



UNIVERSITY OF TORONTO
FACULTY OF PHYSICAL EDUCATION AND HEALTH

APPENDIX "B" TO REPORT NUMBER 163
OF THE ACADEMIC BOARD – June 1, 2009

TO: Academic Board

SPONSOR: Bruce Kidd, Dean, Faculty of Physical Education and Health

CONTACT INFO: bruce.kidd@utoronto.ca

DATE: May 21, 2009 for June 1, 2009

AGENDA ITEM: 6

ITEM IDENTIFICATION: Faculty of Physical Education and Health Constitution - Amendments

JURISDICTIONAL INFORMATION

Section 5.2.2 of the Academic Board's terms of reference calls for new or revised 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

The current Constitution of the Faculty of Physical Education and Health was approved by the Academic Board on January 15, 2004 and confirmed by Executive Committee of the Governing Council on February 2, 2004.

HIGHLIGHTS

As part of a University-wide review of Faculty constitutions and together with an initiative by the School of Graduate Studies, in 2005-06 the Faculty of Physical Education and Health Council considered amendments to the University's Faculty's constitutions. As part of this on-going process, the Faculty is recommending amendments to its constitution as outlined in the attached proposal. The proposed amendments are being made to clarify definitions, intentions and practices within the Faculty and are consistent with the Faculty's governance traditions.

The proposed amendments were approved by the Faculty of Physical Education and Health on May 21, 2009.

FINANCIAL AND/OR PLANNING IMPLICATIONS: N/A

RECOMMENDATION:

THAT the amended Constitution of the Council of the Faculty of Physical Education and Health, which was approved by the Faculty Council on May 21, 2009, be approved by the Academic Board and confirmed by the Executive Committee.

**CONSTITUTION OF THE COUNCIL
OF THE
FACULTY OF PHYSICAL EDUCATION AND HEALTH
UNIVERSITY OF TORONTO**

Article I. The Council of the Faculty of Physical Education and Health, hereafter described as the “Faculty Council”, exercises its responsibilities under the provisions of the University of Toronto Act, 1971, as amended, subject to approval by the Governing Council of the University where required.

Article II. In this Constitution and the accompanying by-laws:

Section 2.01 “Faculty” means the Faculty of Physical Education and Health and “Council” means the properly composed Council of the Faculty of Physical Education and Health of the University of Toronto.

Section 2.02 “Teaching Staff” means a member of the Faculty of Physical Education and Health who holds an academic appointment of 25% or more in the Faculty of Physical Education and Health.

Section 2.03 “Administrative Staff” means an appointed staff member of the Faculty of Physical Education and Health who is not a member of the teaching staff and who holds an appointment of 25% or more.

Section 2.04 “Undergraduate student” means any student registered in a program of study leading to a Bachelor’s degree in the Faculty of Physical Education and Health. For the purpose of Appendix B (The Council of Athletics and Recreation), “student” means any student defined according to the current regulations governing elections to the Governing Council.

Section 2.05 “Graduate student” means any student registered with the School of Graduate Studies and in a department or institute within the Faculty of Physical Education and Health in a program of study leading to a diploma or degree.

Section 2.06 “Alumni” means anyone who is a graduate of the Division who is not registered as a student or a member of the teaching or administrative staff of the University.

Article III. The powers and duties of the Faculty Council are to:

Section 3.01 Make rules and By-Laws governing the Faculty Council's proceedings.

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Section 3.02 Determine the number, size, composition and authority of Standing Committees of the Faculty Council.

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Section 3.03 Council may delegate authority to a committee of Council; however, decisions of committees of Council must be reported to Council.

Section 3.04 Develop policy regarding the academic affairs of the Faculty, subject to the approval of such policy by the Governing Council of the University, where required.

Section 3.05 Determine the nature and content of all courses of study and programs offered by the Faculty, subject to the approval of the Governing Council, where required and shall monitor the quality and standards of the programs.

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Section 3.06 Specify regulations governing evaluation and standing.

Section 3.07 Deal with and decide upon all undergraduate applications and petitions relating to the Faculty, subject to an appeal to Governing Council. The Council ensures the annual appointment of the Graduate Department Academic Appeals Committee, according to the policies and procedures of the School of Graduate Studies.

