



TO: Members of the Academic Board

SPONSOR: Louis Charpentier, Secretary of the Governing Council

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DATE: February 28, 2012 for March 14, 2012

AGENDA ITEM: 7a

TITLE OF ITEM OF BUSINESS: Constitutional Amendments: Faculty of Kinesiology and Physical Education

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.

The Constitution and By-Laws of the Faculty of Kinesiology and Physical Education (FKPE) were previously approved by the Academic Board on May 21, 2009 and confirmed by the Executive Committee of the Governing Council on June 15, 2009. These documents were due to be reviewed no later than June 30, 2012.

In October 2011, the Faculty Council Secretary began the process of revising FKPE's Constitution and By-Laws to align with Governing Council's June 2011 templates for Divisional Councils' Constitution and By-Laws. This process continued throughout the fall and early winter, with input from the Dean of the Faculty. The Faculty's proposed constitutional and by-laws revisions were presented to the Provost's Advisory Group on January 30, 2012 and approved by Faculty Council on February 27, 2012.

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 FKPE.

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

Additional amendments to FKPE 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 amendments include the following.

To the Constitution:

- Article II – Definitions
 - Section 2.02: Academic appointment required for membership updated from 25% to 50%
 - Section 2.03: Administrative staff appointment required for membership updated from 25% to 50%
- Article IV
 - Section 4.05: changed the term ‘..awards in the gift of the Faculty...’ to read ‘..awards in the name of the Faculty..’
- Article VI - Membership of Council
 - Section 6.02: Four membership positions were removed: one representative from each of the disciplines of Anatomy, Physiology, Psychology, and Sociology.
 - Section 6.02: Number of professors emeritae/i listed at two (from unspecified).
 - Section 6.02: The term ‘physical activity’ was replaced with the term ‘practica’
- Article VII – Quorum and Term of Council
 - The quorum was changed to one-third of the voting members of Council (from 12) to align with common practice across the University.
 - The term of Council was changed to July 1-June 30 (from September 1-August 30).
- Article IX – Meetings of Faculty Council
 - Section 9.02: The length of time needed to provide notice/declare a special meeting was clarified to three business days (from 72 hours).
- Article X – By-Laws
 - The By-Laws of Council were removed from the appendices of the Constitution, and made into a separate document.

To the Council of Athletics & Recreation Constitution:

- Became Appendix A to the Faculty Council Constitution.
- Article VIII – Amendments
 - Length of time required to review proposed amendments updated to three weeks (from 14 days) for consistency with the Faculty Council.

BUDGETARY/FINANCIAL IMPLICATIONS:

N/A

ACTION:

Be It Recommended

THAT, subject to confirmation by the Executive Committee, the amended Constitution of the Faculty of Kinesiology and Physical Education, which was approved by the Council of the Faculty of Kinesiology and Physical Education on February 27, 2012, be approved.