

The following Motions and Documents were considered by the GFC Executive Committee at its April 2, 2012 meeting:

Agenda Title: **Proposed Addition of 'Hazing' as a New Offence Under the Code of Student Behaviour**

APPROVED MOTION: THAT the GFC Executive Committee approve, under delegated authority from General Faculties Council, the proposed addition of 'Hazing' as an offence under the Code of Student Behaviour, as submitted by the Director of the Office of Student Judicial Affairs (OSJA) and as set forth in Attachment 1, to take effect upon final approval.

Final Item: 4

Agenda Title: **Removing References of the Freedom of Information and Protection of Privacy (FOIPP) Act from the Code of Student Behaviour: Proposed Changes to Code Sections 30.1.1(2) and 30.6.4(13)**

APPROVED MOTION: THAT the GFC Executive Committee approve, under delegated authority from General Faculties Council, proposed changes to Code of Student Behaviour Sections 30.1.1(2) and 30.6.4(13) in order to remove reference to the Freedom of Information and Protection of Privacy (FOIPP) Act, as submitted by the Director of the Office of Student Judicial Affairs (OSJA) and as set forth in Attachment 1, to take effect upon final approval.

Final Item: 5

Agenda Title: **Proposed Addition of STAT (Statistics) 151 to the List of Courses with Consolidated Exams**

APPROVED MOTION: THAT the GFC Executive Committee approve, under delegated authority from General Faculties Council, a proposal from the Faculty of Science for the addition of STAT (Statistics) 151 (Introduction to Applied Statistics I) to the list of courses with consolidated exams, to take effect in the 2012-2013 academic year.

Final Item: 6

Agenda Title: **Proposed Changes to the Review of Faculty Deans Procedure (UAPPOL)**

APPROVED MOTION: THAT the GFC Executive Committee, acting under delegated authority from General Faculties Council and the Board of Governors, recommend proposed changes to the existing Review of Faculty Deans Procedure (in UAPPOL), as set forth in Attachment 1 and as amended, to be effective July 1, 2012.

Final Recommended Item: 7

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OUTLINE OF ISSUE

Agenda Title: **Proposed Addition of ‘Hazing’ as a New Offence Under the Code of Student Behaviour**

Motion: THAT the GFC Executive Committee approve, under delegated authority from General Faculties Council, the proposed addition of ‘Hazing’ as an offence under the Code of Student Behaviour, as submitted by the Director of the Office of Student Judicial Affairs (OSJA) and as set forth in Attachment 1, to take effect upon final approval.

Item

Action Requested	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Recommendation <input type="checkbox"/> Discussion/Advice <input type="checkbox"/> Information
Proposed by	Deborah Eerkes, Director, Office of Student Judicial Affairs (OSJA)
Presenters	Deborah Eerkes, Director, Office of Student Judicial Affairs (OSJA); Steven Penney, Chair, GFC Campus Law Review Committee (CLRC)
Subject	The addition of ‘Hazing’ as a new offence under the Code of Student Behaviour

Details

Responsibility	Provost and Vice-President (Academic)
The Purpose of the Proposal is (please be specific)	To define ‘hazing’ and specify it as an offence under the Code of Student Behaviour.
The Impact of the Proposal is	To remove ambiguity about hazing behaviours and to provide an anchor for educational campaigns.
Replaces/Revises (eg, policies, resolutions)	Code of Student Behaviour Section 30.3.4 (Inappropriate Behaviour towards Individuals or Groups).
Timeline/Implementation Date	Upon final approval.
Estimated Cost	None.
Sources of Funding	N/A
Notes	N/A

Alignment/Compliance

Alignment with Guiding Documents	<i>Dare to Discover</i> Values: To provide an intellectually superior educational environment; integrity, fairness, and principles of ethical conduct built on the foundation of academic freedom, open inquiry, and the pursuit of truth. <i>Dare to Deliver</i> .
Compliance with Legislation, Policy and/or Procedure Relevant to the Proposal (please <u>quote</u> legislation and include identifying section numbers)	<ol style="list-style-type: none"> Post-Secondary Learning Act (PSLA): The <i>Post-Secondary Learning Act (PSLA)</i> gives GFC responsibility, subject to the authority of the Board of Governors, over academic affairs (Section 26(1)) and over academic affairs (Section 31), including authority concerning student discipline. GFC Campus Law Review Committee (CLRC) Terms of Reference–Section 1 (Authority): “GFC has thus established a Campus Law Review Committee (GFC CLRC)” GFC Campus Law Review Committee (CLRC) Terms of Reference–Section 3(a) (Mandate of the Committee–Code of Student Behavior): “1. To review, from time to time, the Code of Student Behavior and student discipline procedures. 2. On delegated authority from GFC, to approve all editorial amendments to the Code of Student Behaviour except editorial

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	<p>amendments to Section 30.6.</p> <p>3. Amendments to the Code of Student Behaviour deemed substantive by CLRC are forwarded to the GFC Executive Committee, which will decide whether or not it can act on behalf of GFC. (See <i>Amendment of the Code</i>, Section 30.7 of the GFC Policy Manual (Code of Student Behaviour).)”</p> <p>4. Code of Student Behaviour, <u>Amendment of the Code</u>–Section 30.7: [“]</p> <p>30.7.1 <u>Legislative Authority</u> General Faculties Council (GFC) and the Board of Governors may amend the Code in exercise of the authority vested in them by Section 31 of the <i>Post-Secondary Learning Act</i>. (CLRC 25 SEP 2003) (CLRC 29 OCT 2004 e-mail vote)</p> <p>30.7.2 <u>Editorial Amendments</u></p> <p>30.7.2(1) The Campus Law Review Committee (CLRC) decides which amendments are editorial. (CLRC 29 OCT 2004 e-mail vote)</p> <p>30.7.2(2) On delegated authority from GFC, all editorial amendments will be approved by the Campus Law Review Committee (CLRC) except editorial amendments to Section 30.6. (CLRC 29 OCT 2004 e-mail vote)</p> <p>30.7.2(3) All amendments to Section 30.6 will be forwarded to the GFC Executive Committee for approval. (CLRC 29 OCT 2004 e-mail vote)</p> <p>30.7.3 <u>Substantive Amendments</u></p> <p>30.7.3(1) Amendments to the Code deemed substantive by CLRC are forwarded to the GFC Executive Committee, which will decide whether or not it can act on behalf of GFC.(CLRC 29 OCT 2004 e-mail vote)</p> <p>30.7.3(2) Only substantive changes to Section 30.6 proceed to the [Board Learning and Discovery Committee], which will decide whether or not it can act on behalf of the Board of Governors. (BEAC 11 JUNE 2004)</p> <p>30.7.3(3) The Secretary to GFC must notify Students’ Union and the Graduate Students’ Association of all substantive changes to the Code (including Section 30.6) 15 Working Days before those changes are considered by GFC. The Students’ Union and the Graduate Students’ Association will be invited to contact their members so that the Students can access the changes on the World Wide Web via University Governance’s home page.”</p>
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Routing (Include meeting dates)

Consultative Route (parties who have seen the proposal and in what capacity)	<u>October, 2011 to the Present:</u> Athletics, Residence Services, Student OmbudService (SOS), University of Alberta Protective Services (UAPS), Risk Management, Office of the Dean of Students, Helping Individuals at Risk (HIAR) Coordinator and Office of Safe Disclosure and Human Rights, Students’ Union (SU), Graduate Students’ Association (GSA), Office of the Registrar, Professor Wayne Renke (Faculty of Law), Campus Recreation, Office of General Counsel
Approval Route (Governance)	GFC Campus Law Review Committee (for recommendation) – January

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(including meeting dates)	26, 2012; GFC Executive Committee (for final approval, if the Committee concurs; if not, this item would then be recommended on to General Faculties Council) – April 2, 2012
Final Approver	GFC Executive Committee (see 'Approval Route' above)

Attachments (each to be numbered 1 - <>):

1. Attachment 1 (page 1): Proposed Addition of 'Hazing' as a New Offence Under the Code of Student Behaviour

Prepared by: Deborah Eerkes, Director, Office of Student Judicial Affairs; deerkes@ualberta.ca

Revised: 4/16/2012

Definition of **Hazing** for the Code of Student Behaviour

30.3.4 Inappropriate Behaviour towards Individuals or Groups

[...]