Deleted: Conduct examinations for all undergraduate courses offered by the Faculty, including the appointment of examiners and approval of the results of such examinations, subject to the approval of the Governing Council where required. Doctoral oral examinations are governed according to the policies and procedures of the School of Graduate Studies.

Section 3.08 Make recommendations to the Dean of the Faculty on any issue of concern to the Faculty Council.

Section 3.09 Report to the Governing Council through the Dean on such matters as the Faculty Council determines.

Section 3.10 Consider and act on recommendations from the Council of Athletics and Recreation concerning overall policies in athletics and recreation. In doing so, Council will act in an accept/reject/refer back mode.

Section 3.11 Consider operational plans and budget proposals from the Council of Athletics and Recreation and comment on them to the appropriate bodies established by Governing Council.

Article IV

The Term of office of the Faculty Council members shall be from September 1st to August 31st of the following calendar year.

Article V. The Officers of the Faculty Council shall be:

Section 5.01 Chair. Faculty Council members shall elect at its final meeting of the year, from among its members, the Chair. The term of office shall

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normally be for two years from September to August. In the absence of the Chair, the Council shall elect an Acting Chair, upon the recommendation of the Dean.

Section 5.02 Secretary. The Secretary shall be appointed by the Dean and shall be a non-voting ex-officio member of Council.

Article VI

The Membership of the Faculty Council comprises:

Section 6.01 President of the University or designate (ex officio).

Section 6.02 (a) Vice-President and Provost or designate (ex officio).

(b) Dean of the School of Graduate Studies or designate (ex officio, non-voting).

Section 6.03 Dean of the Faculty .

Section 6.04 Associate Deans of the Faculty .

Section 6.05 Assistant Deans of the Faculty .

Section 6.06 All teaching staff of the Faculty , as defined in section 2.02.

Section 6.07 Professors Emeritae/i of the Faculty. These continuing appointments shall take effect automatically upon application by a Professor Emerita/us to the Secretary of Faculty Council.

Section 6.08 Two teaching staff representing the disciplines of Anatomy and Physiology appointed by the Dean of Medicine .

Section 6.09 Two teaching staff representing the disciplines of Sociology and Psychology appointed by the Dean of the Faculty of Arts and Science.

Section 6.10 One professional librarian appointed by the University Librarian .

Section 6.11 The President of the Physical and Health Education Alumni Association (PHEAA) or designate.

Section 6.12 One member elected from and by the staff with teaching duties in undergraduate physical activity courses.

Section 6.13 One member elected from and by those who serve as Faculty of Physical Education and Health activity instructors.

Section 6.13 The President of the Physical and Health Education Undergraduate Association (PHEUA).

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Deleted: other than those of professional, tutorial, athletic instructor/senior athletic instructor or lecturer's ranks

Section 6.14 Six undergraduate students elected from and by the students in the undergraduate programme in Physical and Health Education (PHEUA).

Section 6.15 One member elected from and by students in the Graduate Department of Exercise Sciences.

Section 6.16 Four members elected from and by the administrative staff of the Faculty.

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Section 6.17 The Registrar of the Faculty

Section 6.18 The Co-Chairs of the Council of Athletics and Recreation.

NOTE: Members of Council shall hold voting privileges, unless specified otherwise.

Article VII Meetings of Faculty Council

Section 7.01 The Faculty Council shall meet at least four times during each academic year. The Secretary of the Faculty Council may convene additional meetings as required by the business of Faculty Council at the request of the Chair of the Faculty Council, the Dean of the Faculty of Physical Education and Health, or five members of the Faculty Council. In the last instance, a written request must be presented to the Chair.

Section 7.02 Members of the Faculty Council shall receive at least one week's written notification of the time and proposed agenda for regular meetings of Faculty Council. In the case of special meetings, notice of 72 hours is required.

Section 7.03 A quorum for a meeting of the Faculty Council shall be one-third of the total Faculty Council membership, or twelve (12) members, whichever is the lesser number.

