

**Constitution of
Erindale College Council
(University of Toronto Mississauga)**

I. Derivation of Authority from the University of Toronto Act:

The Council of Erindale College (also known as the *University of Toronto Mississauga, UTM*) hereafter referred to as "the Council", exercises its powers and duties under the provisions of the University of Toronto Act, 1971, as amended.

II. Definitions:

In this Constitution and the accompanying By-laws:

II-1 "Administrative Staff" means full-time or part-time employees of UTM holding their major appointments at UTM, who are not members of the UTM teaching staff.

II-2 "Alumni" means persons who have received degrees, diplomas, or certificates from UTM or persons who have completed one year of full-time studies at UTM towards such a degree, diploma, or certificate, who are no longer registered at the University, and who are not members of the teaching or administrative staff at UTM.

II-3 "Graduate student" means those persons registered in the School of Graduate Studies in a UTM program or affiliated with UTM.

II-4 "Teaching Staff" means a member of UTM who holds an academic appointment of 50% or more at UTM and who holds the rank of Professor, Associate Professor, Assistant Professor, Assistant Professor (conditional), Senior Lecturer, Lecturer, Senior Tutor or Tutor.

II-5 "Full-time Undergraduate Student" means a person registered in a program that leads to a UTM degree, post-secondary diploma, or certificate and who is registered at UTM in three (3.0) or more full-course equivalents over the Fall-Winter sessions (September-April).

II-6 "Part-time Undergraduate Student" means a person registered in a program that leads to a UTM degree, post-secondary diploma, or certificate and who is registered at UTM in at least one half (0.5) but no more than two and one half (2.5) full-course equivalents over the Fall-Winter sessions (September-April).

II-7 "Post-doctoral Fellows" means those persons holding such positions at UTM.

II-8 "Retired Faculty" means retired persons who were previously members of the "Teaching Staff" of UTM.

III. Council's General Powers, Duties and Responsibilities

Comment [1]: "Definitions" section moved from the "Interpretation" section of the By-laws, to reflect conventional constitutional format

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Deleted: as graduate students.

Deleted: the full-time or part-time employees of UTM and the University who hold their major

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Comment [2]: This definition is consistent with that used across all of UofT's divisions.

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Comment [3]: This was confusing wording and not consistent with the full-time student definition wording

Deleted: for at least two terms during each year they serve on the Council.

Comment [4]: Research Associates should not be separated out since they are considered administrative staff and belong to that category

Deleted: and Research Associates

Deleted: of such rank holding their major appointments

Comment [5]: For clarity and to follow convention for how Constitutions are written, Powers, Duties and Responsibilities of Council have been divided into two sections: section III and IV. Section III has no major changes – editing and clarification changes to wording only.

Subject to the provisions of the *University of Toronto Act, 1971*, and the approval, as required or as appropriate, of the Governing Council of the University, Council shall have the following powers and duties.

III-1 Council shall determine its composition and the number, composition and authority of its committees, and the rules and regulations for governing the proceedings of Council.

III-2 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 UTM.

III-3 Council plays an advisory role, tendering advice to the UTM administration.

III-4 Ratify any amendments, changes or deletions to the Constitutions or By-laws of all organizations operating as UTM student societies, provided that such amendments, changes or deletions are initiated only by these student societies, approved by their respective Councils and approved by the Executive Committee of the Council.

IV Council's Specific Powers and Duties

The specific powers and duties of Council are the following:

IV-1 Council shall determine the rules and regulations for governing its procedures and its decisions shall be made by resolutions passed at its meetings.

IV-2 Council shall pass By-laws regulating the exercise of its powers, the calling and conduct of its meetings and the method of appointment or election of its members.

IV-3 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.

IV-4 Council shall determine the standards of admission of students to UTM and shall have authority for new admissions policies and practices or amendments to existing ones, which will affect the campus-wide academic community, subject to the approval of the relevant body of Governing Council.

IV-5 Council shall award scholarships, bursaries, prizes and other awards in the gift of UTM and may delegate this responsibility to standing committees, subcommittees or officers of UTM.

