

SIMON FRASER UNIVERSITY

S.74-11

MEMORANDUM

To SENATE

From SENATE COMMITTEE ON WORKING PAPER ON
UNIVERSITY GOVERNANCE IN BRITISH COLUMBIA

Subject REPORT TO SENATE

Date DECEMBER 27, 1973

MOTION:

"That Senate select one or more of its number to present its views on the Working Paper to the Committee on University Government at the hearing scheduled for 16 January 1974 at Simon Fraser University."

SIMON FRASER UNIVERSITY

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MEMORANDUM

To The Registrar

From Dr. B.P. Beirne, Director,
Pestology Centre, BioSciences Dept.

Subject Report to Senate

Date December 27, 1973

Attached is a copy of a report by an ad hoc committee of Senate on the Working Paper on University Governance in British Columbia.

The content of the report was agreed upon by the committee but Dean Smith and Senator Kissner did not have the opportunity of editing this draft. If they have any changes or additions to suggest they will communicate them to you within the next week, before the report is reproduced for distribution for the next meeting of Senate.

Bryan P. Beirne

BPB:ct
Enclosure

Bryan P. Beirne,
Director.

cc: Dean Smith
Senator Kissner.

Report of Senate Committee on the
Working Paper on University Governance
in British Columbia.

Committee members: B.P. Beirne
R.F. Kissner
W.A.S. Smith

Proposed Motion (to follow Senate discussion of this Report):

That Senate select one or more of its number to present its views on the Working Paper to the Committee on University Government at the hearing scheduled for 16 January 1974 at Simon Fraser University.

December 27, 1973

That this report is critical of certain of the proposals in the Working Paper should not be permitted to obscure the fact that the Committee on University Governance has done a conscientious job for which its members must be congratulated.

However, a general weakness of the Working Paper is that it does not provide a philosophical framework as a basis for the proposals on restructuring the university system in British Columbia in that it does not state clearly what reasonable goals for the universities are perceived to be. It therefore does not state how the proposals would facilitate the achievement of such goals. Consequently we often had difficulty in proposing alternatives to their proposals in the absence of a yardstick against which to measure them.

The main weakness of the proposals are certain undesirable consequences that could follow implementation. Some proposals could make the position of the president intolerable and even untenable by making him responsible to two bodies that conceivably could disagree and accountable for decisions made by a committee and with which he may disagree. Other proposals could tend to encourage the development of partisan politics in Senate. Still others could reduce community participation in university operation.

Purposes of recommendations in this report are to clarify obscure but important points and to indicate alternatives to proposals made in the Working Paper. Because of the complexity of the subject and of time constraints, the report is concerned more with principles than with details. For example, it is concerned with the identities of the constituents of a body but not with their actual numbers or relative proportions. When principles have been decided, details can then be considered.

I. The Universities Council of British Columbia

We support in principle the proposal to establish a Provincial Universities Council, on the grounds that any agency that tends to promote integration and cooperation and to eliminate unnecessary duplication can be valuable. However, this Committee is unable to comment constructively on the proposed Council, for two main reasons: -

First, the Council cannot coordinate the activities of the universities effectively and intelligently, or at least convince the universities that it can do so, until it knows what the universities are supposed to be doing, and the universities have not yet got defined goals.

Second, what the Council will attempt and accomplish will depend on presently unknown factors, namely the experience, opinions, attitudes, and views of people yet to be named: the members of the Council, its executive director, and three new university presidents.

General Recommendation:

That the establishment of an independent Universities Council of British Columbia be approved in principle.

Council Membership: Alternative Recommendations:

- (a) That the membership be as proposed in paragraph 30 of the Working Paper.
- (b) That the membership be as in (a) plus members elected by and from the senates of the universities.
- (c) That the membership be as in (a) plus members elected by and from convocations.
- (d) That the membership be as in (a) plus members elected by and from the student bodies of the universities.
- (e) That the membership be as in (a) plus members elected by and from the senates, convocations, and student bodies of the universities.

The advantages and disadvantages of combining the universities into a single Provincial university should be explored.

II. Alternative Systems of Governance

The Working Paper does not propose alternatives to the present system in which each university is governed essentially by two bodies, a Board and a Senate. But the Senate would become involved in finances and thus of necessity in related matters of general interest to the university community. The distinction between the functions of the two bodies would then become blurred. The chief distinction between them apparently would be the ostensible one that the Board would consist largely of members of the public and the Senate wholly of academics from within the university.

A unicameral system

A logical extension of the proposals would result in the Board and Senate being combined so that the university would have a unicameral system of government. This would recognize pragmatically the futility of trying to divorce academic matters from financial ones. The single body, which presumably would be termed Senate, could include representatives from all valid components of the university community.

Recommendation:

That the advantages and disadvantages of a unicameral system, as compared with those of the present Board plus Senate system, be examined and evaluated seriously and in detail at all levels, and perhaps tested at one of the universities.

The Cabinet system

Participation by the university community in internal decisions, including budget formulation, could be accomplished by the president having an advisory Cabinet or Executive Committee that would include at least several members elected by and from Senate. This Cabinet desirably should be small in total membership to operate efficiently.

Recommendation:

That the advantages of a Cabinet system be evaluated, its composition determined, and the system perhaps tested.

Participatory interest

Any committee-type governing body is liable to include members elected by and from particular components of the university community (e.g. students, faculty, convocation, staff). We feel that if a component wants representatives on a body it should demonstrate adequate interest in electing them.

Recommendation:

That no election to the Board, Senate, or other governing committee be valid unless 20 percent or more of the available electorate votes.

III. The Board

Composition

We regard the arguments for excluding faculty and, particularly, students from Board membership as unconvincing rationalizations. It can be variously argued that the public, the students, and the faculty are each beneficiaries or each trustees. We can see no critical reason why students and faculty should be excluded from Board membership, and note that (a) boards of other universities that include both appear to work well and (b) the SFU Board worked well with student participation. The presence of students, faculty, and/or convocation members on a Board is a key to the demystification of its role.

