



Board of Governors & Senate Roles
(per University Act)

Powers of Board		
<p>27 (1) The management, administration and control of the property, revenue, business and affairs of the university are vested in the board.</p> <p>(2) Without limiting subsection (1) or the general powers conferred on the board by this Act, the board has the following powers:</p> <p>(a) to make rules for the meetings of the board and its transactions;</p> <p>(b) to elect from among its members appointed by the Lieutenant Governors in Council a chair, and, when necessary, an acting chair;</p> <p>(c) to appoint a secretary and committees it considers necessary to carry out the board's functions, including joint committees with the senate, and to confer on the committees power and authority to act for the board; *</p> <p>(g) subject to section 28, to appoint the president of the university, deans of all faculties, the librarian, the registrar, the bursar, the professors, associate professors, assistant professors, lecturers, instructors and other members of the teaching staff of the university, and the officers and employees the board considers necessary for the purpose of the university, and to set their salaries or remuneration, and to define their duties and their tenure of office or employment;</p> <p>(h) if the president is absent or unable to act, or if there is a vacancy in that office, to appoint an acting president;</p> <p>(i) to consider recommendations from the senate for the establishment of faculties and departments with suitable teaching staff and courses of instruction;</p> <p>(l) to receive from the president and analyse and adopt with or without modifications the budgets for operating and capital expenditure for the university;</p>	<p>(m) to set, determine and collect the fees</p> <p>(i) to be paid for instruction, research and all other activities in the university,</p> <p>(ii) for extramural instruction,</p> <p>(iii) for public lecturing, library fees, and laboratory fees,</p> <p>(iv) for examinations, degrees and certificates,</p> <p>(v) for the use of any student or alumni organization in charge of student or alumni activities, and</p> <p>(vi) for the building and operation of a gymnasium or other athletic facilities;</p> <p>(n) to pay over</p> <p>(i) the fees collected for a student or alumni organization that the organization may request, and</p> <p>(ii) in accordance with section 27.1, the fees collected for a student society or a provincial or national student organization;</p> <p>(o) to administer funds, grants, fees, endowments and other assets;</p> <p>(p) to select a seal and arms for the university and have sole custody and use of the seal;</p> <p>(q) to provide for student loans;</p> <p>(s) to enter into agreements on behalf of the university;</p> <p>(t) to control vehicle and pedestrian traffic on the university campus;</p>	<p>(u) to acquire and deal with</p> <p>(i) an invention or any interest in it, or a licence to make, use or sell the product of an invention, and</p> <p>(ii) a patent, copyright, trade mark, trade name or other proprietary right or any interest in it;</p> <p>(v) to require, as a term of employment or assistance, that a person assign to the board an interest in an invention or an interest in a patent, copyright, trade mark, trade name or other proprietary right resulting from an invention</p> <p>(i) made by that person using the facilities, equipment or financial aid provided by the board, or</p> <p>(ii) made by that person while acting within the scope of the person's duties or employment, or resulting from or in connection with the person's duties or employment as an officer or employee of the university;</p> <p>(w) to pay to a municipality incorporated under an Act a grant in a year not exceeding the lesser of</p> <p>(i) the amount that would be payable as general municipal taxes in the year on property of the university within the municipality if the property were not exempt from these taxes, and</p> <p>(ii) the amount specified by the minister or calculated in the manner specified by the minister;</p> <p>(x) to make rules consistent with the powers conferred on the board by this Act;</p> <p>(y) to do and perform all other matters and things that may be necessary or advisable for carrying out and advancing the purposes of the university and the performance of any duty by the board or its officers prescribed by this Act.</p>

Chancellor

11 (1) There must be a chancellor of each university, who is to be appointed by the board on nomination by the alumni association and after consultation with the senate or, in the case of the University of British Columbia, after consultation with the council.

Board Membership

20 (1) Each member of the board elected under section 19 (1) (c) and (f) and (2) (c), (d), (h) and (i) holds office for 3 years and after that until a successor is elected.

(1.1) Each member of the board appointed under section 19 (1) (d) and (2) (e) holds office for a term of up to 3 years and after that until a successor is appointed.

(2) Each member of the board elected under section 19 (1) (e) or (2) (f) or (g) holds office for one year and after that until a successor is elected.

(3) The chancellor and president are members of the board for so long as they hold their respective offices.