IV-6 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 UTM or by instructors in connection with academic standing in UTM. The Academic Appeals Board shall make rulings on all such appeals and such rulings shall be final and binding, subject to an appeal to the Governing Council.

Procedures for academic appeals by graduate students are determined by the School of Graduate Studies in accordance with the *Policy on Academic Appeals within Divisions*.

Comment [6]: (b), (c), and (d) were combined into section III-1 for parsimony and clarity

Comment [7]: Clarify Council's general powers regarding academic policies

Deleted: (a) . Develop policy regarding the academic affairs of UTM, subject to the approval of such policy, where approval is required by the Governing Council of the University of Toronto;

Comment [8]: Item on Awards moved into Specific Powers section of the Constitution

Deleted: . (b) . Make rules and regulations for governing the proceedings of Council, including the quorum necessary for conducting bus ... [1]

Deleted: (e) . Award scholarships, bursaries, prizes and other awards in the gift of UTM;

Comment [9]: Clarify advisory role of Council

Deleted: (f) . Make recommendations to the Vice-President and Principal, UTM, on any matters of concern to the Council;

Deleted: (g)

Comment [10]: Section IV-7 to IV-11 on Specific Powers with respect to Academic Programs is the major change in this document in response to the delegated authority given to divisions as a result of two parallel processes. A comprehensive governance review was completed by UofT's Task Force on Governance (TFOG), which recommended that there should be delegation of authority with respect to transactional matters to the lowest appropriate level of governance. In addition, the Council of Ontario Universities (Ontario Council of Academic Vice-Presidents) reviewed and restructured the quality assurance processes for undergraduate and graduate programs - including the University of Toronto Quality Assurance Process or UTQAP; the substantive changes with respect to the specific academic powers of Council were ... [2]

Comment [11]: Specifying that Council h ... [3]

Deleted: Elected and appointed membe ... [4]

Comment [12]: Membership details have ... [6]

Deleted: 3. . The membership of the Co ... [5]

Deleted: The Council shall meet at least ... [7]

Deleted: At least seven days' prior notic ... [8]

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Comment [13]: Wording simplified and clarified

Deleted: By-laws and resolutions of the ... [9]

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Comment [14]: Expand and specify auth ... [12]

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Comment [15]: Not specified in previou ... [13]

Comment [16]: Not specified in previou ... [14]

Comment [17]: Not specified in previou ... [15]

IV-7 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 courses of study; and it shall monitor the quality and standards of the programs and courses of study.

Council shall recommend for approval to the appropriate body of Governing Council proposals for new academic programs.

Council shall have delegated authority to approve proposals for major and minor* modifications to existing academic programs. All major modifications shall be reported annually for information to the appropriate body of Governing Council.

Council shall have 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*. An annual report on such actions as required by the *Policy*, shall be provided for information to the appropriate body of Governing Council.

IV-8 Subject to the provisions of the above, Council will delegate its authority for the approval of minor modifications to the Academic Affairs Committee. 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 Director of Governance, and/or the Dean or his/her designate.

IV-9 Council shall consider and recommend for approval to the Governing Council proposals concerning academic units. Council shall also review and approve or recommend for approval to the Governing Council proposals concerning Extra-Departmental Units at UTM, pursuant to the *Policy on Interdisciplinary Education and Research Planning*.

IV-10 Council shall receive for information and discussion reviews of academic programs and/or units, consistent with the protocol outlined in the *University of Toronto Quality Assurance Process*.

IV-11 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.

V. Powers, Duties and Responsibilities of the Vice-President and Principal

*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. Guidance from the Office of the Vice-Provost, Academic Programs, should be sought prior to the development of any such proposal.

Comment [18]: See comment #7: this specifies that minor modifications have final approval at the AAC level and then reported to Council. Major changes to academic programs require the approval of Council.

Comment [19]: An example of this would be language citations on transcripts – a coherent body of work or professional development.

