

The University of Manitoba Act RSM 1987, c.U60
Jurisdiction of the Board and Senate

A JURISDICTION

Subject	Board of Governors	Senate
General	<p>s.7 Governing body of UM.</p> <p>s.16(1) May exercise in the name of and on behalf of UM any or all powers, authorities and privileges conferred on the university as a body corporate (by this Act or any other Act).</p> <p>s.17 Even where Senate (or any other body of person) is given power to make recommendations to the Board re: any matter, the Board may (of its own motion and without any recommendation) exercise its plenary powers re: that matter.</p>	<p>s.25 Academic Body of UM.</p> <p>s.34(1) General charge of all matters of an academic character.</p> <p>S.34(1)(s) Shall make recommendations to the Board re: (1) academic planning, campus planning, (2) a building program, (3) budget policies (4) procedures re: appointments, promotions, salaries, tenure and dismissals, and (5) any other matters considered by Senate to be of interest to UM.</p> <p><i>Note: ss.34(1)(l),(m),(n),(o), and s.34(3) also refer to Senate recommendations to the Board. These are set out elsewhere in this document.</i></p> <p>s.34(4) Every recommendation of the Senate to the Board shall be sent to the Board.</p>
Actions/Questions/ Appeals	<p>s.16(1)(h) May hear appeals from any decision of any officer, body or organization, of or in the University, by any person affected thereby, and decide finally upon all matters of university policy.</p> <p>s.16(1)(d) May exercise disciplinary jurisdiction over students (power to fine, suspend or expel).</p> <p>s.18 Settle and determine any questions which arise re: the powers/duties of convocation, senate, council, chancellor, president or any other officer/servant of UM.</p>	<p>s.34(1)(v) Shall hear and determine appeals from the decisions of the faculty or school councils, upon applications, requests or petitions by students or others.</p>

B. ACADEMIC MATTERS

Subject	Board of Governors	Senate
Faculty/School Councils		<p>s.34(1)(d) Shall: (1) establish faculty and school councils, and other bodies within the University, (2) prescribe how they shall be constituted, and (3) give them such powers/duties as the Senate deems expedient.</p> <p>s.34(1)(ee) Shall consider all matters referred to it by a faculty council and communicate an opinion or action taken thereon to the faculty council.</p> <p>s.34(1)(u) Shall exercise any power of a faculty or school council that the senate considers desirable to exercise.</p>
Faculties/Schools/ Departments/ Awards, etc.	<p>s.3 Establish and maintain such ..., schools, institutes, faculties, departments, chairs ... as to the Board seem meet.</p> <p>s.16(1)(e) May determine upon and provide for S the establishment of S abolition of S any changes in faculties, departments, chairs, lectureships, bursaries, scholarships, fellowships and prizes.</p>	<p>s.34(1)(1) Shall recommend to the Board the establishment of, or the abolition of, or any changes in faculties, schools, institutes, departments, chairs, lectureships, bursaries, scholarships, fellowships and prizes.</p> <p>s.34(1)(r) Shall make rules and regulations respecting academic awards.</p>

B. **ACADEMIC MATTERS** (continued)

Subject	Board of Governors	Senate
Courses/ Instruction/ Examination	s.3 Establish and maintain such ... courses of instruction as to the Board seem meet.	<p>s.34(1)(e) Shall receive, consider and determine on any proposal/recommendation of any faculty or school council (or other body established by Senate) re: courses of study and related matters.</p> <p>s.34(1)(f) and 34(2) Shall, of its own motion and without any recommendation consider and determine all courses of study and related matters - but before enacting any such regulation, it must be referred to the appropriate faculty or school council for consideration and report thereon.</p> <p>s.34(1)(i) Shall provide for courses of study anywhere in Manitoba, and encourage/develop extension activities and correspondence courses.</p> <p>s.34(1)(j) Shall have power to recognize courses of study given by other Manitoba colleges/universities not affiliated with UM, and admit students (who have taken such courses of study) to UM examinations.</p> <p>s.34(1)(p) Shall determine the dates for the beginning and ending of lectures each UM term.</p> <p>s.34(1)(t) Shall determine procedures/policy re: lecturing and teaching on U premises by persons other than UM staff members.</p> <p>s.34(1)(h) shall: (1) determine conditions on which candidates shall be received for examinations (2) appoint examiners (3) determine the conduct/results of examinations</p>

