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Bill Pr24

An Act respecting Huron University College

Mr. Wood

Private Bill

1st Reading June 5, 2000
2nd Reading
3rd Reading
Royal Assent

Printed by the Legislative Assembly of Ontario



EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

An Act respecting Huron University College

Preamble Huron College has applied for special legislation to alter its organizational and administrative structures and to change its name to Huron University College. The applicant represents that it was incorporated by *An Act to incorporate "Huron College"*, being chapter 31 of the Statutes of the Province of Canada, 1863 (26 Victoria), that it was continued by *The Huron College Act, 1958*, which was amended in 1961 and 1975.

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,

"Corporation" means The Huron University College Corporation;

"H.U.C." means Huron University College.

Huron College Corporation continued

2. (1) Huron College Corporation is continued as a corporation without share capital under the name The Huron University College Corporation.

Members, executive board, academic council continued

(2) The members of Huron College Corporation, the members of Huron College Corporation's executive board and the members of Huron College's academic council in office on the day this Act receives Royal Assent remain in office until the expiry of their terms of office and the appointment or election under this Act of the members of the Corporation, the members of the Corporation's executive board and the members of H.U.C.'s academic council.

Objects

3. (1) The objects of the Corporation are to operate a post-secondary institution,

- (a) that provides post-secondary programs leading to the conferring of degrees, titles, diplomas and certificates in divinity; and
- (b) that offers other post-secondary programs pursuant to the terms of an affiliation with another institution of higher learning.

Powers

(2) For the purposes of carrying out its objects, the Corporation may,

- (a) confer the degrees of Bachelor of Divinity, Master of Divinity and Doctor of Divinity;
- (b) confer titles, diplomas and certificates in divinity;
- (c) confer honorary degrees in divinity;
- (d) appoint committees, including a committee to make recommendations for conferring honorary degrees in divinity, and delegate to such committees the authority to act for the Corporation;
- (e) appoint not more than 24 honorary members of the Corporation and not more than 24 Fellows of H.U.C.;
- (f) affiliate H.U.C. with any other institution of higher learning, and dissolve any such affiliation;
- (g) make by-laws for the conduct of its affairs.

(3) The honorary members and Fellows of H.U.C. shall have the powers, rights and duties as set out in the by-laws of the Corporation, but may not vote as members of the Corporation, and they shall hold office for a term as set out in the by-laws of the Corporation and may be re-appointed for subsequent terms.

Same

4. Any reference to Huron College in an agreement or other document, other than a degree, honorary degree, title, diploma or certificate conferred before this Act receives Royal Assent, shall be deemed to be a reference to Huron University College.

References to former name

5. (1) The members of the Corporation shall be,

Membership

- (a) the Bishop of Huron and any Coadjutor and Suffragan Bishop or Bishops of Huron;
- (b) the Principal of H.U.C., the Dean of Arts and Social Science of H.U.C. and the Dean of Theology of H.U.C.;
- (c) the President and Vice-President of H.U.C. Students' Council and the President of H.U.C. Alumni Association;

- (d) four members of the clergy and four laypersons, other than students, employees or faculty members of H.U.C., elected by the Synod of the Diocese of Huron;
- (e) not more than 10 alumni of H.U.C., or of Huron College, elected by H.U.C. Alumni Association in the manner set out in the by-laws of the Corporation;
- (f) not more than eight persons elected by the members described in clauses (a), (b), (c), (d) and (e);
- (g) 12 laypersons, other than students, employees or faculty members of H.U.C., elected by the members described in clauses (a), (b), (c), (d), (e) and (f);
- (h) one continuing full-time member of the Faculty of Theology of H.U.C., elected by that faculty; and
- (i) one continuing full-time member of the Faculty of Arts and Social Science of H.U.C., elected by that faculty.

remainder of the vacating member's term of office.

(9) A quorum for conducting a meeting of the members of the Corporation is 15 members, not including the members described in clauses (1) (a), (b) and (c).

Quorum

(10) The members of the Corporation may exercise any of the powers of the Corporation so long as the membership consists of at least 21 members, not including the members described in clauses (1) (a), (b) and (c).

Same

(11) In clauses (1) (h) and (i), a member of a faculty is a continuing member if he or she is party to a contract to teach in that faculty for more than one year.

Interpretation

6. (1) The members of the Corporation shall meet at least twice a year.

Meetings of members

(2) Subject to subsections (4) and (5), the meetings of the members of the Corporation shall be open to the public and no person shall be excluded from a meeting of the members except for improper conduct.

Open to the public

(2) The term of office of an elected member of the Corporation is four years.

Term of office

(3) Prior notice of meetings of the members of the Corporation shall be given to the members and to the public in the manner determined by the Corporation.

Notice

(3) Subject to subsections (4) and (5), an elected member of the Corporation is eligible for re-election.

Re-election

(4) A member of the Corporation elected under clause (1) (d), (e) or (f) who has served for three consecutive terms of office is not eligible for re-election until at least one year has elapsed after the expiry of his or her third term.

Same

(4) Where a matter confidential to the Corporation or H.U.C. is being considered, that part of the meeting shall be closed to the public.

