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AN ACT TO INCORPORATE ST JOHN'S COLLEGE

**Chapter 39 of the Statutes of Manitoba, 1871.
Assented to May 3rd, 1871. As amended 1882, 1936.
Re-enacted 1990 as Chapter 171.**

WHEREAS it has been represented to the Legislature of this Province, that the Right Reverend Robert Machray, Doctor of Divinity and Bishop of the Diocese of Rupert's Land, has established a College in connection with the Church of England, within this Province, under the style and title of St John's College; and whereas, it would tend greatly to advance and extend the usefulness of the said College, and to promote the purposes for which it has been established that it should be incorporated:

Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of Manitoba, enacts as follows

There shall be, and there is hereby constituted and established within this Province, a body politic and corporate, under the name of St John's College which Corporation shall consist of the Bishop of Rupert's Land for the time being, and the Council of the said College, not less than three in number, which members of Council have been or shall be named in the first instance by the Right Reverend Robert Machray, Bishop of Rupert's Land as aforesaid, and shall in the event of the death of any of them, removal or disqualification from office, or resignation of any of them, be replaced from time to time by other persons in such manner as is set forth and appointed in the Constitution and Statutes of the said College; provided always that the Bishop of Rupert's Land for the time being, shall, ex officio, be a member of the said Council and President thereof under the name of Chancellor.

Such Corporation shall have perpetual succession, and may have a common seal, with power to change, alter, break and renew the same, when, and so often as they shall think proper, and the said Corporation may, under the same name, contract and be contracted with, sue and be sued, implead and be

impleaded, prosecute and be prosecuted in all courts and places whatsoever in this Province, and shall have full power to make and establish such rules, orders and regulations, not being contrary to the laws of this country, nor to this Act, nor to the Constitution and Statutes of the said College, as they shall deem useful or necessary, as well concerning the system of education in, and for the conduct and government of the said College, and of a preparatory Collegiate connected with, or dependent on the same and of the Corporation thereof, of and for the superintendence, advantage and improvement of all the property, moveable, or immoveable, belonging to, or which shall hereafter belong to the said Corporation; and shall have power to take under any legal title whatsoever, and to hold for the said College, all land and property moveable and immoveable, which may be hereafter sold, ceded, exchanged, given, bequeathed or granted to the said Corporation; or to sell, alienate, convey, mortgage, let or lease the same, if need be- provided also, that the said College may acquire any other real estate, or any interest therein, by gift, devise, or bequest, and, provided also, that the proceeds of such property as shall have been disposed of may be invested in the public securities of the Dominion of Canada, or other approved securities for the use of the College, and the said Corporation shall further have the right of appointing an attorney or attorneys for the management of its affairs, and all the rights necessarily incident to a body corporate.

All the property which shall, at any time, belong to the said Corporation, as well as the revenues thereof, shall at all times be exclusively applied and appropriated to the advancement of education in the said College, or in a preparatory Collegiate School connected with, or dependent on the same, and to no other object, institution or establishment whatever.

It shall be the duty of the said Corporation, at all times when they may be called upon by the Lieutenant-Governor in Council of this Province, to render an account in writing of their property, in which shall be set forth in particular, the income by them derived from property held under this Act, and the source from which the same has been derived, also the number of members of the said Corporation, the number of teachers employed in the various branches of instruction, and the course of instruction pursued. This Act shall be deemed a Public Act.

The said College in its corporate name shall have power to grant degrees, including honorary degrees, diplomas and certificates of standing in theology and divinity. (S.M. 1936, c. 47, s. 71)

The College was opened on the 1st day of November 1866, by the first Warden, the Venerable John McLean, MA, Archdeacon of Assiniboia, and Rector of St John's Parish. A "Constitution and Statutes" were granted to the College on the 2nd of March 1867, by the Right Reverend Robert Machray, Lord Bishop of Rupert's Land.

CONSTITUTION AND STATUTES OF ST JOHN'S COLLEGE, RUPERT'S LAND

2 March 1867

WHEREAS we, Robert, by Divine permission Bishop of Rupert's Land, having especially in view the glory of God and the edification of his Church in the training of fit persons for the sacred ministry of the Divine Word and Sacraments, have been deeply impressed with the urgent necessity of an Educational Institution in this our Diocese of Rupert's Land, of a higher kind than the common school: We, therefore, by this instrument establish such an Institution to be known as St John's College, and we declare the objects for which this Institution shall be conducted and carried on to be as follows:-

Firstly - To train fit persons for the Sacred Ministry, and for discharging the duties of Catechists and Teachers in parishes or missions within this Diocese of the United Church of England and Ireland.

Secondly - To provide instruction in the higher branches of education usually taught in Colleges, for such students as may be desirous of the same, and thought fit for usefully prosecuting them.

Thirdly - To combine with these primary objects such kindred efforts, including a Preparatory Collegiate School, as may be found desirable and expedient.

Fourthly - To perform such acts, matters and things as are incidental or otherwise conducive to the attainment of the before-mentioned objects or any of them.

And whereas in the present Missionary condition of this Diocese it is neither practicable nor desirable to have that division of labour that is found necessary in settled countries, we further declare that we intend this Institution to be a Centre for Diocesan and Missionary effort, and expect all who take office in it, in the present circumstances of this country, to make themselves helpful in every possible way to us and to our successors, Bishops of Rupert's Land. For this purpose we have at present united with the Headship of this Institution the Rectory of St

John's parish, in which our Cathedral Church stands, and for the services of which our Cathedral Church is by us allowed to be used: and we hereby enjoin on all in the Holy Orders that hold office in this Institution to be ever willing and ready to assist the Bishop of Rupert's Land in his charge of souls, and to supply any deficiency of Ministerial service, either by assisting the Rector of St John's parish, taking charge of a particular church, parish, or district, or doing occasional duty as may be expedient.