Comment [20]: This section outlines the specific duties, powers and responsibilities of the Vice-President and Principal with respect to the work of Council. This was never explicitly explained in the previous version.

V-1 Council recognizes that the Vice-President and Principal exercises powers under the authority of the "Policy on Appointment of Academic Administrators." The Vice-President and Principal is the Chief Executive Officer of UTM and reports to the President of the University of Toronto with respect to overall campus management, and to the Vice-President and Provost with respect to matters of academic appointments, programming and budget.

V-2 While the Vice-President and Principal may delegate authority to other academic administrators, the Vice-President and Principal retains responsibility for the overall direction of UTM and, in particular, for authority over the budget and other financial matters, personnel matters, including appointments and promotions, and extra-Faculty relationships. In this respect, Council recognizes that the Vice-President and Principal has ultimate authority for the allocation and management of UTM's resources.

V-3 The Vice-President and Principal may consult with members of UTM on matters of policy and practice but is ultimately responsible for all administrative decisions that are within his/her jurisdiction and authority.

V-4 The Vice-President and Principal shall advise Council of the resource implications of proposed academic policy decisions.

V-5 The Vice-President and Principal may consult with Council on administrative proposals that may have a significant impact on the academic programs of UTM.

VI. Membership of the Council

Ex-officio, voting members:

The President, University of Toronto, or designate

The Vice-President and Provost, University of Toronto, or designate

The Dean of the School of Graduate Studies, or designate

The Vice-President and Principal of UTM

The Vice-Principals of UTM

The Deans of UTM

The Vice-Deans of UTM

The Chief Administrative Officer of UTM

The Registrar of UTM

The Chief Librarian of UTM

All Teaching Staff

All professional librarians at UTM

The heads of the Administrative Departments of UTM

The President of the University of Toronto Mississauga Association of Graduate Students (UTMAGS)

Elected/appointed, voting members:

10 members of the Administrative Staff elected by and from the Administrative Staff of UTM

4 Graduate Students appointed by UTMAGS

2 Post-doctoral Fellows to be appointed by the Vice-Principal, Research

2 Alumni, appointed by the UTM Alumni Association (UofTMAA)

2 members of the Associates of the University of Toronto Mississauga appointed by the Associates of the University of Toronto Mississauga

Comment [21]: Membership moved to section VI unchanged, except for categorizing ex-officio and elected members in separate sections

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Comment [22]:

Deleted: The President of the University of Toronto Mississauga Association of Graduate Students (UTMAGS) ..

Comment [23]: Research Associates should not be separated out as they are considered administrative staff and belong to that category

Deleted: or Research Associates

Comment [24]: Only change here is deleting the repetition of definitions, since these are already defined in an earlier section

Deleted: of UTM (who are not members of the teaching staff, administrative staff, or students of UTM)

Up to 5 Retired faculty appointed by the Vice-President and Principal

Deleted: of the UTM teaching staff

75 Undergraduate Students as follows:

Deleted: In the undergraduate student category, 75 Council seats are to be made available, and filled by the following criteria:

- (a) 14 elected by and from among the Part-time Undergraduate Students;
- (b) 50 elected by and from among the Full-time Undergraduate Students;
- (c) The President of the Erindale Part-time Undergraduate Students (EPUS)
- (d) The President of the Erindale College Student Union (ECSU operating as the University of Toronto at Mississauga Students' Union, UTMSU)
- (e) Up to 9 elected members of the ECSU Board of Directors

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Comment [25]: The entire section with respect to term, quorum, officers, meetings, voting and parliamentary authority has been moved to these sections of the Constitution from the By-laws to follow convention. Wording has been cleared up and specified where necessary, but no substantive changes have been made.

Comment [26]: Moved to this section from the By-laws to follow convention

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Comment [27]: Term of office specified elsewhere

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Comment [28]: Clarification wording.

Deleted: the Council shall elect a Chair for the meeting

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VII. Term and Quorum of Council

VII-1 Elected and appointed members, shall serve a term of two years, where possible. Full-time Undergraduate Students shall serve a term of one year. When necessary, elections to the Council shall be held in September and the results shall be brought to the Council for ratification at its first meeting after the election. The new Council shall assume office immediately following said meeting.

