

Article 1 Composition of Senate

1.1 The Senate shall be composed in accordance with the *University Act* (the *Act*). In accordance with the *Act*, the Chair of the Senate is the University President. Senate elections shall be conducted according to the “Capilano University Senate Election Procedures,” which are approved by Senate and maintained by the Registrar. The Senate shall consist of the following categories of members:

Elected members (voting):

- Faculty members (two per Faculty)
- Students (four in total)
- Support Staff (two in total).

Appointed members (voting):

- Chancellor,
- President (Chair),
- Vice-President Academic and Provost,
- Deans of Faculties
- University Librarian
- Alumni Member

Appointed Members (non-voting):

- University Board Member
- Registrar

1.2 In addition to the two voting faculty members for each of five Faculties, one additional alternate non-voting faculty member will be elected by each Faculty, for a total of five additional alternate non-voting members. The additional alternate non-voting members become voting members in the absence of either of the voting members.

1.3 The Senate shall invite the faculty union, support staff union, and student society to each choose one non-voting permanent guest from their respective constituencies to attend Senate meetings. Senate shall invite the Associate Vice-President, Student Success and a First Nations representative to be non-voting permanent guests.

Article 2 Duties of the Chair, Vice-Chair, Registrar, and Members of Senate

2.1 Duties of the Chair

2.1.1 to call meetings of the Senate as provided in these By-laws and in the *Act*;

- 2.1.2 to ensure that an agenda is prepared and distributed for each meeting as provided in these By-laws;
- 2.1.3 to preside over all meetings of the Senate;
- 2.1.4 to establish that a quorum of voting members of Senate is present before conducting the business of Senate. A quorum is a majority of voting members of Senate;
- 2.1.5 to execute documents as authorized by the Senate;
- 2.1.6 to maintain a liaison with the Board;
- 2.1.7 to be the spokesperson and representative of the Senate.

2.2 Duties of the Vice-Chair

- 2.2.1 the Vice-Chair shall fulfill the duties of the Chair in his/her absence, and shall assist the Chair in the performance of her/his duties;
- 2.2.2 if the Vice-Chair is an alternate non-voting member, he/she will have the voting rights of the Chair, if the Chair is absent, and only in the instance of breaking a tie vote;

2.3 Duties of the Registrar

- 2.3.1 in accordance with the *Act*, the Registrar is the Secretary of the Senate;
- 2.3.2 with the assistance of the Committees' Clerk, the Registrar will develop and maintain a system of recording all proceedings of the Senate;
- 2.3.3 the Registrar shall conduct elections and by-elections in accordance with the *Act* and the approved Senate Election Procedures;

2.4 Duties of Members of Senate

- 2.4.1 to consult with any constituency the member may represent and communicate to such constituency the matters dealt with at the Senate that are relevant to that constituency;
- 2.4.2 to act in what the member considers to be the best interest of the University, rather than the wishes of any constituency that the member may represent on the Senate;

Article 3 Election of the Vice-Chair and Chair of the Senate Student Appeals Committee (SSAC)

3.1 Election of the Vice-Chair, who will chair meetings in absence of the Chair, will occur annually, as determined by the Senate. Election of Chair of the SSAC will occur annually, as determined by Senate.

3.2 All voting members and alternate non-voting members of the Senate are eligible to nominate.

3.3 All voting members and alternate non-voting members whose term aligns with the term of the Vice-Chair are eligible to be nominated for the position of Vice-Chair. All voting members and alternate non-voting members are eligible to be nominated for the position of Chair, SSAC.

3.4 In absence of the Chair, the Registrar will assume the chair to conduct the elections.

3.5 The election process shall be as follows:

3.5.1 the Nominating Committee will present its report. The role of this committee is to submit a minimum of one nomination for Vice-Chair and a minimum of one nomination for Chair of SSAC.

3.5.2 nominee(s) accepts the nomination.

3.5.3 the Chair calls for further nominations.

