

BILL NO. 69

Private Bill

4th Session, 54th General Assembly
Nova Scotia
37 Elizabeth 11, 1988

An Act to Amend and Consolidate
the Acts Relating to
Mount Saint Vincent University

CHAPTER 73
ACTS OF 1988

The Honourable Joel R. Matheson, Q.C.
Halifax Bedford Basin

AS ASSENTED TO BY THE LIEUTENANT GOVERNOR
25TH MAY, 1988

Halifax
Printed by Queen's Printer for Nova Scotia

An Act to Amend and Consolidate
the Acts Relating to
Mount Saint Vincent University

Be it enacted by the Governor and Assembly as follows:

- 1 This Act may be cited as Mount Saint Vincent University Act.
- 2 In this Act,
 - (a) "Board" means the Board of Governors of the University;
 - (b) "Chancellor" means the Chancellor of the University;
 - (c) "Congregation" means the Congregation of the Sisters of Charity of Saint Vincent de Paul, Halifax;
 - (d) "faculty" means the persons employed by the University to carry out teaching, research or other academic responsibilities, and includes such other employees of the University as may be given academic status in accordance with established procedures, but does not include students or others employed as teaching or research assistants or otherwise;
 - (e) "President" means the President of the University;
 - (f) "Senate" means the Senate of the University;
 - (g) "University" means Mount Saint Vincent University.
- 3 Mount Saint Vincent University, Halifax, Nova Scotia, incorporated by Chapter 124 of the Acts of 1966, the Mount Saint Vincent University Act, 1966, is continued as a body corporate and continues to have all the usual powers, privileges and functions exercised by a university including the power of granting all degrees.
- 4 The objects of the University, dedicated primarily to the education of women, are
 - (a) the promotion of academic excellence through the provision of a strong liberal arts and science core and selected professional disciplines;
 - (b) the dissemination and extension of knowledge through teaching, research and scholarly activity;
 - (c) the preservation of knowledge through its role as a repository and trustee of our cultural heritage;
 - (d) the continuing development, intellectual, moral, spiritual and physical of those sharing its life, in an environment characterized by a Catholic tradition and a high degree of personalized education;
 - (e) service to the community through its programs, resources and facilities.

5 Without limiting the generality of Section 3, the University may

(a) purchase or take by donation, deed, devise, bequest, lease, gift, grant or otherwise, real or personal property of any and every description, and hold, sell, lease, mortgage, pledge, charge or hypothecate the same;

(b) borrow money for the purposes of the University and secure the repayment of the same by any form of debenture, bond, mortgage, pledge, charge, deed of trust, hypothecation, promissory note or other security;

(c) draw, make, accept, execute, issue and endorse bills of exchange, cheques, promissory notes, hypothecation forms or such other instruments as may be necessary or convenient;

(d) take security, by way of mortgage or otherwise, for any money from time to time owing to the University, including interest thereon;

(e) subject to any provisions to the contrary contained in a trust instrument, invest its money and funds in any bonds, debentures, mortgages, stock, shares and other securities that it may consider proper for investment;

(f) federate, affiliate or co-operate with any university, college, school or other institution, body or person to achieve the objects of the University and enter into any agreement for that purpose.

6 (1) The Board consists of the following voting Governors:

(a) the Chancellor;

(b) the President;

(c) the Academic Vice-president of the University;

(d) the Administrative Vice-president of the University;

(e) five Governors appointed by the Congregation;

(f) three Governors selected by and from the alumnae;

(g) three Governors selected by and from the faculty;

(h) three Governors selected by and from the students;

(i) two Governors appointed by the Governor in Council;

(j) no fewer than twelve and no more than seventeen Governors selected by the Board from the community at large.

(2) Each Governor appointed or selected, pursuant to subsection (1), holds office during such term of office as the body which appointed or selected that Governor determines and the same person may be appointed or selected for two or more consecutive terms, except that no person may be a Governor for a term or consecutive terms exceeding six years.

(3) Notwithstanding subsection (2), a Governor to whom that subsection applies may be appointed for a term or consecutive terms exceeding six years where the Board, by resolution, so determines.

(4) Upon thirty days notice to a Governor, the Board, by a resolution passed at a meeting at which at least two thirds of the Governors are present, may declare that the Governor is no longer a Governor.

(5) Where a Governor ceases, for any reason, to be a Governor before that Governor's term of office expires, the body which appointed or selected that Governor may appoint or select another individual to the Board for the unexpired portion of that Governor's term.