30.3.4(7) Hazing

30.3.4(7)a No Student shall organize, participate or engage in the hazing of another person, regardless of whether the individual who is the subject of the hazing has consented to participate in or be subjected to the activities in question, or whether the activities in question constitute a ritual or tradition of an organization.

30.3.4(7) b “Hazing” means the creation of an environment or any intentional, reckless or negligent act, by a Student, that occurs on or off University property, that

- i. endangers the physical health, mental health or safety of another person; or
- ii. produces physical or mental discomfort, embarrassment, humiliation, harassment, or ridicule; or
- iii. results in the destruction, damage or removal of any public or private property; or
- iv. causes, induces, pressures, coerces, or requires another person to violate any federal, provincial, municipal or University regulations;

for purposes that include, but are not limited to, initial or continued admission, affiliation or initiation with any Student Group, athletic team, or any formal or informal organization in the University Community. Examples of hazing include, but are not limited to: any brutality of a physical nature, such as whipping, beating, branding, paddling, or electric shocks, exercise not legitimately related to a sport, forced consumption of alcohol or other substances, inappropriate exposure to the elements, compulsory nudity or immodest dress, transportation and abandonment, threats or implied threats, verbal abuse, physical or psychological abuse, sleep deprivation, physical confinement, coerced hazing of another, compulsory servitude, degrading activities, sexual simulation, sexual assault, or theft or misuse of others' property.

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OUTLINE OF ISSUE

Agenda Title: **Removing References of the Freedom of Information and Protection of Privacy (FOIPP) Act from the Code of Student Behaviour: Proposed Changes to Code Sections 30.1.1(2) and 30.6.4(13)**

Motion: THAT the GFC Executive Committee approve, under delegated authority from General Faculties Council, proposed changes to Code of Student Behaviour Sections 30.1.1(2) and 30.6.4(13) in order to remove reference to the Freedom of Information and Protection of Privacy (FOIPP) Act, as submitted by the Director of the Office of Student Judicial Affairs (OSJA) and as set forth in Attachment 1, to take effect upon final approval.

Item

Action Requested	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Recommendation <input type="checkbox"/> Discussion/Advice <input type="checkbox"/> Information
Proposed by	Deborah Eerkes, Director, Office of Student Judicial Affairs (OSJA)
Presenters	Deborah Eerkes, Director, Office of Student Judicial Affairs (OSJA); Steven Penney, Chair, GFC Campus Law Review Committee (CLRC)
Subject	Removing references to the Freedom of Information and Protection of Privacy (FOIPP) Act from the Code of Student Behaviour

Details

Responsibility	Provost and Vice-President (Academic)
The Purpose of the Proposal is (please be specific)	To prevent students from attending the University's Information and Privacy Office (IPO) for access to their discipline records; to allow students to request information from their discipline records directly from the office holding them.
The Impact of the Proposal is	To remove confusion and tension between FOIPP and natural justice.
Replaces/Revises (eg, policies, resolutions)	N/A
Timeline/Implementation Date	Upon final approval.
Estimated Cost	None.
Sources of Funding	N/A
Notes	N/A

Alignment/Compliance

Alignment with Guiding Documents	<i>Dare to Discover Values:</i> To provide an intellectually superior educational environment; integrity, fairness, and principles of ethical conduct built on the foundation of academic freedom, open inquiry, and the pursuit of truth. <i>Dare to Deliver.</i>
Compliance with Legislation, Policy and/or Procedure Relevant to the Proposal (please quote legislation and include identifying section numbers)	<ol style="list-style-type: none"> 1. Post-Secondary Learning Act (PSLA): The <i>Post-Secondary Learning Act (PSLA)</i> gives GFC responsibility, subject to the authority of the Board of Governors, over academic affairs (Section 26(1)) and over academic affairs (Section 31), including authority concerning student discipline. 2. GFC Campus Law Review Committee (CLRC) Terms of Reference–Section 1 (Authority): “GFC has thus established a Campus Law Review Committee (GFC CLRC)” 3. GFC Campus Law Review Committee (CLRC) Terms of Reference–Section 3(a) (Mandate of the Committee–Code of Student Behavior):

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	<p>“1. To review, from time to time, the Code of Student Behavior and student discipline procedures. 2. On delegated authority from GFC, to approve all editorial amendments to the Code of Student Behaviour except editorial amendments to Section 30.6. 3. Amendments to the Code of Student Behaviour deemed substantive by CLRC are forwarded to the GFC Executive Committee, which will decide whether or not it can act on behalf of GFC. (See <i>Amendment of the Code</i>, Section 30.7 of the GFC Policy Manual (Code of Student Behaviour).)”</p> <p>4. Code of Student Behaviour, <u>Amendment of the Code</u>–Section 30.7: [“ 30.7.1 Legislative Authority General Faculties Council (GFC) and the Board of Governors may amend the Code in exercise of the authority vested in them by Section 31 of the <i>Post-Secondary Learning Act</i>. (CLRC 25 SEP 2003) (CLRC 29 OCT 2004 e-mail vote)</p> <p>30.7.2 Editorial Amendments 30.7.2(1) The Campus Law Review Committee (CLRC) decides which amendments are editorial. (CLRC 29 OCT 2004 e-mail vote) 30.7.2(2) On delegated authority from GFC, all editorial amendments will be approved by the Campus Law Review Committee (CLRC) except editorial amendments to Section 30.6. (CLRC 29 OCT 2004 e-mail vote) 30.7.2(3) All amendments to Section 30.6 will be forwarded to the GFC Executive Committee for approval. (CLRC 29 OCT 2004 e-mail vote)</p> <p>30.7.3 Substantive Amendments 30.7.3(1) Amendments to the Code deemed substantive by CLRC are forwarded to the GFC Executive Committee, which will decide whether or not it can act on behalf of GFC.(CLRC 29 OCT 2004 e-mail vote) 30.7.3(2) Only substantive changes to Section 30.6 proceed to the [Board Learning and Discovery Committee], which will decide whether or not it can act on behalf of the Board of Governors. (BEAC 11 JUNE 2004) 30.7.3(3) The Secretary to GFC must notify Students’ Union and the Graduate Students’ Association of all substantive changes to the Code (including Section 30.6) 15 Working Days before those changes are considered by GFC. The Students’ Union and the Graduate Students’ Association will be invited to contact their members so that the Students can access the changes on the World Wide Web via University Governance’s home page.”</p>
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Routing (Include meeting dates)

