

# **THE CONSTITUTION OF THE FACULTY OF ACADIA UNIVERSITY**

(1992: Revised in 2005 & 2020)

## **Preamble**

This constitution is written under the appropriate terms and conditions of an Act respecting Acadia University Chapter 113 (1968) of the Laws of Nova Scotia. The act established the Faculty of the University and gives the Faculty a formal position within the structure of the University, with specific rights and duties to perform. This Constitution is the formal instrument by which those rights and duties are to be carried to fruition. This constitution, and any amendments thereto, are to be approved by the Senate. However, it is implied hereunder that the Senate may take no other action with respect to this constitution or any amendments thereto.

## **I. NAME**

The name of the organization shall be known as the Faculty of Acadia University (referred to herein as “the Faculty”).

## **II. OBJECTS**

- a) the Faculty shall, at its discretion, give consideration and make recommendations to Senate on any and all matters pertaining to academic policy.
- b) the Faculty may, if it so desires, express opinions on all affairs of Acadia University (sometimes referred to herein as “the University”).
- c) the Faculty shall recommend to the Senate of Acadia University (sometimes referred to herein as “the Senate”) the names of all students who are to be admitted to graduate and undergraduate degrees and diplomas.
- d) the Faculty may, at the request of the Board of Governors or the Senate, carry out any duties or function which either of the aforesaid bodies may refer to it.
- e) the Faculty shall not carry on any venture for the purpose of financial gain for its members.

### **III. MEMBERSHIP**

- a) All recognized members of the Faculty of Acadia University at the date of enactment of this Constitution shall be members.
- b) For the purpose of this Constitution, a member of Faculty shall be considered to be a person who has an academic appointment at Acadia University. Notwithstanding anything in the foregoing, but for further clarity, the President of the University, the Vice-President (Academic), the Vice-President Student Affairs, the Registrar, and all academic Deans and Academic Directors shall be members of Faculty. Any questions of or pertaining to the rights of an individual to membership in the faculty shall be decided at the fall Faculty meeting of each year. A person shall cease to be a member of the Faculty when he or she terminates his or her employment with Acadia University. All members of Faculty on sabbatical leave, study leave, and leave of absence shall be considered to be members of Faculty, except that they may not serve on any committees of Faculty during their absence.
- c) All full-time professional librarians of the Acadia University Library shall be members of Faculty.
- d) All Instructors, as defined in the Collective Agreement, shall be members of Faculty.
- e) The Director of the Art Gallery of Acadia University shall be a member of Faculty.
- f) A student selected by the Students' Union shall be a regular voting member of Faculty.
- g) There shall be no membership fee or other dues of the Faculty, nor shall there be any form of admission fee.

### **IV. THE YEAR**

The year of the Faculty shall correspond to the academic year of Acadia University, at present 1 July to 30 June next.

## **V. OFFICERS**

- a) Officers of Faculty will consist of a Chair, Vice-Chair, Secretary and Faculty Elections Officer. The Faculty Elections Officer will conduct elections each May for the Chair, Vice-Chair and Secretary to serve for the next academic year. The Faculty Elections Officer will be elected annually by Senate.
- b) It shall be a duty of the Chair to preside over all meetings of Faculty as an impartial arbiter over debate.
- c) The Vice-Chair shall act as Deputy to the Chair and serve whenever the chair is prevented from so doing, or whenever the Chair wishes to participate in debate as an individual member of Faculty.
- d) No two offices of the Faculty may be held simultaneously by the same person.
- e) It shall be the duty of the Secretary to
  - 1) record or have recorded, and distributed within seven days after meetings proper minutes of all Faculty meetings;
  - 2) distribute notices of meetings and all information pertaining thereto;
  - 3) carry out such other duties as may properly be construed to be within the jurisdiction of the office of Secretary.

