

SIMON FRASER UNIVERSITY**MEMORANDUM****To: Senate****From: W. Ronald Heath**
Secretary of Senate**Subject: Rules of Senate Regarding Elections****Date: March 29, 1988**

At the meeting of Senate on January 11, 1988, a number of revisions to the Rules of Senate relative to the election of students to the Senate and the Board of Governors were approved. During the discussion, question was raised as to whether the suggested revisions might serve to define "fulltime" status at the University for other purposes, and the Chair agreed with the suggestion that, if the motions were approved by Senate, advice would be sought from the University solicitor. I subsequently raised these concerns with the University solicitor, and the response has been reviewed with the Chair of the Standing Committee on Elections, Senator Swartz.

The University Act specifies that a student must be "fulltime" in order to be eligible to hold office on either Senate or The Board of Governors. We are advised that the statement regarding eligibility for the purposes of nominating, voting and standing for election within the Rules of Senate should limit the application of that eligibility to those purposes.

The solicitor also was requested to review the changes as approved by the Senate to ensure that language and format were appropriate and consistent with the existing Rules. He prepared a revised draft version of Section IV (F) which he suggested was consistent with the intention of the Committee and the document as approved by Senate. I have reviewed this draft revision with Senator Swartz, and we are satisfied that the changes suggested are purely editorial in nature. On a related matter, Senators will recall that changes were approved to Section IV (G) relating to the eligibility of Program Coordinators and Faculty Associates in the Faculty of Education. These changes were required only because the Rules referenced sections of a particular Academic Policy (AC 20), and that Policy had been changed. It was the advice of the solicitor that, when referring in standing documents like the Rules of Senate to specific policies of the University, it may be sufficient and more flexible to simply refer to the policy by its reference number without referring to the specific section, date or particular revision, thus avoiding the necessity and uncertainty which arises in the event that the policy is revised. For example, at the meeting of January 11, 1988, the following change was approved:

IV(G)(2)(h) It shall not include Faculty Associates in the Faculty of Education appointed under Academic Policy 20, Section A [May 27, 1986, rev.F].

The suggestion would have the effect of revising the statement to:

IV(G)(2)(h) It shall not include Faculty Associates in the Faculty of Education appointed under Academic Policy 20.

On the understanding that these are editorial changes that do not alter the intent or fact of the approved, amended Rules, I would concur with the suggestion of the solicitor that these editorial changes be made to the Rules of Senate.