Consultative Route (parties who have seen the proposal and in what capacity)	<p><u>June, 2012 to the Present:</u> Harry Davis, Cathy Anne Pachnowski (Information and Privacy Office (IPO)); Brad Hamdon, Marie Strauss (Office of General Counsel); Joanna Harrington (Faculty of Graduate Studies and Research (FGSR));</p>
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	Tom Hidson, Ada Schmude (Office of the Registrar); Iva Spence, (University Governance); Elaine Geddes (Associate Dean, Faculty of Business, and Member, GFC Academic Standards Committee (ASC)); Students' Union (SU) and Graduate Students' Association (GSA)
Approval Route (Governance) (including meeting dates)	GFC Campus Law Review Committee (for recommendation) – January 26, 2012; GFC Executive Committee (for final approval) – April 2, 2012
Final Approver	GFC Executive Committee

Attachments (each to be numbered 1 - <>):

1. Attachment 1 (page 1): Removing References of the Freedom of Information and Protection of Privacy (FOIPP) Act from the Code of Student Behaviour: Proposed Changes to Code Sections 30.1.1(2) and 30.6.4(13)

Prepared by: Deborah Eerkes, Director, Office of Student Judicial Affairs (OSJA); deerkes@ualberta.ca

Revised: 4/16/2012

FOIPP Act in the Code of Student Behaviour

CURRENT	PROPOSED	RATIONALE
<p><u>30.1.1 Rights Under the Code of Student Behaviour</u></p> <p>30.1.1(2) Subject to any restrictions imposed under the <i>Freedom of Information and Protection of Privacy Act</i>, any person who claims to have been physically injured, discriminated against or harassed by a Student accused of an offence under this Code, whether or not that person is a Complainant, has the right</p> <p>...</p>	<p><u>30.1.1 Rights Under the Code of Student Behaviour</u></p> <p>30.1.1(2) Any person who claims to have been physically injured, discriminated against or harassed by a Student accused of an offence under this Code, whether or not that person is a Complainant, has the right</p> <p>...</p>	<p>All records in the custody or under the control of the University are subject to the FOIPP Act, whether or not the Act is mentioned in the policy. Explicitly referring to it in the COSB erroneously gives the impression that requests for information relating to a discipline record must be made to the Information and Privacy Office. On the contrary, requests for information on Discipline Records should be made to the office of record (i.e. the office from which the record originated), and should be provided in accordance with the principles of natural justice.</p>
<p><u>30.6.4 Procedures Prior to a Hearing</u></p> <p>30.6.4(13) In accordance with the <i>Freedom of Information and Protection of Privacy Act</i>, the Appeals Coordinator shall make certain that both parties have access to the Student's or Applicant's discipline file held in the Office of the Discipline Officer, Dean's Office, the Director of University of Alberta Protective Services' Office, the Registrar's Office or the Unit Director's Office, up until the time of an appeal hearing. (CLRC 29 MAY 2003) (EXEC 01 MAY 2006)</p>	<p><u>30.6.4 Procedures Prior to a Hearing</u></p> <p>30.6.4(13) The Appeals Coordinator shall make certain that both parties have access to the Student's or Applicant's Discipline File held in the Office of <u>Student Judicial Affairs</u>, Dean's Office, the Director of University of Alberta Protective Services' Office, the Registrar's Office or the Unit Director's Office, up until the time of an appeal hearing. (CLRC 29 MAY 2003) (EXEC 01 MAY 2006)</p>	<p>Holders of records should exercise caution in disclosing third party personal information. Should assistance be needed, or if questions related to FOIPP arise, the Information and Privacy Office is available for consultation.</p> <p>Note: Records obtained pursuant to a FOIPP request are severed in accordance with the FOIPP Act. Unsevered or minimally unsevered records are available through natural justice procedures when someone needs to make a case or defend oneself against allegations.</p> <p>Also clarifies which record is available to Student/Applicant.</p>

OUTLINE OF ISSUE

Agenda Title: **Proposed Addition of STAT (Statistics) 151 to the List of Courses with Consolidated Exams**

Motion: THAT the GFC Executive Committee approve, under delegated authority from General Faculties Council, a proposal from the Faculty of Science for the addition of STAT (Statistics) 151 (Introduction to Applied Statistics I) to the list of courses with consolidated exams, to take effect in the 2012-2013 academic year.

Item

Action Requested	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Recommendation <input type="checkbox"/> Discussion/Advice <input type="checkbox"/> Information
Proposed by	Department of Mathematical and Statistical Sciences
Presenters	Brenda Leskiw, Associate Dean, Faculty of Science; David McNeilly, Faculty Services Officer, Department of Mathematical and Statistical Sciences
Subject	Introduction of consolidated exams for STAT 151 (Statistics 151 – Introduction to Applied Statistics I)

Details

Responsibility	Provost and Vice-President (Academic)
The Purpose of the Proposal is (please be specific)	To add STAT 151 to the list of courses for which consolidated final exams are scheduled.
The Impact of the Proposal is	The Department of Mathematical and Statistical Sciences will have a greater ability to achieve consistency of evaluation across the multiple sections of STAT 151. Exams and Timetabling (Office of the Registrar) will be impacted because they will need to operationalize the request for consolidated exams in a large enrolment course.
Replaces/Revises (eg, policies, resolutions)	N/A
Timeline/Implementation Date	The Faculty of Science would like the consolidated exams for STAT 151 to be implemented for the 2012/2013 academic year.
Estimated Cost	N/A
Sources of Funding	N/A
Notes	N/A

Alignment/Compliance

Alignment with Guiding Documents	<i>Dare to Discover</i> and <i>Dare to Deliver</i>
Compliance with Legislation, Policy and/or Procedure Relevant to the Proposal (please <u>quote</u> legislation and include identifying section numbers)	<ol style="list-style-type: none"> 1. Post-Secondary Learning Act (PSLA): Section 26(1)(d) of the PSLA gives GFC responsibility over “timetables for examination and for lectures and other instruction.” That authority has been delegated to the GFC Executive Committee (GFC Executive Committee Terms of Reference/3. <i>Mandate</i>). 2. GFC Executive Committee Terms of Reference: “The Executive Committee approves requests from Faculties which wish to schedule common examinations.” (3. <i>Mandate</i>/7.b.) 3. GFC Policy: Section 52.7 of the GFC Policy Manual states:

	<p>“Common (Consolidated) Final Examinations in Multi-Sectioned Courses</p> <p>52.7.1 General Regulations</p> <p>1. Approval of Consolidated Examinations Faculties will determine which courses best demonstrate the need for a consolidated final examination on a continuing basis. Approval must be given by the GFC Executive Committee. (EXEC 01 OCT 2007).”</p> <p>4. GFC Policy: Section 61.3 of the GFC Policy Manual requires that “consistency in evaluation across sections of the same course and from year to year” be maintained.</p>
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Routing (Include meeting dates)

Consultative Route (parties who have seen the proposal and in what capacity)	Department Council, Department of Mathematical and Statistical Sciences (March 3, 2011); Exams and Timetabling, Office of the Registrar (December, 2011)
Approval Route (Governance) (including meeting dates)	GFC Executive Committee (April 2, 2012) – for final approval
Final Approver	GFC Executive Committee

Attachments (each to be numbered 1 - <>):

Attachment 1 (page 1): STAT 151 Enrollment Summary 2008-2012

Prepared by: David McNeilly, Faculty Services Officer (Undergraduate),
Department of Mathematical and Statistical Sciences, dam@math.ualberta.ca

Revised: 4/16/2012

STAT 151 Enrollment Fall 2008-Winter 2012

Term	# of Students	# of sections
Fall 2008	800	7
Winter 2009	938	8
Fall 2009	855	7
Winter 2010	888	8
Fall 2010	871	6
Winter 2011	856	7
Fall 2011	783	6
Winter 2012	807 (as of Oct 21, 2011)	6

Starting in 2012/2013, the Department plans to offer five (5) sections of STAT 151 in each of the Fall and Winter terms. Each section will have an enrollment capacity of approximately 200 students, which will result in a maximum term enrollment of approximately 1000 students.