## **VI. MEETINGS**

- a) There shall be two regularly scheduled meetings of Faculty every year (one in the Spring and one in the Fall). Also, the Faculty shall meet at the call of the Chair, or in his or her absence or indisposition, at the call of the Vice-Chair and the Secretary, or whenever twenty members of Faculty, in writing to the Chair, request that a meeting be called.
- b) Acceptable meeting modalities for Faculty Council and its sub-committees are fully face-to-face, fully virtual, or a hybrid model. Any meeting must meet the requirements of a deliberative assembly, according to Robert's Rules of Order (latest edition). The Chair shall circulate a plan for meeting modalities for the upcoming year, along with guidelines for how meetings shall be conducted, with the agenda for the first meeting of an academic year. Changes to these plans and guidelines may be made at the Chair's discretion and circulated with the agenda of any upcoming meeting. Changes to the meeting plans and guidelines may also be made via a motion from the floor from any member at any meeting, approved by a two-thirds majority of those present and voting at that meeting. Any such changes shall be implemented as soon as reasonably practicable, normally at the next meeting.

- c) Procedure at all meetings of Faculty shall be guided by Roberts Rules of Order (latest edition). The agenda, including all notices of motion (other than amendments to the constitution), shall be distributed to all members of Faculty seven days in advance of the meeting. A quorum shall be 65 members eligible to vote.
- d) All decisions made by Faculty prior to the coming into force of this Constitution and all Sections thereof, shall be binding upon the Faculty after the date of ratification of this Constitution. Notwithstanding anything in the foregoing, any previous action or decision of Faculty which is altered, amended, or repealed by anything which is written in any article of this Constitution shall, if it be in contravention of or repugnant to any part of this Constitution, be void when this Constitution is ratified.
- e) The President shall be invited to address each regularly scheduled meeting of Faculty.

## **VII. LEGAL STATUS**

- a) The Faculty is not an incorporated entity. Faculty's mailing address shall be The Secretary of the Faculty, Acadia University, Wolfville, Nova Scotia, Canada, B4P 2R6

## **VIII. FACULTY COMMITTEES**

- a) There shall be three University Committees reporting for information to Faculty (Sabbatical Leave Committee, University Review Committee, and the University Appeals Committee).
- b) The functions of these committees and the terms and conditions of membership shall be in accordance with the terms of the prevailing Collective Agreement between the Board of Governors and the AUFA.

## **IX. AD HOC COMMITTEES**

The Faculty may, by a majority vote of those present and voting, establish any number of ad hoc committees to study and report on any matter within the faculty's competence. The membership for such committees shall be determined by faculty at the time the Committee is established.

## **X. COMMITTEE REPORTS**

At the Spring Faculty meeting of each year all on-going ad hoc committees and the elected Faculty representatives to the Board of Governors and the Sabbatical Leave,

University Review and University Appeals Committee shall report, for information, in writing to Faculty on their activities.

## **XI. FACULTY ELECTIONS**

- a) It will be the duty of the Faculty Elections Officer to set all the necessary dates for elections and to perform such other duties as may be necessary. He or she may co-opt assistance whenever he or she so desires.
- b) The Elections Officer shall be responsible for the election of Faculty representatives on the Sabbatical Leave Committee. The terms and conditions of the prevailing Collective Agreement between the Board of Governors and The Acadia University Faculty Association shall determine eligibility for membership on the Sabbatical Leave Committee.
- c) The Elections Officer shall ensure that each of the three Faculty Councils elect a representative to the Board of Governors. All members of Faculty shall be eligible to serve on the Board of Governors except those who, in any capacity regularly attend meetings of the Board of Governors (including the Executive Committee of the Board). In addition the Elections Officer shall ensure that each of the Faculty Councils elect two representatives to the University Review Committee. (The terms and conditions of the Prevailing Collective Agreement between the Board of Governors and the Acadia University Faculty Association shall determine the eligibility for membership on the University Review Committee).
- d) Faculty elections will be by secret ballot and normally will be held in March and April of each year.
- e) The nomination of any and all candidates must be supported in writing by at least one full time member of Faculty. Furthermore, all candidates must state in writing their willingness to offer, and if elected, to serve.
- f) If a member goes on leave or is otherwise unable to complete her or his term, a vacancy shall exist, and an election will be carried out with the winning candidate serving until the incumbent returns.
- g) Nominations shall not close until at least one week after the call for nominations has been circulated. Elections shall then proceed.
- h) All members of each Faculty Council shall be eligible to vote in elections for their respective representative to the Board of Governors.
- i) Each member of Faculty shall have as many votes as there are vacancies to be filled, but no Faculty member may give more than one vote to any one

