



TO: Members of the Academic Board

SPONSOR: Louis Charpentier, Secretary of the Governing Council

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DATE: November 2, 2011 for November 17, 2011

AGENDA ITEM: 8

TITLE OF ITEM OF BUSINESS: Constitutional Amendments: Leslie Dan Faculty of
Pharmacy

ACTION:
For Approval

JURISDICTIONAL INFORMATION:

The Governing Council has the authority to establish faculty and college councils and to determine the composition, powers, and duties of those councils under the provisions of the *University of Toronto Act, 1971*, Section 2 (14)(i).

Section 5.2.2 of the Academic Board's terms of reference calls for amended divisional constitutions to be considered by the Board and confirmed by the Executive Committee. Amendments to By-laws are approved by divisional councils.

PREVIOUS ACTION TAKEN:

On October 28, 2010, the Governing Council approved in principle the [*Report of the Task Force on Governance*](#) and the 32 recommendations outlined in the *Report*. Recommendation 15 provides for the re-distribution of and greater delegation of responsibilities. Specifically, the Task Force recommended that, as a guiding principle, transactional matters be delegated to either the lowest appropriate level within governance, or where appropriate, to the administration, with reporting back of decisions to a suitable level of governance.

An Implementation Committee, established by the Governing Council in October 2010 and led by then Vice-Chair Richard Nunn, was charged with overseeing and coordinating implementation of the Task Force's recommendations, ensuring appropriate participation among relevant bodies of governance, administrative offices and the Secretariat.

At the same time, and in line with the work of the Task Force on Governance, the University approved a new policy governing the Approval and Review of Academic Programs and Units

PREVIOUS ACTION TAKEN (cont'd)

(June 24, 2010) and developed the University of Toronto Quality Assurance Process (UTQAP) which was approved by the Ontario Universities Council on Quality Assurance on March 31, 2011. The UTQAP reflects the delegation to universities of an important degree of responsibility and authority over the quality of their academic programs. At the same time it provided a new definition of categories of academic change and envisaged the delegation to Faculty Councils of an important degree of authority and responsibility for that academic change.

Together, these two processes culminated in revisions to Board and Committee Terms of Reference and led to Governing Council approval in May 2011 of the re-alignment of responsibilities among the Committee on Academic Policy and Programs, the Planning and Budget Committee, the Academic Board and the divisional councils with respect to academic program review and approval.

In June, 2011, Principals and Deans were advised of the need for amendments to the constitutions of the academic divisions arising from changes to the approval processes for proposals for new academic programs and modification of existing programs. During the summer and early fall, 2011, representatives from the Office of the Governing Council and the Office of the Vice-President and Provost met with divisional representatives to discuss the required constitutional and related by-laws changes as well as the implications for divisional processes. Updated templates for divisional constitutions and by-laws were provided in order to enable greater consistency across the University, and divisional representatives were encouraged to draw freely from the templates when drafting revisions to their documents. It is expected that all divisional constitutions will be updated by the end of the 2011-2012 academic year. To that end, Academic Board will likely be asked to consider a number of divisional constitutional revisions in each governance cycle between November, 2011 and May, 2012.

Amendments to the Leslie Dan Faculty of Pharmacy Constitution were previously approved by the Academic Board on October 7, 2002 and confirmed by the Executive Committee of the Governing Council on October 18, 2002. In May, 2010, the Faculty struck a Working Group to review the Faculty's Constitution and By-Laws. Following broad consultation, the Working Group prepared and presented revised documents to Faculty Council on November 30, 2010. However, in anticipation of this current undertaking to revise all divisional constitutions in accordance with changes to academic program approval processes, the Faculty was asked to postpone formal consideration of those initial revisions until this time.

In late July 2011, the Chair of Pharmacy's Faculty Council met with the Director, Academic Programs and Policy and the Assistant Secretary of Governing Council to begin the process of revising Pharmacy's 2010 proposed Constitution and By-Laws to align with Governing Council's June 2011 templates for Divisional Councils' Constitution and By-Laws. This continued until mid-September. An information session on the proposed changes was then held

PREVIOUS ACTION TAKEN (cont'd)

at the September 27, 2011 meeting of the Leslie Dan Faculty of Pharmacy Council, and the resulting discussion led to some further refinement of revisions. The Faculty's proposed constitutional and by-laws revisions were presented to the Provost's Advisory Group on October 11, 2011 and approved by Faculty Council on October 28, 2011.