And whereas it is our intention that the teaching and government of this Institution shall always be in conformity with the discipline and doctrine of the United Church of England and Ireland, or of that branch of it which may for purposes of self-government be constituted by the members of the United Church of England and Ireland within this Diocese: We hereby provide that when the affairs of this Diocese of Rupert's Land shall be legally committed to a Synod of the Diocese, then this Institution shall be governed according to such statutes or by such governing body or bodies as said Synod shall with the consent of the Bishop of Rupert's Land appoint. And whereas we see no immediate prospect of the action of such a legal Synod, and it is necessary that statutes shall be drawn up for the due government of the Institution, and for the proper carrying out of its objects as before named: We therefore hereby enact the following statutes for these purposes, reserving to ourselves and to our successors the power of altering, amending, withdrawing, or adding to them, as we or any of us may see fit such power to cease when the Synod aforementioned shall be able to take into its own hands the management of the Institution- but so as that the Statutes then in force shall continue to be binding till the Synod, with the consent of the Bishop of Rupert's Land for the time being, shall have otherwise determined.

(The original "Statutes of St John's College" followed here, and their purpose was stated to be "for the government of the College established by this instrument.")

In testimony whereof we have caused our Episcopal Seal to be hereunto affixed. Dated at Bishop's Court, this second day of March in the year of our Lord One Thousand Eight Hundred and Sixty-Seven, and in the second year of our Consecration.

Signed R. Rupert's Land

The final Statutes proceeding from Bishop Machray were issued in February 1876, “to be in force till the Diocesan Synod of Rupert’s Land in connection with the Province of Rupert’s Land, as established by the Provincial Synod of the Church of England in Rupert’s Land, shall have, with the consent of the Bishop of Rupert’s Land for the time being, in any respect otherwise determined.” The Statutes were amended, repealed or replaced by the Synod of the Diocese of Rupert’s Land in 1888, 1907, 1932, 1957, 1981, 1987, 1992, and 2002.

THE STATUTES OF ST JOHN’S COLLEGE

(Incorporating amendments up to June 2008)

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THE STATUTES OF ST JOHN'S COLLEGE

PART I INTERPRETATION

In these Statutes:

"Bishop" means the Bishop of the Diocese of Rupert's Land.

"Chancellor" means the Chancellor of St John's College.

"College" means St John's College.

"Diocesan Council" means the Council of the Diocese of Rupert's Land.

"Diocese" means the Diocese of Rupert's Land.

"Synod" means the Synod of the Diocese of Rupert's Land.

"University" means The University of Manitoba.

"Vice-Chancellor" means the Warden of St John's College.

PART II STRUCTURE OF GOVERNANCE

A. COUNCIL

1. Membership
 - (a) The Chancellor.
 - (b) The Vice-Chancellor.
 - (c) The Chancellor of the Diocese.
 - (d) The Metropolitan of the Ecclesiastical Province of Rupert's Land, except where the Metropolitan is also the Chancellor.
 - (e) The Chair of Assembly.
 - (f) The Dean of Studies.
 - (g) The Dean of Theology.
 - (h) Six Members appointed by Diocesan Council of whom at least three shall also have been appointed by Diocesan Council as members of Assembly.

- (i) Six members appointed by and from Assembly, of whom at least one shall be a College Fellow and at least one shall be a student.
- (j) Three members appointed by Council from amongst the graduates of the College, former members of the College and members of the community who support the College.

2. Term of Office of Appointed Members

- (a) Members appointed by Diocesan Council -- three years from the date of commencement of term of office or for such lesser period in each case as Diocesan Council may designate.
- (b) Members appointed by Assembly -- three years from the date of commencement of term of office, or for such lesser period in each case as Assembly may designate.
- (c) Members appointed by Council – three years from the date of commencement of term of office, or for such lesser period in each case as Council may designate.
- (d) A member whose term of office has expired through the passage of time shall nevertheless continue in office until a successor has been appointed.
- (e) If an appointed member does not complete the appointed term of office, a successor shall be appointed by the body that appointed the member to complete the term.
- (f) Any appointed member failing to attend two consecutive meetings without the approval of Council shall, ipso facto, cease to be a member of Council.
- (g) Any appointed member may be removed from office by the body that appointed the member.

3. Council Meetings

- (a) Council may, subject to these Statutes, from time to time pass, amend, or repeal by-laws regulating the calling and holding of meetings of Council.
- (b) Subject to the right of the Chancellor to preside at any meeting of Council, Council shall elect a Chair and Vice-Chair of Council for a term of up to three years, from amongst the members appointed by Diocesan Council. In the event that no member appointed by Diocesan Council is willing to stand for Chair and/or Vice-Chair, then Council may elect to either office, other persons from Council.
- (c) Council shall hold at least an annual meeting and a semi-annual meeting in each year on the dates established in its by-laws.
- (d) Notice of the time and place of Council meetings shall be sent not less than fourteen days before the meeting.

4. Duties and Powers of Council

The duties and powers of Council shall be as set out in the Act of Incorporation of St John's College, and shall include the following:

- (a) To determine the overall direction and policies of the College, subject to the responsibility vested in Assembly for academic affairs.
- (b) To maintain a direct formal connection with the Diocese.
- (c) At its annual meeting:
 - i) to consider the annual reports of Assembly, the Warden, and the Dean of Theology, and such other reports as Council may require,
 - ii) to receive as information, the annual budgets of the College as approved by Assembly,

- iii) to consider and approve the Annual Financial Statements of the College for the preceding fiscal year,
 - iv) to consider the report of the Auditor with respect to the Annual Financial Statements, and
 - v) to appoint Auditors for the next year.
- (d) To secure the management of the property, business, and affairs of the College.
 - (e) To delegate to Assembly by by-law any of the duties and powers under sub-paragraph (d) of this Article.
 - (f) To consider reports and recommendations from Assembly.
 - (g) To oversee the spiritual and material interests of the Anglican Church of Canada at the College.
 - (h) To have overall charge of fiscal matters and policies affecting the College.
 - (i) To render an Annual Report on behalf of the College to Synod.
 - (j) To safeguard the interests of the College as enunciated in the agreement with the University and to approve any changes therein.
 - (k) To approve changes in these Statutes in accordance with the procedure in Part X.
 - (l) To appoint the Dean of Theology and any Associate Dean of Theology upon the joint nomination of the Bishop and the Warden.
 - (m) To appoint the members of the academic staff of the Faculty of Theology upon the nomination of the Warden and after consultation with the Bishop.
 - (n) To appoint the Warden upon the nomination of the Bishop and after consultation with the University.