Alternative Recommendations:

- (a) That, as proposed in the Working Paper, the Board consist of members elected by Convocation, Members appointed by the Lieutenant-Governor-in-Council, and the President and Chancellor.
- (b) That the Board be constituted as in (a) with the addition of members elected by and from the student body.
- (c) That the Board be constituted as in (a) with the addition of members elected by and from the faculty.
- (d) That the Board be constituted as in (a) with the addition of both members elected by and from the student body and by and from the faculty.

Functions

The efficiency of university operation could be improved if decisions on expenditures already approved in the budget would rest with the President and not require approval at the Board level, though the President would remain fully accountable to the Board for his decisions.

Recommendation:

That this matter be studied in detail with a view to modifying appropriately Section 46 (notably paragraphs (c) and (d)) of the Universities Act.

IV. The Senate

Functions

A proposal in the Working Paper is that a standing committee of Senate should assist the President in budget formulation. Presumably this is an attempt to overcome the present situation in which Senate makes decisions that, if implemented, will involve major costs without itself considering those costs.

Statements in the Working Paper on this matter are in part somewhat vague, so that this Committee must make certain assumptions:

That the proposed Senate committee would be involved only in budget preparation and not in decisions on expenditures of funds in an approved budget, as otherwise the position of the President would become untenable in that he would be responsible to two bodies, Board and Senate, on expenditures;

That the role of the proposed Senate committee would be purely advisory, as otherwise the President could be in the untenable position of being accountable for financial decisions made by a committee and with which he may disagree; and

That the term open budgeting refers to the completed budget and that, as is standard practice everywhere, discussions leading to its preparation are not public.

Weaknesses of Senate involvement in budget preparation are:

That Senate, if constituted as proposed in the Working Paper as a purely academic body, would become involved in non-academic matters, namely in budgeting related to staff, services, and facilities, in addition to academic matters. In this event it would no longer be an academic body, and it then logically should have non-academic members; and

That the existence of this Senate budget committee would tend to make it and Senate political bodies in that people may try to get elected to protect or promote financial interests of their segments of the university.

Alternative Recommendations:

- (a) That a Senate committee be established to advise the President on priorities for expenditures in academic programmes.
- (b) That, as implied in the Working Paper, a Senate committee be established to advise the President on all aspects of budget formulation.
- (c) That a non-Senate presidential committee be established to advise the President on budget formulation, and that this committee include representatives elected by and from Senate.
(Note that the Cabinet idea, suggested earlier in this report, would cover this committee.)

Chairperson

We are opposed to the proposal that the President no longer chair Senate for the reason that he would be able to participate more actively than now in the debates, as we believe that this would tend to force the President to develop a party structure and become a de facto party leader in attempts to avoid votes against him that, conceivably, could force his resignation. We are not opposed to the proposal that Senate elect its own chairperson annually. This would tend to ensure that Senate has an effective chairperson which a particular President might not be. However, in this event the President desirably should not be a member of Senate for the reason indicated above.

Alternative Recommendations re Chairperson:

- (a) That, as at present, the chairperson of Senate be the President.
- (b) That, as proposed in the Working Paper, Senate elect its own chairperson annually.
- (c) That the President nominate a chairperson of Senate.

Alternative Recommendations re President:

- (a) That the President be a member of Senate.
- (b) That the President not be a member of Senate.

Membership

Wording in the Working Paper could exclude from Senate, presumably unwittingly, certain academic deans who do not happen to be Deans of Faculties, such as the SFU Dean of Graduate Studies. Appropriate rewording is needed.

We support the inclusion of the Director of Continuing Education and of students. We note that membership as proposed in the Working Paper would result in a closed system consisting of personnel within the university, which is not desirable. Consequently, we support the inclusion of convocation members.

If Senate is to become involved in budget formulation and related non-academic matters it should include representatives of relevant valid components of the university community. As indicated earlier in this report, this would tend to reduce the need for a Board and to support the idea of a unicameral governing body.

Alternative Recommendations:

- (a) That, as proposed in the Working Paper, Senate consist of specified academic administrators and members elected by and from faculty and by students.
- (b) That membership should be as in (a) plus members elected by and from Convocation.
- (c) That membership should be as in (a) plus representatives of other valid components of the university community that may be relevant to increased or otherwise changed Senate functions.
- (d) That membership should be as in (b) plus (c).

V. President

The Working Paper contains proposals that, if implemented, could limit the powers and responsibilities of the President to extents that his position could become difficult and potentially untenable: he could be responsible to two masters, Board and Senate; he could be held accountable for decisions with which he may disagree that are made by a committee; he may have to become a de facto party leader in a partisan system to avoid consequences of a vote against him in Senate; he would, apparently, relinquish responsibility for determining procedures on academic appointments and the like. Recommendations aimed at reducing or eliminating these problems are made elsewhere in this Report.

As the interests of all concerned are safeguarded by the President being fully accountable for his decisions and actions to the Board who hires and can fire him, consideration should be given to strengthening his powers instead of eroding them. For instance, administrative efficiency could be improved if final responsibility for decisions on expenditures approved in the budget would rest with the President rather than with the Board.

The Working Paper does not discuss possible alternatives to the present presidential system that might have special advantages, for example, associate, co-, or no president. We advocate that such possible alternatives be evaluated.

VI. Faculties

Recommendation:

That a committee of faculty and students be established to survey faculty committees on which student representation is needed, and to recommend accordingly.

VII. Procedures for Academic Appointments, etc.

Recommendation:

That committees of administrators, faculty and students be established to suggest appropriate procedures and advise the President accordingly.

VIII. Alternative Approaches to University Education

Recommendation:

That a standing committee of administrators, faculty, and students of the three universities be established to consider this matter and recommend accordingly.