HIGHLIGHTS:

All divisions were asked to incorporate into their constitutions provisions for the following powers and duties of Council and this was done in the case of the Faculty of Pharmacy.

- **Academic Programs**
 - Council's responsibility for overseeing the content of academic programs and courses of study that lead to degrees, diplomas, certificates, credit and non-credit courses over which the Faculty has authority.
 - Council's authority to recommend for approval to the appropriate body of Governing Council proposals for new academic programs.
 - Council's delegated authority to approve proposals for major and minor modifications to existing academic programs. (Definitions of major modifications of existing programs, minor modifications, and new academic programs are provided in the *University of Toronto Quality Assurance Process* and are subject to change.)
 - Council's delegated authority to approve proposals for the modification of existing diploma and certificate programs, pursuant to the University's *Policy on Diploma and Certificate Programs*.
- **Delegation of Authority**

Council's ability to delegate its authority for the approval of minor modifications to academic programs to various committees. All such changes must be reported for information to Council.
- **Academic and Interdisciplinary Units**

Council's responsibility to consider and recommend for approval to the Governing Council proposals concerning academic units and extra-departmental units, pursuant to the *Policy on Interdisciplinary Education and Research Planning*.
- **Review of Academic Programs and Units**

Council's responsibility to consider and discuss a review report of an academic program and/or unit of the Faculty, consistent with the protocol outlined in the *University of Toronto Quality Assurance Process*.
- **Transcript Notations**

Council's delegated authority to approve transcript notations within existing degree programs, in accordance with University policy. An annual report on such actions,

HIGHLIGHTS (cont'd)

as required by policy, must be provided for information to the appropriate body of Governing Council.

Additional amendments to the Leslie Dan Faculty of Pharmacy Council's constitution represent a re-organization and updating of the document in order to follow more closely the constitutional template provided by the Office of the Governing Council to all divisions. As well, the opportunity was taken to make simple housekeeping and editorial changes.

Other substantive amendments are as follows.

- **Section VI - Membership of Council**
Categories for full-time and part-time academic staff were replaced with the standard "Teaching Staff" constituency. In lieu of a clause about "representatives of all other part-time academic staff" that would not be interpreted readily and had not been implemented in recent memory, a separate constituency for other members of the Faculty who are involved in the delivery of the Faculty's academic program was created. In addition to part-time staff with less than 50% appointments, this constituency includes status and adjunct appointees, who had been explicitly denied membership on Council in the 2002 version of the Constitution.

Two membership categories were added: administrative staff (2) and Pharmacy Directors of the Toronto Academic Health Sciences Network Hospitals (2)

Ex officio members of Council will now have voting rights (see also Section XI).

- **Section VII – Quorum**
The quorum was changed to one-third of the voting members of Council (from 20) to align with common practice across the University. However, *ex officio* members shall not be counted in determining the number required for quorum or whether a quorum is present.
- **Section VIII – Chair/Vice-Chair**
The position of Vice-Chair was added, together with the provision that individuals holding the positions of Chair and Vice-Chair would normally be teaching staff members of Council who did not hold an academic administrative position in the Faculty.

BUDGETARY/FINANCIAL IMPLICATIONS:

N/A

ACTION:

Be It Recommended

THAT, subject to confirmation by the Executive Committee, the amended Constitution of the Leslie Dan Faculty of Pharmacy, which was approved by the Council of the Leslie Dan Faculty of Pharmacy on October 28, 2011, be approved.

**University of Toronto
Leslie Dan Faculty of Pharmacy**

**Proposed Constitution
of
Faculty Council**

October 28, 2011

The Council of the Leslie Dan Faculty of Pharmacy University of Toronto

CONSTITUTION

DERIVATION OF AUTHORITY FROM THE U OF T ACT	I. The Council of the Leslie Dan Faculty of Pharmacy exercises its powers and duties under the <i>University of Toronto Act, 1971, as amended</i> .
DEFINITIONS	<p>II. In this Constitution and accompanying By-laws:</p> <ul style="list-style-type: none"> a) "Faculty" means the Leslie Dan Faculty of Pharmacy of the University of Toronto; b) "Teaching Staff" means individuals with primary academic appointments of 50% or greater in the Faculty who hold the rank of Professor, Associate Professor, Assistant Professor, Assistant Professor (conditional), Lecturer, Senior Lecturer, Senior Tutor, or Tutor. c) "Administrative Staff" means an appointed staff member of the Faculty who is not a member of the teaching staff. d) "Alumni" means individuals who have received a degree, post secondary diploma, or certificate from the Faculty or who have completed one year of full-time studies while registered in the Faculty, who are no longer registered as a student and who are not a member of the teaching or administrative staff of the University. e) "Associate Dean" or "Assistant Dean" means an Associate Dean or Assistant Dean, respectively, of the Faculty; f) "B.Sc. Phm." means the Bachelor of Science in Pharmacy degree; g) "CPD" means Continuous Professional Development; h) "Council" means the Council of the Faculty; i) "Dean" means the Dean of the Faculty; j) "Director of Academic Program" means the individual who has primary administrative responsibility for an academic program of the Faculty; k) "Graduate Student" means a student enrolled in the Graduate Department of Pharmaceutical Sciences; l) "IPG program" means the International Pharmacy Graduate Bridging Program; m) "Pharm.D." means the Doctor of Pharmacy degree;