- (o) To appoint the Registrar, the Bursar, and the College Chaplain upon the nomination of the Warden.
- (p) To appoint the Solicitor.
- (q) To authorize the appointment of such other staff as is necessary for the operation of the College.
- (r) To determine the amount of any financial remuneration payable by the College to a College Fellow elected by Assembly.
- (s) To negotiate with other agencies, including the University, all matters material to the financing of the College.
- (t) To delegate to the Warden, or other officer of the College, any of the duties or powers under sub-paragraph (d), (p), (q), (r), and (s) of this Article.
- (u) To designate, subject to Part IX, the persons or officers who may execute cheques, bills, contracts, instruments, and other documents on behalf of the College.
- (v) To borrow money upon the credit of the College, upon such terms and for such amounts as may be deemed necessary, and to hypothecate, mortgage, or pledge any of the real or personal property of the College, or both, to secure any money so borrowed, and to sell or lease any of the real or personal property of the College.
- (w) To make investments on behalf of the College, and to buy and sell securities, and to purchase, sell, or lease real or personal property on its behalf.
- (x) To grant, confer or award in the Corporate name of the College, degrees, diplomas, and certificates of standing in theology and divinity, upon the nomination of Assembly.
- (y) To enact, amend, or repeal by-laws regulating in any respect the business or affairs of the College
- (z) To deal with any other matter not specifically within the duties and powers of Assembly.

B. ASSEMBLY

1. Membership

- (a) The Chancellor.
- (b) The Vice-Chancellor.
- (c) The Deans and Associate Deans of the College.
- (d) The College Fellows, Visiting Fellows and Research Fellows.
- (e) The College Chaplain.
- (f) The Librarian.
- (g) The Registrar
- (h) The Bursar.
- (i) The President of the Friends of St John's College.
- (j) The Senior Dons of Residence.
- (k) The Senior Stick of the College.
- (l) The Vice-Stick of the College.
- (m) The six members appointed by Diocesan Council to Council.
- (n) Such number of students of the College elected by the students of the College who, taken with the Senior Stick and the Vice-Stick, equal one-third of the number of College Fellows on Assembly in the year immediately preceding the election.
- (o) Such other persons as may be elected to membership by Assembly on the nomination of the Executive of Assembly.

2. Term of Office of Appointed Members

- (a) Members appointed by Diocesan Council -- for the length of their tenure on Council.

- (b) Student members elected by the students -- one year from the date of commencement of term of office.
- (c) If an appointed or elected member does not complete the term of office, a successor shall be appointed or elected by the appropriate body to complete the term.
- (d) Any appointed or elected member may be removed from office by the body that appointed or elected the member.

3. Assembly Meetings

- (a) Assembly may, subject to these Statutes, from time to time pass, amend, or repeal by-laws regulating the calling and holding of meetings of Assembly.
- (b) Assembly may establish its own quorum for meetings, provided that the quorum shall be at least fifty per cent of the Fellows when the item under consideration involves:
 - i) appointment of Deans and Associate Deans, other than the Dean or an Associate Dean of Theology
 - ii) recommendations to the Warden respecting the appointment of College Officers,
 - iii) admission of persons to all categories of Fellowship in the College and the establishment of any limitation of Fellowship membership generally,
 - iv) annual budgets
 - v) recommendations to Council respecting the granting of honorary degrees.
 - vi) the passage, amendment, or repeal of any by-law of Assembly, or
 - vii) recommendations to Council for amendment of these Statutes.

4. Duties and Powers of Assembly

The duties and powers of Assembly, subject to the Act of Incorporation of St John's College, and to Part II, Article A.4 of these Statutes, shall be as follows:

- (a) To create conditions within the College for the achievement of excellence.
- (b) To recommend to the appropriate persons or bodies respecting any matter concerning the property, business, or affairs of the College.
- (c) To have charge of the academic affairs of the College.
- (d) To appoint such Deans or Associate Deans, excepting the Dean or any Associate Dean of Theology, as it deems appropriate to the operation of the College.
- (e) To recommend to the Warden concerning the appointment of the Registrar, the Bursar, and the College Chaplain.
- (f) To appoint a Librarian after consultation with the Warden and the University.
- (g) To elect the Fellows of the College.
- (h) To confer honorary fellowships.
- (i) To approve those programs in the Faculty of Theology which lead to degrees granted or awarded by the College under its statutory powers.
- (j) To nominate to Council the candidates to whom should be granted, awarded, or conferred any degree, diploma, or certificate of standing in theology and divinity.
- (k) To consider the annual reports of the Warden and Dean of Theology.
- (l) To approve, within the fiscal policies established by Council, the annual budgets of the College as presented

by the Warden and to transmit them to Council in time for its annual meeting, as information.

- (m) To generate extra-curricular programs of all kinds in order to make the College a rewarding and stimulating environment and to generate funds for this purpose.
- (n) To appoint the Esquire Bedells.
- (o) To elect annually the Chairman of Assembly.
- (p) To make an annual report to Council.
- (q) To establish, subject to the Agreement with the University and to any rule or regulation of the University, rules and regulations concerning student admission to or membership in the College, including matters of student discipline.
- (r) To establish rules and regulations governing awards, fellowships, scholarships, prizes, exhibitions and bursaries subject to any trust provisions.
- (s) To establish rules and regulations concerning the operation of the College cafeteria and residence.
- (t) To deal with any matter delegated to it by Council or the Warden
- (u) To pass, amend, or repeal by-laws respecting the operation of Assembly and, without restricting the generality of the foregoing, to establish by by-law such standing committees, or by resolution, such ad hoc committees, as may be considered convenient to carry out the duties and powers of Assembly and to delegate to such committees any of the duties and powers conferred on Assembly pursuant to these Statutes or delegated to it by Council or by the Warden.