IX. General Recommendation

Recommendation:

That in view of the extent to which the content of the Working Paper has been studied by Senates, the Committee on University Government should include henceforth at least one Senator from each of the three universities.

OVERVIEW

The Committee on University Governance was appointed by the Minister of Education in September 1973 under the chairmanship of John Bremer. The Committee was asked to report to the Minister under the following terms of reference:

"To consider the internal and external forms of university governance, with particular reference to the relationship between the universities and the Provincial Government, and to make recommendations to the Minister of Education for appropriate changes in the Universities Act."

This initial statement by the Committee is intended to encourage the examination and discussion of the matters raised. The Committee invites interested groups and individuals to submit written briefs and make presentations at public hearings that will commence in mid-January 1974.

The Act under which the public universities of British Columbia operate was written in 1969 and, in many respects, is still an effective document. The Committee sees no need to change those sections of the Act which have worked well over the past ten years and which continue to work well. However, the nature of the times require that changes be made which will ensure public accountability and preserve the essential academic autonomy of the universities.

The Committee assumes that any legislation respecting the universities in British Columbia would require university practices to be in accordance with the provisions of any provincial human rights legislation.

In general, the Committee is reluctant to propose changes which penetrate too deeply into the internal structure and responsibilities of the universities, and sees no reason why the three universities should have uniform internal administrative structures and procedures.

The Committee considers a university Board of Governors to be the trustee of public funds which oversees the budgeting and expenditure of those funds. It does not see

Working Paper on University Governance in British Columbia



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Prepared by the Committee on University Governance

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the Board as a management committee which initiates university policies, nor does it believe that its members should be elected to represent "constituencies" in the university community.

The Committee recognizes the traditional responsibility of Senate for the academic governance of the university, but feels that the Senate's role in this respect should be given greater clarity. It proposes, therefore, that Senate be composed of students and faculty members only.

The trustee role of the Board and the academic responsibility of the Senate at each university should be seen in the larger context of the province and the nation. To provide a framework in which there is adequate recognition of the public interests, the Committee proposes the formation of a Universities Council of British Columbia, the members of which would be drawn from the general public. This council would replace the present Advisory Board and Academic Board and act as an intermediary between the universities and the Minister of Education. It would have power to support and encourage coordination and planning of university activities as well as provide a public review of those activities.

The importance of the role of leadership in the university is recognized by the Committee. It believes that the President should maintain this role of leader and continue to be the university's chief executive officer. However, the Committee proposes that the President participate in Senate as a member, rather than in the chair, and prepare the annual budget in consultation with a standing committee of Senate. This would expand both the scope and accountability of the presidency. It is further proposed that each president be included as a non-voting member of the Council for the Universities of British Columbia.

The Committee does not believe that coordinating bodies between the Board of Governors and Senate, or between the university and the community, need to be established by legislation. Such links can be created by the Board and

Senate of each university. Moreover, the Committee does not believe it would be wise to legislate the creation of inter-university bodies to deal with the proposed Council for the Universities of British Columbia.

INTRODUCTION

1. Few public institutions have been subjected to as rigorous and widespread an examination of their structure and function as have today's universities. And few public institutions have had to contend with the ramifications of the pace of social change in so many forms as have the universities. It is not, however, to elicit sympathy for these bodies that we need to be reminded of these facts; it is to call to our attention the present position of the university and to remind ourselves of the burden society has placed on universities — and of the burden universities can be to society.

2. In the recent past in British Columbia there have been many proposals for changing the structure of the universities. For the most part these have addressed themselves to particular aspects of university governance. In pursuing its examination of the present structure of the province's public universities, the Committee undertook to examine the whole structure and to concentrate particularly upon the relationship of the parts one to the other rather than upon any single aspect.

3. The operational premise of the Committee is that the political relationships that exist between the elements of the university community are, in the final analysis, a product not of legislation but of the power relationships that develop between students, faculty members, deans, presidents and boards of governors, and that these relationships are unlikely to be modified in any major way by statutory means. This is not a premise that assumes that the *status quo* is always preferable. It is one that recognizes the existence of strong traditions within the universities and the human propensity of those accustomed to these traditions to convert

new forms to old. Lasting change can be best assured by proposing modest alterations that encourage new relationships to develop from within.

4. The object, then, of this working paper is to propose ways in which these relationships can be more clearly defined. The proposed changes would have the effect of encouraging reform in university governance without forcing it into a rigid mold of legislative provision. The political assumption is that parliamentary processes which rely more on precedent and the good judgement of those engaged in the operations and less on elaborate and cumbersome structures, are preferable.

5. The Committee has been particularly concerned with the relationship between the universities and the government. Universities are public institutions, spending public funds and performing public functions. The fact that governments should want some means of ensuring that universities are spending public funds wisely and with some recognition that the public treasury is not inexhaustible should cause neither surprise nor worry. Equally, however, universities should be concerned that governments do not interfere in any direct or indirect way with their operation. The strength of any university is its independence.

6. To provide government with more than an earnest assurance of responsibility and to protect universities from political pressures, an agency to function as an intermediary is needed. The Worth Report in Alberta, the Wright Report in Ontario, the Oliver task force in Manitoba and the Carnegie Commission all proposed the creation of some kind of body to serve this purpose. This committee takes the view that such an intermediary is necessary in British Columbia. It would provide for the reconciliation of accountability with autonomy and would ensure a greater sensitivity to social needs in the development of university education.

SPECIFIC PRELIMINARY PROPOSALS: THE BOARD OF GOVERNORS

7. Boards of Governors have often been the principal objects of criticism of the university. It is claimed that they represent neither the university community nor the public, that all too often they consist of captains of industry who evince little concern for matters academic; and that they rule the campus in a thoroughly dictatorial manner. Without at this point disputing these assertions, it is worth noting that apart from the university Chancellor, members of these boards receive little public recognition for the time and energy they devote to university matters and no material rewards beyond occasional lunches and dinners at university expense. Moreover, their influence on university affairs, however significant their contribution, is often exaggerated.

