



**FOR APPROVAL**

**PUBLIC**

**OPEN SESSION**

**TO:** Academic Board

**SPONSOR:** Professor Cheryl Regehr, Vice-President and Provost

**CONTACT INFO:** (416) 978-2122; provost@utoronto.ca

**PRESENTER:** See Sponsor

**CONTACT INFO:**

**DATE:** May 19, 2022 for May 26, 2022

**AGENDA ITEM:** 10

**ITEM IDENTIFICATION:**

Constitutional Amendments: Faculty of Applied Science and Engineering

**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*, as amended by 1978, chapter 88, Section 2 (14)(i).

Section 5.2.2 of the Academic Board 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.

**GOVERNANCE PATH:**

1. **Academic Board [for approval] May 26, 2022**
2. Executive Committee [for confirmation] June 14, 2022

**PREVIOUS ACTION TAKEN:**

Previous revisions to the Faculty of Applied Science and Engineering Constitution were approved by the Academic Board on January 30, 2020 and confirmed by the Executive Committee of the Governing Council on February 12, 2020.

**HIGHLIGHTS:**

The changes to the Constitution of the Faculty of Applied Science and Engineering include:

- Adding the chair of the Graduate Engineering Council of Students as an ex officio member of Faculty Council
- Amending the number of undergraduate students on Faculty Council from 38 to 40

The Graduate Engineering Council of Students Board (the current chair, vice-chair, treasurer and commissioner presidents) were consulted regarding the proposed updates to the Faculty of Applied Science and Engineering's constitution, as were the presidents of the Faculty's seven discipline-specific graduate student associations. There was broad support for the revisions.

At a regular Council meeting of April 27, 2022 the Constitution was recommended for Academic Board approval.

**FINANCIAL IMPLICATIONS:**

There are no financial implications.

**RECOMMENDATION:**

Be it Resolved

THAT, subject to confirmation by the Executive Committee

THAT the proposed amended Constitution of Faculty of Applied Science and Engineering, which was recommended for approval by Faculty Council on April 27, 2022 be approved, effective July 1, 2022.

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**DOCUMENTATION PROVIDED:**

1. Proposed Updated Faculty of Applied Science and Engineering Constitution – Clean Copy
2. Proposed Updated Faculty of Applied Science and Engineering Constitution – Tracked Changes
3. Current Faculty of Applied Science and Engineering Constitution (February 12, 2020)

# **CONSTITUTION of the FACULTY OF APPLIED SCIENCE & ENGINEERING**

## **Preamble**

The following Constitution describes the authority and responsibilities of the Council and the Dean of the Faculty of Applied Science & Engineering, University of Toronto. Every member of Council has a duty to ensure that this Constitution and the Bylaws enacted thereunder are interpreted and followed in a manner that is consistent with the best interests of the public, the engineering profession, the University and the Faculty of Applied Science & Engineering.

## **C1 Authority from U of T Act**

The Council of the Faculty of Applied Science & Engineering exercises its responsibilities under the authority of the *University of Toronto Act, 1971*, as amended.

## **C2 Definitions**

The following definitions shall apply to this Constitution and the accompanying Bylaws:

- .1 “Faculty” means the Faculty of Applied Science & Engineering and “Council” means the properly composed Council of the Faculty of Applied Science & Engineering of the University of Toronto.
- .2 “Teaching Staff” means a member of the Faculty who holds an academic appointment of 50% or more in the Faculty and who holds the title of Professor; Associate Professor; Assistant Professor; Professor, Teaching Stream; Associate Professor, Teaching Stream; Assistant Professor, Teaching Stream; Senior Lecturer; Lecturer; Senior Tutor; Tutor; Assistant Professor (conditional); Assistant Professor, Teaching Stream (conditional).
- .3 “Undergraduate Student” means any student registered in a program of study leading to a degree, post-secondary diploma, or for-credit certificate in the Faculty who is not registered in the School of Graduate Studies.
- .4 “Graduate Student” means any student registered in the School of Graduate Studies in a program of study leading to a degree, post-secondary diploma, or for-credit certificate in the Faculty.
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### **C3 Officers of Council**

The Officers of Council shall be the Speaker and the Secretary.

- .1 The presiding Officer of Council shall be the Speaker, who will be a non-voting member of Council.

The Speaker shall be elected biennially after the final Council meeting of the academic year for a two-year term. Those eligible for election shall be a member of the Teaching Staff other than the Dean, Vice-Deans, Associate Dean or Standing Committee members.