5. Assembly Executive

- (a) Membership

- i) The Chairman of Assembly.
 - ii) The Warden.
 - iii) Four members appointed by and from the members of Assembly of whom at least one must be a student.
- (b) Term of Office of Appointed Members
- i) Non-student members — three years from date of commencement of term of office subject to earlier removal by the Assembly.
 - ii) Student members — one year from date of commencement of term of office subject to earlier removal by Assembly. A member whose term of office has expired through the passage of time shall nevertheless continue in office until a successor has been appointed.
- (c) Duties and Powers of Executive Committee
- i) To prepare the agenda for Assembly meetings.
 - ii) To act on behalf of Assembly when it is not practicable to call a meeting of Assembly to consider a matter.
 - iii) To carry out such duties as are delegated to it by Assembly.

PART III FACULTY AND STUDENT MEMBERSHIP

A. FACULTY MEMBERSHIP

1. There shall be four categories of College faculty membership:
 - (a) Honorary Fellow.
 - (b) College Fellow.
 - (c) Visiting Fellow.
 - (d) Research Fellow.
2. Method of Election
 - (a) Honorary Fellow -- elected in accordance with the procedure set out in the by-laws of Assembly.
 - (b) College Fellow -- elected by Assembly in accordance with the procedure set out in the by-laws of Assembly.

- (c) Visiting Fellow -- elected by Assembly from year to year in accordance with the procedure set out in the by-laws of Assembly.
- (d) Research Fellow -- elected by Assembly from year to year in accordance with the procedure set out in the by-laws of Assembly from amongst persons studying in a Ph.D. or postdoctoral research program.

3. Regulation of Membership

Assembly may, subject to these Statutes, pass, amend, or repeal bylaws regulating the admission of Fellows and the responsibilities, rights and privileges attached to the various categories of Fellowship.

B. STUDENT MEMBERSHIP

Students may be admitted to membership in and continue as members of the College in accordance with rules and regulations governing admission and membership established by Assembly.

PART IV OFFICERS OF THE COLLEGE

A. THE CHANCELLOR

1. The Bishop shall be the Chancellor.
2. The Chancellor shall be installed in office at a Convocation to be held as early as conveniently may be arranged following the commencement of the Bishop's tenure of office.
3. Before admission to office the following declaration shall be administered to the Chancellor:

Vice-Chancellor: Right Reverend (name) , Bishop of the Diocese of Rupert's Land, do you promise that you will well and truly discharge all the duties that pertain to the office of Chancellor of this College? (and he shall answer:) I so promise.

Vice-Chancellor: In the name of the Council of St John's College, I now invite you, Right Reverend (name), Bishop of the Diocese of Rupert's Land, to assume your rightful office as Chancellor of St John's College, and on behalf of the members of the College I pledge to you our loyalty.

4. The Chancellor shall act on behalf of Council at College Convocations.

B. THE VICE-CHANCELLOR AND PRO-CHANCELLOR

1. The Warden of the College shall be the Vice-Chancellor.
2. In the absence of the Chancellor or during a vacancy of that office, the duties of the office shall be performed by the Vice-Chancellor.
3. In the absence of the Chancellor and the Vice-Chancellor, the Council may appoint a member of the Council pro-Chancellor to discharge the duties incident to the Office of Chancellor and Vice-Chancellor.
4. The Vice-Chancellor and the pro-Chancellor on entering office shall make the declaration required of the Chancellor, *mutatis mutandis*.

C. THE WARDEN

1. Qualifications
The Warden of the College shall normally be a Priest in Holy Orders of the Anglican Communion, and may or may not be the holder of an academic appointment at the University.
2. Term of Office
The term of office of the Warden shall normally be five years, subject to renewal.

3. Method of Appointment of the Warden

- (a) The Warden shall be appointed by Council upon the recommendation of the Chancellor and after consultation with the University.
- (b) Assembly shall establish a Committee called the Search Committee to assist the Chancellor with his search for a Warden.
- (c) At Least one member of the Search Committee shall be a member appointed by Diocesan Council to Council.
- (d) Before making the nomination of Warden to Council, the Chancellor shall consult with the Search Committee.

4. Powers and Duties of the Warden

- (a) To be the Head and Chief Executive Officer of the College with overall responsibility for the academic, administrative, and spiritual life of the College.
- (b) To ensure that the aims of the College and the objects of the Founder of the College as set out in the Constitution of the College are implemented.
- (c) To have overall responsibility for the training of persons for the ministry of the Anglican Church.
- (d) To prepare, with the assistance of the Bursar, such budgets concerning the operation of the College as the Warden deems necessary or which Council may require.
- (e) To prepare, with the assistance of the Bursar, the annual budgets of the College and to submit them to Assembly for approval.
- (f) To consult with such persons or bodies as the Warden deems appropriate with respect to the preparation of budgets, including any committee established by Assembly for the purpose of assisting in budget preparation.
- (g) To receive from the Dean of Theology a draft budget with respect to the operation of the Faculty of Theology.

- (h) To submit to Council a statement of Assets and Liabilities, and of Income and Expenditure for the preceding fiscal year. certified by the Auditors.
- (i) To present to Council and to Assembly an Annual Report on the state of the College.
- (j) To consult with Assembly before making any recommendations to Council respecting the appointment of the Registrar, the Bursar, and the College Chaplain.
- (k) To consult with the Dean of Theology before making any recommendation to Council respecting the appointment of an Associate Dean of Theology or of a member to the academic staff of the Faculty of Theology.
- (l) To present to Assembly for recommendation to Council the petition of any candidate who has qualified for a degree or diploma in a course or program.
- (m) To preside at College Convocations.
- (n) To perform such other duties as may from time to time be prescribed by Council.