OUTLINE OF ISSUE

Agenda Title: **Proposed Changes to Review of Faculty Deans Procedure (UAPPOL)**

Motion: THAT the GFC Executive Committee, acting under delegated authority from General Faculties Council and the Board of Governors, recommend proposed changes to the existing Review of Faculty Deans Procedure (in UAPPOL), as set forth in Attachment 1 and as amended, to be effective July 1, 2012.

Item

Action Requested	<input type="checkbox"/> Approval <input checked="" type="checkbox"/> Recommendation <input type="checkbox"/> Discussion/Advice <input type="checkbox"/> Information
Proposed by	Provost and Vice-President (Academic)
Presenters	Carl Amrhein, Provost and Vice-President (Academic); Jay Spark, Vice-Provost (Faculty Relations) or Donna Herman, Special Advisor to the Provost, Faculty Relations, Office of the Provost and Vice-President (Academic)
Subject	Changes to the Review of Faculty Deans Procedure (UAPPOL)

Details

Responsibility	Provost and Vice President (Academic)
The Purpose of the Proposal is (please be specific)	Revisions have been proposed to the Review of Faculty Deans Procedure to (1) provide more clarity to the process (including a flow chart) and (2) to provide greater flexibility in the ability of the University to initiate a review and to suspend or terminate the appointment of a Dean. New language has been specifically added as point 1.c. and point 5 in Attachment 1.
The Impact of the Proposal is	To update the current UAPPOL Review of Faculty Deans Procedure.
Replaces/Revises (eg, policies, resolutions)	Current Review of Faculty Deans Procedure in UAPPOL.
Timeline/Implementation Date	July 1, 2012.
Estimated Cost	N/A
Sources of Funding	N/A
Notes	The Provost and Vice-President (Academic) has determined the changes contained in this proposal are <u>substantive</u> in nature. To review the current Review of Faculty Deans Procedure in UAPPOL, see: https://policiesonline.ualberta.ca/PoliciesProcedures/Procedures/Review-of-Faculty-Deans-Procedure.pdf

Alignment/Compliance

Alignment with Guiding Documents	<i>Dare to Discover</i> : Talented People, Transformative Organization and Support
Compliance with Legislation, Policy and/or Procedure Relevant to the Proposal (please <u>quote</u> legislation and include identifying section numbers)	1. Post-Secondary Learning Act (PSLA) : The <i>PSLA</i> gives General Faculties Council (GFC) responsibility, subject to the authority of the Board of Governors, “over academic affairs” (Section 26(1)). The <i>Act</i> provides that “[a] person shall not be appointed to, promoted to or dismissed from any position on the academic staff at a university except on the recommendation of the president made in accordance with procedures approved by the general faculties council” (Section 22(2)). In addition, GFC may recommend to the Board of Governors on

	<p>“procedures in respect of appointments, promotions, salaries, tenure and dismissals of academic staff” (Section 26(1)(o)).</p> <p>2. Post-Secondary Learning Act (PSLA): The Board of Governors has authority to employ “officers, employees or other persons and academic staff members” (Sections 83 and 84 of the <i>Act</i>) and to appoint the President, Vice-Presidents, Deans and Registrar (Sections 81, 82, 21(1) and 20(1) of the <i>Act</i>). The Board has delegated certain of these powers.</p> <p>3. Review of Faculty Deans Procedure: Overview: “With respect to the procedures for the review of Faculty Deans, the Board, and GFC delegate their approval authority to the General Faculties Council Executive Committee for all matters of a routine or editorial nature. For matters of a substantive nature, the GFC Executive Committee shall recommend to the Board Human Resources and Compensation Committee (BHRCC). The Provost and Vice-President (Academic) will determine what is of a routine/editorial or substantive nature.”</p> <p>4. Board Human Resources and Compensation Committee (BHRCC) Terms of Reference:</p> <p style="padding-left: 40px;">“3. <u>MANDATE OF THE COMMITTEE</u></p> <p style="padding-left: 40px;">Except as provided in paragraph 4 and in the Board's General Committee Terms of Reference, the Committee shall monitor, evaluate, advise and make decisions on behalf of the Board with respect to, and the Board delegates to the Committee responsibility and authority for, all policies and procedures affecting staff working conditions at the University and matters for collective bargaining and related service contracts. The Committee shall also consider any other matter delegated to the Committee by the Board.</p> <p style="padding-left: 40px;">Without limiting the generality of the foregoing the Committee shall: [...]</p> <p style="padding-left: 40px;">(g) review and approve material changes to personnel policies of the University that are outside the regular collective bargaining process and consider trends affecting such policies [...].”</p>
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Routing (Include meeting dates)

Consultative Route (parties who have seen the proposal and in what capacity)	Legal Counsel (internal and external); Deans’ Council (March 7 and March 21, 2012); Association of Academic Staff – University of Alberta (AASUA) (March and April, 2012); Vice-Provosts’ Meeting (VPM) (March 26, 2012); Board of Governors (for information) (May 11, 2012)
Approval Route (Governance) (including meeting dates)	GFC Executive Committee (April 2, 2012) – for recommendation; Board Human Resources and Compensation Committee (April 24, 2012) – for final approval
Final Approver	Board Human Resources and Compensation Committee



Attachments (each to be numbered 1 - <>):

1. Attachment 1 (pages 1 – 6) – UAPPOL Review of Faculty Deans Procedure (Revised) (For Approval)
2. Attachment 2 (pages 1 – 7) – Side by Side Comparison of Current and Revised Text for the Review of Faculty Deans Procedure (in UAPPOL) (For Information)

Prepared by: Donna Herman, Special Advisor to the Provost, Faculty Relations, Office of the Provost and Vice-President (Academic), donna.herman@ualberta.ca

Proposed Revisions
March 26, 2012

Review of Faculty Deans Procedure

Office of Administrative Responsibility:	Office of the Provost and Vice-President (Academic)
Approver:	General Faculties Council Executive Committee
Scope:	Compliance with University procedure extends to all members of the University community.

Overview

The *Post-Secondary Learning Act* gives General Faculties Council (GFC) responsibility, subject to the authority of the Board of Governors, "over academic affairs" (section 26(1)).

The Board has authority to employ "officers, employees or other persons" and "academic staff members" (sections 83 and 84 of the *Act*) and to appoint the President, Vice-Presidents, Deans and Registrar (sections 81, 82, 21(1) and 20(1) of the *Act*). The Board has delegated certain of these powers by virtue of section 62 of the *Post-Secondary Learning Act*.

The *Act* provides that "[a] person shall not be appointed to, promoted to or dismissed from any position on the academic staff at a university except on the recommendation of the president made in accordance with procedures approved by the general faculties council" (section 22(2)). In addition, GFC may recommend to the Board of Governors on "procedures in respect of appointments, promotions, salaries, tenure and dismissals" of academic staff (section 26(1)(o)).