8. The function of Boards of Governors, strictly interpreted, is to act as public trustees on behalf of the crown — the trustor, and to serve the university — the beneficiary of the trust. This is a necessary function if universities are to have the benefit of public funds. The logic of the trustor-trustee relationship requires that trustees have no interest in the trust beyond serving both trustor and beneficiary. It also follows that beneficiaries cannot be trustees.

9. Proposals for reform have usually included provision for faculty and student membership on Boards of Governors. Apart from the violence this does to the logic of the trustor-trustee relationship, there seems to be little advantage in greatly increasing the size of Boards or of making them into university assemblies such that the real work of governing is carried on by one or more small committees — as has happened in other jurisdictions where such remedies have been attempted.

10. Because their proceedings are more or less secret, Boards of Governors appear to be more active and influential in university affairs than they really are. A thorough de-

vitality important and clearly a matter that must engage a significant portion of Senate's attention.

17. The Committee recognizes the fairly obvious fact that matters of student discipline no longer require the elaborate structures that were a product of the era when the university functioned *in loco parentis*. It is therefore proposed that the Faculty Council be abolished. Disciplinary matters which are not within the normal sphere of the civil or criminal law, should be handled by bodies to be established by the universities in consultation with appropriate student representatives. Final appeal from these bodies should lie to a standing committee of the Senate.

18. To enable the presidents to participate more actively in the debates of Senate, it is proposed that each Senate elect its own chairperson annually. To enable the Senate to participate fully in the governance of the university it is proposed that each Senate establish a standing committee to meet with and assist the president in the preparation of the university budget. In this connection there is no evidence to support the necessity for secrecy in budgeting. Where open budgeting has been instituted the results have been uniformly positive.

19. As envisaged by the Committee, the Senate is the central agency in the academic governance of the university. Composed solely of those for whom the academic decision-making process is of central and overriding concern, it would exercise a wide and significant authority within the powers presently assigned under the existing Act. The Committee would propose no change in its powers beyond proposing that it be charged more specifically with the academic governance of the university, and providing for the active involvement of a Senate standing committee in the central budgeting process. So constituted it would have the potential to bring about whatever changes in the academic style and pursuits of the university that it chose.

mystification of the role of Boards would reveal the fallacy of the assumption that faculty and student membership on Boards would open the way to more significant participation in university governance for these groups. The Committee does not accept this assumption.

11. It proposes that the size of the Board of Governors be increased to fifteen with five members elected by Convocation and eight appointed by the Lieutenant-Governor-in-Council — the remaining two members being the President and the Chancellor, *ex-officio*. The Committee would also propose that the Board be styled the Board of Trustees, and that faculty members and students of the particular university be ineligible for election or appointment.

12. To those who would at this point protest that by excluding faculty and students from the Board, the Committee is denying the possibility of real democracy on the campus, it should be pointed out that the true nature of democracy lies not in who sits where but in the relationship of the parts to each other and to the whole. It is pointless to argue that democracy demands the election of a monarch if in fact that monarch is absolute; far better to keep the crown as hereditary and invigorate the assembly. Trusteeship is the principal responsibility of the Board.

THE SENATE

13. It was the Duff-Berdaahl commission that in 1966 pointed out for those who had eyes to see that the real locus of power on the campus was the Senate. It was in this body that the academic decisions were taken prior to their almost perfunctory ratification by the Board. As they are presently constituted, Senates tend to be too large to be effective — at least this would seem to be the case with the University of British Columbia. At the same time, too small a Senate loses the advantages that size lends to an assembly in which debate is the basis for decision making. Moreover,

FACULTIES

20. The one change in the structure of the Faculties that the committee would recommend at this point would be that Faculties make provision for student representation at a level and in a manner to be decided by the faculty members and students of each Faculty. There is no doubt that student involvement in the governing processes of the university is highly desirable and worthwhile as a means of ensuring that the university is aware of the needs and wishes of its student body and of the wider community their views often reflect, and also as means of providing students themselves with valuable insights into the bases of decisions that have ramifications beyond the immediate concerns of a particular course or discipline. For these reasons the Committee proposes that there should be student representation on the Senate and on the Faculties.

THE PRESIDENT

21. The Committee recognizes that attempts to minimize power or distribute it widely on the campus are seldom successful. In what it proposes, the Committee seeks to ensure that power is exercised openly and in a context that provides responsibility within the existing structures.

22. The rearrangement of the operating parts of a university invariably produces situations in which the old order reasserts itself in new forms that are not immediately recognizable but are, nonetheless, as undesirable as before — assuming that the desire for change was based on valid criticism. Equally ineffective are attempts to distribute power widely by new structures, massive infusions of electoral devices and a plague of elected committees. Such changes succeed only in making it difficult for decisions to be reached and even more difficult to determine responsibility once they have been reached. And, almost inevitably, either the old power structure or a new and more subtle one will emerge

small Senates suffer from either a limited committee structure or overworked members, or both.

14. Apart from size, the Committee considered the role of "lay" members of Senates and came to the conclusion that the interests of the community could be better served in other ways. Experience in this and other provinces indicates that the provision of a relatively small number of lay members on academic senates is not a satisfactory way to ensure community input. The desirability of maintaining a modest sort of participating connection for members of Convocation is met by the proposal that convocation elect five members of the Board of Trustees. Community responsibility in the broader and more significant context is provided for in the proposals relating to the university-government intermediary body.