D. THE DEAN OF STUDIES

1. Method of Appointment
The Dean of Studies shall be appointed by Assembly.
2. Term of Office
The term of office shall normally be for three years but may be renewed.
3. Duties and Powers
 - (a) To act as Coordinator of formal and informal programs of the College, including student affairs.
 - (b) To act as Chair of any Standing Committee of Assembly concerning program planning and development.
 - (c) To perform such functions as are designated by the agreement between the University and the College.

- (d) To perform such duties appropriate to the position as Assembly may from time to time prescribe.

E. THE DEAN OF THEOLOGY

1. Method of Appointment
The Dean of Theology shall be appointed by Council upon the joint nomination of the Bishop and the Warden.
2. Qualifications
The Dean of Theology shall be a Priest in Holy Orders of the Anglican Communion.
3. Term of Office
The term of office shall normally be five years but may be renewed.
4. Duties and Powers
 - (a) To organize, supervise, and promote the training and education of students registered in the Faculty of Theology.
 - (b) To be Chair of the Advisory Council of the Faculty of Theology.
 - (c) To advise the Warden on all matters of personnel concerning the Faculty of Theology, including recommendations with respect to academic appointments within the Faculty.
 - (d) To be responsible to the Warden for the performance of all members of the academic staff of the Faculty of Theology.
 - (e) To prepare a draft annual budget for the Faculty of Theology and to submit it to the Warden.
 - (f) To prepare an annual report on the state of the Faculty of Theology and to submit it to the Warden for transmittal to Council and Assembly.

- (g) To perform such other duties as are appropriate to the position as Council or the Warden may from time to time prescribe.

F. ASSOCIATE AND OTHER DEANS

1. Assembly may appoint such other Deans or Associate Deans, other than Associate Deans of Theology, as it deems advisable, and may establish the title of such Deans and prescribe their qualifications, term of office, duties and powers.
2. Council may appoint Associate Deans in the Faculty of Theology upon the recommendation of the Warden and after consultation with the Bishop.

G. THE REGISTRAR

1. Method of Appointment
The Registrar shall be appointed by Council upon the nomination of the Warden.
2. Duties and Powers
 - (a) To be the Secretary of the College and, in connection therewith, to conduct the correspondence of Council, to record the minutes of Council, to prepare and send out all notices of meetings of Council together with any documents required to be sent along with such notices, to be the repository of the Official Minutes of Council and Assembly, and to perform such other duties of a secretarial nature as Council may from time to time prescribe.
 - (b) To register the students, prepare the timetables of lectures, supervise the College examinations, and generally assist in all matters connected with the academic work of the College.
 - (c) To certify to Assembly that every candidate for a degree taken in course has passed the examinations required for such degree, and has paid all University and College fees.

- (d) To provide to Assembly such information as from time to time requested by Assembly.

- (e) To perform such other duties as Council may from time to time prescribe.

H. THE BURSAR

1. Method of Appointment
The Bursar shall be appointed by Council upon the nomination of the Warden.
2. Duties and Powers
 - (a) To act as the Executive Assistant to the Warden.
 - (b) To receive and disburse all monies on account of the College and to keep proper receipts therefor. All money received on account of the College except as hereinafter provided, shall be deposited forthwith in such Chartered Bank or Banks as may be designated by Council. By special authority of Council, monies may from time to time be deposited in a savings account in a trust or loan company duly authorized to receive deposits. All disbursements, except petty cash payments, shall be made by cheque drawn on such bank or banks or savings accounts. Council may authorize the keeping of such petty cash accounts as it may deem advisable. All cheques drawn on behalf of the College shall be signed by such person or persons as Council may from time to time designate.
 - (c) To keep a regular set of books in such form as shall be approved by Council and to submit to the Auditors all books of account and supporting documents as they may require.
 - (d) To assist the Warden with the preparation of the budgets of the College.
 - (e) To keep a complete register of all lands, mortgages, debentures and other securities, and of all valuable papers belonging to the College, and to deposit all

debentures and other securities for safekeeping with the bankers of the College, or as the Council may direct, and to furnish to the Warden for submission to the Annual Meeting of Council a list of all investments duly certified by the Auditors.

- (f) To keep the property of the College insured in such companies and for such amounts as Council shall direct, and to ensure that all taxes and rates are duly paid.
- (g) To oversee the work of the College's support staff, and those employed in its food services and residences.
- (h) To ensure that all buildings are kept in good order and repair.
- (i) To prepare and submit all statements relating to the affairs of the College as may be requested by Council, the Warden, or the Auditors.
- (j) To be bonded in such amount as Council shall determine from time to time.
- (k) To perform such other duties as Council or the Warden may from time to time prescribe.

I. THE LIBRARIAN

1. Method of Appointment

The Librarian shall be appointed by Assembly after consultation with the Warden and the University.

2. Duties and Powers

- (a) To be responsible for the development, use, and maintenance of the College Library resources and facilities.
- (b) To be a member of any Library Committee of Assembly.
- (c) To perform such other duties as the Warden may from time to time prescribe.

J. THE COLLEGE CHAPLAIN

1. Method of Appointment

The College Chaplain shall be appointed by Council upon the nomination of the warden and upon licensing by the Bishop.

2. Qualifications

The College Chaplain shall be a Priest in Holy Orders of the Anglican Communion; and may or may not hold an academic appointment in the College or in the University.

3. Duties and Powers

To perform such duties concerning worship, pastoral life, and religious education in the College as may be assigned to the College Chaplain by the Warden on the advice of any advisory committee established by Assembly for that purpose.

K. THE ESQUIRE BEDELLS

1. Method of Appointment

The Esquire Bedells shall be appointed by Assembly. Vacancies shall be filled by and from Assembly.

2. Duties and Powers

To attend upon the Chancellor or the Vice-Chancellor and marshal the procession on public occasions.

L. THE SOLICITOR

1. Method of Appointment

The Solicitor shall be appointed by Council.

2. Duties and Powers

To carry out such legal work as is from time to time entrusted to the Solicitor by Council.

M. THE AUDITORS

1. Method of Appointment

The Auditors shall be appointed annually by Council.

