

The Unofficial Consolidated Act of Incorporation (2000)

EFFECTIVE: December 21, 2000

Unofficial Consolidated Act of Incorporation for St. Jerome's University

Last revisions received Royal Assent on December 21, 2000

Preamble

The Board of Governors of The University of St. Jerome's College has applied for special legislation to change the name of the University, the composition of the Board, the term of office of the chancellor and the financial reporting requirements.

It is appropriate to grant the application.

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Definitions

1. In this Act,

“Board” means the Board of Governors of the University;

“faculty” means the persons employed by the University to teach, give instruction or engage in research, and includes professors, associate professors, assistant professors, lecturers, instructors and sessionals;

“graduate” means a person who has obtained a degree from or through the University;

“staff” means the persons employed by the University who are not faculty;

“student” means a person who is registered as a student through the University

“University” means The University of St. Jerome's College.

2. The University of St. Jerome's College is hereby continued as a corporation without share capital under the name St. Jerome's University.

3. Objects of University

The objects of the University are,

(a) to advance learning and disseminate knowledge in a manner consistent with Roman Catholic tradition and the honest pursuit of wisdom and understanding; and
(b) to encourage the intellectual, spiritual, social, moral and personal development of the members of the University community and the betterment of society consistent with the ideals of the contemporary Roman Catholic Church.

4. Powers of University

The University has all the powers necessary to do such things as are incidental or conducive to the attainment of its objects and without limitation may,

Establish and maintain faculties, schools, institutes, centres, departments, chairs and courses of instructions;

Confer degrees, honorary degrees and awards in any branch of learning; and

Federate or affiliate with or take into affiliation or federations other universities, colleges and institutions of learning.

Suspension of degree-granting power

The power of the University to confer degrees, other than degrees in theology, is suspended so long as the University remains affiliated with another university.

5. University land exempt from expropriation

An interest in real property held by the University is not subject to expropriation by any person, except a municipal corporation, unless the Act conferring the power to expropriate on that person makes express reference to such real property.

6. Investments

The funds of the University not immediately required for its purposes and the proceeds of all property that come to the University, subject to any trusts affecting them, may be invested in such investments as the Board considers proper.

Sections 7, 8, 9 and 10 of the Act, as re-enacted by the Statutes of Ontario, 1996, chapter Pr25, section 1 and section 11 of the Act are repealed and the following substituted:

7. Board of Governors

(1) The affairs of the University shall be managed, supervised and controlled by a Board of Governors.

Composition

(2) The Board is composed of the following persons:

1. The president of the University.
2. The vice-president of the University.
3. The Provincial Superior of the Congregation of the Resurrection in Ontario or the delegate of the Provincial Superior.
4. At least one person who is a member of the faculty and holds a professorial rank.
5. At least one person who is a member of the staff.
6. At least one person who is a graduate.
7. Such other persons as may be determined by a by-law of the Board.

Citizenship status

(3) The board members described in paragraphs 4, 5, 6 and 7 of subsection (2) must be Canadian citizens.

Terms of office

(4) The term of office of board members described in paragraphs 4, 5, 6 and 7 of subsection (2) is three years and each of those members holds office until his or her successor is reappointed.

Same

(5) Despite subsection (4), the Board shall, by by-law, provide for the appointment and retirement of members in rotation.

Reappointment

(6) Board members described in paragraphs 4, 5, 6 and 7 of subsection (2) are eligible for reappointment for two additional consecutive terms.

Quorum

(7) The quorum of the Board may be designated by by-law of the Board.

Transition

(8) The members of the Board in office immediately before the St. Jerome's University Act, 2000 comes into force are continued in office until their successors are selected in accordance with this section.

8. Powers of the Board

(1) The Board has all the power necessary or convenient to perform its duties and achieve the objects of the University, except for matters that may be assigned by this Act to the Senate.

Transition

(2) Subject to this Act, all by-laws, resolutions and appointments of the Board, as it existed before the coming into force of this Act, continue as by-laws, resolutions and appointments until amended, repealed or revoked.

12. By-laws published

(1) The University shall publish its by-laws in such manner as the Board considers proper.

Idem, examination

(2) The by-laws of the University shall be open to examination by the public during the normal office hours of the University.

13. Chancellor

(1) There shall be a chancellor of the University, to be elected by the Board in a manner determined by a by-law of the Board.