	<p>n) "Registrar" means the Registrar of the Faculty;</p> <p>o) "Undergraduate Student" means any student registered in a program of study leading to a degree, post-secondary diploma, or certificate in the Faculty, who is not registered in the School of Graduate Studies;</p> <p>p) "Year" means the academic year of the University.</p>
COUNCIL'S GENERAL POWERS, DUTIES AND RESPONSIBILITIES	<p>III. Subject to the provisions of the <i>University of Toronto Act, 1971</i>, and the approval, as required or as appropriate, of the Governing Council of the University, Council shall have the following powers and duties:</p> <p>a) Council shall determine its composition, and the number, composition and authority of its committees.</p> <p>b) Council recommends for approval to the appropriate body of Governing Council amendments to divisional academic policies. Academic policy sets out the principles for, the general directions of, and/or priorities for the teaching and research activities of the Faculty.</p> <p>c) Council plays an advisory role, tendering advice to the Faculty administration.</p>
COUNCIL'S SPECIFIC POWERS AND DUTIES	IV. The specific power and duties of the Council are the following:
<i>Determine Its Rules And Regulations</i>	a) Council shall determine the rules and regulations for governing its procedures and its decisions shall be made by resolutions passed at its meetings.
<i>By-Laws</i>	b) Council shall pass by-laws regulating the exercise of its powers and the calling and conduct of its meetings, and the method of appointment or election of its members.
<i>Establish Committees</i>	c) Council shall have the power to establish, alter, or disband its committees as deemed necessary and to determine their composition, authority, quorum, and method of appointment of their members and chairs. Council has authority over recommendations brought forward by such committees, be that in its decision-making capacity or in its advisory role.
<i>Admissions</i>	d) Council shall determine the standards of admission of students to the Faculty. New policies and practices or amendments to existing ones which affect the whole Faculty are recommended to the appropriate body of Governing Council for approval.
<i>Academic Programs</i>	e) Council shall consider the content, quality, and requirements of the academic programs and courses of study that lead to degrees, diplomas, certificates, and credit and non-credit courses over which the Faculty has authority; it shall consider proposals for the closure of any such programs or

	<p>courses of study; and it shall monitor the quality and standards of the programs and courses of study.</p> <p>Council shall recommend for approval to the appropriate body of Governing Council proposals for new academic programs.</p> <p>Council shall have delegated authority to approve proposals for major and minor modifications to existing academic programs.¹ All major modifications shall be reported annually for information to the appropriate body of Governing Council.</p> <p>Council shall have delegated authority to approve proposals for the modification of existing diploma and certificate programs, pursuant to the University's <i>Policy on Diploma and Certificate Programs</i>. An annual report on such actions as required by the <i>Policy</i>, shall be provided for information to the appropriate body of Governing Council.</p>
<i>Delegation Of Authority</i>	f) Subject to the provisions of the above, Council may delegate its authority for the approval of minor modifications to academic programs to various committees. All such changes shall be reported for information to Council. The decision of whether a matter is major or minor may be made by the Committee Chair in consultation with the Chair of Council, and/or the Dean or his/her designate, and/or the Vice-President and Provost or his/her designate.
<i>Awards</i>	g) Council shall award scholarships, bursaries, prizes and other awards in the gift of the Faculty and may delegate this responsibility to committees or officers of the Faculty.
<i>Petitions And Appeals</i>	<p>h) Council shall establish policies and procedures with respect to petitions and appeals by undergraduate students in connection with the application of academic rules and regulations by officers of the Faculty or by instructors in connection with academic standing in the Faculty. A Committee of Council shall make rulings on all such appeals and such rulings shall be final and binding, subject to an appeal to the Governing Council.</p> <p>Procedures for academic appeals by graduate students are determined by the School of Graduate Studies in accordance with the <i>Policy on Academic Appeals within Divisions</i>.</p>
<i>Academic and Interdisciplinary Units</i>	i) Council shall also consider and recommend for approval to the Governing Council proposals concerning Academic Units and Extra-Departmental Units in the Faculty, pursuant to the <i>Policy on Interdisciplinary Education and Research Planning</i> .