B. ACADEMIC MATTERS (continued)

Subject	Board of Governors	Senate
Courses/ Instruction/ Examination (<i>continued</i>)	<p>s.4(1)(o) UM may enter into agreements with any incorporated society or association in the province for the establishment and maintenance of a joint system of instruction.</p> <p>s.4(1)(p) UM may:</p> <ol style="list-style-type: none"> (1) enter into agreements with any incorporated society or association in the province that has power to prescribe examinations for admission to, or registration upon the roll of, the society or association, (2) conduct the examinations and report the results thereof, (3) prescribe courses of study therefor and conduct related classes of instruction <p>s.4(1)(q) UM may enter into agreements with any incorporated university or college for:</p> <ol style="list-style-type: none"> (1) the instruction of their students in their courses by one or more UM faculties, (2) the conduct of examinations by UM (3) the degrees to be granted by UM to such students (4) representation of incorporated university/college on the UM Senate and other UM academic bodies, (5) the use and combining of facilities, (6) other matters of mutual concern. 	<p>s.34(1)(n) Shall recommend to the Board agreements with any incorporated society or association in the province for the establishment and maintenance of a joint system of instruction.</p> <p>s.34(1)(o) Shall recommend to the Board such agreements described in 4(1)(p) and 4(1)(q).</p>
Degrees/Entrance/ Standing, etc.		<p>s.34(1)(b) Shall determine;</p> <ol style="list-style-type: none"> (1) degrees (including honorary degrees, diplomas and certificates) to be granted by the University, and (2) the persons to whom they shall be granted. <p>s.34(1)(c) Shall determine the conditions of matriculation and entrance, the standing to be allowed students entering the University and related matters.</p>
UM Calendars		s.34(1)(k) Shall prepare the UM calendars for publication.

B. ACADEMIC MATTERS (continued)

Subject	Board of Governors	Senate
Libraries	<p>s.35 May designate as an associated college any incorporated college with which UM enters into an agreement for the management and conduct of the libraries.</p>	<p>s.34(1)(q) Shall make rules and regulations for the management and conduct of the libraries.</p> <p>s.34(3) May recommend that UM enter into an agreement with an incorporated university or college for the management and conduct of the libraries (and the terms of the agreement).</p>
Convocation	<p>s.41 Members of Board are also members of Convocation.</p>	<p>s.41 Members of Senate are also members of Convocation.</p> <p>s.43 Senate by resolution fix dates for meetings of convocation.</p>
Colleges	<p>s.3 Establish and maintain such colleges ... as to the Board may seem meet.</p> <p>s.4(1)(n) UM may affiliate with the University any college established in the province for the promotion of arts and science, or for instruction in law, medicine, engineering, agriculture, or in any other useful branch of learning, and dissolve any such affiliation.</p> <p>s.56 May, of its own motion, dissolve the affiliation of Le Collège de St. Boniface, St. John's College, or St. Paul's College if any of those colleges: (1) enter into an affiliation with any other college or university (except re: theology or divinity); or (2) consent to the dissolution with the approval of the Lieutenant Governor in Council.</p> <p><i>Note: s.70 The University of Manitoba Act prevails over the act of incorporation of any college affiliated with the university (where there is a conflict)</i></p> <p>s.35 May designate as an associated college any incorporated college with which UM enters into an agreement for the management and conduct of the libraries.</p>	<p>s.34(1)(l) Shall recommend to the Board the establishment of, or the abolition of, or any changes in....consistent college...</p> <p>s.34(1)(m) Shall recommend to the Board the: (1) affiliation or association with the UM of any Manitoba College. (2) dissolution of any affiliated or associated Manitoba colleges.</p> <p>s.34(3) May recommend that UM enter into an agreement with an incorporated university or college for the management and conduct of the libraries (and the terms of the agreement).</p>