15. It is proposed that Senate have a purely academic composition. This would consist of the Chancellor, President, Academic Vice-president or equivalent, Deans of Faculties, Chief Librarian, Director of Continuing Education or equivalent, a representative of each affiliated college, a number of students equivalent to the total of the preceding membership, and a number of faculty equal to twice the total of preceding membership excluding students. In other words, each senate would consist of 25% administration, 25% students and 50% faculty members. At present this would produce a senate of 72 at U.B.C., 44 at the University of Victoria and 40 at Simon Fraser University.

16. The inclusion of the Director of Continuing Education or the equivalent, is a matter of some importance. The extension of a university's academic services beyond its walls was once a secondary operation designed as much to fulfill a public relations role as to educate extra-mural students. Today a major part of a university's teaching function must involve part-time students, extra-mural students and students engaged not in degree work but in continuing education of a variety of kinds. A university's out-reach is now

to flourish behind a thicket of procedures that purport to be the essential mechanisms of democracy. Democracy is less a tangle of procedures and more a way of political behaviour that relies upon good faith and the notion of responsible and visible government.

23. It is the Committee's proposal, therefore, that the office of President remain essentially as it is in the present Act, except that the Senate be involved in the budgetary process and that the President no longer chair Senate. In short, it is the view of the Committee that the President be the chief executive officer of the university, accountable to the Senate in matters of academic governance, and responsible to the Board in its role as public trustee.

PROCEDURES FOR ACADEMIC APPOINTMENTS, PROMOTION AND RELATED MATTERS

24. Amongst the more vexatious questions that have faced universities have been those involving questions of appointment, tenure and renewal of contract. Universities have responded to these questions in their own ways.

25. It is the view of the Committee that these are matters which properly belong to the universities themselves to deal with where they do not touch upon areas served by the civil and criminal jurisdictions. The Committee believes it to be of fundamental importance, however, that universities establish and make public specific and simple procedures for dealing with matters under these headings. It proposes that the procedures be formulated by appropriate university bodies, in consultation with the Faculty Association or an equivalent agency. The Committee would also propose that when the president makes his recommendations regarding personnel matters to the Board of Trustees, that he be required to report the findings of the appropriate committees at the same time.

96. While the Committee generally favours the view that administrators in the universities should hold office for fixed terms and that faculty should play the major role in any selection process, it does not think that it would be wise to provide for such terms and procedures in legislative form. The particular circumstances of each university require local initiative in these questions within the general guidelines that the Act establishes.

97. It seems obvious that universities should provide specific dismissal procedures, for example, to ensure that the tenure provisions serve the purpose for which they were designed: the protection of the academic from interference in the free and open pursuit of scholarship and not as a barricade to protect the incompetent from legitimate confrontation with their own inadequacy. It is the hope of the Committee that one result of the changes it is proposing would be the encouragement of free and open discussion of every aspect of a university's operation including procedures governing appointments, promotion and tenure, salaries, dismissal and discipline.

THE UNIVERSITIES COUNCIL OF BRITISH COLUMBIA

98. A matter of major concern to both universities and the governments that support them has been the just apportionment of spheres of independence and involvement. Governments quite properly require an accounting of the funds they annually contribute to universities in the form of capital and operating grants. They become justifiably concerned when they hear rumours of wasteful expenditure, yet are denied budgetary control over the universities. For their part the universities prefer being treated not as mendicants but as the rightful recipients of as large a portion of the public purse as they alone feel their purposes require.

99. Rising costs, changing attitudes toward post-secondary education in general, the need to avoid competition be-

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and, moreover, is concerned that such a development would create an adversary relationship between the universities and the Council. The Council, and not some other body, should be the focus and the forum for inter-university relationships as well as university-government relationships.

96. The Committee would propose that the Council establish a number of ad hoc or standing committees that would serve in an advisory capacity. These committees would include individuals from other educational bodies and from community groups whose interests and concerns intersect with the aims and development of university education in the province.

ALTERNATIVE APPROACHES TO UNIVERSITY EDUCATION

97. The Committee on University Governance has not directed its attention to any of the myriad proposals for alternative forms of curriculum, structure and content although it is the Committee's intention to provide a compendium of such proposals with a working bibliography in its final report. Apart from the view already stated that little of any positive value would be achieved by massive restructuring of the existing universities, there is a more compelling reason for not dealing with this subject. That reason is simply that, in the Committee's opinion, there is nothing in the present or proposed structure of the province's universities that would prevent the development and institution of most of the proposals for educational reform now current. Moreover it is obviously more consistent with the democratic objective of university reform to encourage the development of new forms from within rather than to legislate them from without.

98. It is the Committee's firm belief that such resistance to change as may be found in the universities is a function of attitudes within each campus and not a function of the structure within which these attitudes exist. The most that

tween universities for public funds and the need to avoid wasteful duplication of resources requires the establishment of an intermediary serving as the agency within which the interests of government and university are reconciled. Such an agency would minimize confrontation and provide a framework for mutual interaction and persuasion. It would also serve to ensure the coordination of programmes and resources amongst the universities and provide for systematic public influence in the development of university education in British Columbia.

99. This Council, as the Committee envisages it, would be composed of eleven lay persons appointed by the Lieutenant-Governor-in-Council, with the presidents of the universities, a representative of the Department of Education plus the chairman of any equivalent body established for the province's colleges as non-voting members. It would meet at least monthly during the academic year. It would elect its own chairman and would appoint a full-time executive director and such staff as it would require to perform its functions. These would include receiving the operating and capital budgets from each of the universities, evaluating and consolidating these and transmitting a total request to the Minister of Education. It would allocate the sum received from the government to the universities. The Council would also concern itself with the intermediate and long range planning of university development and would have the power to approve or disapprove proposals for new institutes, and new degree programmes at the undergraduate and post-graduate levels. In addition it would work with the universities in promoting cooperative ventures and in coordinating existing and future developments.