2. Qualifications

The Auditor shall be a Chartered Accountant or a firm of Chartered Accountants carrying on business in the City of Winnipeg.

3. Duties and Powers

- (a) To make an annual audit of the books and accounts of the College.
- (b) To carry forward the audit to the end of each fiscal year and to report on the Balance Sheet as at the close of the fiscal year and on the Statement of Income and Expenditure for the year completed.
- (c) To submit such further reports and perform such additional services as Council may from time to time prescribe.

PART V THE FACULTY OF THEOLOGY

A. ESTABLISHMENT

There shall be established within the College a faculty called the Faculty of Theology for any one or more of the following:

1. Train and educate persons for the ordained ministry of the Anglican Church, and for discharging the duties of catechists and teachers in parishes or missions.
2. Be an educational and theological resource to the Anglican Church of Canada.
3. Provide continuing theological training and education to those already ordained.
4. Provide programs for lay people.

B. FACULTY MEMBERSHIP

1. The Dean of Theology and any Associate Dean shall be appointed by such method, for such term of office, with such qualifications, and with such duties and powers as

are set out respectively in Part IV, Articles E and F of these Statutes.

2. Other faculty members shall be appointed as set out in Part II, Article A.4.(m) and Part IV, Article C.4.(k) of these Statutes.
3. Associate members of the academic staff of the Faculty of Theology may be appointed on a sessional basis from time to time in the same manner as other members of the academic staff of the Faculty, for the purpose of assisting in programs or teaching. Although such members are expected to partake in the ongoing life of the College they shall not be Fellows of the College with the rights and privileges thereto appertaining and shall have no vote at meetings of the Advisory Council of the Faculty of Theology.

C. FACULTY OF THEOLOGY ADVISORY COUNCIL

I. Establishment and Function

There shall be established within the Faculty of Theology a Faculty Advisory Council to provide advice to the Dean of the Faculty on all aspects involving the operation of the Faculty.

2. Membership

- (a) The Dean of the Faculty, as Chair.
- (b) Any Associate Dean of the Faculty.
- (c) Members of the academic staff of the Faculty.
- (d) Associate members of the academic staff of the Faculty (nonvoting).
- (e) The Bishop or the delegate of the Bishop.
- (f) The Warden.
- (g) Two members appointed by Council upon the nomination of the Dean of Theology.

- (h) Two members appointed by Assembly upon the nomination of the Dean of Theology.
- (i) A member elected by and from students registered in the Faculty of Theology.
- (j) Such others as may be appointed from time to time by Council to serve for a designated period.

3. Term of Office of Appointed Members

The term of office of appointed members shall be three years, provided, however, that no appointed member shall serve more than three consecutive terms as a member of the Advisory Council.

4. Deemed Vacancy

A person shall cease to be a member of the Faculty of Theology Advisory Council upon ceasing to be a member of either the Faculty of Theology or of the constituency for which the person was appointed a representative.

5. Rules of Procedure

The Council may establish such rules of procedure regulating its operations as it deems necessary and may delegate any or all of its duties and powers to a committee, including a committee composed solely of the Dean, Associate Deans, and all or any members of the academic staff of the Faculty.

**PART VI
DEGREES, DIPLOMAS, CERTIFICATES AND
HONORARY FELLOWSHIPS**

**A. DEGREES, DIPLOMAS AND CERTIFICATES GRANTED,
CONFERRED OR AWARDED**

Council may grant, confer or award the following degrees, diplomas and certificates:

- I. Degrees and diplomas in course
 - (a) The College Testamur.
 - (b) The Bachelor of Ministry.

- (c) The Bachelor of Theology.
- (d) The Master of Divinity.
- (e) The Diploma in Religious Education.
- (f) The Bachelor of Religious Education.
- (g) The Bachelor of Divinity (General Synod).
- (h) The Doctor of Divinity (General Synod).

2. Honorary Degrees

- (a) The Doctor of Divinity (*honoris causa* or *jure dignitatis*)
- (b) The Doctor of Canon Law (*honoris causa*)

3. Certificates in Course as approved by Assembly.

B. HONORARY FELLOWSHIPS

Assembly may confer Honorary Fellowships pursuant to the by-laws of Assembly.

**C. PROCESS LEADING TO GRANT, CONFERRAL OR
AWARD**

1. Degrees Diplomas and Certificates in Course

Degrees, diplomas and certificates in Course shall be granted, conferred or awarded by Council upon the recommendation of Assembly.

2. Honorary Degrees

- (a) There shall be a Committee for assessing nominations for Honorary Degrees called the "Committee on Honorary Degrees" consisting of the Chancellor, the Vice-Chancellor, and four members appointed annually by and from Assembly provided that if any appointed member is unable to serve, the

Vice-Chancellor may appoint another member of Assembly to fill the vacancy.

- (b) The Committee on Honorary Degrees shall forward to Assembly, together with appropriate background information, the name of any person upon whom it recommends that an Honorary Degree be conferred.
- (c) Assembly shall vote on the recommendation by secret ballot and the Degree shall not be recommended to Council unless three-quarters of the members present and voting cast ballots in favour of the recommendation.
- (d) Provided that notice of a recommendation from Assembly as to the conferral of an Honorary Degree has been given in the circular calling any meeting of Council, Council may by the same majority as required by Assembly, authorize the conferral of an Honorary Degree.
- (e) An Honorary Degree may not be conferred in absentia except in exceptional circumstances and with the approval of the Chancellor.
- (f) Any graduate of the College holding the office of Bishop in the Anglican Church of Canada, or in any church in full communion therewith, shall be eligible for the Degree of Doctor of Divinity *jure dignitatis*.
- (g) Normally, not more than three Honorary Degrees shall be conferred in any one academic year.
- (h) Members of Council and Assembly shall be consulted once a year for nominations to be screened by the Committee on Honorary Degrees.