In the event the Speaker of Council cannot attend a Council meeting, the Dean will appoint an acting Speaker from among the Chairs of the Faculty's departments and divisions and Directors of the Faculty's Extra-Departmental Units A and B.

- .2 The recording and corresponding Officer of Council shall be the Secretary as appointed by the Dean in consultation with the Speaker. The Secretary shall be a non-voting ex officio member of Council.

### **C4 Meetings**

- .1 There shall normally be four regular meetings of Council in each academic year. Council will be advised of these meeting dates no later than the end of June of the previous academic year. Notice of each meeting, including a proposed agenda, shall be given to members at least 14 days in advance of the meeting.
- .2 A special meeting may be called by the Speaker of Council, the Dean, or upon the written request of 30 members of the Council. Special meetings shall normally require not less than seven business days' notice to consider the matter(s) requiring the meeting, however, at the discretion of the Speaker, a special meeting may be called with not less than 24 hours' notice. Special meetings shall be for the transaction of such business only as may be specified in the notice of meeting.
- .3 Meetings of Council shall be open to the public except when matters of a confidential nature may be discussed. Council will then move in camera.
- .4 Motions pass with a simple majority unless otherwise stated in any special rules of order the Council may adopt. Each voting member of Council has one vote on any question. In the case of a tie vote, the Speaker may cast a deciding vote or redirect the question for further consideration.

### **C5 Membership of Council**

Council shall be composed of the following appointed members:

- .1 All Teaching Staff
- .2 [Up to 40] Undergraduate Students
- .3 [Up to 15] Graduate Students
- .4 [Up to 15] Alumni
- .5 All consenting Professors Emeriti (for a five-year term after appointment as emeriti)

- .6 The Registrar of the Faculty, ex officio
- .7 [Up to 11] Administrative Staff
- .8 [Up to 15] University Officers and representatives from appropriate Divisions of the University, including, ex officio, the President of the University or designate; the Vice-President and Provost or designate; the Dean of the School of Graduate Studies or designate; and the University Librarian or designate
- .9 The Secretary of Council, ex officio

### **C6 Term and Quorum of Council**

- .1 Unless otherwise stated, the term of office of members of Council and its Committees shall be from July 1 to June 30.
- .2 The quorum for meetings of Council shall be 45 members.

### **C7 Council's General Powers and Duties**

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

- .1 Council shall determine its composition and the number, composition and authority of its committees.
- .2 Council shall recommend 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.
- .3 Council shall play an advisory role, tendering advice to the divisional administration.

### **C8 Council's Specific Powers and Duties**

Council shall have the following specific powers and duties:

- .1 Council shall determine the rules and regulations for governing its procedures and its decisions shall be made by resolutions passed at its meetings.
- .2 Council shall pass Bylaws setting forth its procedures and regulating the exercise of its powers, the calling and conduct of its meetings, and the method of appointment or election of its members.
- .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.
- .4 Standing Committees of Council shall be listed in the Bylaws. Each Standing Committee shall maintain a manual that describes its composition, powers and duties and each such manual shall be reviewed and revised or re-affirmed by the Standing Committee, normally on a five-

year cycle. The creation of and revision to such Standing Committee manuals shall be subject to the approval of Council.

- .5 Council shall consider the content, quality and requirements of the academic programs and courses of study that lead to degrees, diplomas, certificates, credit and non-credit courses over which the Faculty has authority; consider proposals for the closure of any such programs or courses of study; and 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 the establishment and closure of Category 1 and Category 2 for-credit certificates in accordance with the Policy on Certificates (For Credit and Not-for-Credit). These approvals shall be reported annually for information to the appropriate body of Governing Council.

Council shall have delegated authority to approve proposals for major and minor modifications to existing academic programs, diplomas<sup>1</sup> and certificates. All major modifications shall be reported annually for information to the appropriate body of Governing Council.

- .6 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 Speaker of Council, and/or the Dean or the Dean's designate, and/or the Vice-President and Provost or the Vice-President and Provost's designate.
- .7 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 in the Faculty, pursuant to the Policy on Interdisciplinary Education and Research Planning, and the Guidelines for Extra-Departmental Units.
- .8 Council may be one venue in which consideration and discussion of a review report of an academic program and/or unit may occur, consistent with the protocol outlined in the *University of Toronto Quality Assurance Process*.
- .9 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.

<sup>1</sup> 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.