3.5.4 additional nominees accept nomination.

3.5.5 the Chair calls for further nominations twice.

3.5.6 if there are no further nominations, the Chair declares nominations closed.

3.5.7 candidates may make short oral statements.

3.5.8 if there is only one candidate, he/she is declared acclaimed.

3.5.9 if there is more than one candidate:

3.5.9.1 voting will be conducted confidentially by paper ballot cast in person by voting members of Senate.

3.5.9.2 a majority of ballots cast is required for election.

3.5.9.3 if there are more than two candidates and none obtains a majority vote on the first ballot, the candidate with the fewest votes is removed from the ballot, and balloting continues in like manner until one candidate receives a simple majority vote.

3.5.10 The Registrar and Committees Clerk will count the ballots and the Chair will announce the results. The final tallies may be released at the discretion of the Chair.

3.6 The Vice-Chair and the Chair, SSAC will assume office on a date determined by the Senate.

3.7 The Vice-Chair of the Senate shall receive release time subject to approval by the Board, these by-laws, and to special needs as the University may, from time to time, determine.

3.8 For a faculty Vice-Chair, the release time shall be not less than one section per term.

3.8.1 For a Vice-Chair who is employed by the University in a staff position, the release time shall be not less than 25% of the staff employee full-time position. For a part-time employee this 25% shall be calculated on the basis of a full-time position.

3.8.2 For a student Vice-Chair, the remuneration shall be not less than \$500 per month for 12 months.

3.8.3 For a Vice-Chair who is employed by the University in an administrative position, the appropriate work load will be adjusted by the nominee and the President.

Article 4 Agenda and Minutes for Senate Meetings

4.1 Agenda items and schedules shall be submitted to the Committees Clerk not less than one week before the scheduled meeting.

4.2 The proposed agenda and supporting material shall be circulated to Senate members prior to the day of the meeting.

4.3 The Committees' Clerk shall distribute the minutes in the agenda package.

Article 5 Meetings

- 5.1 The University will make every reasonable effort to ensure that members of the Senate are freed from their normal duties to attend Senate meetings.
- 5.2 Regular meetings of the Senate shall be held as determined by the Senate.
- 5.3 Senate shall annually and in advance make public its schedule of meetings.
- 5.4 Senate may, at its discretion or the discretion of the Chair, hold additional meetings provided that at least one week's notice is given to Senate members.

Article 6 Attendance at Senate Meetings

- 6.1 Voting members are expected to attend all meetings. The seat of any elected member who fails to attend three (3) consecutive meetings with or without notice, or three (3) meetings without notice per appointment year shall be declared vacant.
- 6.2 When a seat is declared vacant for insufficient attendance pursuant to article 6.1, the Chair shall request the Registrar to fill the vacant seat in accordance with the Act.

Article 7 Operating Procedures

- 7.1 Subject to these by-laws, which take precedence, proceedings of the Senate shall be governed by the most recent edition of Robert's Rules of Order.
- 7.2 The Chair may choose to vote to break or create a tie vote.
- 7.3 Senate meetings shall be open to the University community and members of the public as guests. At the discretion of the chair, guests may address the Senate.
- 7.4 Subsection 7.3 notwithstanding, if a topic or topics on the agenda contain material that the chair or the Senate deems private or confidential, the Chair shall ask guests to leave, so that the meeting may move *in camera*.