Reappointment or re-election

21 The appointed members of the board are eligible for reappointment and the elected members are eligible for re-election, but those members must not hold office for more than 6 consecutive years.

Removal from office

22 (1) The Lieutenant Governor in Council may, at any time, remove from office an appointed member of the board.

(1.1) Despite section 19, the Lieutenant Governor in Council may, on a resolution passed by the vote of at least a 2/3 majority of the members of the board, remove from office a member of the board

(a) elected under section 19 (1) (c), (e) or (2) (c), (d), (f), (g), (h) or (i), or

(b) appointed under section 19 (1) (d) or (2) (e)

if the board is satisfied that the person should be removed for cause.

(2) Unless excused by resolution of the board, a member who does not attend at least half of the regular meetings of the board in any year is deemed to have vacated his or her seat.

Persons not eligible

23 (1) The following persons are not eligible to be or to remain members of the board:

- (a) members of the Parliament of Canada;
- (b) members of the Executive Council or of the Legislative Assembly;
- (c) [Repealed 2006-15-45.]
- (d) a member of the public service in the ministry;
- (e) a member of the public service designated by the minister.
- (f) [Repealed 2003-48-32.]
- (g) a person who is an employee of the university and who is a voting member of the executive body of, or an officer of, an academic or non-academic staff association of the university who has the responsibility, or joint responsibility with others, to

Board Membership (cont'd)

- (i.) negotiate with the board, on behalf of the academic or non-academic staff association of that university, the terms and conditions of service of members of that association, or
- (ii.) adjudicate disputes regarding members of the academic or non-academic staff association of that university.

(2) A member of the board who ceases to be eligible during his or her term of office immediately ceases to be a member of the board.

Vacancies on the board

24 (1) If a vacancy arises on the board because of the death of a member or for any other reason before the end of the term of office for which a member has been appointed or elected, the secretary of the board must enter a declaration of the vacancy in the minutes of the board.

(2) A declaration under subsection(1) is conclusive evidence of the vacancy.

Method of filling vacancies and effect of vacancy

25 (1) If a vacancy exists in respect of an appointed member, the Lieutenant Governor in Council must appoint a person to fill the vacancy.

(2) If a vacancy exists in respect of an elected member, the appropriate body must elect a replacement.

(3) A person appointed under subsection (1) or elected under subsection (2) holds office for the remainder of the term for which the person's predecessor was appointed or elected.

(4) A vacancy on the board does not impair the authority of the remaining members of the board to act.

Other Board Items

Best interests of the university

19.1 The members of the board of a university must act in the best interests of the university.

Board chair

19.2 (1) The members of the board of a university, other than the University of British Columbia, must elect a chair from among the 8 members of the board appointed under section 19 (1) (d).

Meetings of Board

26 (1) The board must meet as often as is necessary to transact the business of the board, and in any event at least once every 3 months.

(2) Fifty one percent of the members of the board constitutes a quorum for the transaction of business of the board.