91. In the performance of its duties it would have the power to require from the universities such documents and information as it felt it needed and would, as well, be empowered to carry out or contract for studies or research projects related to its area of responsibility. While the Committee can see no reason for making specific legislative pro-

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vision, it would urge the government to consider the advisability of establishing longer and more flexible budgetary periods.

99. An important responsibility of the Council would be the preparation and publication of an annual report which would include all the budgetary information submitted to it by the universities and submitted by it to the government, as well as details of its allocation to the universities. In addition the report would include a general appraisal of the state of university education in the province.

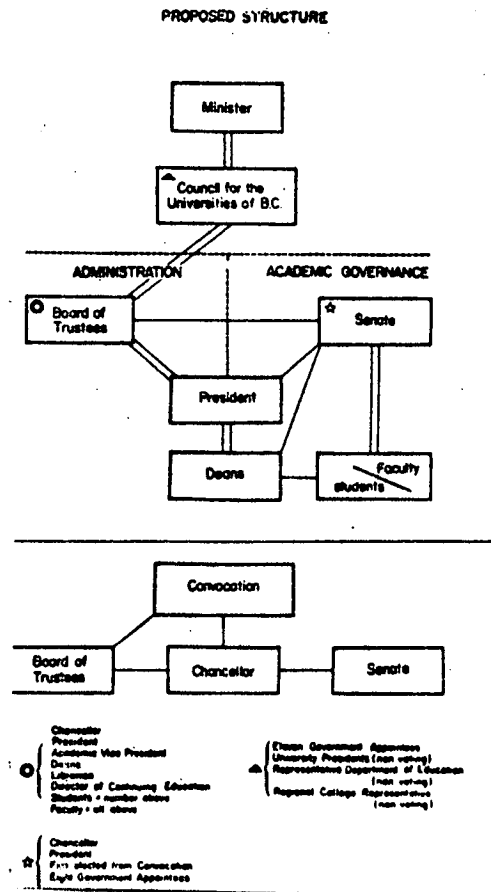
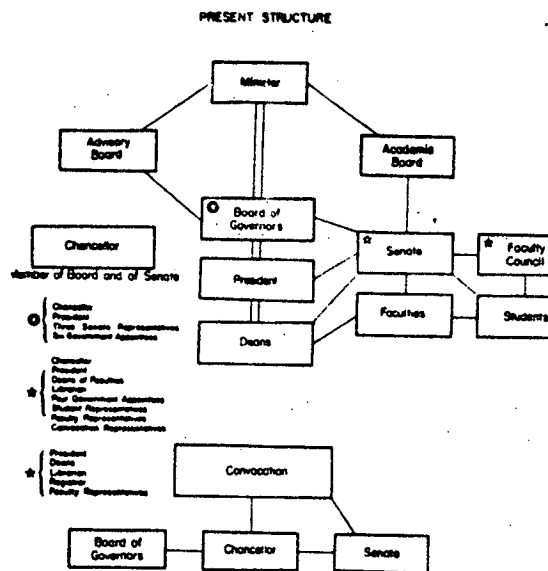
93. While the Council would have specific powers with respect to new degree programmes and would have the sole responsibility for allocating the general government grant for universities, its general responsibility would lie in the areas of encouraging, advising and warning the universities without at the same time interfering with their necessary and legitimate autonomy in internal matters. It should not, for example, be within the Council's powers to exercise line item budgetary control. Within the grant of funds made by the Council, and having regard for the Council's advice, the universities would be responsible for their own allocations. The Council could provide advice based on the work of its staff or outside contract research in a wide variety of areas and would actively encourage cooperation and coordination between the universities.

94. It is the belief of the Committee that the Council would stand between the universities and the government, serving as a wise counsellor to both and as a third voice in the deliberations affecting universities in British Columbia. The presence on the Council of the chairman of any equivalent body serving the College constituency would provide much needed coordination between the two ranges of higher education offered in the province.

95. Proposals have been made for the establishment of formal inter-university bodies to represent the province's universities before the Council. The Committee can see no advantage in legislating the establishment of such a body.

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any structural change can do is provide a framework within which ideas may develop freely with the assurance that there is a legitimate forum in which they may be debated and which has the authority to implement those winning the support of the members of the academic community. It is the Committee's view that the changes proposed in this working paper will enhance the potential for change from within the structures of university governance. It should be noted that one of the functions the Committee envisages for the Council is the application of its research capacity in the areas of educational alternatives at the university level.



SIMON FRASER UNIVERSITY

MEMORANDUM

To MEMBERS OF SENATE

From SENATE COMMITTEE ON AGENDA AND RULES

Subject QUESTIONNAIRE - ON THE REPORT OF
 THE SFU SENATE COMMITTEE ON THE
 WORKING PAPER ON UNIVERSITY
 GOVERNANCE IN BRITISH COLUMBIA

Date JANUARY 8, 1974

Reference is made to Paper S.74-11 which is on the agenda for discussion at Senate at the meeting of January 14, 1974.

Following the discussion at Senate of the Report of the Senate Committee on the Working Paper on University Governance in British Columbia would you please complete the attached questionnaire. It will be collected before the close of the Senate meeting on January 14. It is recognized that during the discussion on the Report some additional recommendations might be proposed and some of the recommendations proposed might be deleted. Were either of these actions to arise then the necessary adjustments would have to be made to the questionnaire at the meeting before requesting its completion and before its collection.

The Senate Committee on Agenda and Rules has recommended that the questionnaire not be filled in by individual Senate members until the debate on the particular points have been completed. The questionnaire is being distributed now to give members an opportunity to consider their responses. Additional copies will be available at the meeting of Senate should they be required.

Instructions - Completion of Questionnaire

In the appropriate rectangle ☐ to the left of each item, please indicate by "X" your vote in favor (yes) or opposed (no), as applicable.

Where applicable in the sections which follow, please rank in order the individual items of the section. In the rectangle to the left ☐, place the selected number indicating your ranking of the item. The larger the selected number the higher the ranking. Within each section use each number once only.