¹ Definitions of major and minor modifications to existing programs and new academic programs are provided in the *University of Toronto Quality Assurance Process* and are subject to change. Guidance from the Office of the Vice-Provost, Academic Programs, should be sought prior to the development of any such proposal.

<i>Review of Academic Programs and Units</i>	j) Council is one venue in which consideration and discussion of a review report of an academic program and/or unit in this Faculty should occur, consistent with the protocol outlined in the <i>University of Toronto Quality Assurance Process</i> .
<i>Transcript Notations</i>	k) Council shall have delegated authority to approve transcript notations within existing degree programs, in accordance with University policy. An annual report on such actions, as required by policy, shall be provided for information to the appropriate body of Governing Council.
POWERS, DUTIES AND RESPONSIBILITIES OF THE DEAN	<p>V.</p> <p>a) Council recognizes that the Dean exercises powers under the authority of the "Policy on Appointments of Academic Administrators" which states that "the Dean of the Faculty is the chief executive officer of the Faculty and reports directly to the Vice-President and Provost."</p> <p>b) While the Dean may delegate authority to other academic administrators in the Faculty, the Dean retains responsibility for the overall direction of the Faculty and, in particular, for authority over the budget, appointments and promotions, and extra-Faculty relationships. In this respect, Council recognizes that the Dean has ultimate authority for the allocation and management of the Faculty's resources.</p> <p>c) According to the "Policy on Appointments of Academic Administrators," the Dean shall consult with the members of the Faculty on matters of policy and practice but is ultimately responsible for all administrative decisions that are within his/her jurisdiction and authority.</p> <p>d) The Dean shall advise Council of the resource implications of proposed academic policy decisions.</p> <p>e) The Dean may consult with Council on administrative proposals that may have a significant impact on the academic programs of the Faculty.</p>
MEMBERSHIP OF THE COUNCIL	<p>VI. The membership of the Council shall be composed of the following voting members:</p> <p>a) Ex-officio members (if otherwise not a member of Council)</p> <ul style="list-style-type: none"> i) the President of the University or designate; ii) the Vice-President and Provost or designate; iii) the Vice-Provost, Relations with Health Care Institutions or designate; iv) the Dean of the School of Graduate Studies or designate; v) the professors emeriti of the Faculty; vii) the [Pharmacy] Librarian; viii) the Registrar of the Faculty; ix) the Assistant Deans and Directors of Administrative Units of