D. FORMALITIES OF PRESENTATION OF DEGREES, DIPLOMAS, CERTIFICATES AND HONORARY FELLOWSHIPS

Candidates for degrees, diplomas, certificates and honorary fellowships shall be presented by a College Officer to the Chancellor or Vice-Chancellor and shall be admitted to their respective degrees, diplomas, certificates, or honorary fellowship by the Chancellor or Vice-Chancellor.

The actual form of presentment of degrees, diplomas and certificates should be approved by Council with the recommendation of Assembly and the formal presentment and admission of honorary fellows should be approved by Assembly in their by-laws.

1. Presentment of Degree or Diploma Course Candidates

The Candidate shall be presented by a College Officer to the Chancellor or Vice-Chancellor with the following words:

“Right Reverend Chancellor, I present to you the Petition of the Council that you [confer the degree of Bachelor of Ministry, Bachelor of Theology, Bachelor of Religious Education, Master of Divinity upon] or award the College Testamur, Diploma of Religious Education to] (name(s)), he/she/they having completed the examinations and having gained the necessary standing as prescribed.”

2. Presentment of Honorary Degree Candidates

The Candidate shall be presented to the Chancellor with the following words:

“Right Reverend The Chancellor, I present to you the Petition of Council that you [confer upon] (name) [the Degree of Doctor of Divinity/Doctor of Canon Law – *honoris causa/jure dignitatis*].

3. Admission of Candidates for Degrees and Diplomas

After presentment, the Chancellor shall then admit the Candidate with the following words:

“By virtue of the powers vested in me as Chancellor of St John’s College I [award you the Testamur of this

College], [confer upon you the Degree of _____]. [award you the Diploma of _____], and admit you to the standing of an alumnus of St John's College with all the rights and privileges pertaining thereto, and charge you to use them to the Glory of God and the Edification of His Church. In the name of the Father, and of the Son, and other Holy Ghost Amen."

E. ACADEMIC DRESS

Assembly shall from time to time prescribe the academic dress to be worn by recipients of Degrees, Licentiate, Diplomas, and Honorary Fellowships granted or conferred by the College.

**PART VII
THE CHAPEL**

A. ESTABLISHMENT

There shall be established and maintained within the College a Chapel called The Chapel of St John The Evangelist

B. THE OPERATION OF THE CHAPEL

1. Use and Upkeep

The Warden shall have overall responsibility for the holding of services in the Chapel, the manner in which they are conducted, and for all other matters relating to the use and upkeep of the Chapel, provided, however, that the Warden may delegate particular responsibility to the College Chaplain or to others as the Warden sees fit.

2. Alterations

Any material alteration to the fabric of the Chapel facility shall be approved by Council and is subject to the Canons which apply to all places of worship in the Diocese.

3. Chapel Advisory Committee

There may be established by Assembly a Chapel Advisory Committee for the purpose of advising the Warden and the College Chaplain concerning the use and operation of the Chapel as well as any other matters concerning the pastoral or spiritual activities within the College. Membership of this

Committee shall include the Warden, the College Chaplain, the Dean of Divinity, any Associate Deans of Divinity, at least one other Fellow of the College, and at least two students of the College, together with such other persons as may be appointed by Assembly upon the nomination of the Warden.

**PART VIII
FRIENDS OF ST JOHN'S COLLEGE**

A. ESTABLISHMENT

There shall be an association known as The Friends of St John's College.

B. PURPOSE

The purpose of the association shall be to promote the interests of St John's College and to act as a clearing house for alumni news and dissemination of information about the College through the medium of a newsletter or some similar publication.

C. MEMBERSHIP

The membership of the association shall consist of graduates of the College, other former Johnians, and members of the community interested in the College.

D. MEETINGS

There shall be an annual meeting in May, at which the officers of the association shall be elected, and such other meetings as may be desirable

**PART IX
CORPORATE SEAL AND EXECUTION OF DOCUMENTS**

A. CUSTODY OF SEAL

The Seal shall be in the custody of the Vice-Chancellor.

B. AUTHORITY RESPECTING USE OF SEAL

The Seal shall be affixed to documents only by authority of Council.

C. USE OF SEAL RESPECTING DIPLOMAS AND ACADEMIC CERTIFICATES

Diplomas and academic certificates which require the Corporate Seal shall be executed by the Chancellor or the Vice-Chancellor, and by the Registrar, or, in the absence of the Registrar, such other Officer of the College as Council may designate.

D. USE OF SEAL RESPECTING DEEDS, ETC.

Deeds, transfers and mortgages under the Real Property Act, conveyances, contracts, and other like documents which require the Corporate Seal including powers of attorney to execute the acceptance and transfer of all or any shares, stocks, bonds, debentures, debenture stock and other securities from time to time standing in the name of the College, shall be executed by any two of the following: the Chancellor, the Vice-Chancellor, the Pro-Chancellor, the Bursar, and the Registrar, one of which must be the Chancellor, the Vice-Chancellor or the Pro-Chancellor.

E. SOLICITOR'S DUTIES

Every document prepared by a Solicitor on behalf of the College shall be endorsed as approved by the Solicitor before execution.

PART X AMENDMENT OF STATUTES

A. POWER TO AMEND

These Statutes may be enacted, suspended, amended or repealed by Synod only with the assent of the Bishop.

B. AMENDING PROCEDURE

Subject to the plenary power of Synod and the Bishop to alter these Statutes on their own motion, the following is the process by which the College may recommend to the Synod and the Bishop alterations to these Statutes:

1. The text of a Resolution for the enactment, suspension, amendment or repeal of any Statute shall first be sent to the members of Assembly along with notice calling the meeting of Assembly.
2. If Assembly by a majority of three-fourths of the members present and voting approves the Resolution, with or without amendment, then the text of the Resolution, together with any supporting material authorized by Assembly, shall be forwarded by the Secretary to Council for consideration.
3. The text of the Resolution adopted by Assembly, together with any supporting material authorized by Assembly, shall be sent to the members of Council along with the notice calling the meeting of Council next following the meeting of Assembly at which the Resolution was approved.
4. If Council by a majority of three-fourths of the members present and voting approves the Resolution, with or without amendment the Secretary shall forward the text of the resulting Resolution together with any supporting material authorized by Council, to the Bishop and to the Secretary of Synod for consideration and approval.