- .10 Council shall determine and regulate the standards of admission of students to the Faculty. New admissions policies and practices or amendments to existing ones which affect the whole Faculty are recommended to the appropriate body of Governing Council for approval.
- .11 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.
- .12 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.

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*.

### **C9 Powers and Duties of Dean**

Council recognizes that the Dean exercises powers under the authority of the *Policy on Appointment of Academic Administrators*, as amended from time to time, as follows:

- .1 The Dean of the Faculty is its Chief Executive Officer and reports directly to the Vice-President and Provost or delegate.
- .2 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 and other financial matters, personnel matters, including 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.
- .3 The Dean shall consult with members of the Faculty on matters of policy and practice but is ultimately responsible for all administrative decisions that are within the Dean's jurisdiction and authority.
- .4 The Dean shall consult with Council on administrative proposals that may have a significant impact on the academic programs of the Faculty.
- .5 The Dean may advise Council of the resource implications of proposed academic policies.
- .6 The Dean, from time to time, may seek advice from a Committee composed of Chairs and Directors.

### **C10 Faculty Resources**

- .1 The Chair of a department in a departmentalized Faculty and the Director of an Extra-Departmental Unit A or B is the Chief Executive Officer of the department or Extra-Departmental Unit and reports directly to the Dean. While the Chair or Director may elect to delegate authority to other academic administrators in the department or Extra-Departmental Unit, he/she must retain responsibility for the overall direction of the

department or Extra-Departmental Unit, and in particular for authority over the budget and recommendations for appointments and, where appropriate, promotions. The Chair or Director shall consult with the members of the department or Extra-Departmental Unit on matters of policy and practice but is ultimately responsible for all administrative decisions that are within his/her jurisdiction and authority.

- .2 The Departments and Extra-Departmental Units A within the Faculty shall provide the personnel and the physical resources required for teaching, research and scholarship related to their designated disciplines, and for the administration of programs of study.

Extra-Departmental Units B within the Faculty shall provide the personnel and physical resources required for the administration of their designated inter-departmental and inter-Faculty undergraduate programs of study.

### **C11 Parliamentary Authority**

The rules contained in the most recent edition of *Bourinot'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 Bylaws and any special rules of order the Council may adopt.

### **C12 Amendment of the Constitution and Bylaws**

- .1 The Constitution of the Council may only be amended with the approval of the Council and the appropriate body of the Governing Council. Voting shall take place at a regularly constituted meeting to which there has been 30 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 will be forwarded to the appropriate body of the Governing Council for approval.
- .2 The Bylaws of Council may be amended with the approval of a two-thirds majority of Council members present and voting. Voting shall take place at a regularly constituted meeting to which there has been not less than 30 days' notice of the proposed amendment.

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First approved June 1972. Amended November 1997, March 2014, December 2021. Most recent amendments approved by Faculty Council on April 27, 2022; approved by the Academic Board on May 26, 2022; and confirmed by the Executive Committee of the Governing Council on June 14, 2022.



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- .1 All Teaching Staff
- .2 [Up to 38] Undergraduate Students
- .3 [Up to 14] Graduate Students
- .4 [Up to 15] Alumni
- .5 All consenting Professors Emeriti (for a five-year term after appointment as emeriti)



- .6 The Registrar of the Faculty, ex officio
- .7 [Up to 11] Administrative Staff
- .8 [Up to 15] University Officers and representatives from appropriate Divisions of the University, including, ex officio, the President of the University or designate; the Vice-President and Provost or designate; the Dean of the School of Graduate Studies or designate; and the University Librarian or designate
- .9 The Secretary of Council, ex officio

### **C6 Term and Quorum of Council**

- .1 Unless otherwise stated, the term of office of members of Council and its Committees shall be from July 1 to June 30.
- .2 The quorum for meetings of Council shall be 45 members.

### **C7 Council's General Powers and Duties**

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

- .1 Council shall determine its composition and the number, composition and authority of its committees.
- .2 Council shall recommend 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.
- .3 Council shall play an advisory role, tendering advice to the divisional administration.

### **C8 Council's Specific Powers and Duties**

Council shall have the following specific powers and duties:

- .1 Council shall determine the rules and regulations for governing its procedures and its decisions shall be made by resolutions passed at its meetings.
- .2 Council shall pass Bylaws setting forth its procedures and regulating the exercise of its powers, the calling and conduct of its meetings, and the method of appointment or election of its members.
- .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.
- .4 Standing Committees of Council shall be listed in the Bylaws. Each Standing Committee shall maintain a manual that describes its composition, powers and duties and each such manual shall be reviewed and revised or re-affirmed by the Standing Committee, normally on a five-

year cycle. The creation of and revision to such Standing Committee manuals shall be subject to the approval of Council.