C. ADMINISTRATION AND MISCELLANEOUS MATTERS

Subject	Board of Governors	Senate
Annual Report	s.22 Shall make an annual report to the Lieutenant Governor in Council and send it to the Minister of Education.	
Attaining Purposes/ Objects	s.4(1)(i) Decides what arrangements UM may enter into with persons or authorities (e.g., government, public, private) that it deems conducive to the attainment of the purposes and objects of UM (or any of them) and what rights, privileges, and concessions from those persons or authorities the Board thinks is desirable.	
Fees	s.16(1)(c) May fix and determine all fees and charges to be paid to the University.	
Human Resources	<p>s.61(1)(3) Mandatory retirement (Board By-law).</p> <p>s.4(1)(r) May prescribe terms and conditions for the payment of money directly or indirectly, as contribution toward pensions, annuities, retiring allowances, and gratuities for UM employees.</p> <p>s.16(1)(b) May appoint president/such vice-presidents as advisable/deans/librarian/comptroller/members of academic staff*/ all such officers, clerks, employees and servants as the Board may deem necessary; fix their salaries/remuneration; identify their powers/duties; fix their tenure of office/employment.</p> <p>*s.16(2) Academic staff can only be dismissed in accordance with Board by-laws/rules/regulations - changes to Board by-laws/ rules/regulations which adversely affect the tenure of a member of academic staff to take effect in the year following that in which the amendment is made or the end of the academic staff member's special appointment term, whichever is later.</p>	s.34(s) Shall make recommendations to the Board re: procedures re: appointments, promotions, salaries, tenure and dismissals.

C. ADMINISTRATION AND MISCELLANEOUS MATTERS (continued)

Subject	Board of Governors	Senate
Investments	<p>s.5(1) May, by-law or resolution, transfer to one common investment fund (The University Investment Trust Fund) all or part of the monies/securities owned or held by UM in trust.</p> <p>s.5(6) May, as monies are available, at any time transfer from the investment fund to a participating fund an amount not exceeding the balance to the credit of that participating fund.</p>	
Parking	<p>s.16(1)(h) May make regulations respecting and prohibiting the parking or leaving of vehicles on campus (including parking fees and charges, and the removal and impoundment of vehicles)</p>	
Property	<p>s.4 The University may buy/receive/sell/etc. property. The following excerpts are provided for information:</p> <p>s.4(1)(a) Receive or acquire grants, purchases, leases, gifts, devices, bequests, etc. of real or personal property.</p> <p>s.4(1)(b) Sell/lease/mortgage/etc. real or personal property.</p> <p>s.4(1)(c) Invest University money (using prudent person principles and taking into account any trust conditions applying to particular assets).</p> <p>s.4(1)(f) Decide what building erection/construction is necessary or convenient for UM purposes.</p>	<p>s.34(1)(s) Shall make recommendations to the Board with respect to...campus planning, a building program....</p>
Use of...	<p>s.63(1) Board authority required re use of "university", "varsity", coat of arms or crest.</p> <p>s.63(2) Board authority required re use of word "Manitoba" in institutions of learning.</p>	

