

3.1

Senate and Faculty Councils

Universities in Canada have large, representative governing bodies, known as senates, comprised of members of the university community. They work in tandem with university boards of governors to enact the university's mission and values.

Usually, the role of the senate is to oversee the educational and research mission of the university and to work collegially, and in a bicameral way, with the board of governors to enact it.

The structure and membership of university senates are usually laid out in the provincial legislation that authorizes the establishment of the university. Often, university administrations resist structural or membership changes to senates because doing so would entail going to the provincial legislature and opening university acts.

In 1966, the Duff-Berdahl Commission, jointly established by CAUT and the Association of Universities and Colleges Canada (now Universities Canada), conducted a review of the governance practices of all universities in Canada. The report unequivocally endorsed the bicameral governance model, confirming that the role of university boards is to oversee financial matters and that senates should function as a "deliberative body" with "substantial powers" and comprise "the central educational forum" of the university.¹ It also asserted the need for senates and faculty councils to include students and other representatives of the university community.

There is no doubt that a robust and highly functioning senate is central to a university's mission and autonomy, and to the success of the public university system overall. It is our job to protect, maintain and enhance these bodies as foundational components of the university's bicameral governance system.

When assessing the strength and functioning of your senate, consider the following issues. The list is meant to be both a diagnostic tool and aspirational, revealing opportunities for organizing around governance-improving interventions and campaigns.

¹ Duff, J. & Berdahl, R. O., (1966). *University Government in Canada*. Toronto: University of Toronto Press, pps. 28-32.

How transparent and accountable are your senate's decision-making processes and their communications with the university community?

- Overall, do senate functions include:
 - articulating the academic mission of the institution?
 - determining its programs of study and related curricular matters?
 - determining academic standards?
 - overseeing long-range academic planning and its implementation?
 - overseeing the academic operations of the institution?
- Do senators/representatives communicate regularly with their constituencies, both to consult with and inform them about the work of the senate?
- Are the agendas of senate meetings and standing committee meetings posted publicly? Are they posted with enough lead time to allow senators to prepare adequately for senate meetings and for academic staff to engage with their senate representatives on issues of concern?
- Are reports that come from standing committees of senate annotated to include context for decisions and the factors that informed decision-making?
- Does your senate provide the flow of information in decision-making processes and links to other important governance groups on campus on its website?
- Are faculty members, staff and student leaders new to the university informed about governance structures and practices, including the roles and responsibilities of senate and faculty councils, as well as their roles within them? Further, is there an appropriate orientation for new senators and opportunities for ongoing governance-related professional development?
- Are units, faculties and other university organizations regularly informed about the work of the senate?
- Are all members of the university community encouraged to attend senate meetings and informed about its work?
- Are communications about the business and decisions of senate published in summary reports, monthly or annually?
- Are approved senate minutes posted on the senate website in a timely fashion?
- Are the roles and responsibilities of senators laid out clearly? Ideally, these should include:
 - The importance of a sense of collective responsibility

- Accountability to constituents and the collective mission of the public university
- The need to prepare thoroughly for meetings to enable informed decisions
- The importance of allowing for different views and opinions and for conflict and disagreement
- The importance of ensuring that no participant is given inappropriate advantage, for example through institutional power differential, in decision-making
- The importance of insuring that all who should be participating have an opportunity to do so
- Are incoming senators provided with proper orientation and training?
- Are educational opportunities for senators available in an ongoing way?
- Are opportunities provided at every senate meeting for general questions and discussion among senators?
- Are opportunities provided for informal social interactions between senators?
- Is information flow on senate agendas created to maximize the opportunity for strategic discussion and administrative accountability?
- Does the senate provide governance oversight of university committees and working groups that are conducting reviews and developing plans or initiatives that affect academic operations or the conditions of academic work? Does this include shaping these activities at the outset, consulting throughout, and receiving final recommendations?
- Is the senate able to request reports from university administration, and does it routinely receive an appropriate set of reports about matters that help senators to understand the state of the institution?
- Does the senate play a robust role in institutional planning and policy setting? (See the policy and planning sections of this governance library for detailed lists of considerations.)
- Does the senate play a robust role in senior academic administrator search, evaluation and (re)appointment processes, including that the president and vice-president, academic, are (re)appointed with the approval of both the senate and the board, based on the recommendation of a joint senate-board committee?
- How much time is taken up in rote, pro forma or unnecessary items or issues?

- Are periodic reviews of the senate's meeting structure, information flow, and member engagement undertaken? Are the results shared with senate with opportunities to discuss how governance processes may be improved?
- Is there an annual performance evaluation of senate functioning conducted collectively or by senators' personal self-reflection?
- Does the senate operate under written, publicly available bylaws, procedures and rules, and are these consistent with legislation and the terms of collective agreements? Do these include a clear articulation of powers, duties and functions, including details about any delegated powers, duties or functions where their delegation has been authorized?
- Are senate bylaws and standing committees' terms of reference reviewed collectively by the senate at least every three years?

How representative is your senate?

- Does the senate elect its own chair or speaker?
- Who is included and excluded from the make-up of the senate?
- Are members of equity-deserving groups present among the senate's membership in line with the diversity of the campus community?
- Have sufficient efforts been made to identify and remove barriers to equitable participation? Is there an appropriate amount of representation for faculty (at least half of all senators) from all employment categories, staff, librarians and archivists, and students? What are the numbers of seats allocated to each constituency and are they adequate?
- What is the proportion of administrators (including chairs, deans and senior administrators) to elected faculty representation? Are faculty members in administrative positions sitting as a faculty senators or representatives? To what degree might this cause conflict?
- Are all individuals who meet the definition of academic staff eligible to nominate and vote for academic staff members of the senate?
- Does your definition of academic staff include lecturers, teaching fellows, and assistant, associate and full librarians?
- Are individuals designated as academic staff, no matter their rank or the terms of contract, who have at least two years of continuous service in their role, eligible to run for a senate seat?
- Are those constituencies that do not meet the definition of academic staff (for example, post-doctoral fellows) or those who don't hold the rank of assistant professor considered for seats on relevant senate committees?

How functional and transparent are the operations of the committees of your senate?

- Are the roles and responsibilities of committee members specified in the committees' terms of reference? Are new committee members fully briefed about their roles at the first meeting of their term?
- Is your senate's nominating committee open and transparent, and are all members allowed to bring nominees forward for deliberation?
- Does your University Research Ethics Board have proper representation of all faculties?
- Are standing committee meetings open, either to senators/representatives or all members of the university community?
- Does your senate have a budget and finance committee, and does it have meaningful opportunities to formulate senate recommendations to the board of governors on budgetary matters?

How open and transparent is the relationship between your senate and board?

- Are there senate representatives on the board and do board representatives attend senate meetings?
- How often, if ever, are joint meetings held between the two governing bodies?
- Are senators who attend board meetings properly briefed about the operations of the board?
- Is the senate empowered to refer any issue it deems relevant to the institution's academic mission to the board?
- Is the senate apprised of board and administrative proposals or initiatives before final decisions are made, and does it have meaningful opportunities to consider and provide recommendations?