

General Faculties Council
Executive Committee
Approved Open Session Minutes

Monday, October 03, 2022
South Academic Building (SAB) 2-31
2:00 PM - 3:45 PM

ATTENDEES:

Bill Flanagan
Bishoi Aziz
Jelena Holovati
Shanthi Johnson
Gurleen Kaur
Christopher Lupke
Jerine Pegg

Spencer Proctor
Tracy Raivio
Norma Rodenburg
Dan Romanyk
Chanpreet Singh
Verna Yiu
Nese Yuksel

non-voting:
Kate Peters

REGRETS:
Brad Hamdon

Staff:
Heather Richholt, Scribe

OPENING SESSION

Before calling the meeting to order the Chair made the following acknowledgement:

Last week the University closed to honour residential school survivors and the children who did not come home. A residential school memorial was set up in Quad and is a sad reminder of the continued legacy of residential schools. It is particularly important to note these things as we acknowledge that the University of Alberta resides on Treaty 6 territory and the homeland of the Métis. I hope you were all able to find ways to honour the National Day for Truth and Reconciliation on Friday as we continue our work to respond to the Commission's findings and the Calls to Action.

1. Approval of the Agenda

Materials before members are contained in the official meeting file.

Presenter(s): Bill Flanagan, President and Vice-Chancellor, and Chair of GFC Executive Committee (Exec)

Motion: The motion was moved and seconded

THAT GFC Executive Committee approve the agenda.

CARRIED

2. Comments from the Chair (no documents)

Presenter(s): Bill Flanagan, President and Vice-Chancellor, and Chair of Exec

Discussion:

In his comments the Chair made note of the release of the One University Operating Model, the launch of the university-wide planning process for the University Strategic Plan, and the College Model Review that would begin shortly and be reported to GFC.

CONSENT AGENDA

3. Approval of the Open Session Minutes of September 12, 2022

Materials before members are contained in the official meeting file.

Presenter(s): Bill Flanagan, President and Vice-Chancellor, and Chair of Exec

Motion: The consent agenda was moved and seconded

THAT GFC Executive Committee approve the open session minutes of September 12, 2022.

CARRIED

ACTION ITEMS

4. Election of a Vice-Chair (no documents)

Presenter(s): Bill Flanagan, President and Vice-Chancellor, and Chair of Exec

Discussion:

The Chair noted that Jerine Pegg had agreed to serve in the role of Vice-Chair and hearing no additional nominations she was acclaimed into the role. The Chair thanked J Pegg for agreeing to serve as Vice-Chair and to also serve as the Chair of the Executive's Subcommittee on Governance and Procedural Oversight.

5. Aboriginal to Indigenous Wording Change in the University Calendar

Materials before members are contained in the official meeting file.

Presenter(s): Norma Rodenburg, Acting Vice-Provost and Registrar; Florence Glanfield, Vice-Provost (Indigenous Programming & Research)

Discussion:

N Rodenburg and F Glanfield spoke about the proposed change from the term "Aboriginal" to "Indigenous" in the *University Calendar* acknowledging that words have power and preferred terms were subject to change along with learnings and understandings. Members were informed that the term "Aboriginal" was still in use for legal reasons in some instances such as reference to legal documents including the Constitution. It was also noted that the Faculty of Education's *Calendar* sections were not included in this proposal as they were working on their own changes which would be coming forward for approval soon. Members asked about combined degrees with the Faculty of Education and other Faculties and how those would be addressed.

Motion: The motion was moved and seconded.

THAT the GFC Executive Committee approve, with delegated authority from General Faculties Council the proposed revisions to the University Calendar, as set forth in the attached documents, to replace the term "Aboriginal" with the term "Indigenous" with exceptions as described in Attachment 1 for implementation in the 2023-2024 University Calendar.

CARRIED

6. Notice of Motion: Revisions to the Facilities Development Committee (FDC) Terms of Reference

Materials before members are contained in the official meeting file.