With respect to the procedures for the review of a **Faculty Dean ("Dean")**, the Board, and GFC delegate their approval authority to the General Faculties Council Executive Committee for all matters of a routine or editorial nature. For matters of a substantive nature, the GFC Executive Committee will recommend to the Board Human Resources and Compensation Committee (BHRCC). The Provost and Vice-President (Academic) will determine what is of a routine/editorial or substantive nature.

These authorities over procedures are related to the appointment of academic staff and embrace the renewal and termination of appointments of senior administrators including Deans. GFC has thus enacted policies related to these matters, as set out below.

Purpose

To detail the standard procedures for the review of Deans in anticipation of an end of a term or during the term.

PROCEDURE

1. REVIEW OF A DEAN

Review of a Dean may come about either in anticipation of an end of term or during the term as follows:

- a) In anticipation of an end of term (if the possibility of a second term is provided for in the terms of appointment.
 - i) Such a review should serve two purposes. The first is the traditional one of determining if an appointment is to be renewed. The second is to provide an

Proposed Revisions
March 26, 2012

opportunity for a Dean to obtain an objective and helpful assessment which may not be available by other means.

- b) During the term by petition as follows:
- i) Petitions for a review of the performance of a Dean will be submitted to the Provost and Vice-President (Academic) (the "Provost").
 - ii) Where the petition is signed by a majority of faculty members in the Faculty, the Provost must establish the appropriate review committee.
 - iii) Signatories to petitions for review committees for Deans may not include members on leave.
 - iv) Where the petition is not signed by a majority of faculty members in the Faculty, the Provost, in consultation with the President, will decide whether or not a review committee will be established via the petition, nonetheless.
- c) During the term at the joint initiative of the President and the Provost in which case the review will be completed either by a review committee or through an alternative process to be determined by the President and the Provost.

2. THE REVIEW COMMITTEE

a) Composition of review committees

The composition of the review committees varies by Faculty. Changes to the composition of individual Faculties' review committees may be initiated by the Faculty or by the Provost. The compositions of the review committees must be approved by their respective Faculty Councils.

The members of the review committee will include:

- i) Provost, or designee, review committee chair;
 - ii) Vice-President (Research), or designee, review committee vice-chair;
 - iii) Dean of the Faculty of Graduate Studies and Research, or designee;
 - iv) **Faculty members;**
 - v) **Students;**
 - vi) **Staff;** and
 - vii) Representation from General Faculties Council.
- b) Once the review committee has been established and all members elected or designated, the Provost, in consultation with the Chair or Vice-Chair of the GFC Nominating Committee, name, normally, one additional member to the review committee to ensure broad representation. The Provost will consult with the Chair or Vice-Chair of the GFC Nominating Committee.
- c) In no instance will the membership of a review committee include any **person** with an apparent conflict of interest as determined by the Provost.

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- d) Other than Chairs in departmentalized Faculties and Directors in Student Services who report to the Dean of Students, the following individuals will be ineligible for membership on review committees: Vice-Deans, Associate and Assistant Deans and administrative staff who report directly to the Dean under review.

Notwithstanding the provisions above, the Dean will not be eligible to vote in the election of departmental representatives to serve on the review committee.

3. PROCEDURES FOR REVIEWS BY A REVIEW COMMITTEE

Quorum

At any meeting of a review committee where a "final recommendation" is made, at least one (1) of the two (2) Vice-Presidential members must be present, that is, either the review committee chair or review committee vice-chair, and no more than two (2) of the other members will be absent.

General

- a) The specifics of appraising performance of a Dean to determine whether to renew the appointment fall within the jurisdiction of the review committee. The review should be based largely on an evaluation of the Dean's administrative performance. However, it should also be based upon the belief that teaching and research work are continuing commitments of all academics, whether or not they occupy administrative positions. While it is expected that a Dean remain active in at least one of these areas, the extent of such participation will be greatly influenced by the administrative needs of the specific Faculty.
- b) The review committee will obtain information about the effectiveness of the Dean and the desirability of the renewal or continuation of the appointment. As a minimum, the committee will solicit submissions from the staff of the Faculty in this regard.
- c) All submissions will be in writing and signed; the review committee will make every effort to ensure confidentiality.
- d) The relevancy of all materials submitted will be determined by the review committee.

Feedback to the Dean

After the relevancy of all material submitted has been determined by the review committee, the review committee chair will then provide in writing to the Dean a summary of that material. Comments contained in this summary will not be attributed to any person(s).

Submission by the Dean

The Dean will be invited to submit an oral or written presentation, or both, concerning his or her performance.

Negative "Preliminary Recommendation"

Where the "preliminary recommendation" of the review committee is not to recommend the renewal of the appointment of the Dean (or not to continue in the appointment in the case of a review initiated mid-term) the review committee chair immediately adjourns the meeting and, before reconvening the review committee, the review committee chair:

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- a) Advises the Dean of the "preliminary recommendation" and also selects a time to meet with the Dean to discuss the situation.
- b) Invites the Dean to make additional submissions to the review committee. The submissions may be in writing and/or in person and may introduce material not previously before the review committee.
- c) Invites the Dean to submit a list of individuals who may have information of value to the review committee. The review committee will have the discretion to determine which individuals will be invited to provide information.
- d) After sufficient discussion, polls the review committee to reach a "final recommendation" on the case.

4. DECISION MAKING

- a) The review committee chair will present the review committee's final recommendation to the President, in writing, with a copy to the Dean.
- b) The President will accept or reject the review committee's recommendation.
- c) If the President does not accept the review committee's recommendation, he/she will meet with the review committee to explain his/her views. Following that meeting, the President will meet with the Dean to discuss the situation.
- d) For a review about the about the reappointment of the Dean under section 1 (a), after considering the review committee's recommendation, the President will either:
 - i) decide not to reappoint the Dean, which decision is final and binding, and then inform the Board of that decision; or
 - ii) recommend to the Board that the Dean be reappointed, following which the Board will decide whether to reappoint the Dean.
- e) For a review or alternative process under section 1 (b) or (c), after considering the recommendation of the review committee or the results of the alternative process, the President will either:
 - i) decide that the Dean complete the term of appointment, which decision is final and binding, and then inform the Board of that decision; or
 - ii) recommend to the Board that the Dean's appointment be terminated, following which the Board will decide whether to terminate the appointment of the Dean before the end of the term.
- f) Following a decision not to renew the appointment of the Dean, or to terminate the appointment of the Dean, the President will instruct the Provost to initiate the Selection of Faculty Deans Procedure and may invite the Provost to appoint an Interim Dean to fill any vacancy in the office of the Dean.