7 The Board has the governance, conduct, management and control of the University and of its property, revenues, expenditures, business and affairs and has all the powers necessary to perform its duties and achieve the objects of the University and, without limiting the generality of the foregoing, may

(a) in accordance with its by-laws, appoint and remove the President, the senior administrative officers including the Vice-presidents and the Deans;

(b) appoint and remove, on the recommendation of the President, faculty members known as Chairs of Departments, directors, coordinators, faculty and all other employees and agents of the University;

(c) after consultation with the Senate, establish, maintain or discontinue faculties, schools, institutes, departments, chairs and courses of instruction;

(d) determine the number, duties, salaries and other emoluments of all officers, employees and agents of the University;

(e) appoint an executive committee and such other committees as it may deem advisable and delegate to any such committee any of its powers;

(f) provide rules and procedures regulating the discipline of students, including the imposition of fines, suspensions and expulsions;

(g) make by-laws, rules and regulations which are not inconsistent with this Act, any other enactment or any provision of law and which are necessary in the exercise of its powers and in carrying out its duties and, in particular, may make by-laws

(i) providing for the selection of Governors pursuant to clause (j) of subsection (1) of Section 6,

(ii) creating offices of the Board, assigning names to those offices, describing the powers and duties incidental to those offices and providing for the election by the Board of members of the Board to those offices,

(iii) regulating the internal procedure of the Board, including the method of calling meetings and the quorum required and the procedure at such meetings.

8 (1) There shall be a Senate of the University.

(2) Subject to this Section, the size and membership of the Senate and the terms of office of its members shall be as determined by the by-laws of the Senate.

(3) The majority of the member of the Senate shall be comprised of members of the faculty elected by the faculty.

(4) Subject to subsection (3), the Senate consists of the following as voting members:

- (a) the President;
- (b) the Academic Vice-president of the University;
- (c) the Administrative Vice-president of the University;
- (d) the Deans;
- (e) the University Librarian;
- (f) the Registrar;
- (g) such number of faculty members elected by the faculty as the Senate may, by by-law, determine;
- (h) such number of students elected by the students as the Senate may, by by-law, determine;
- (i) such other persons as the Senate from time to time determines.

9 Subject to approval of the Board for all expenditures, the Senate is responsible for the academic policy of the University and, without limiting the generality of the foregoing, shall

- (a) regulate the academic programs of the University;
- (b) determine the courses of study and standards for admission to the University and for continued enrolment therein and the requirements for certificates, diplomas and degrees;
- (c) establish procedures for the evaluation of student performance;
- (d) approve recipients of certificates, diplomas and degrees, including honorary degrees, to be granted by the University;
- (e) provide for the convening and conduct of convocations;
- (f) deal with all matters arising in connection with fellowships, scholarships, bursaries, medals, prizes and other awards;
- (g) be responsible for library policy;
- (h) determine the academic qualifications for appointment and promotion of faculty;
- (i) subject to ratification by the Board, determine the academic terms on which any faculty, school, institute, department, chair or course of instruction may be established or discontinued and on which any agreement for academic co-operation may be made with individuals or groups outside the University;
- (j) regulate the conduct, activities and discipline of students;

(k) appoint an executive committee and such other committees as it may deem advisable and delegate to any such committee any of its powers;

(l) subject to this Act, exercise such other functions, powers and duties as may, from time to time, be conferred on it or assigned to it by the Board.

10 The Senate may make by-laws, rules and regulations which are not inconsistent with this Act, any other enactment or any provision of law and which are necessary in the exercise of its powers and the carrying out of its duties and, in particular, may make by-laws

(a) creating offices of the Senate, assigning names to those offices and, subject to subsection (1) of Section 13, providing for the election of members of the Senate to those offices;

(b) regulating the internal procedure of the Senate, including the method of calling meetings and the procedure at such meetings.

11 (1) The General Superior of the Congregation of the Sisters of Charity of Saint Vincent de Paul, Halifax is the Chancellor.

(2) The President is the Vice-Chancellor of the University.

(3) The Chancellor, or, in her absence, the Vice-Chancellor shall preside at all convocations of the University and shall confer all degrees.

(4) In the absence of both the Chancellor and the Vice-Chancellor, the Board shall appoint one of the Governors to perform those functions described in subsection (3).

12 (1) The President shall be appointed by the Board for a fixed term which may be renewed.

(2) The President is the chief executive officer of the University.

13 (1) The President shall fill the office designated in the by-laws of the Senate as Chair of the Senate and shall supervise and direct the academic work and general administration of the University, the faculty, officers, employees, and students thereof, and has such other powers and duties as from time to time may be assigned to the President by the Board.

(2) Without limiting the generality of subsection (1), the President shall

(a) appoint, promote, suspend and dismiss faculty and terminate contracts of faculty in accordance with established procedures and, in general, supervise the procedures for the appointments and employment of faculty;

(b) exercise general supervision over the students of the University; and

(c) appoint, promote, suspend, dismiss and terminate the appointment of members of the administrative and operational staff of the University in accordance with established procedures.

14 The accounts of the University shall be audited at least once a year by an auditor, appointed by the Board, who shall be a public accountant within the meaning of the public Accountants Act and licensed pursuant to that Act.