

DRAFT REPORT OF THE UNB ACT REVIEW STEERING COMMITTEE

Draft Amendments to the Existing UNB Act ⁺⁺

A. Amendments Removing Cabinet Approval with respect to Property Matters

- s.13 The University may, subject to the terms of any trust upon which it may be held,
- (a) mortgage, sell, transfer, lease, licence, or otherwise dispose of, any of its personal property; and
 - (b) convey easements or rights of way over any of its real property and grant licences with respect thereto upon such terms as it deems advisable; ~~and (c) lease such parts or portions of any of its real property for such term or terms not exceeding twenty one years, and for and upon such consideration or rents, and with such covenant or covenants, as it may deem advisable.~~
- s.14 The University may, subject ~~to the approval of the Lieutenant-Governor in Council and~~ to the terms of any trust upon which it may be held,
- (a) sell, transfer, exchange, or dispose of, in fee simple, such parts or portions of any of its real property for such price and upon such terms of payment as it may deem advisable;
 - (b) mortgage such parts or portions of any of its real property as it may deem advisable; and
 - (c) lease such parts or portions of any of its real property for a term ~~exceeding twenty one years and~~ not exceeding ninety-nine years, and for and upon such rents, and with such covenant or covenants, as it may deem advisable.

B. Amendments as to Composition of Faculty Councils

Fredericton

- s.34(2) Each Faculty Council on the Fredericton campus, subject to the provisions of this Act, shall consist of the President, the Vice-President (Academic), the Dean of the Faculty, the heads/chairs of the departments ~~and the faculty members, except that for the Faculty of Law the Faculty Council shall consist of the President, the Vice-President (Academic), the Dean,~~ the faculty members and such other members as ~~the~~each Faculty ~~of Law~~Council shall determine.

Saint John

- s.34(3) Each Faculty Council on the Saint John campus, subject to the provisions of this Act, shall consist of the President, the Vice-President (Saint John), the Dean of the Faculty, the heads/chairs of the departments, the faculty members and such other members as each Faculty Council shall determine.

C. Additions as to Composition of Senates

Fredericton

s.30(1)(b.1) the Associate Vice-President (Learning Environment);

s.30(1)(r) two representatives elected by and from the contract academic instructors and contract academic librarians on the Fredericton campus.

Saint John

s.30(2)(k) additional faculty members or full-time librarians elected at large or by faculties as provided for by the Saint John Senate within subsections (3) and (4), so that the total number of full-time librarians and elected faculty members, including those members within paragraph (g), shall equal the total number of all other members, excluding the President; and

s.30(2)(l) one representative elected by and from the contract academic instructors and contract academic librarians on the Saint John campus

D. Definitions – Section 1

“chair” means, when in reference to the head of a department of the University, the person designated chair of the department;

“contract academic instructor” means a person employed by the University in contractual part-time teaching in a for-credit course and who otherwise, does not hold an academic appointment at the University at the rank of lecturer, nurse clinician, instructor, senior instructor, senior teaching associate, research associate (not including honorary research associates), senior research associate, assistant professor, associate professor or professor.

“faculty member” means a full-time member of the teaching staff of the University who holds the rank of senior teaching associate, instructor, senior instructor, lecturer, research associate, senior research associate, assistant professor, associate professor, ~~or~~ professor or nurse clinician;

“head” means, ~~(a)~~ when in reference to the head of an affiliated school, college or university, the person who is or is certified by the governing body of such school, college or university to be the head thereof; ~~and (b) in reference to the head of a department of the University, the person designated head of the department, and includes a person designated chairman of a department;~~

E. Amendments as to Officers & Titles

s. 21(1) There shall be a Vice-President (Academic), a Vice-President (Saint John), a Vice President (~~Finance and~~ Administration and Finance), a Vice-President (Research), a Vice-President Advancement, a Comptroller, a Registrar (Fredericton) and a Registrar (Saint John); and the titles for such positions may be amended or other titles substituted as the Board may determine from time to time.

s.64(4) The Vice-President (Advancement) shall

- (a) be responsible to the President for the co-ordination and control of the advancement functions of the University; and
- (b) perform such additional duties and have such powers as may from time to time be assigned to the Vice-President (Advancement) by the Board or by the President within their powers of delegation.

F. Correction of Typographical Error

s.41(1) A copy of every rule or regulation of a Senate providing for any of the matters mentioned in paragraphs ~~49~~40(i) and (k) to (s), save a matter of the academic standing of a student within paragraph 40(o), shall within ten days after the passing thereof be transmitted to the Secretary of the Board and no such rule or regulation shall have force until it is approved by the Board.

G. Board of Governors Composition and Size

The Committee received many submissions and comments supporting a reduction in the size of the Board of Governors which presently has 43 members of which 34 are voting. A significant concern was that the constituencies to be represented on the Board and the numbers of the representatives from each of the constituent groups be specified in the Act including in particular students, faculty, alumni/ae.

There were a number of suggestions as to Board size and composition including a proposal from AUNBT that the Board size be reduced to 19 voting members. The Committee recommends that further consultation and study be undertaken in order to determine an appropriate composition and size for a reduced Board.

Note: There will be grammatical and numbering adjustments necessary arising from amendments to the Act.

⁺⁺ Amendments to existing text are shown in blue with ~~red strike out~~. New sections to be added are shown in black.