Q U E S T I O N N A I R E

on

Report of Senate Committee on the
Working Paper on University Governance
in British Columbia.

Committee members:

B. P. Beirne
R. F. Kissner
W.A.S. Smith

Proposed Motion (to follow Senate discussion of this Report):

That Senate select one or more of its number to present its views on the Working Paper to the Committee on University Government at the hearing scheduled for 16 January 1974 at Simon Fraser University.

December 27, 1973

That this report is critical of certain of the proposals in the Working Paper should not be permitted to obscure the fact that the Committee on University Governance has done a conscientious job for which its members must be congratulated.

However, a general weakness of the Working Paper is that it does not provide a philosophical framework as a basis for the proposals on restructuring the university system in British Columbia in that it does not state clearly what reasonable goals for the universities are perceived to be. It therefore does not state how the proposals would facilitate the achievement of such goals. Consequently we often had difficulty in proposing alternatives to their proposals in the absence of a yardstick against which to measure them.

The main weakness of the proposals are certain undesirable consequences that could follow implementation. Some proposals could make the position of the president intolerable and even untenable by making him responsible to two bodies that conceivably could disagree and accountable for decisions made by a committee and with which he may disagree. Other proposals could tend to encourage the development of partisan politics in Senate. Still others could reduce community participation in university operation.

Purposes of recommendations in this report are to clarify obscure but important points and to indicate alternatives to proposals made in the Working Paper. Because of the complexity of the subject and of time constraints, the report is concerned more with principles than with details. For example, it is concerned with the identities of the constituents of a body but not with their actual numbers or relative proportions. When principles have been decided, details can then be considered.

I. The Universities Council of British Columbia

We support in principle the proposal to establish a Provincial Universities Council, on the grounds that any agency that tends to promote integration and cooperation and to eliminate unnecessary duplication can be valuable. However, this Committee is unable to comment constructively on the proposed Council, for two main reasons:-

First, the Council cannot coordinate the activities of the universities effectively and intelligently, or at least convince the universities that it can do so, until it knows what the universities are supposed to be doing, and the universities have not yet got defined goals.

Second, what the Council will attempt and accomplish will depend on presently unknown factors, namely the experience, opinions, attitudes, and views of people yet to be named: the members of the Council, its executive director, and three new university presidents.

General Recommendation:

I. ☐ ☐
Yes No

That the establishment of an independent Universities Council of British Columbia be approved in principle.

Council Membership: Alternative Recommendations:

Rank in order from 5 through 1.

- ☐ (a) That the membership be as proposed in paragraph 30 of the Working Paper.
- ☐ (b) That the membership be as in (a) plus members elected by and from the senates of the universities.
- ☐ (c) That the membership be as in (a) plus members elected by and from convocations.
- ☐ (d) That the membership be as in (a) plus members elected by and from the student bodies of the universities.
- ☐ (e) That the membership be as in (a) plus members elected by and from the senates, convocations, and student bodies of the universities.

The advantages and disadvantages of combining the universities into a single Provincial university should be explored.

II. Alternative Systems of Governance

The Working Paper does not propose alternatives to the present system in which each university is governed essentially by two bodies, a Board and a Senate. But the Senate would become involved in finances and thus of necessity in related matters of general interest to the university community. The distinction between the functions of the two bodies would then become blurred. The chief distinction between them apparently would be the ostensible one that the Board would consist largely of members of the public and the Senate wholly of academics from within the university.

A Unicameral system

A logical extension of the proposals would result in the Board and Senate being combined so that the university would have a unicameral system of government. This would recognize pragmatically the futility of trying to divorce academic matters from financial ones. The single body, which presumably would be termed Senate, could include representatives from all valid components of the university community.

Recommendation:

- II. 1. ☐ ☐
Yes No
- That the advantages and disadvantages of a unicameral system, as compared with those of the present Board plus Senate system, be examined and evaluated seriously and in detail at all levels, and perhaps tested at one of the universities.

The Cabinet system

Participation by the university community in internal decisions, including budget formulation, could be accomplished by the president having an advisory Cabinet or Executive Committee that would include at least several members elected by and from Senate. This Cabinet desirably should be small in total membership to operate efficiently.

Recommendation:

- II. 2. ☐ ☐
Yes No
- That the advantages of a Cabinet system be evaluated, its composition determined, and the system perhaps tested.

Participatory interest

Any committee-type governing body is liable to include members elected by and from particular components of the university community (e.g. students, faculty, convocation, staff). We feel that if a component wants representatives on a body it should demonstrate adequate interest in electing them.

Recommendation:

- II. 3. ☐ ☐
Yes No
- That no election to the Board, Senate, or other governing committee be valid unless 20 percent or more of the available electorate votes.

III. The Board

Composition

We regard the arguments for excluding faculty and, particularly, students from Board membership as unconvincing rationalizations. It can be variously argued that the public, the students, and the faculty are each beneficiaries or each trustees. We can see no critical reason why students and faculty should be excluded from Board membership, and note that (a) boards of other universities that include both appear to work well and (b) the SFU Board worked well with student participation. The presence of students, faculty, and/or convocation members on a Board is a key to the demystification of its role.

Alternative Recommendations:

Rank in order from 4 through 1

III. 1 ☐

(a) That, as proposed in the Working Paper, the Board consist of members elected by Convocation, members appointed by the Lieutenant-Governor-in-Council, and the President and Chancellor.

☐

(b) That the Board be constituted as in (a) with the addition of members elected by and from the student body.

☐

(c) That the Board be constituted as in (a) with the addition of members elected by and from the faculty.

☐

(d) That the Board be constituted as in (a) with the addition of both members elected by and from the student body and by and from the faculty.

Functions

The efficiency of university operation could be improved if decisions on expenditures already approved in the budget would rest with the President and not require approval at the Board level, though the President would remain fully accountable to the Board for his decisions.