5. EXEMPTIONS TO THESE PROCEDURES

Notwithstanding the provisions in these procedures, the President in his/her discretion may recommend the suspension or termination of the appointment of a Dean without establishing a review committee

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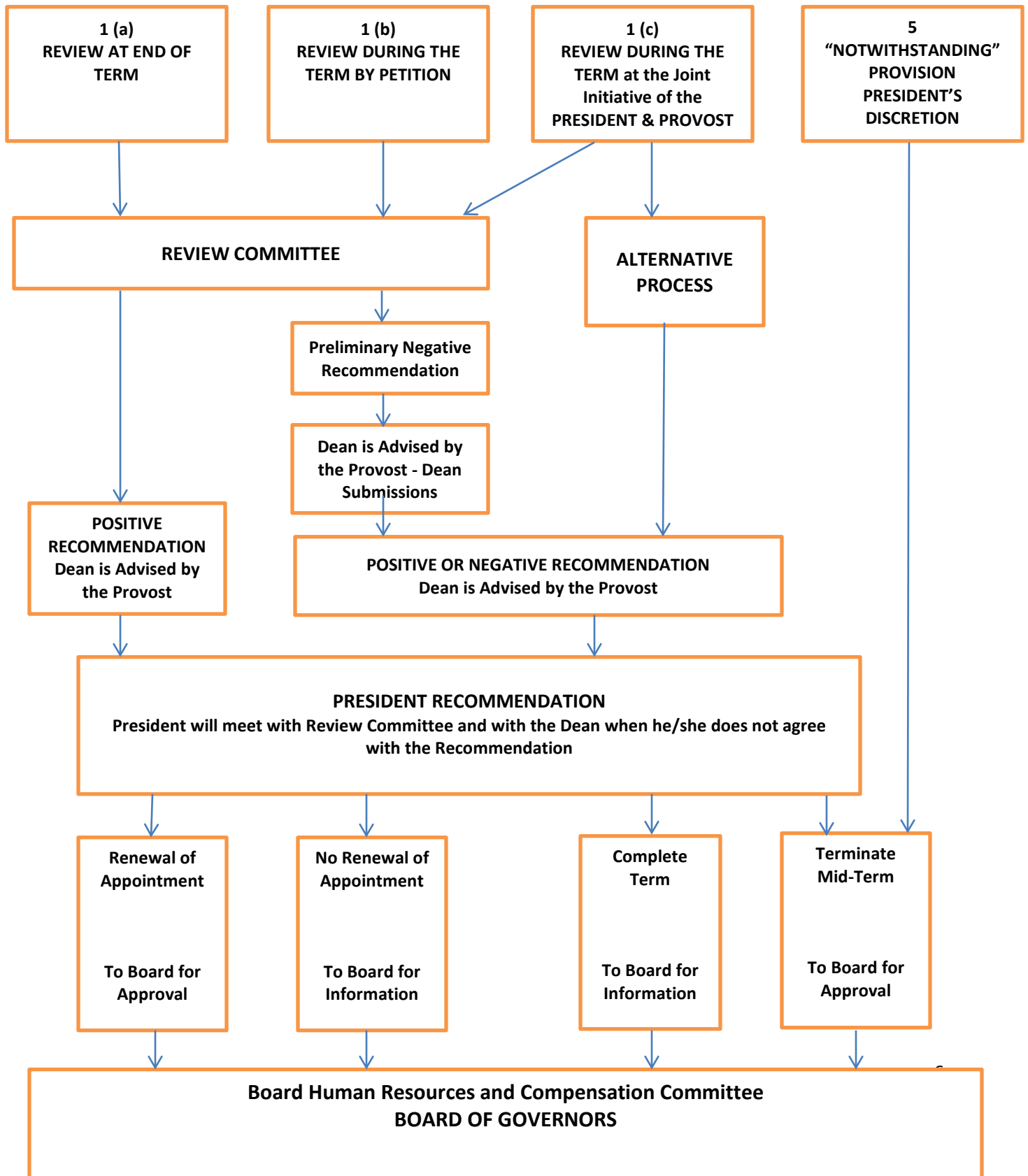
where any action, omission or behaviour of the Dean, alleged or in fact, becomes or reasonably could become materially injurious to the University and its reputation. Termination of the appointment as Dean does not alter the academic appointment of the Dean under the relevant University academic staff agreement. The recommendation of suspension or termination of the appointment of a Dean under such conditions will be made by the President to the Board, following which the Board will decide whether to suspend or terminate the appointment of the Dean.

DEFINITIONS

Any definitions listed in the following table apply to this document only with no implied or intended institution-wide use. [\[▲Top\]](#)

Faculty Dean (“Dean”)	Shall include the Dean of the following Faculties: Agricultural, Life and Environmental Sciences; Augustana; Arts; Business; Education; Engineering; Extension; Graduate Studies and Research; Law; Medicine and Dentistry; Native Studies; Nursing; Pharmacy and Pharmaceutical Sciences; Physical Education and Recreation; Rehabilitation Medicine; Public Health; Saint-Jean; Science; and the Dean of Students; and the Chief Librarian
Student	Means any student enrolled at the University of Alberta, either full-time or part-time. The term “student” may be preceded by “undergraduate” or “graduate” or “full-time” for clarification.
Faculty member	[fill in from Recruitment Policy (Appendix A)]
Staff	[fill in from Recruitment Policy (Appendix A) and (Appendix B)]

INFORMATION DOCUMENT - SUMMARY OF PROCESS



**Comparison of Current to Proposed
UAPPOL Review of Faculty Deans Procedures - March 26, 2012**

UAPPOL Review of Faculty Deans Procedure – Approved May 3, 2011	Proposed
<p>Overview</p> <p>The Post-Secondary Learning Act gives General Faculties Council (GFC) responsibility, subject to the authority of the Board of Governors, "over academic affairs" (section 26(1)).</p> <p>The Board has authority to employ "officers, employees or other persons" and "academic staff members" (sections 83 and 84 of the Act) and to appoint the President, Vice-Presidents, Deans and Registrar (sections 81, 82, 21(1) and 20(1) of the Act). The Board has delegated certain of these powers by virtue of section 62 of the Post-Secondary Learning Act.</p> <p>The Act provides that "[a] person shall not be appointed to, promoted to or dismissed from any position on the academic staff at a university except on the recommendation of the president made in accordance with procedures approved by the general faculties council" (section 22(2)). In addition, GFC may recommend to the Board of Governors on "procedures in respect of appointments, promotions, salaries, tenure and dismissals" of academic staff (section 26(1)(o)).</p> <p>With respect to the procedures for the review of Faculty Deans, the Board, and GFC delegate their approval authority to the General Faculties Council Executive Committee for all matters of a routine or editorial nature. For matters of a substantive nature, the GFC Executive Committee shall recommend to the Board Human Resources and Compensation Committee (BHRCC). The Provost and Vice-President (Academic) will determine what is of a routine/editorial or substantive nature.</p> <p>These authorities over procedures are related to the appointment of academic staff and embrace senior administrators including Deans. GFC has thus enacted policies related to these matters, as set out below.</p>	<p>Overview</p> <p>The Post-Secondary Learning Act gives General Faculties Council (GFC) responsibility, subject to the authority of the Board of Governors, "over academic affairs" (section 26(1)).</p> <p>The Board has authority to employ "officers, employees or other persons" and "academic staff members" (sections 83 and 84 of the Act) and to appoint the President, Vice-Presidents, Deans and Registrar (sections 81, 82, 21(1) and 20(1) of the Act). The Board has delegated certain of these powers by virtue of section 62 of the Post-Secondary Learning Act.</p> <p>The Act provides that "[a] person shall not be appointed to, promoted to or dismissed from any position on the academic staff at a university except on the recommendation of the president made in accordance with procedures approved by the general faculties council" (section 22(2)). In addition, GFC may recommend to the Board of Governors on "procedures in respect of appointments, promotions, salaries, tenure and dismissals" of academic staff (section 26(1)(o)).</p> <p>With respect to the procedures for the review of a <u>Faculty Dean</u> ("Dean"), the Board, and GFC delegate their approval authority to the General Faculties Council Executive Committee for all matters of a routine or editorial nature. For matters of a substantive nature, the GFC Executive Committee shall recommend to the Board Human Resources and Compensation Committee (BHRCC). The Provost and Vice-President (Academic) will determine what is of a routine/editorial or substantive nature.</p> <p>These authorities over procedures are related to the appointment of academic staff and embrace <u>the renewal and termination of appointments of</u> senior administrators including Deans. GFC has thus enacted policies related to these matters, as set out below.</p>
<p>Purpose</p> <p>To detail the standard procedures for the review of Faculty Deans.</p>	<p>Purpose</p> <p>To detail the standard procedures for the review of <u>Deans in anticipation of an end of term or during the term.</u></p>