Term of office

(2) The term of office of the chancellor is determined by by-law of the Board and shall not exceed four years.

Reappointment

(3) The chancellor is eligible for re-election.

Powers

(4) The chancellor is the titular head of the University and confers all degrees.

13.1 (1) There shall be a vice-chancellor of the University, to be appointed by the Board.

Citizenship status

(2) The vice-chancellor must be a Canadian citizen.

Functions

(3) In the absence of the chancellor, the vice-chancellor shall perform the functions of the chancellor.

Same

(4) The Senate shall appoint a member of the faculty to preside at convocation and confer degrees in the absence of the chancellor and the vice-chancellor.

Search committee

(5) The Board shall, by by-law, establish a process by which recommendations are made to the Board with respect to the appointment or reappointment of the vice-chancellor, and the process shall provide for the creation of a search committee.

President

14. (1) The vice-chancellor holds office as the president of the University.

Powers of the president

(2) The president is the chief executive officer of the University and has supervision over and direction of the academic work and general administration of the University, the faculty, the staff and the students and has such other powers and duties as may be conferred upon him or her by the Board.

Vice-president

15. (1) The Board may appoint a vice-president of the University who shall assist the president and, in the absence of the president, shall perform the functions of the president.

Citizenship status

(2) The vice-president must be a Canadian citizen.

16. Senate

(1) Except where there is an agreement of federation of affiliation with any other university, there shall be a Senate of the University composed of,

(a) the chancellor;

(b) the vice-chancellor;

(c) the vice-president;

(d) four members of the teaching staff elected from and by the full-time teaching staff for a term of three years

(e) one graduate elected by the graduates for a term of two years; and

(f) one student elected by the students for a term of two years.

Eligible for re-election

(2) The members elected under clauses (1) (d), (e) and (f) are eligible for re-election for one additional consecutive term.

Chairman and vice-chairman

(3) The vice-chancellor shall be the chairman of the Senate and the vice-president shall be the vice-chairman.

17. Powers and duties of Senate

(1) Except as provided by an agreement of federation or affiliation with any other university, the Senate shall,

- (a) consider and determine all courses of study, including requirements for admission;
- (b) recommend the establishment of additional faculties, schools, departments, chairs or courses of instruction in the University;
- (c) receive and consider recommendations respecting academic matters from the faculty agencies of the University;
- (d) conduct examinations and appoint examiners;
- (e) grant degrees, honorary degrees and diplomas;
- (f) award scholarships, medals and prizes;
- (g) make rules and regulations respecting the conduct and activities of the students of the University;
- (h) publish the University calendars;
- (i) make such recommendations as may be deemed proper for achieving the objects and purposes of the University; and
- (j) make rules for the conduct of its affairs.

Where no Senate established

(2) If there is no Senate, the powers and duties of the Senate that are not transferred by agreement to a federated or affiliated university shall be exercised by the Board.

18. Convocation

(1) Convocation shall consist of the members of the Board, the members of the Senate, all members of the teaching staff of the University and all graduates of the University.

Idem

(2) Convocation shall be convened by Senate.

19. Auditor R.S.O. 1980, c.405

The Board shall appoint one or more public accountants licensed under the Public Accountancy Act to audit the accounts and transactions of the Board at least annually.

20. Annual report

The Board shall make a financial report annually to the students, staff and teaching staff of the University in such manner as the Board determines.

21. Meetings of Board and Senate open to public

(1) Subject to subsection (2), the meetings of the Board and of the Senate shall be open to the public and prior notice of the meetings shall be given to the members and to the public in such manner as the Board and the Senate by by-law determine, and no person shall be excluded therefrom except for improper conduct but, where confidential matters of the University are being considered, that part of the meeting may be in in camera.

Exception

(2) Where matters of a personal nature concerning an individual may be disclosed at a meeting, the part of the meeting concerning such individual shall be held in camera unless the individual requests that such part of the meeting be open to the public.

Dissolution

Upon the dissolution or winding up of the University, all its remaining property, after the payment of all debts and liabilities, shall be distributed to one or more recognized charitable organizations in Canada having objects of an educational nature as similar as possible to those of the University.

Repeal

The University of St. Jerome's College Act, 1996, being chapter Pr25, is repealed.

Commencement

This Act comes into force on the day it receives Royal Assent.

Short title

The short title of this Act is the St. Jerome's University Act, 2000.