Section 7.04 Bourinot's Rules of Order shall be used in the conduct of business.

Section 7.05 The meetings of Faculty Council are open to all members of the University community except when matters of a confidential nature are under discussion. The Faculty Council will then move to closed session.

Section 7.06 The members of Faculty Council are entitled to participate fully in meetings of the Faculty Council, to speak, to propose motions, to vote on all questions except those where the Chair rules there is a conflict of interest, and to serve on committees and task groups selected and/or appointed by the Faculty Council. In the case of substantive motions which are not on the Council agenda, a two-thirds vote is necessary to add them to the agenda. Members of Committees who are not members of Council may address Council on matters within the jurisdiction of the committee of which they are a member and participate in the debate but they may not vote.

Section 7.07 The decisions of Faculty Council are available to all members of the University community through the Minutes of Faculty Council, which are kept in the Faculty Office.

Article VIII The athletic and recreational activities of the Faculty shall be governed by a Council, whose constitution and powers are as in Appendix B hereto, which forms part of the Constitution of the Faculty Council.

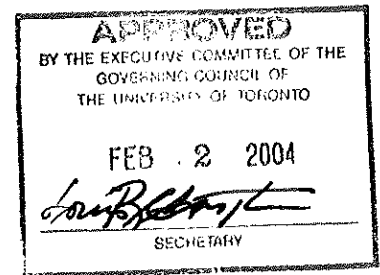
Article IX The Constitution of the Faculty Council may be amended, subject to:

- written notice of any proposed amendment at least ~~three~~ weeks prior to a regular meeting of the Faculty Council,
- an affirmative vote by two-thirds of those present at the said meeting, and
- approval of Governing Council, for changes to Sections 1 through 7 and for changes to Appendix A. Amendments to the Constitution of the Council of Athletics and Recreation will be considered by the Governing Council body with assigned responsibility for Athletics and Recreation.

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This Constitution was revised on May 21, 2009. It is subject to review not later than June 30, 2012.

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- Section 1.02 Determine the number, size, composition and authority of the Standing Committees of the Faculty Council.
- Section 1.03 Develop policy regarding the academic affairs of the Faculty, subject to the approval of such policy by the Governing Council of the University, where required.
- Section 1.04 Determine the nature and content of all courses of study and programs offered by the Faculty, subject to the approval of the Governing Council, where required.
- Section 1.05 Conduct examinations for all courses offered by the Faculty, including the appointment of examiners and approval of the results of such examinations, subject to the approval of the Governing Council where required.
- Section 1.06 Deal with and decide upon all applications and petitions relating to the Faculty, subject to an appeal to Governing Council.
- Section 1.07 Make recommendations to the Dean of the Faculty on any issue of concern to the Faculty Council.
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Section 1.09 Consider and act on recommendations from the Council of Athletics and Recreation concerning overall policies in athletics and recreation. In doing so, Council will act in an accept/reject/refer back mode.

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Section 4.06 All teaching staff of the Faculty of Physical Education and Health holding an appointment in the professorial, tutorial, athletic instructor/senior athletic instructor and lecturers' ranks, including cross-appointees of professorial rank with appointments of 25% or more of their time to the Faculty of Physical Education and Health [Approved Oct. 2003]

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- Section 4.12 One member elected from and by the staff with teaching duties other than those of professorial, tutorial, athletic instructor/senior athletic instructor or lecturer's ranks [Approved Oct. 2003]
- Section 4.13 One member elected from and by those who serve as Faculty of Physical Educational and Health activity instructors
- Section 4.14 The President of the Physical and Health Education Undergraduate Association
- Section 4.15 Six undergraduate students elected from and by the students in the undergraduate programme in Physical and Health Education
- Section 4.16 One member elected from and by students in the Graduate Department of Exercise Sciences [Approved Oct. 2003]
- Section 4.17 Four members elected from and by the administrative and technical support staff of the Faculty
- Section 4.18 The Registrar of the Faculty [Approved Oct. 2003]
- Section 4.19 The Co-Chairs of the Council of Athletics and Recreation.

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NOTE: Faculty Council By-Laws begin on Page FC 6.

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