D. GOVERNANCE ORGANIZATION

Subject	Board of Governors	Senate
Composition	<p>s.8 The Board of Governors shall be composed of 23 members as follows:</p> <ul style="list-style-type: none"> a) 12 members appointed by the Lieutenant Governor in Council, of whom three must be students of the university; b) Three members elected by the graduates of the university from among the graduates of the university; c) Three members elected by the senate from among the members of the senate; c1) three students of the university appointed by The University of Manitoba Students' Union; d) The president e) The chancellor. 	<p>s.25 The Senate shall be composed of:</p> <ul style="list-style-type: none"> a) the president; b) the chancellor; c) the vice-presidents of the university; d) the dean of each faculty of the university; e) the director or each school of the university having a school council; f) the Director of Extension of the university or, if none, the officer exercising comparable functions; g) the Director of Libraries of the university; h) the dean or director of students affairs of the university or, if none, the officer exercising comparable function; i) the head of each constituent or member college; j) the vice-deans of the Faculty of Arts and Science; k) two persons appointed by the board from amongst its members other than those who are otherwise members of the senate; l) 28 persons elected by, and from amongst, the students of the university in the method determined under clause 34(1)(cc), and, in addition, the president of the University of Manitoba Students' Union; m) two members of the board of directors of the alumni association appointed by that board; n) the persons elected under section 27; o) members at large appointed under subsection 27(4); p) the head of each affiliated college; q) the Deputy Minister of education, or his designate. <p>s.27(1) Each faculty council and each school council shall annually elect such number of persons to be members of senate as the senate has determined the faculty council or school council is entitled to so elect.</p> <p>s.27(4) a person elected as provided in this section, who has been elected by senate to the board and whose term of office on senate expires before his term of office on the board, shall be appointed by senate to be a member-at-large of senate for the remainder of his term on the board unless he is re-elected to the senate.</p>

D. GOVERNANCE ORGANIZATION (continued)

Subject	Board of Governors	Senate
Appointment/ Election of Members	<p>s.16(1)(f) re: election of three graduates to Board.</p> <p>s.26(1)(k) Shall appoint to Senate two persons from amongst its members (other than those who are otherwise members of Senate).</p> <p>s.37(h) Board members who are appointed by Lieutenant Governor in Council or elected by UM graduates or Senate are also members of The University and Community Council.</p>	<p>s.34(1)(a) re: election from faculty/school council's students (aa) (bb) (cc) (dd)</p> <p>s.34.(1)(w) Shall elect from amongst its members three persons to be members of the Board.</p> <p>s.34(i) Shall appoint three members of the Senate to be members of the University and Community Council.</p> <p>s.34(1)(ff) Shall appoint from amongst its members persons to be members of a joint committee of Senate and the University and Community Council.</p>
Removal of Members	<p>s.24 The Lieutenant Governor in council, may, for cause, remove from office any appointed member of the board and, upon the recommendation of the board, any elected member thereof.</p> <p>s.10(1) A Board member ceases to be a member of the Board if he/she is absent for three consecutive board meetings without just cause or is incapable of acting. A declaration of existence of the vacancy is entered on the board minutes (and is conclusive proof thereof).</p>	<p>s.29 Any appointed or elected member of the senate may be removed from office at any time by the body that appointed or elected him.</p>
Committees	<p>s.16(1)(g) May appoint such committees as it may deem necessary and confer upon any of the committees power and authority to act for the board in and in relation to such matters as the Board may deem expedient.</p> <p>ss.46-50 Committee of Election to elect chancellor composed of members of Board and Senate. *the University and Community Council has not been operational in over 20 years.</p>	<p>s.34(1)(x) Shall appoint such committees as it deems necessary and confer upon any of the committees power and authority to act for the Senate in and in relation to such matters as senate deems expedient and appoint such other committees as Senate deems expedient to act in an advisory capacity.</p> <p>s.34(1)(y) Shall elect an Executive Committee.</p>
Meetings	<p>s.16(1)(a) May provide for the regulation and conduct of its meetings and proceedings, and fix quorum.</p> <p>s.19 Action of the Board = by resolution or by-law.</p>	<p>s.34(1)(a) Shall provide for the regulation and conduct of its meetings and proceedings, and fix quorum.</p>