PROCEDURE

1. GENERAL

By virtue of the Post-Secondary Learning Act (section 22(2), 83 and 84(1), the appointment of a Dean is made by the Board of Governors in accordance with procedures approved by General Faculties Council. These procedures declare that such appointments shall be made by the Board on the recommendation of the University President. The University President's recommendation is based on the recommendation of the review committee. The Provost is required to present the committee's recommendation to the University President. The President has the authority to accept or reject the committee's recommendation. If the President accepts, he or she recommends the appointment to the Board through the Board Human Resources and Compensation Committee (BHRCC). If the President does not accept the committee's recommendation, he/she will meet with the committee to explain this decision.

Review may come about in three (3) ways:

- a) In anticipation of an end of term if provided for in the terms of appointment. (Such a review should serve two purposes. The first is the traditional one of determining if an appointment is to be renewed. The second is to provide an opportunity for an incumbent to obtain an objective and helpful assessment which may not be available by other means.)
- b) During the term: At the joint initiative of the President and the Provost and Vice-President (Academic).
- c) During the term: By petition as follows -
 - i) Petitions for a review of the performance of a Dean shall be submitted to the Provost and Vice-President (Academic).
 - ii) Where the petition is signed by a majority of faculty members in the Faculty, the Provost and Vice-President (Academic) must establish the appropriate review committee.
 - (1) Signatories to Petitions for Review Committees for Deans may not include members on leave.
 - iii) Where the petition is not signed by a majority of faculty members in the Faculty, the Provost and Vice-President (Academic) in consultation with the President shall decide whether or not a review committee shall be established.

PROCEDURE

1. REVIEW OF A DEAN

[A portion of this clause has been moved below to the "Decision-Making" section and expanded to clarify the role of the President in decision-making. The rest of the clause has simply been slightly revised for clarity purposes.]

Review of a Dean may come about either in anticipation of an end of term or during the term as follows:

- a) In anticipation of an end of term (if the possibility of a second term is provided for in the terms of appointment).
 - i) Such a review should serve two purposes. The first is the traditional one of determining if an appointment is to be renewed. The second is to provide an opportunity for a Dean to obtain an objective and helpful assessment which may not be available by other means.
- b) During the term by petition as follows:
 - i) Petitions for a review of the performance of a Dean shall be submitted to the Provost and Vice-President (Academic) (the "Provost").
 - ii) Where the petition is signed by a majority of faculty members in the Faculty, the Provost must establish the appropriate review committee.
 - iii) Signatories to petitions for review committees for Deans may not include members on leave.
 - iv) Where the petition is not signed by a majority of faculty members in the Faculty, the Provost, in consultation with the President, shall decide whether or not a review committee shall be established via the petition, nonetheless.
- c) During the term at the joint initiative of the President and the Provost in which case the review shall be completed either by a review committee or through

	<u>an alternative process to be determined by the President and the Provost.</u>
<p>2. THE REVIEW COMMITTEE</p> <p>a) Composition of Review Committees</p> <p>All reviews shall be carried out by a duly constituted review committee.</p> <p>The composition of Dean Review Committees varies by Faculty. Changes to the composition of individual Faculties' review committees may be initiated by the Faculty or by the Provost. The compositions of Dean Review Committees must be approved by their respective Faculty Councils. The following are requirements common to review committees across all Faculties.</p> <p>Common elements to the Dean Review Committees include the following:</p> <p>i) Provost and Vice-President (Academic), or designee, chair.</p> <p>ii) Vice-President (Research), or designee, vice-chair.</p> <p>iii) Dean of the Faculty of Graduate Studies and Research, or designee</p> <p>iv) Faculty members</p> <p>v) Students</p> <p>vi) Staff</p> <p>vii) Representation from General Faculties Council.</p> <p>viii) Once the Committee has been established and all members elected or designated, the Provost may, in consultation with the Chair or Vice-Chair of the GFC Nominating Committee, name one additional full-time faculty member (Categories A1.1 and A1.5) to the review committee to ensure broad representation from the Faculty. The Provost shall consult with the Chair or Vice-Chair of the GFC Nominating Committee.</p> <p>ix) In no instance shall the membership of a review committee include (1) a candidate for the office or any person with an apparent conflict of interest as determined by the Provost and Vice-President (Academic).</p> <p>x) Other than Chairs in departmentalized Faculties and Directors in Student Services who report to the Dean of Students, the following individuals shall be ineligible for</p>	<p>2. THE REVIEW COMMITTEE</p> <p>a) Composition of review committees</p> <p>The composition of the review committees varies by Faculty. Changes to the composition of individual Faculties' review committees may be initiated by the Faculty or by the Provost. The compositions of the review committees must be approved by their respective Faculty Councils.</p> <p>The members of the review committee will include:</p> <p>i) Provost, or designee, review committee chair;</p> <p>ii) Vice-President (Research), or designee, review committee vice-chair;</p> <p>iii) Dean of the Faculty of Graduate Studies and Research, or designee;</p> <p>iv) Faculty members;</p> <p>v) Students;</p> <p>vi) Staff; and</p> <p>vii) Representation from General Faculties Council.</p> <p>b) Once the review committee has been established and all members elected or designated, the Provost, in consultation with the Chair or Vice-Chair of the GFC Nominating Committee, name, <u>normally</u>, one additional member to the review committee to ensure broad representation. The Provost shall consult with the Chair or Vice-Chair of the GFC Nominating Committee.</p> <p>c) In no instance shall the membership of a review committee include any person with an apparent conflict of interest as determined by the Provost.</p> <p>d) Other than Chairs in departmentalized Faculties and Directors in Student Services who report to the Dean of Students, the following individuals shall be ineligible</p>