VII-2 The quorum for a meeting of Council shall be 30 voting members of Council.

VIII. Officers

VIII-1 The Chair and Vice-Chair of the Council shall be elected, at the first meeting of Council in the fall term, by and from among its members for that year who will be continuing members. Nominations of Chair and Vice-Chair shall be published one week in advance.

VIII-2 The Chair shall preside at all meetings of Council. 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.

VIII-3 The Chair and Vice-Chair of Council may serve a maximum of two consecutive two-year terms.

VIII-4 The Secretary of Council shall be appointed as a non-voting, ex-officio member by the Vice-President and Principal, in consultation with the Chair of the Council. The Secretary of Council or his/her designate shall act as Secretary at all Council and Standing Committee meetings and shall act as the Chief Electoral Officer for all Council and Standing Committee Elections.

IX. Meetings

IX-1 The Council shall meet at least two times in each of the fall and spring terms. Notice of each meeting, including an agenda, shall be given to members seven days in advance of the meeting.

IX-2 A special meeting may be called by the Chair of Council, or the Vice-President and Principal, UTM, or upon the written request of 25 members of the Council, and shall be convened within 14 days to consider matters requiring ~~the meeting~~. Notice of ~~such a meeting~~ shall be given at least seven days prior to ~~the meeting~~.

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Comment [29]: Consistent with the rules of order specified in the By-laws

IX-3 ~~Each voting member of Council has one vote on any question. Motions pass with a simple majority unless otherwise stated in the rules of order of the Council.~~

IX-4 Meetings of the Council and the Committees of Council shall be open ~~to the public~~, except ~~when matters of a confidential nature may be discussed~~. Council will then move ~~in camera~~.

Deleted: as otherwise provided in the By-laws approved by the Council

IX-5 The agenda and the minutes of the Council and the Executive Committee shall be posted on the Council website by the Secretary for public notice. All reasonable efforts will be made to ensure that Council agendas are posted at least one week prior to Council ~~meetings~~.

Comment [30]: Moved from section 6a of the By-laws unchanged

IX-6 Matters involving individuals that could reasonably be considered to be of an intimate financial or personal nature shall only be brought to the Council through the Executive Committee. Such matters shall be discussed by the Council *in camera* unless the individual expresses, in writing to the Chair of the Council, the wish to have the matter discussed in open ~~session~~.

Comment [31]: Moved from section 6b of the By-laws unchanged

X. By-Laws

X-1 The procedures of Council will be set forth in the By-Laws of Council.

X-2 The composition, powers, duties and procedures of Standing and Special Committees shall be set forth in the By-Laws of Council.

X-3 The By-Laws of Council shall be approved by Council.

XI. Parliamentary Authority

The rules contained in the most recent edition of *Robert's Rules of Order* shall govern the Council in all cases to which they are applicable and in which they are not inconsistent with the relevant provisions of the Constitution and By-laws of the Council.

Deleted: For questions not covered by these rules the Council will follow the

Deleted: and *Robert's Rules of Order*

XII. Amendment of the Constitution and By-Laws

XII-1 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 shall take place at a regularly constituted meeting to which there has been fourteen 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 the appropriate body of Governing Council for approval.

Comment [32]: Wording clarified and GC approval specified.

Deleted: 11. . On approval by two-thirds of the voting members present at any meeting, the Council may recommend an amendment to its Constitution to the Governing Council of the University of Toronto. Fourteen days' notice of any proposed amendment shall be given to the College Council

XII-2 The By-Laws of the Council may only be amended with the approval of Council. Voting shall take place at a regularly constituted meeting to which there has been fourteen days' notice of the proposed amendment. An affirmative vote to amend the By-laws is required by two-thirds of the members of Council present and voting.

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Revisions:

Amended and approved by Council on April 14, 2009 and approved by the Executive Committee of the Governing Council on June 15, 2009.

Deleted: This Constitution was revised on

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