



TO: Members of the Academic Board

SPONSOR: Louis R. Charpentier, Secretary of the Governing Council

CONTACT: Christopher Lang, Director, Appeals, Discipline and Faculty Grievances

DATE: May 10, 2010 for June 2, 2010

AGENDA ITEM: 8

ITEM IDENTIFICATION: Tribunal Selection Committee: Expanded Scope and Name Change

JURISDICTIONAL INFORMATION:

The *Terms of Reference* for the Agenda Committee in Section 3, footnote 2, outlines the composition of the Tribunal Selection Committee as follows, "The Tribunal Selection Committee shall be composed of a teaching staff, a student and a lay member or former member of the Academic Board or Governing Council, and a President's designate, at least two of whom will have appropriate legal knowledge."

Section 3 of the *Terms of Reference* for the Agenda Committee further states that "the Agenda Committee is responsible for establishing the Tribunal Selection Committee which recommends the appointment of the Senior Chair, the Associate Chairs, and the co-chairs of the University Tribunal."

The *Terms of Reference* for Academic Board in Section 5.2.6 (c), footnote 5 states, "The Tribunal Selection Committee is established annually by the Agenda Committee."

The *Terms of Reference* for Academic Board in Section 5.2.6 (c) states, "The Academic Board appoints the following: iii the Senior Chair, Associate Chairs and co-chairs of the University Tribunal, on the recommendation of the Tribunal Selection Committee."

BACKGROUND:

Unlike the University Tribunal, there has not been a formalized procedure to generate names of candidates for consideration by the Academic Board Striking Committee for the appointments of the Senior Chair and Chairs of the Academic Appeals Committee. Previously there had been a process involving consultation between and among the Senior Chair and Chairs of the Academic Appeals Committee, what was formerly the Judicial Affairs Office, and individuals from the Provost's Office. Most of the Chairs were long-serving and highly experienced and, with regular re-appointments, turnover was minimal for a number of years.

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Given the increase in the number and complexity of academic appeals over the past few years, the Senior Chair, the Director of Appeals, Discipline and Faculty Grievances, the Vice-Provost Faculty and Academic Life, and the Secretary of the Governing Council, in consultation with the Chairs of the Academic Appeals Committee, agree that a more structured, transparent and streamlined process would enable and facilitate the appointment and reappointment of highly qualified individuals, and would maintain a pool of potential candidates.

As the Tribunal Selection Committee does not actually select the Chairs for the Tribunal *per se*, but rather, recommends names for the approval of the Academic Board, we are also proposing a name change that would more accurately reflect the actual duties of the Tribunal Selection Committee, as well as the proposed expansion in scope. The new name would be the Nominating Committee for the University Tribunal and the Academic Appeals Committee.

These proposed changes are intended to strengthen governance oversight, and clarify and formalize the process. We propose that the Academic Board approve the expanded scope and name change of the Tribunal Selection Committee, through changes to the *Terms of Reference* for both the Agenda Committee and the Academic Board.

PREVIOUS ACTION TAKEN:

N/A

HIGHLIGHTS:

See Background

FINANCIAL AND/OR PLANNING IMPLICATIONS:

N/A

RECOMMENDATIONS:

THAT the Academic Board recommend:

1. That the following part of Section 3 of the *Terms of Reference* of the Agenda Committee:

the Agenda Committee is responsible for establishing the Tribunal Selection Committee which recommends the appointment of the Senior Chair, the Associate Chairs, and the co-chairs of the University Tribunal.

be revised to read

the Agenda Committee is responsible for establishing the Nominating Committee for the University Tribunal and the Academic Appeals Committee, which recommends the appointment of the Senior Chair, the Associate Chairs, and the co-chairs of the University Tribunal, and the

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appointment of the Senior Chair and the Chairs of the Academic Appeals Committee.

2. That footnote 2, in Section 3 of the *Terms of Reference* of the Agenda Committee:

The Tribunal Selection Committee shall be composed of a teaching staff, a student and a lay member or former member of the Academic Board or Governing Council, and a President's designate, at least two of whom will have appropriate legal knowledge.

be revised to read

The Nominating Committee for the University Tribunal and Academic Appeals Committee shall be composed of a teaching staff, a student and a lay member or former member of the Academic Board or Governing Council, and a President's designate, at least two of whom will have appropriate legal knowledge.

3. That the following part of Section 5.2.6 (c) of the *Terms of Reference* of the Academic Board:

The Academic Board appoints the following: iii the Senior Chair, Associate Chairs and co-chairs of the University Tribunal, on the recommendation of the Tribunal Selection Committee.

be revised to read:

The Academic Board appoints the following: iii the Senior Chair, Associate Chairs and co-chairs of the University Tribunal, and the Senior Chair and Chairs of the Academic Appeals Committee, on the recommendation of the Nominating Committee for the University Tribunal and Academic Appeals Committee.

4. That footnote 5, in Section 5.2.6 (c) of the *Terms of Reference* of the Academic Board:

The Tribunal Selection Committee is established annually by the Agenda Committee.

be revised to read:

The Nominating Committee for the University Tribunal and Academic Appeals Committee is established annually by the Agenda Committee.

5. That these changes be reviewed by the Academic Board in the 2011-12 governance year.