PART XI MISCELLANEOUS

- A. Where any disagreement arises as to the powers or duties of Council Assembly, the Chancellor, the Warden, or any other officer or servant of the College, or of any body therein, it shall be settled and determined by Council.
- B. In these Statutes, where the context requires, the singular shall include the plural.

**As approved by Diocesan Council 30 October 1987 (II.B.3(b))
and by Diocesan Council 15 December 1992**

ST JOHN'S COLLEGE COUNCIL BY-LAWS

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ST JOHN'S COLLEGE COUNCIL BY-LAWS

(Incorporating amendments up to June 2008)

A. Council Meetings

Council normally shall meet at least four times each academic year, and shall:

- (1) at its annual meeting, normally to be held in the period of 15 May to 15 June, receive the Annual Reports of the Assembly, the committees of Council, the Warden and the Dean of Theology. At the same Meeting, the annual budgets of the College, as approved by Assembly, shall be received.
- (2) at the continuation of its annual meeting to be held concurrent with its annual convocation meeting, consider and approve the Annual Financial Statements of the College for the preceding fiscal year; consider the report of the Auditor with respect to the Annual Financial Statements; appoint the Auditors for the next year; and appoint the College Solicitor.
- (3) at its annual Convocation meeting, normally held in the period 15 September to 15 October, consider nominations for degrees, diplomas or certificates of standing in Theology and Divinity”

B. Quorum and Voting Procedures

At any meeting ten members shall be deemed to constitute a quorum.

C. Terms of Members

Terms of membership of Council will commence on July 1st of the year of appointment and end on June 30th of the terminal year of appointment.

D. Standing Committees of Council

There shall be the following standing committees of Council:

- (1) Executive Committee
- (2) Finance and Administration Committee

Standing committees are responsible to, and normally shall report at each meeting of Council. A quorum for committees shall be a simple majority of the committee membership. Each committee shall appoint its own chairman and recording secretary. The Chancellor and Vice-Chancellor shall, by right of office, be members of all standing committees.

(1) Council Executive

I) There shall be an Executive Committee of six members. Membership shall consist of the Chancellor; the Vice-Chancellor; the Dean of Studies; the Dean of Theology; the Chair of Assembly; and the Chair of Council who will act as Chair. The function of the Council Executive Committee shall be:

- (a) to prepare the agenda of Council;
- (b) to act on matters between Council meetings when necessary, subject to the final approval of Council;
- (c) when directed by Council, to act as a nominating committee for committees of Council.

II) The Power and Duties of the Chair of Council

- (a) To chair regular meetings of Council;
- (b) To consult, as necessary with the Warden concerning the implementation of Council decisions and policies;
- (c) To work with the Warden and Registrar in anticipating and formulating subjects for Council's attention;
- (d) To represent, or share in representing, the College, as appropriate, in discussions with other bodies such as the University and the Diocese.

III) The Power and Duties of the Vice-Chair of Council

- (a) To chair meetings in the absence of the Chair, and to assume other duties as dictated by the absence or incapacity of the Chair.

(2) Finance and Administration Committee

The Finance and Administration Committee is a joint committee of Council and Assembly. It shall consist of nine members, in addition to the Chancellor and Vice-Chancellor.

Membership shall include the Bursar, the Dean of Studies, the Dean of Theology, three members elected by and from Assembly and three members elected by but not necessarily from Council, for a three-year or lesser term. The terms of the Assembly representatives shall be staggered such that one Fellow shall be elected in each year. In the event of a resignation or retirement by a Fellow, Assembly shall elect a replacement to complete the term of that Fellow.

The chair shall be appointed by the members of the committee and the Assistant Bursar shall act as recording secretary.

The duties of the Committee shall include:

1. reviewing and recommending the annual College budget to Assembly
2. overseeing college investments, including reviewing at least quarterly, the financial statements of the College, and of the Trust Funds
3. recommending to Council the appointment of the Investment Manager(s) and monitoring the performance of the Manager(s).
4. recommending to Council the budget parameters for the annual operating budget
5. recommending the audited statements to Council for approval
6. recommending to Council the appointment of the Auditor
7. recommending capital expenditures to Council
8. recommending to Council on employment policies referred to it by the Warden

9. receiving reports on the state of buildings, equipment and services from the Administration and making recommendations to Assembly and Council, as appropriate, regarding upkeep and replacement
10. recommending to Assembly new facilities and projects requiring financial support
11. recommending to Assembly and Council, as appropriate, the purpose, terms and conditions of trust endowments, excluding those in support of scholarships, bursaries or awards
12. recommending to Council and Assembly on any other matters which are referred to it by those bodies.

- (a) he or she acted honestly and in good faith with a view to the best interests of the College; and
- (b) in the case of a criminal or administrative action or proceeding that is enforced by a monetary penalty, he or she had reasonable grounds for believing that his or her conduct was lawful.

E. Delegation of Powers

The powers under Section 11, A (4) (q) and (s) be delegated to the Warden:

- (q) To authorize the appointment of such other staff as is necessary for the operation of the College.
- (s) To negotiate with other agencies, including the University, all matters material to the financing of the College.

F. Indemnity of Directors and Officers

Subject to the *Corporations Act* (Manitoba), the College shall indemnify a member of Council or officer of the College, a former member of the Council or officer of the College or a person who acts or acted at the College's request as a director or officer of a body corporate of which the College is or was a shareholder or creditor, and his or her heirs and legal representatives, against all costs, charges and expenses, including an amount paid to settle an action or satisfy a judgment, reasonably incurred by him or her in respect of any civil, criminal or administrative action or proceeding to which he or she is made a party by reason of being or having been a member of the Council or officer of the College or director or officer of a body corporate if,

G. Amendment of these By-Laws

These by-laws may be amended by a two-thirds majority vote at any two Council meetings, notice of the proposed amendment having been included in the notice of at least the second meeting.