Presenter(s): Carolyn Sale, GFC Elected Academic Staff Member

Discussion:

The Chair noted that items 6, 7, 8, and 9 had been proposed by an elected member of GFC and also fell under GFC Executive's mandate to recommend to GFC regarding terms of reference, composition, and procedures for GFC and its standing committees as set out in section 4.6(b) of the committee's terms of reference. He further explained that three of the items were coming forward as a result of notices of motion made at the previous meeting of GFC under 8.7 of the Meeting Procedural Rules and that one had been submitted to the GFC Secretary for Executive's consideration.

C Sale explained that she had worked with the GFC Secretary to revise her motion. She spoke to the importance of facilities to the Academy and asserted that GFC should have the oversight of these matters.

Members asked about consultation and were informed that the Chair of the GFC Facilities Development Committee (FDC) and the Vice-President (Facilities and Operations) had been consulted and were not opposed to the motion. Members discussed how often proposals of this sort came forward and how much work this would mean for GFC and heard that there were very few decisions that needed to be made at present or over the past several years. Members discussed the motion to disband FDC that was tabled at GFC in the spring and whether that proposal would come forward again. A member suggested that the original motion was preferable. A member noted that FDC should still have a role to play with proposals of this sort but that it was reasonable for the decision making authority to be held by GFC.

Motion: The motion was moved and seconded.

THAT the GFC Executive Committee recommend that the General Faculties Council approve the rescission of the sub-delegation of authority to the GFC Facilities Development Committee (FDC) as set out in the Terms of Reference for GFC FDC section 4.2 and correct the corresponding section of the GFC Terms of Reference section 4.3 to take effect upon approval.

CARRIED

7. Notice of Motion: Policy requiring that proposals to the Board of Governors be brought to General Faculties Council

Materials before members are contained in the official meeting file.

Presenter(s): Carolyn Sale, GFC Elected Academic Staff Member

Discussion:

The Chair pointed to the preamble of the motion which argued that GFC had the authority, under section 26(1)(o) of the *Post-Secondary Learning Act* (PSLA), to require the President or Provost to take steps so that GFC can be given the opportunity to recommend on any policy matter the Board is going to decide on. He explained that this was not correct because only the Board had the authority to direct senior administration and GFC had no power to compel the Board. He further noted that GFC did have the authority to make recommendations to the Board but this motion was outside of GFC's jurisdiction. He explained that because of this he would rule the motion out of order at GFC but that his ruling would be subject to challenge. He further explained that if his ruling was successfully challenged by GFC and they passed the motion, it would not be enforceable.

C Sale noted her disagreement with the Chair's interpretation and spoke about the importance of collegial governance. She noted that GFC could not exercise its statutory authority to recommend to the Board if it was not given the information and opportunity it needed to inform those recommendations. She further noted that there was nothing in this motion to compel the Board and that it did not suggest that the Board could not make decisions without the input of GFC, it was simply meant to ensure that GFC had the time and opportunity to make recommendations on any policies that were brought to the Board by the chief academic officers of the university.

Members discussed whether there were any instances when a policy went to the Board without going to GFC that should have gone to GFC. Members acknowledged that GFC was often asked to recommend on matters which then moved on to the Board for approval. A member noted the value of transparency and collegiality but did not agree that this motion was valid. A member observed that the motion was overbroad with respect to the language in the PSLA but that it would be good practice to bring such items to GFC.

Senior Legal Counsel, Jax Oltean noted that the motion was beyond GFC's authority. She pointed to section 19 of the PSLA which outlined the duty of the Board to consider recommendations of GFC on specific matters and explained that the different language in section 26 means that there is not the same duty for the Board to consider any recommendations outside of those outlined in section 19.

A member asked whether the motion could be amended to make it a recommendation which would be within GFC's authority. A member noted that they understood the concerns about process and collegiality but did not think the motion was within the authority set out in the PSLA.

Motion: The motion was moved and seconded.

THAT The GFC Executive Committee recommend that the General Faculties Council approve that the President shall provide the General Faculties Council with notice of all policies that the President or the Provost intends to take to the Board of Governors for its consideration so that the General Faculties Council will have both the opportunity and sufficient time to exercise its statutory right to make recommendations to the Board on any matter "considered by the general faculties council to be of interest to the university.

DEFEATED

8. Notice of Motion: Request that the Board pause implementation of the College Dean Selection Procedure
Materials before members are contained in the official meeting file.