- .5 Council shall consider the content, quality and requirements of the academic programs and courses of study that lead to degrees, diplomas, certificates, credit and non-credit courses over which the Faculty has authority; consider proposals for the closure of any such programs or courses of study; and 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 the establishment and closure of Category 1 and Category 2 for-credit certificates in accordance with the Policy on Certificates (For Credit and Not-for-Credit). These approvals shall be reported annually for information to the appropriate body of Governing Council.

Council shall have delegated authority to approve proposals for major and minor modifications to existing academic programs, diplomas<sup>1</sup> and certificates. All major modifications shall be reported annually for information to the appropriate body of Governing Council.

- .6 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 Speaker of Council, and/or the Dean or the Dean's designate, and/or the Vice-President and Provost or the Vice-President and Provost's designate.
- .7 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 in the Faculty, pursuant to the Policy on Interdisciplinary Education and Research Planning, and the Guidelines for Extra-Departmental Units.
- .8 Council may be one venue in which consideration and discussion of a review report of an academic program and/or unit may occur, consistent with the protocol outlined in the *University of Toronto Quality Assurance Process*.
- .9 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.

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<sup>1</sup> 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.

- .10 Council shall determine and regulate the standards of admission of students to the Faculty. New admissions policies and practices or amendments to existing ones which affect the whole Faculty are recommended to the appropriate body of Governing Council for approval.
- .11 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.
- .12 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.

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*.

### **C9 Powers and Duties of Dean**

Council recognizes that the Dean exercises powers under the authority of the *Policy on Appointment of Academic Administrators*, as amended from time to time, as follows:

- .1 The Dean of the Faculty is its Chief Executive Officer and reports directly to the Vice-President and Provost or delegate.
- .2 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 and other financial matters, personnel matters, including 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.
- .3 The Dean shall consult with members of the Faculty on matters of policy and practice but is ultimately responsible for all administrative decisions that are within the Dean's jurisdiction and authority.
- .4 The Dean shall consult with Council on administrative proposals that may have a significant impact on the academic programs of the Faculty.
- .5 The Dean may advise Council of the resource implications of proposed academic policies.
- .6 The Dean, from time to time, may seek advice from a Committee composed of Chairs and Directors.

### **C10 Faculty Resources**

- .1 The Chair of a department in a departmentalized Faculty and the Director of an Extra-Departmental Unit A or B is the Chief Executive Officer of the department or Extra-Departmental Unit and reports directly to the Dean. While the Chair or Director may elect to delegate authority to other academic administrators in the department or Extra-Departmental Unit, he/she must retain responsibility for the overall direction of the

department or Extra-Departmental Unit, and in particular for authority over the budget and recommendations for appointments and, where appropriate, promotions. The Chair or Director shall consult with the members of the department or Extra-Departmental Unit on matters of policy and practice but is ultimately responsible for all administrative decisions that are within his/her jurisdiction and authority.

- .2 The Departments and Extra-Departmental Units A within the Faculty shall provide the personnel and the physical resources required for teaching, research and scholarship related to their designated disciplines, and for the administration of programs of study.

Extra-Departmental Units B within the Faculty shall provide the personnel and physical resources required for the administration of their designated inter-departmental and inter-Faculty undergraduate programs of study.

### **C11 Parliamentary Authority**

The rules contained in the most recent edition of *Bourinot'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 Bylaws and any special rules of order the Council may adopt.

### **C12 Amendment of the Constitution and Bylaws**

- .1 The Constitution of the Council may only be amended with the approval of the Council and the appropriate body of the Governing Council. Voting shall take place at a regularly constituted meeting to which there has been 30 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 will be forwarded to the appropriate body of the Governing Council for approval.
- .2 The Bylaws of Council may be amended with the approval of a two-thirds majority of Council members present and voting. Voting shall take place at a regularly constituted meeting to which there has been not less than 30 days' notice of the proposed amendment.

### **C13 Enactment**

First approved June 1972. Amended November 1997 and March 2014. Most recent amendments approved by Faculty Council on October 31, 2019; approved by the Academic Board on January 30, 2020; and confirmed by the Executive Committee of the Governing Council on February 12, 2020.