Recommendation:

III. 2. ☐ ☐
Yes No

That this matter be studied in detail with a view to modifying appropriately Section 46 (notably paragraphs (c) and (d)) of the Universities Act.

IV. The Senate

Functions

A proposal in the Working Paper is that a standing committee of Senate should assist the President in budget formulation. Presumably this is an attempt to overcome the present situation in which Senate makes decisions that, if implemented, will involve major costs without itself considering those costs.

Statements in the Working Paper on this matter are in part somewhat vague, so that this Committee must make certain assumptions:

That the proposed Senate committee would be involved only in budget preparation and not in decisions on expenditures of funds in an approved budget, as otherwise the position of the President would become untenable in that he would be responsible to two bodies, Board and Senate, on expenditures;

That the role of the proposed Senate committee would be purely advisory, as otherwise the President could be in the untenable position of being accountable for financial decisions made by a committee and with which he may disagree; and

That the term open budgeting refers to the completed budget and that, as is standard practice everywhere, discussions leading to its preparation are not public.

Weaknesses of Senate involvement in budget preparation are:

That the Senate, if constituted as proposed in the Working Paper as a purely academic body, would become involved in non-academic matters, namely in budgeting related to staff, services, and facilities, in addition to academic matters. In this event it would no longer be an academic body, and it then logically should have non-academic members; and

That the existence of this Senate budget committee would tend to make it and Senate political bodies in that people may try to get elected to protect or promote financial interests of their segments of the university.

Alternative Recommendations:

Rank in order from 3 through 1.

- IV. 1. ☐ (a) That a Senate committee be established to advise the President on priorities for expenditures in academic programmes.
- ☐ (b) That, as implied in the Working Paper, a Senate committee be established to advise the President on all aspects of budget formulation.
- ☐ (c) That a non-Senate presidential committee be established to advise the President on budget formulation, and that this committee include representatives elected by and from Senate. (Note that the Cabinet idea, suggested earlier in this report, would cover this committee.)

Chairperson

We are opposed to the proposal that the President no longer chair Senate for the reason that he would be able to participate more actively than now in the debates, as we believe that this would tend to force the President to develop a party structure and become a de facto party leader in attempts to avoid votes against him that, conceivably, could force his resignation. We are not opposed to the proposal that Senate elect its own chairperson annually. This would tend to ensure that Senate has an effective chairperson which a particular President might not be. However, in this event the President desirably should not be a member of Senate for the reason indicated above.

Alternative Recommendations re Chairperson:

Rank in order from 3 through 1

- IV. 2. ☐ (a) That, as at present, the chairperson of Senate be the President.
- ☐ (b) That, as proposed in the Working Paper, Senate elect its own chairperson annually.
- ☐ (c) That the President nominate a chairperson of Senate.

Alternative Recommendations re President:

Rank in order from 2 through 1

- IV. 3. ☐ (a) That the President be a member of Senate.
- ☐ (b) That the President not be a member of Senate.

Membership

Wording in the Working Paper could exclude from Senate, presumably unwittingly, certain academic deans who do not happen to be Deans of Faculties, such as the SFU Dean of Graduate Studies. Appropriate rewording is needed.

We support the inclusion of the Director of Continuing Education and of students. We note that membership as proposed in the Working Paper would result in a closed system consisting of personnel within the university, which is not desirable. Consequently, we support the inclusion of convocation members.

If Senate is to become involved in budget formulation and related non-academic matters it should include representatives of relevant valid components of the university community. As indicated earlier in this report, this would tend to reduce the need for a Board and to support the idea of a unicameral governing body.

Alternative Recommendations:

Rank in order from 4 through 1

- IV. 4. ☐ (a) That, as proposed in the Working Paper, Senate consist of specified academic administrators and members elected by and from faculty and by students.
- ☐ (b) That membership should be as in (a) plus members elected by and from Convocation.
- ☐ (c) That membership should be as in (a) plus representatives of other valid components of the university community that may be relevant to increased or otherwise changed Senate functions.
- ☐ (d) That membership should be as in (b) plus (c).

V. President

The Working Paper contains proposals that, if implemented, could limit the powers and responsibilities of the President to extents that his position could become difficult and potentially untenable: he could be responsible to two masters, Board and Senate; he could be held accountable for decisions with which he may disagree that are made by a committee; he may have to become a de facto party leader in a partisan system to avoid consequences of a vote against him in Senate; he would, apparently, relinquish responsibility for determining procedures on academic appointments and the like. Recommendations aimed at reducing or eliminating these problems are made elsewhere in this Report.

As the interests of all concerned are safeguarded by the President being fully accountable for his decisions and actions to the Board who hires and can fire him, consideration should be given to strengthening his powers instead of eroding them. For instance, administrative efficiency could be improved if final responsibility for decisions on expenditures approved in the budget would rest with the President rather than with the Board.

The Working Paper does not discuss possible alternatives to the present presidential system that might have special advantages, for example, associate, co-, or no president. We advocate that such possible alternatives be evaluated.

VI. Faculties

Recommendation:

- VI. ☐ ☐
Yes No
- That a committee of faculty and students be established to survey faculty committees on which student representation is needed, and to recommend accordingly.

VII. Procedures for Academic Appointments, etc.

Recommendation:

VII. ☐ ☐
Yes No

That committees of administrators, faculty and students be established to suggest appropriate procedures and advise the President accordingly.

VIII. Alternative Approaches to University Education

Recommendation:

VIII. ☐ ☐
Yes No

That a standing committee of administrators, faculty, and students of the three universities be established to consider this matter and recommend accordingly.

IX. General Recommendation

Recommendation:

IX. ☐ ☐
Yes No

That in view of the extent to which the content of the Working Paper has been studied by Senates, the Committee on University Government should include henceforth at least one Senator from each of the three universities.