

S 260
Scholarships
Faculty Status
Union Funds
A.C.
H.C.
B.C.

Notice of Motion: To investigate the procedures of Senate Committees and to clarify their responsibilities to Senate.

(Signed) "Michael A. Lebowitz"

Under the Universities Act, Senate is charged with the duty to provide for the government, management, and carrying out of curriculum, instruction and education offered by the University. While this is the broadest definition of Senate's responsibility, one which clearly indicates its place as the highest academic body in the University, the Act specifies other duties among which are regulation of the library, preparation of a calendar, awarding scholarships, making recommendations to the Board in the interests of the University and other items which may be found in the Act. It is in fact the multitude of responsibilities assigned to Senate which makes necessary the creation of Senate committees to carry out the basic work which is Senate's legal responsibility.

The creation of a committee system, however, does not relieve Senate of its responsibility. Balanced against the relative efficiency of working committees is the fact that Senate members have been elected (and appointed) by constituencies which in effect have charged them with a trust to perform the functions of Senate as specified in the Act. While Senate may delegate some of its tasks, it can not delegate its ultimate responsibility to committees.

It is this conception of Senate as ultimate body which appears to be the only feasible manner in which Senate can perform its duties. Neither a Senate which spawns independent and unaccountable grouplets nor a Senate immersed in minute detail will provide the general direction of education at the University which is required. It is only with this simultaneous binding and freeing of Senate that it will be able to perform the role conceived for it under the Act and affirmed last year in the Joint Faculty referendum (which passed, 146-28):

That Senate, the highest academic body, should function as the body within the University in which faculty and students make the major academic decisions and set the educational policy for the University.

One of the major problems which Senate faces, therefore, is its need to dispose of some of its jobs (which presently are not receiving adequate attention in the Senate itself) and to turn its attention more to the broader questions of university policy. Before this can be done, however, Senate must examine existing problems with its committee process; only after examining the procedures of existing Senate committees and clarifying the responsibility of these committees to Senate can we consider adding to the structure.

There appear to be a number of serious problems related to the present Senate committees, problems which initially provoked this paper. In general, Senate does not know what its committees are doing, has no way of examining them in a normal procedure and has no way of checking to see if they have exceeded their authority or have performed adequately. To be sure, there are ad hoc mechanisms; but these do not provide a basis for establishing normal relationships with committees.

In the case, for example, of the Senate Committee on Scholarships, Awards, and Bursaries, this committee was scheduled to make a report to Senate for its June meeting. Because such a report was anticipated, Paper S.216 was dealt with at the April 8, 1969 meeting by postponing it until the June meeting. Senate has yet to receive a report from this committee or a request for an extension. In addition to its failure to report, numerous questions have been raised about the procedures which are being followed by the committee. In the granting of the Gordon M. Shrum Award this year, for example, it has been argued by several people dissatisfied with the decision that the committee did not follow its own procedures. While it should not be Senate's job to do the work of this committee, it is our responsibility to insure that its procedures are clear and that the committee has in fact followed them.

In contrast to the performance of the above committee, the Senate Library Committee presented a report to Senate for its annual meeting and has instituted the policy of making regular semester reports (S.237). Rather than recognizing (and commending) the committee for its action, Senate, in the absence of an established procedure, has allowed this report to go unnoticed.

At its meeting of October 7, 1968, Senate established an ad hoc Senate Committee on Faculty Status. This committee has yet to make a report to Senate. However, it has been reported to me that the committee did make a report which went to the Chairman of Senate and which was returned by the Chairman to the committee as unacceptable in a number of its recommendations. If this information is accurate, then serious questions concerning the responsibility of this committee (and other Senate committees) to Senate rather than its Chairman must be raised.

At its meeting of September 23, 1968, Senate established the University Tenure Committee as a standing committee of Senate. It may be presumed that Senate, in so doing, was acting under Section 54(k) of the Universities Act (its duty to make such recommendations to the Board as may be deemed proper for promoting the interests of the University or for carrying out the objects and provisions of the Act) and, further, that Senate intended that the committee would function according to the procedures outlined in the Academic Freedom and Tenure Statement. Since the establishment of this committee, however, the committee has violated the procedures set out in the Academic Freedom and Tenure Statement in a number of ways and, acting as a Senate Committee, has given several faculty members cause to believe

that their academic careers have been injured. At no time during the life of this committee, furthermore, has the committee brought its specific procedures and terms of reference before the Senate for its approval. (Documents on committee procedures follow in Appendix A.)

Also at the September 23, 1968 meeting of Senate, following a motion which originated in the Faculty of Arts, Senate created an ad hoc committee to report on "The Effects Upon the Quality of Education Through the Allocation of Budgets by Other than a Weighting System" (S.139). The committee, composed of three Deans and any others appointed by the President, does not appear to have discharged its responsibility to Senate.

Clearly there are some definite problems in current committees, both in the procedures they are following and also in the lack of clarity concerning their responsibility to Senate. Senate must deal with these problems and establish clear guidelines for all present and future committees.

General Recommendations:

The following general procedures for Senate committees are intended to clarify the relationship of committees to Senate. They draw heavily upon the established relationship between the Faculty Council and the Senate, as set forth both in the Universities Act and in previous Senate practice. The presumption is that Senate Committees, established by Senate, should not exercise substantially more power and independence in relation to Senate than does the Faculty Council, which is specified as an independent body by the Universities Act.

Moved:

- (1) That all Senate Committees provide to Senate a description of their internal procedures and working rules, and that this include information on frequency of meetings, subcommittees and normal items of business.
- (2) That subject to the approval of Senate, a Senate committee may make general rules within the jurisdiction assigned to it. (Reference: Universities Act, 61.(b), (c), (d).)
- (3) That Senate Committees will generally deal with all matters assigned to them by Senate. (Reference: 61.(e).)
- (4) Any person aggrieved by a decision of a Senate Committee shall have a right of appeal therefrom to the Senate. (Reference: 62)
- (5) In the event of the aforesaid appeal, Senate members shall have access to the Minutes of the Senate committee. Access shall be taken to mean that these will be available for Senators to inspect in the office of the Registrar.
- (6) That all Senate committees shall make an annual report to Senate for its October meeting. (The choice of an October report is based upon the term established for committees in the Senate Rules of Procedure. In general, a June report will be undesirable because of the turnover of Senators at this time.)
- (7) The annual report of a Senate Committee may be disposed of in several ways:
 - (a) It may be received at the October meeting and tabled immediately or postponed to a later date. This procedure will be the normal one followed in all non-controversial cases. Under this procedure, the report may be brought from the table as any other tabled report or motion.
 - (b) It may be discussed at the October meeting if a minimum of two Senators (corresponding to a mover and seconder) have given one week's notice of their desire to discuss the report to the Secretary of Senate; this week shall be required in order to permit the Committee Chairman (or his designated representative) to make arrangements to appear at the Senate meeting. (This procedure will also act to limit ill-considered and spontaneous discussion.)

- (8) In general, when a Senate Committee does not provide an annual report for the October meeting of Senate, it shall be considered defunct.

Particular Recommendations:

That the Senate Committees mentioned in the body of this report (Awards and Scholarships, Faculty Status, and Tenure) prepare reports on their procedures immediately for Senate and that the Committee chairmen appear at a special meeting of Senate to take place no later than two weeks from September 8.