Presenter(s): Carolyn Sale, GFC Elected Academic Staff Member

Discussion:

C Sale spoke to her motion asserting that neither the Board nor the President should bypass GFC but should instead seek advice from GFC. She noted that this new procedure could be considered at the next meeting of GFC and that would not be much of a delay in the search process. She further noted that GFC should have been given the opportunity to review the procedure within the timeline of its development and it was not their concern that there were time pressures now.

The Chair noted that it was the jurisdiction of the Board to appoint senior leaders and that while GFC was free to make this or any recommendation to the Board, he would not support it.

A member questioned whether this item should be considered by the Executive Committee. The GFC Secretary noted that this was being considered by Exec because of their authority related to governance and procedural oversight.

Members discussed the University of Alberta Policies and Procedures Online (UAPPOL) procedure in question, whether GFC should have been given the opportunity to review it before it was approved by the Board, and the thorough consultation that revisions to UAPPOL selection procedures for senior leaders had undergone in the past. Members were divided on the matter and discussed the similarity of the procedure with the Dean selection procedure, whether the timing issue was a valid reason for the matter not to have come to GFC, and whether forcing this issue was sending an important message or just a "make work project" for those involved.

Motion: The motion was moved and seconded.

THAT the GFC Executive Committee recommend that the General Faculties Council requests that the Board of Governors not act upon or continue to act upon this "Procedure" until such time as the General Faculties Council has had the opportunity to consider and make a recommendation to the Board on the "Procedure," as its statutory right.

CARRIED

9. Motion concerning Memo to GFC members

Materials before members are contained in the official meeting file.

Presenter(s): Carolyn Sale, GFC Elected Academic Staff Member

Discussion:

The Chair spoke to his memo noting that his hope was that it would help members navigate the somewhat complex procedural rules and issues around the jurisdiction of GFC and the Board. He expressed that he stood by the information in the memo and did not intend to withdraw or amend it.

C Sale spoke to the shared and balanced authority of GFC and the Board and asserted that the memo should accurately reflect GFC's statutory power to recommend to the Board.

Members noted that they found the memo to be helpful and pointed out that the source documents were available as well.

Motion: The motion was moved and seconded.

THAT the GFC Executive Committee recommend that the General Faculties Council approve that the President withdraw his "Memo to GFC Members" of 13 September 2022 and revise it so that it is consistent with the "Powers of general faculties council" as set out in section 26(1) of Alberta's Postsecondary Learning Act.

DEFEATED

DISCUSSION ITEMS

10. Review of the GFC Nominating Committee Terms of Reference and Procedures

Materials before members are contained in the official meeting file.

Presenter(s): Bill Flanagan, President and Vice-Chancellor, and Chair of Exec

Discussion:

J Pegg outlined the key changes including the broadening of the composition.

Members discussed the composition of GFC, that some appointed seats were filled by elections, and GFC's nomination and election process for its standing committees. A member asked about NC's objection to the proposed composition changes and heard about the compromise of including the objection of NC in the materials.

11. Question Period

There were no questions.

FOR PLACEMENT ON THE GFC AGENDA (ACTION ITEMS)

12. Revisions to Examination Procedures and Deferred Exam Procedures in the 2023-2024 University Calendar

Materials before members are contained in the official meeting file.

FOR PLACEMENT ON THE GFC AGENDA (DISCUSSION ITEMS)

13. Update on the College Dean's progress and plans (no documents)

14. Online and Continuing Education (no documents)

ACTION ITEMS

15. Draft Agenda for the Next Meeting of General Faculties Council

Materials before members are contained in the official meeting file.

Presenter(s): Bill Flanagan, President and Vice-Chancellor, and Chair of Exec

Discussion:

Members agreed to remove Item 9 and to approve the draft agenda subject to the GFC Committee on the Learning Environment's approval by e-vote of item 5.

Motion: The motion was moved and seconded.

THAT the GFC Executive Committee approve, under delegated authority from General Faculties Council, the Agenda for the October 17, 2022 meeting of General Faculties Council, as set forth in Attachment 1, as amended.

CARRIED

CLOSING SESSION

16. Adjournment

- Next Meeting of Exec: October 31, 2022
- Next Meeting of GFC: October 17, 2022