Article 8 Senate Committees other than Senate Student Appeals Committee

- 8.1** The Chair of Senate and the Vice-Chair of Senate shall be voting members of all Standing Committees with one exception: The Chair of Senate shall not be a voting member of Senate Budget Advisory Committee. The Vice-Chair takes a seat of the constituency group to which he/she belongs.
- 8.2** Senate may establish and dissolve standing and *ad hoc* committees. Each of these committees shall have a mandate and membership determined by the Senate. Except for the Nominating Committee, each committee shall have representation from each constituency (faculty, staff, students, administrators). Committees shall elect a chair from among the voting members of the committee. Chairs of all standing committees must be members of Senate. Committee chairs shall report deliberations and make recommendations to Senate. Such reports shall occur regularly, as required, and at least annually.
- 8.3** Membership of Senate Committees shall be determined by voting Senate members, and at least 50% of the voting members of each committee shall be faculty members (including the Senate Vice-Chair if s/he is a faculty member). Membership of Senate Committees shall be reviewed and vacancies filled at a regularly scheduled Senate meeting. Voting members of Senate and alternate non-voting members of Senate may stand for election to Senate's committees where the members are required to be Senate members. Subject to the restrictions of particular committees, the Senate may appoint non-members of Senate to committees.
- 8.4** The Chair of any Senate Committee shall notify Senate at the next Senate meeting when a vacancy arises on the Committee.
- 8.5** The seat of any elected member who fails to attend three (3) consecutive meetings with or without notice, or three (3) meetings without notice per appointment year shall be declared vacant.

Article 9 Senate Student Appeals Committee

- 9.1** The Chair of the Senate Student Appeals Committee (SSAC) will be a faculty member of the University but does not have to be a member of Senate. The Chair will be elected in accordance with the procedures in Article 3.5.

- 9.2** The Chair of SSAC serves at the pleasure of Senate and can be removed from that position for any reason.
- 9.3** The Chair of SSAC will have the following duties:
- 9.3.1 Receive all written student appeals;
 - 9.3.2 Ensure the appeal record is complete;
 - 9.3.3 Strike a tribunal to hear the appeal;
 - 9.3.4 Provide copies of the full appeal record to each tribunal member;
 - 9.3.5 Determine all matters concerning conflict of interest with respect to tribunal members;
 - 9.3.6 Provide advice to tribunal members on matters of process;
 - 9.3.7 Receive the decision of the tribunal and communicate it to the appellant; and
 - 9.3.8 Produce an annual report on the activities of the appeal committee.
- 9.4** The Chair of Senate will not be a member of SSAC.
- 9.5** Members of SSAC will be elected by the Senate in the same manner as members of any other committee.

Article 10 Conflict of Interest

- 10.1** “Conflict” means a conflict of interest or apparent conflict of interest. “Apparent” conflict of interest means any situation where it would appear to a reasonable person that the member is in a conflict of interest.
- 10.2** Each member of Senate shall take reasonable steps to avoid a conflict between the member's personal interest and the member's duty to the University. In general, a conflict of interest exists for Senate members who use their position on the Senate to benefit themselves, friends, families, or their business or professional interests.
- 10.3** The nature and extent of a conflict of interest regarding any matter to be, or which has been, considered by Senate must be disclosed by the member to Senate.

- 10.4** A member who has a conflict of interest shall not vote on any matter involving the conflict and may be required to withdraw from any meetings at which the matter is discussed.
- 10.5** Senate shall have the power to take action directed toward a Senate member deemed to have failed to declare a conflict.
- 10.6** If a conflict is disclosed or discovered about a decision already made by the Senate, the Senate will decide whether or not the involvement of the member with the conflict influenced that decision. If the Senate decides that the involvement of the member with the conflict did influence the decision, the Senate will reconsider the decision and confirm it, rescind it, or vary it.
- 10.7** This by-law applies to all proceedings of committees of Senate and applies to other persons who are considered by the Chair of the committee to be either members of the committee or principal advisers or staff to the committee.
- 10.8** Any decision by Senate as to whether or not a conflict of interest exists with respect to any person, or as to the interpretation or application of this by-law, is final and binding.

Article 11 Senate Finances

The Chair and the Vice-Chair shall have signing authority for approved budget items and expenses incurred by members and Senate committees in carrying out Senate functions.

Article 12 Amendment of By-laws

By notice of motion at a regular meeting, the terms of the by-laws may be amended by a two-thirds vote at a subsequent regular meeting of the Senate, subject to any approval required by statute.