	<p>the Faculty including, but not limited to, the Director of Finance;</p> <ul style="list-style-type: none"> x) Directors of the Academic Programs of the Faculty; xi) the President of the Undergraduate Pharmacy Society; xii) the President of the Pharmaceutical Sciences Graduate Students' Association. <p>and such other officials of this University or Faculty as may be deemed necessary by Council;</p> <p>b) All Teaching Staff of the Faculty</p> <p>c) Ten (10) other members drawn from individuals involved in the delivery of the Faculty's academic programs who hold a contract of one year or more with the Faculty, as either part-time staff at a level of less than 50%, or as status or adjunct faculty. These members will be appointed to Council on the recommendation of the Striking Committee for a term of one year and may serve a maximum of 3 consecutive terms.</p> <p>d) Students</p> <ul style="list-style-type: none"> i) Four (4) undergraduate students selected through an election organized by the Undergraduate Pharmacy Society, with one (1) representative elected from each of the four years of the B.Sc.Pharm. program; ii) One student representative elected by and from among students in the Pharm.D. program; iii) One graduate student selected through an election organized by the Pharmaceutical Sciences Graduate Students' Association; iv) One student representative elected by students in the IPG program from each of the two successive CPS II student cohorts in each academic year. Each representative will serve only while registered in the program. Thus there will only be one IPG representative to Council at a given time. <p>e) Administrative Staff</p> <p>Two (2) members to serve up to a 3-year term, nominated and elected by and from among the administrative staff of the Faculty.</p> <p>f) Alumni</p> <p>One representative of the alumni of the Faculty who is appointed by the Assistant Dean, Alumni and Advancement. This individual will serve for a term of three (3) years and for a maximum of two consecutive terms.</p> <p>g) External Stakeholders</p> <p>These individuals will serve for a term of three (3) years renewable.</p>
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	<ul style="list-style-type: none"> i) One representative of the Ontario College of Pharmacists selected by the College; ii) One representative of the Ontario Pharmacists' Association selected by the Association; iii) One representative of the Ontario Branch, Canadian Society of Hospital Pharmacists selected by the Branch; iv) Two (2) Pharmacy Directors of the Toronto Academic Health Science Network (TAHSN) hospitals to be appointed by Council on the recommendation of the Striking Committee.
TERM AND QUORUM OF COUNCIL	<p>VII.</p> <ul style="list-style-type: none"> a) The term of office for the Council shall be the Academic Year of the University, 1 July - 30 June, with some student members beginning in the September session. b) At all meetings of Council, one-third of the voting members shall constitute a quorum. Ex officio members shall not be counted in determining the number required for quorum or whether a quorum is present.
CHAIR VICE-CHAIR	<p>VIII.</p> <ul style="list-style-type: none"> a) The Council shall, every third year at its last meeting of the year, elect from among its members for the next year, a Chair and Vice-Chair for a period of three (3) years. Normally the Chair and Vice-Chair of Council will be members of the teaching staff who are not in an academic administrative position in the Faculty. Nominations for the Chair and Vice-Chair will be solicited in advance of the meeting, with nominations from the floor being accepted. No more than two consecutive terms may be served by any individual in a particular office; however, nothing shall preclude any individual from serving again, provided that a period of at least one year intervenes. b) The Chair shall preside at all meetings of Council for the year. The Chair shall, in addition to his/her duties as a member of Council, maintain order and decorum and exercise such authority as may be necessary to conduct meetings in conformity with the By-Laws of Council. c) In the absence of the Chair, the Vice-Chair shall preside. In the absence of both the Chair and the Vice-Chair, any member of the Executive Committee may convene the meeting and a Chair shall be chosen by a majority of the voting members present for the meeting.
SECRETARY	<p>IX.</p> <p>The Secretary of Council shall be appointed by the Dean in consultation with the Chair. The Secretary shall be a non-voting member of Council, unless otherwise eligible for membership on Council.</p>

MEETINGS	<p>X.</p> <ul style="list-style-type: none"> a) Council shall meet at least three times in each year, with the inaugural meeting held in the fall term and the final meeting in the spring term. b) The schedule of meetings for the entire academic year shall be provided in September of each year. c) A notice of meeting, including proposed agenda, shall be given to members at least two (2) weeks in advance of each meeting. d) A special meeting may be called by the Chair of Council, the Dean of the Faculty, or upon written request of not fewer than 10% of members of Council, on not less than seventy-two (72) hours' or three (3) working days' notice. e) Meetings of Council shall be open to the public except when matters of a confidential nature may be discussed. The Faculty Council will then move <i>in camera</i>.
VOTING	<p>XI.</p> <p>Unless otherwise provided for, all questions which come before Council or a Committee of Council shall be decided by a majority of members present, either in person or via telephone or other electronic means, and voting. In the case of a tie vote, the motion shall be considered to have failed.</p> <p>All members of Council have voting privileges at Council meetings with the exception of the Chair of Council. In contrast, Chairs of Council Committees shall have a vote in meetings of their respective committees.</p>
PARLIAMENTARY AUTHORITY	<p>XII.</p> <p>The rules contained in the most recent edition of <i>Robert's Rules of Order Newly Revised</i> shall govern the Council in all cases not provided for in the Constitution and/or By-Laws.</p>
AMENDMENT	<p>XIII.</p> <p>The Constitution of the Council may only be amended with the approval of the Council and the Governing Council of the University of Toronto. Voting on amendments shall take place at a regularly constituted meeting to which there has been 14 days' notice of the proposed amendment. An affirmative vote to amend the Constitution is required by two-thirds of the members of Council present and voting. Following approval of the recommended amendment by Council, the amendment is forwarded to Governing Council for approval.</p> <p>The By-Laws of the Council may be amended at any regular meeting of the Council by a two-thirds majority of those present and voting, provided that the proposed amendment has been submitted to members in writing at least 14 days before the next regularly constituted meeting of Faculty Council.</p>

REVISED, REVIEW	XIV. This Constitution was revised on [date]. It is subject to a review within 5 years.
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Revision approved by the Faculty of Pharmacy Council on June 4, 2002 and by the Executive Committee of the Governing Council on October 18, 2002.