(3) The chair has the same right to vote as the other members of

Other Board Items (cont'd)	
<p>the board, and, in the case of a tie vote on a motion, the motion is defeated, and the chair must so declare.</p> <p>Limit on Expenditures</p> <p>29 (1) The board must not incur any liability or make any expenditure in a fiscal year beyond the amount unexpended of the grant made to the university and the estimated revenue of the university from other sources up to the end of and including that fiscal year, unless an estimate of the increased liability or over-expenditure has been first approved by the minister and Minister of Finance.</p> <p>(2) [Repealed 1998-6-18.]</p> <p>Short Term Borrowing</p> <p>31 (1) The board may, by resolution, borrow money required to meet the expenditures of the university until the revenues of the current year are available.</p> <p>(2) Money borrowed under subsection (1) must be repaid out of current revenues and may be secured by promissory notes of the university.</p> <p>Annual Report</p> <p>32 (1) The board must make an annual report of its transactions to the minister, in which it must set out</p> <p>(a) a balance sheet and a statement of revenue and expenditure for the year ending on the preceding March 31, and</p> <p>(b) other particulars the minister may require.</p> <p>(2) A copy of the annual report must be sent promptly to the senate.</p> <p>Audit</p> <p>33 Unless the Auditor General is appointed in accordance with the <i>Auditor General Act</i> as the auditor of the board, the board must appoint an auditor to audit the accounts of the board at least once each year</p> <p>Advisory Boards</p> <p>34 (1) The board may</p> <p>(a) appoint advisory boards, consisting, either wholly or partly, of persons unconnected with the university, on terms and for purposes the board may consider advisable, and</p> <p>(b) refer to an advisory board for advice and report any subject or matter that the board considers advisable.</p> <p>(2) The advice and report of an advisory board appointed under subsection (1) must be considered and weighed by any body in the university to which the board directs the advice to be given or report to be made.</p> <p>Borrowing</p> <p>58 (1) With the approval of the minister and Minister of Finance, a university may borrow money for the purpose of</p>	<p>(a) purchasing or otherwise acquiring land for the use of the university, or</p> <p>(b) erecting, repairing, adding to, furnishing or equipping any building or other structure for the use of the university.</p> <p>(2) The board may</p> <p>(a) enter into any agreement that it may consider necessary or advisable for carrying out the purposes mentioned in this section, and</p> <p>(b) execute in the name of the university all agreements, deeds and other instruments considered necessary or advisable to carry into effect the provisions of the agreement.</p> <p>(3) [Repealed 1998-6-19.]</p> <p>Suspension of staff member</p> <p>60 (1) The president has power to suspend any member of the teaching and administrative staffs and any officer or employee of the university.</p> <p>(2) On the exercise of the power, the president must promptly report the action to the board with a statement of his or her reasons.</p> <p>(3) A person who is suspended under this section has a right of appeal to the board.</p> <p>Jurisdictional disputes</p> <p>70 (1) If a question arises respecting the powers and duties of the convocation, chancellor, president, faculties or an officer or employee of the university, that is not provided for in this Act, the board must settle and determine the question.</p> <p>(2) A decision of the board under subsection (1) is final.</p>

Board with Senate Role	Senate's Advisory Role to Board
<p>27 (2) Powers of the Board</p> <p>(c) to appoint a secretary and committees it considers necessary to carry out the board's functions, including joint committees with the senate, and to confer on the committees power and authority to act for the board;</p> <p>(d) in consultation with the senate, to maintain and keep in proper order and condition the real property of the university, to erect and maintain the buildings and structures on it that in the opinion of the board are necessary and advisable, and to make rules respecting the management, government and control of the real property, buildings and structures;</p> <p>(e) in consultation with the senate, to provide for conservation of the heritage sites of the university, including any heritage buildings, structures and land of the university;</p> <p>(f) with the approval of the senate, to establish procedures for the recommendation and selection of candidates for president, deans, librarians, registrar and other senior academic administrators as the board may designate;</p> <p>(j) subject to section 29 and with the approval of the senate, to provide for the establishment of faculties and departments the board considers necessary;</p> <p>(k) to provide for chairs, institutes, fellowships, scholarships, exhibitions, bursaries and prizes the board and the senate consider advisable;</p> <p>(r) with the approval of the senate, to determine the number of students that may in the opinion of the board, having regard to the resources available, be accommodated in the university or in any faculty of it, and to make rules considered advisable for limiting the admission or accommodation of students to the number so determined;</p>	<p>Senate of a special purpose, teaching university</p> <p>35.2 (6) The senate of a special purpose, teaching university must advise the board, and the board must seek advice from the senate, on the development of educational policy for</p> <p>(a) the mission statement and the educational goals, objectives, strategies and priorities of the special purpose, teaching university;</p> <p>(b) the establishment, revision or discontinuance of courses and programs at the special purpose, teaching university;</p> <p>(c) the preparation and presentation of reports after implementation by the special purpose, teaching university without prior review by the senate of</p> <p>(i) new non-credit programs, or</p> <p>(ii) programs offered under service contract;</p> <p>(d) the priorities for implementation of new programs and courses leading to certificates, diplomas or degrees;</p> <p>(e) the establishment or discontinuance of faculties at the special purpose, teaching university;</p> <p>(f) the evaluation of programs and educational services;</p> <p>(g) the library and resource centres;</p> <p>(h) the setting of the academic schedule;</p> <p>(i) the qualifications for faculty members;</p> <p>(j) the adjudication procedure for appealable matters of student discipline;</p> <p>(k) the terms for affiliation with other post-secondary bodies;</p> <p>(l) the consultation with community and program advisory groups concerning the special purpose, teaching university's educational programs;</p> <p>(m) other matters specified by the board.</p>