candidate. Where voters cast fewer than the number of vacancies to be filled, such ballots will still be counted.

- j) Where there is a single vacancy to be filled, the winning candidate must receive a majority of the votes cast.
  - 1) Where there is only a single nominee for the vacancy, that nominee is elected by acclamation.
  - 2) Where there are two nominees, there shall be a single ballot to determine the winner.
  - 3) Where there are three nominees and the leading candidate after the first ballot has not received a majority of the votes cast, there shall be a second ballot between the two leading candidates to determine the winner.
  - 4) Where there are four or more nominees and the leading candidate after the first ballot has not received a majority of the votes cast, there shall be a second ballot between the three leading candidates. If the leading candidate after the second ballot has not received a majority of the votes cast, there shall be a third ballot between the two leading candidates to determine the winner.
- k) Where there are two or more vacancies to be filled, the winning candidate must receive a majority of the votes cast. A majority in such instances is the total number of votes divided by twice the total number of vacancies to be filled with the addition of one to the result. If this final total is not a whole number, the next higher whole number is taken.
  - 1) Where no candidates are elected after the first ballot, the second and, if necessary, subsequent ballots shall include one more candidate than there are vacancies to be filled. Those candidates with the highest vote totals will be included on the second and subsequent ballots.
  - 2) Where one or more candidates are elected after the first ballot, but one or more vacancies remain to be filled, the second and, if necessary, subsequent ballots shall include one more candidate than there are vacancies still to be filled. Those candidates with the highest vote totals among the remaining candidates will be included on the second and subsequent ballots.
  - 3) Where more candidates receive a majority of votes (as defined above) than vacancies exist, those candidates with the higher vote totals shall be declared elected.

- 4) Where there are two or more vacancies of different duration, those candidates who are elected on an earlier ballot or with more votes on the same ballot shall receive the longer term of office.
- l) The Elections Officer shall not vote in Faculty elections except in order to break ties.
- m) Electronic nominations and election processes under the auspices of the faculty Elections Officer, constitute sufficient means for nominations and secret ballots

## **XII. AMENDMENTS TO THIS CONSTITUTION**

The faculty may, by special resolution which shall be distributed fourteen (14) days in advance of the next meeting of Faculty, amend or repeal any article of this Constitution provided that all amendments, either additions or deletions, are consistent with the statutes of Nova Scotia and more particularly Chapter 113 (1968) of the statutes of Nova Scotia. All amendments to this Constitution must be approved by two-thirds of the Faculty present and voting, in the form of a special resolution before any such amendment comes into force. A vote on any such amendment shall be conducted by secret ballot, unless the members present agree unanimously that a secret ballot is not necessary.

## **XIII. INTERPRETATION**

In all articles of this Constitution, the singular shall include the plural and the plural the singular. Whenever reference is made in this Constitution to any statute or selection thereof such reference shall be deemed to extend and apply to any amendment to or re-enactment of the said statute or section, as the case may be.

## **XIV.**

This Constitution (revised Oct. 2005), known as “THE CONSTITUTION OF THE FACULTY OF ACADIA UNIVERSITY,” becomes effective Nov. 14, 2005 and may be cited as “THE CONSTITUTION OF THE FACULTY OF ACADIA UNIVERSITY”