<p>membership on Review Committees: Vice-Deans, Associate and Assistant Deans and administrative staff who report directly to the Dean under review.</p> <p>Notwithstanding the provisions above, the incumbent shall not be eligible to vote in the election of departmental representatives to serve on the review committee.</p>	<p>for membership on review committees: Vice-Deans, Associate and Assistant Deans and administrative staff who report directly to the Dean under review.</p> <p>Notwithstanding the provisions above, the Dean shall not be eligible to vote in the election of departmental representatives to serve on the review committee.</p>
<p>3. REVIEW PROCEDURES</p> <p>General</p> <p>a) The specifics of appraising performance of an incumbent Dean with a view to reappointment falls within the jurisdiction of the review committee. The review should be based largely on an evaluation of the individual's administrative performance. However, it should also be based upon the belief that teaching and research work are continuing commitments of all academics, whether or not they occupy administrative positions. While it is expected that a Dean remain active in at least one of these areas, the extent of such participation will be greatly influenced by the administrative needs of the specific Faculty.</p> <p>b) The review committee shall obtain information about the effectiveness of the incumbent and the desirability of reappointment or continuation. As a minimum, the committee shall solicit submissions from the staff of the Unit in this regard.</p> <p>c) All submissions shall be in writing and signed; the review committee shall make every effort to ensure confidentiality.</p> <p>d) The relevancy of all materials submitted shall be determined by the review committee.</p> <p>e) After the relevancy of all material submitted has been determined by the review committee, the Provost and Vice-President (Academic) shall then provide in writing to the incumbent a summary of that material. Comments contained in this summary shall not be attributed to any</p>	<p>3. PROCEDURES FOR REVIEWS BY A REVIEW COMMITTEE</p> <p><u>Quorum [moved from below and some clarification]</u></p> <p>At any meeting of a review committee where a “final recommendation” is made, at least one (1) of the two (2) Vice-Presidential members must be present, <u>that is, either the review committee chair or review committee vice-chair</u>, and no more than two (2) of the other members shall be absent.</p> <p>General</p> <p>a) The specifics of appraising performance of a Dean to determine whether to renew the appointment fall within the jurisdiction of the review committee. The review should be based largely on an evaluation of the Dean's administrative performance. However, it should also be based upon the belief that teaching and research work are continuing commitments of all academics, whether or not they occupy administrative positions. While it is expected that a Dean remain active in at least one of these areas, the extent of such participation will be greatly influenced by the administrative needs of the specific Faculty.</p> <p>b) The review committee shall obtain information about the effectiveness of the Dean and the desirability of the renewal or continuation of the appointment. As a minimum, the committee shall solicit submissions from the staff of the Faculty in this regard.</p> <p>c) All submissions shall be in writing and signed; the review committee shall make every effort to ensure confidentiality.</p> <p>d) The relevancy of all materials submitted shall be determined by the review committee. Feedback to the Dean</p> <p>After the relevancy of all material submitted has been determined by the review committee, the review committee chair shall then provide in writing to the Dean a summary of that material. Comments contained in this summary shall not be attributed to any person(s).</p>

<p>person(s).</p> <p>Feedback to the incumbent</p> <p>After the relevancy of all material submitted has been determined by the review committee, the Provost and Vice-President (Academic) shall then provide in writing to the incumbent a summary of that material. Comments contained in this summary shall not be attributed to any person(s).</p> <p>Submission by the incumbent</p> <p>The incumbent shall be invited to submit an oral or written presentation, or both, concerning his or her performance.</p> <p>Quorum</p> <p>At any meeting of a dean review committee where a final decision is made, at least one (1) of the two (2) Vice-Presidential members must be present, Provost and Vice-President (Academic) or Vice-President (Research), and no more than two (2) of the other members shall be absent.</p> <p>Decision-making</p> <p>After sufficient discussion, the chair of the review committee polls the committee to reach a "preliminary decision" in the case.</p> <p>If the "preliminary decision" is that the recommendation be to offer an additional term to the incumbent (or to continue in office in the case of a review initiated mid-term) then this constitutes the decision of the review committee in the case.</p> <p>The Provost is required to present the Committee's recommendation to the University President in writing with a copy to the incumbent. If the President concurs with the Committee's recommendation, he or she recommends the appointment to the Board.</p> <p>Final approval for a Dean's reappointment rests with the Board of Governors.</p> <p>Review Procedures Following a Negative Recommendation</p> <p>Where the "preliminary decision" of the review committee is not to recommend an additional term (or not to continue in office in the case of a review initiated mid-term) the chair of the review committee immediately adjourns the hearing and follows the procedures below prior to the reconvening the</p>	<p><i>[Duplicate clause, see above - removed]</i></p> <p>Submission by the Dean</p> <p>The Dean shall be invited to submit an oral or written presentation, or both, concerning his or her performance.</p> <p><i>[moved – see above]</i></p> <p><i>[Decision-making – this section has been moved to the end of the procedure and expanded to include clarification regarding the President's input into the decision-making process]</i></p> <p>Negative "Preliminary Recommendation"</p> <p>Where the "preliminary recommendation" of the review committee is not to recommend the renewal of the appointment of the Dean (or not to continue in the appointment in the case of a review initiated mid-term) the review committee chair immediately adjourns the meeting and, before reconvening the review committee, the review committee chair:</p>
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<p>committee:</p> <ul style="list-style-type: none"> - The Provost of the review committee advises the incumbent of the "preliminary decision". The Provost also selects a time to meet with the incumbent to discuss the situation. - The Provost invites the incumbent to make submissions to the review committee. The submissions may be in writing and/or in person and may introduce material not previously before the review committee. The Provost also invites the incumbent to submit a list of persons who may have information of value to the committee. - After sufficient discussion, the chair polls the review committee to reach a final decision on the case. The Provost then submits the committee's recommendation to the President, in writing, with a copy to the incumbent. If the President concurs with the Committee's recommendation, he or she recommends the decision to the Board. <p>Final approval of the Review Committee's recommendation rests with the Board of Governors.</p>	<ul style="list-style-type: none"> a) Advises the Dean of the "preliminary recommendation" and also selects a time to meet with the Dean to discuss the situation. b) Invites the Dean to make additional submissions to the review committee. The submissions may be in writing and/or in person and may introduce material not previously before the review committee. c) Invites the Dean to submit a list of individuals who may have information of value to the review committee. The review committee will have the discretion to determine which individuals will be invited to provide information. d) After sufficient discussion, polls the review committee to reach a "final recommendation" on the case. <p>4. DECISION MAKING</p> <ul style="list-style-type: none"> a) <u>The review committee chair will present the review committee's final recommendation to the President, in writing, with a copy to the Dean.</u> b) <u>The President will accept or reject the review committee's recommendation.</u> c) <u>If the President does not accept the review committee's recommendation, he/she will meet with the review committee to explain his/her views. Following that meeting, the President will meet with the Dean to discuss the situation.</u> d) <u>For a review about the about the reappointment of the Dean under section 1 (a), after considering the review committee's recommendation, the President will either:</u> <ul style="list-style-type: none"> i) <u>decide not to reappoint the Dean, which decision is final and binding, and then inform the Board of that decision; or</u> ii) <u>recommend to the Board that the Dean be reappointed, following which the Board will decide whether to reappoint the Dean.</u>
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- e) For a review or alternative process under section 1 (b) or (c), after considering the recommendation of the review committee or the results of the alternative process, the President will either:
- i) decide that the Dean complete the term of appointment, which decision is final and binding, and then inform the Board of that decision; or
 - ii) recommend to the Board that the Dean's appointment be terminated, following which the Board will decide whether to terminate the appointment of the Dean before the end of the term.
- f) Following a decision not to renew the appointment of the Dean, or to terminate the appointment of the Dean, the President will instruct the Provost to initiate the Selection of Faculty Deans Procedure and may invite the Provost to appoint an Interim Dean to fill any vacancy in the office of the Dean.

5. EXEMPTIONS TO THESE PROCEDURES

Notwithstanding the provisions in these procedures, the President in his/her discretion may, at any time, recommend the suspension or termination of the appointment of a Dean without establishing a review committee and where any action, omission or behaviour of the Dean, alleged or in fact, becomes or reasonably could become materially injurious to the University and its reputation. Termination of the appointment as Dean does not extend to the academic appointment of the Dean under the relevant University academic staff agreement. The recommendation of suspension or termination of the appointment of a Dean under such conditions will be made by the President to the Board, following which the Board will decide whether to suspend or terminate the appointment of the Dean.