

SIMON FRASER UNIVERSITY

MEMORANDUM

S.78-12.

To..... SENATE

From..... SENATE COMMITTEE ON

AGENDA AND RULES

Subject..... NOTICE OF MOTION - PROPOSED

Date..... DECEMBER 22, 1977

ADJUSTMENT TO SENATE RULES -
ELECTIONS

General Background Information

- I Prior to 1974, under the then-existing provincial legislation, the S.F.U. senate had provided in a rather unique way for student representation on senate at this institution, with provision for three student senator seats. In those provisions senate also had set some conditions on the requirements of an individual student to be a candidate and to continue to hold membership on senate. These conditions included a requirement that the individual candidate for or in office continue to be registered in specified semesters (2 of 3) in at least a prescribed minimum course load and with at least that minimum throughout the specified semesters. Throughout the same periods at this institution the requirements to be a student nominator or voter were less than those for candidates and basically required only that the individual be duly formally registered as a student in certain specified semesters.

In 1974 legislation was changed in the Universities Act and it technically set conditions that nominators, voters, candidates had to be full-time students. It was quickly ascertained through discussions with various bodies including government representatives that the impacts had not been fully intended and accommodations were made but with some considerable unease as to legality.

In 1977 some adjustments to the legislation were made and those changes now have been proclaimed. Some adjustments to the Rules of Senate governing elections are required.

- II The pertinent changes to legislation are as follows, (Universities Act):-

1. Section 1 - Interpretation

"Student Association" means all full-time students who are members of the alma mater society or the graduate student society of a university.

(full-time has been dropped from the definition.)

2. Section 20 - The board shall be composed of fifteen members, as follows:- - - - -

(e) Two full-time students elected by and from the Student Association

(full-time has been added to the section, and the words by and, have been dropped. Similarly the words by and are dropped from section 21 (1).)

3. Section 35 (2) The senate of each university shall be composed of - - - - -

(f) a number of full-time students, equal to the number provided in clauses (a) to (f), elected by and from the Student Association in a manner that ensures that at least one student from each faculty is elected.

(full-time has been added to this section and the words by and have been dropped.)

These changes now provide a distinction between those who can make nominations and/or vote and those who can be candidates for or members of the Board or of Senate. Nominators/Voters need not be full-time, nominees/members need be.

(UVIC has received legal opinion that to be a candidate and to continue in office the individual must continue to be full-time in the pertinent periods.)

III There are a number of differing definitions that are applied to full-time students, for differing purposes, e.g.

full-time equivalents - 15 semester hours is used

full-time student - 12 semester hours is used by agreement with Stats Can. and for certain Ministry of Education reports.

full-time through full course fee - 12 semester hours was used and is still used by UBC for many faculties

full-time for Canada Student Loan and B.C. Provincial Grant purposes - 9 semester hours is used (60% of full-course program.)

Full-time for Revenue-Canada (Taxation) for \$50 monthly exemptions - 10 hours weekly is applied.

Discussion has been held with Ministry of Education officials pertaining to the changes and intent, noting the provincial use for grant-in-aid purposes of full-time definition of 9 semester hours minimum, with assurances that use of this or higher value would be taken as falling within the intent. UBC and UVIC will use 12 hours as minimum.

MOTIONS

1. That Senate approve change to the Rules of Senate by deleting the present section IV. F and substituting a new section IV. F as described in appendix I herewith.

If motion 1 is approved

2. (a) That the new rules of senate adopted through motion 1 first be applied for the regular elections to the Board and to Senate being held in Spring 78-1, and thereafter.
- (b) That the new rules not be applied to those persons now holding membership on the Board or Senate with term of office ending May 31, 1978.

Explanatory Notes:

Regular amendments to the rules of Senate are governed by the rules, section VIII, Method of Amending which stipulates:- Alterations of these Rules of Senate shall require written notice at a regular meeting of Senate prior to the meeting at which a vote on the proposed alteration is taken, which vote shall require an affirmative vote by two-thirds of the voting members present to carry.

It is intended that Notice of Motion be given at the January 1978 meeting of Senate, with voting to occur at the February meeting. The rules to be applied need be known at that time to permit completion of the extensive Spring 1978 elections by the dates stipulated in rules.

APPENDIX I

1. Students; Student Association; Full-Time Students

1. For the purposes of making nominations and/or voting in the election of students to the Senate or to the Board.

'Student' means a person who is presently enrolled at the university in a credit course or who is designated by resolution of the Senate as a student; for the purposes of these elections for undergraduate students it includes

- i) Those registered in a credit course or courses in the semester in which nominations are due, or
- ii) Those in good standing who were registered in a credit course or courses in the immediately previous semester who certify that they intend to register again at Simon Fraser University before missing two consecutive registrations.

For the purposes of these elections for graduate students it includes any student duly registered as a graduate student other than one who currently is designated with "on leave" status.

"Student Association" means all students who are members of the alma mater society or the graduate student society of the university;- for the purposes of making nominations or voting in the elections to Board and to Senate it shall be deemed to consist of those students defined above.

2. For the purpose of being a candidate in the election of full-time students to the Board or to Senate the undergraduate student must fulfill the conditions in F 1 (i) and be registered in 9 or more semester hours credit or must fulfill the conditions in F 1 (ii) and have been registered in 9 or more semester hours credit at the close of the semester and certify that he/she intends to register in the immediately forthcoming semester in not less than 9 semester hours. A graduate student must be duly registered as a graduate student other than one who currently is designated with on-leave status.
3. A candidate's eligibility to continue to hold office as a representative of students on the Board of Governors or on Senate requires the following:-
 - i) Must not miss more than one registration during the one year term of office.
 - ii) Must not withdraw from the University or be required to withdraw from the University.

- iii) If an undergraduate student then must be registered in at least 9 semester hours credit and continue throughout the semester to be so registered - in at least two of the three semesters associated with the one-year term of office. If a graduate student must continue to be so registered throughout the period of office.

ASSOCIATION des ÉTUDIANTS | SIMON FRASER
de SIMON FRASER | STUDENT SOCIETY

MEMORANDUM

To Senate Committee on Agenda &
Rules
Subject Senate Paper S 78-12

From Ross Powell
Date 18 Jan. '78

The current legislation which has prompted this notice of motion has the clear intent of ensuring that a student member of Senate is enrolled in a minimum number of credit hours worth of courses while holding office. As is stated in this paper, the Ministry of Education has indicated that if a student enrolled in 9 credit hours, they would satisfy the intent of the legislation.

Most student Senators have expressed the opinion that the 9 credit hours should be averaged over the length of their term in order to best satisfy the intent of the legislation. Consider the case of the following two students who take office in '79-2 in the credit hours indicated:

	<u>79-2</u>	<u>79-3</u>	<u>80-1</u>	<u>Total load for term of office</u>
Student A	0	9	9	18
Student B	0	12	8	20

Student A would be allowed to complete a term on Senate while Student B would be disqualified from holding office in '80-1 under the change to the rules proposed in S 78-12. However Student B would seem to better satisfy the intent of the legislation by virtue of carrying a heavier load than Student A during the term of office. That is, it does not seem to be the intent of the legislation that Student B be disqualified from holding office for the full term.

Therefore it would appear that student Senators should be required to enrol in an average of 9 credit hours for any two of the three semesters they are to hold office in order to best satisfy the intent of the existing legislation.

Ross Powell