back from 'silos';
- Celebrate the diversity and complexity of University;
- Engage in vigorous academic debate and provide enthusiastic support for common sense and "warranted risk taking";
- Pay diligent attention to the business of Council through preparation, active participation in Council and Committee work, communication with constituents, consulting, voting;
- Keep the debate at the level of policy and direction;
- Be mindful that Council decisions have important academic, financial, public policy and operational implications.

Conflict of Interest

In accordance with the University of Saskatchewan's [Conflict of Interest Policy](#), the following definition of conflict of interest applies to all members of the university community, inclusive of members of its governing bodies.

A conflict of interest occurs when there is a divergence between a University member's private interests and professional work outside of the University and their obligations to the University such that an independent observer might reasonably question whether the University members' professional actions or decisions are determined by considerations of personal gain, financial or otherwise.

Conflict of interest is a breach of an obligation to the University that has the effect of advancing one's own interest or the interests of others in a way detrimental to the interests of, or potentially harmful to, the integrity of the University. Conflicts of interest and the appearance of conflicts of interest must be avoided.

Since the possibilities for conflict of interest are almost limitless and cannot all be covered in procedures, University members are expected to conduct themselves at all times with the highest ethical standards in a manner which will bear the closest scrutiny, and are responsible for seeking guidance before embarking on activities which might be questionable.

Senate

Senate abides by the University of Saskatchewan's Conflict of Interest Policy as noted above. In 2019/20, Senate constituted a Joint Committee of Board, Senate and Council to review the University of Saskatchewan's Conflict of Interest Policies. The committee determined that the current Conflict of Interest policy is robust and recommended to the Board of Governors the development of procedures to go along with the policy. The committee's report was accepted by Senate in April 2020.

Board

According to the Board of Governors Bylaws, it is the responsibility of Board members "to understand the ethical responsibilities incumbent upon a member of the Board, and to declare a conflict of interest whenever such conflict arises."

Furthermore, "if a member of the Board or any Committee thereof has a conflict of interest in some matter to be considered, the member shall declare his or her interest and shall not vote thereon. Such member may, if determined by the Board, be asked to withdraw from the meeting during the discussion or voting of any motion relating thereto."

Council

According to a motion adopted by Council, a conflict of interest exists for a member of Council or a member of a Council committee when, with respect to a matter being considered by Council or the committee:

(a) the decision being made is such that the member could not reasonably be expected to exercise independent judgment because of the effect the decision would or would be likely to have on the member or a person closely related or closely associated with the member; or

(b) as a result of occupying a position or holding an office in an organization, the person is legally obligated to subordinate the interests of the University to the interests of the organization when dealing with the matter.

Governance in a University Context

“The role of governance is to define and delegate formal responsibilities and authority within the organization, which are derived from legal powers and fiduciary responsibilities vested in the governing board.”^{vi} The *University of Saskatchewan Act 1995* provides the university’s governing bodies with the authority to make decisions. The foundation of good governance at USask is embedded in the university’s *Mission, Vision and Values* statement as noted at the beginning of this document. The practice of good governance provides the means by which the university is empowered to achieve its goals.

Canada’s U15 universities are highly autonomous, publicly funded organizations, established by provincial legislation, and whose institutional contexts must not be overlooked. Universities are “legally recognized [as] collegial, charitable, and not-for-profit.”ⁱⁱⁱ These organizational characteristics differentiate universities from private, corporate entities in ways that have bearing on the fiduciary responsibilities (the duty to act in the university’s best interests) of members of governing bodies. Universities are democratic, constituency-based organizations, whose governing bodies share accountability to the public, government, and internal and external stakeholders alike.ⁱⁱⁱ

Higher education as a public good “is shaped by multiple social, economic, and political influences...Governance systems [in higher education] advance the public good when institutions are engaged in a system of mutual obligation with the communities within which they are embedded.”^{iv} Shared governance refers to this ever-present tension between the responsibility to ensure external accountability to government and to the public, and an internal responsibility to uphold and protect academic values.^v Effective accountability these different stakeholders is a fundamental principle for governing higher education.^{vi}

“In colleges and universities, participation in decision making is an especially critical issue, since the organizational structure is overlaid with a democratic ethos, thus placing normative pressures on the system and seemingly making widespread participation almost an ethical obligation of the institution.”

- *Bess, James L., and Jay R. Dee. Understanding college and university organization: Theories for effective policy and practice. Vol. II. Stylus Publishing, LLC, 2008: 608-9.*

Internally, colleges, schools, and departments are the main units of collegial management within the university, and are responsible for the academic and administrative affairs at the local level alongside the institutional responsibilities of the governing bodies.^{vii} This interplay between governance and collegial management is another form of shared governance. This system enables faculty members to play key roles in decision making and policy making as it relates to teaching, research, and service.^{viii}

The University of Saskatchewan is committed to practicing good governance, which it does through a model of shared governance. Accountability for the “creation, dissemination, and the global governance of knowledge” is paramount for all members of the university’s governing bodies.^{ix} The commitment and dedication of members of the University of Saskatchewan’s governing bodies is critical to the organization’s success. We thank you for your commitment.

Appendices

Strategic Plan: 2025

The University of Saskatchewan's strategic plan was approved by the university's governing bodies in 2018 and is available online here: <https://plan.usask.ca/>.

The University of Saskatchewan Act 1995

The University of Saskatchewan was established by an "Act to establish and incorporate a University for the Province of Saskatchewan" that was passed by the provincial legislature in 1907 and updated in 1995. It is available online here:

<https://pubsaskdev.blob.core.windows.net/pubsask-prod/1479/U6-1.pdf>.

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ⁱ Morrill, Richard L. *Strategic leadership: Integrating strategy and leadership in colleges and universities*. Rowman & Littlefield Publishers, 2010: 82.

ⁱⁱ Theresa Gemma Shanahan. "Good Governance and Canadian Universities: Fiduciary Duties of University Governing Boards and Their Implications for Shared Collegial Governance." *International Journal of Education Policy & Leadership* 2019: 14(8), 1.

ⁱⁱⁱ Theresa Gemma Shanahan. "Good Governance and Canadian Universities: Fiduciary Duties of University Governing Boards and Their Implications for Shared Collegial Governance." *International Journal of Education Policy & Leadership* 2019: 14(8).

^{iv} Tierney, William G. *Governance and the public good*. SUNY Press, 2012: 134.

^v Burke, Joseph C. *Fixing the Fragmented University: Decentralization with Direction*. Anker Publishing Company, Inc., 2007.

^{vi} Melear, Kerry Brian. "The Role of internal governance, committees, and advisory groups." *Organization and Administration in Higher Education*, 2013: 50.

^{vii} MacKinnon, Peter. *University leadership and public policy in the twenty-first century: A president's perspective*. University of Toronto Press, 2014.

^{viii} Bess, James L., and Jay R. Dee. *Understanding college and university organization: Dynamics of the system*. Vol. I. Stylus Publishing, LLC., 2008: 19.

^{ix} Austin, Ian, and Glen A. Jones. *Governance of higher education: Global perspectives, theories, and practices*. Routledge, 2015: 19, 138.