Confidential matters

(5) A member of the Corporation elected under clause (1) (g), (h) or (i) who has served for two consecutive terms of office is not eligible for re-election until at least one year has elapsed after the expiry of his or her second term.

Same

(5) Where a matter of a personal nature concerning an individual may be disclosed at a meeting, that part of the meeting shall be closed to the public unless the individual requests otherwise.

Personal matters

(6) If an elected member of the Corporation ceases to meet the qualifications for election under the clause under which he or she was elected or becomes incapable of acting as a member, the Corporation shall by resolution declare his or her membership vacant.

Vacancy in membership

7. (1) The Bishop of Huron shall be the Chair of the Corporation and shall preside at all meetings of the members of the Corporation and at all convocations.

Chair of Corporation

(7) If an elected member of the Corporation is absent from three consecutive meetings without leave of the Corporation entered on its minutes, the Corporation may by resolution declare his or her membership vacant.

Same

(2) The Chair of the Corporation shall confer degrees, honorary degrees, titles, diplomas and certificates to such candidates as may be qualified under this Act.

Power to confer degrees, etc.

(8) A vacancy in a membership shall be filled by electing a person in the same manner and by the same authority as the vacating member was elected and the person elected to fill the vacancy shall remain in office for the

Same

(3) In the event that the Chair of the Corporation is unable to act, the Coadjutor Bishop or, if he or she is unable to act, the Senior Suffagan Bishop, or the Suffragan Bishop if there is only one Suffragan Bishop, shall act in the place of the Chair of the Corporation.

Absence

(4) If none of the persons listed in subsection (3) are able to act in the place of the Chair of the Corporation, the members of the Corporation may appoint one of the members of the Corporation to act in his or her place.

Same

Executive board	<p>8. (1) Except for the matters assigned by this Act to the members of the Corporation or to the academic council of H.U.C., the affairs of the Corporation shall be managed by its executive board.</p>	<p>considered and shall withdraw from the meeting during any discussion of the proposed contract and shall not vote on the proposed contract.</p>	
Composition	<p>(2) The executive board of the Corporation shall be composed of,</p> <ul style="list-style-type: none"> (a) the Bishop of Huron, the Coadjutor and Suffragan Bishop or Bishops of Huron; (b) the Principal of H.U.C.; (c) the President of H.U.C. Students' Council; (d) the Deans of H.U.C.; (e) the President of H.U.C. Alumni Association; (f) the members of the Corporation elected under clause 5 (1) (g); (g) the members of the Corporation elected under clauses 5 (1) (h) and (i). 	<p>9. (1) The executive board may,</p> <ul style="list-style-type: none"> (a) make by-laws for the conduct of its affairs; (b) appoint committees and delegate to any such committee the authority to act for the executive board; (c) appoint the Principal, Deans and faculty members of H.U.C., and all other officers and employees as it considers necessary for the purposes of H.U.C., establish their duties, fix their remuneration, determine their tenure of office and provide for their retirement and superannuation; (d) establish departments and chairs in any subjects taught at H.U.C.; (e) enter into agreements for the founding, establishment or maintenance of chairs, scholarships, prizes, bursaries and other awards; (f) manage the buildings, residences and other properties operated and maintained by H.U.C.; (g) fix the fees to be paid for academic and ancillary services; (h) expend funds as it may consider necessary for the support and maintenance of H.U.C., including for the betterment of existing buildings, for the erection of new buildings and for the furnishing and equipment of such existing and newly-erected buildings; (i) subject to the limitations imposed by any trust, invest its money in such manner as it sees fit, within, however, the category of investments permitted as investments of the assets of Canadian life insurance companies; (j) purchase and acquire all real and personal property as it may consider necessary for the purposes of H.U.C.; (k) deal with any matter referred to it by the members of the Corporation. 	Powers of executive board
Vacancies	<p>(3) If a member of the executive board appointed under clause (2) (f) is absent from three consecutive meetings without leave of the executive board entered on its minutes, the executive board may by resolution declare his or her membership on the executive board vacant.</p>	<p>(2) The executive board shall present a report on the activities and transactions of the Corporation and of the executive board to a meeting of the members of the Corporation at least twice a year and at any other time as may be requested by the members of the Corporation.</p>	Report
Same	<p>(4) A vacancy among the members of the executive board appointed under clause (2) (f) shall be filled by the executive board until a replacement can be made by the members of the Corporation at their next meeting.</p>	<p>10. (1) There shall be an academic council of H.U.C. composed of,</p>	Academic council
Chair	<p>(5) The executive board shall elect a chair from among the members appointed under clause (2) (f) to hold office for a term determined by the executive board.</p>		
Same	<p>(6) The executive board may appoint any of its members to act in the place of the chair if the chair is absent from any meeting of the executive board.</p>		
Secretary	<p>(7) The executive board shall appoint a person who is not a member of the executive board as secretary of the executive board.</p>		
Same	<p>(8) The secretary of the executive board shall attend all meetings of the executive board and of the members of the Corporation, but shall not be entitled to vote at any meetings.</p>		
Quorum	<p>(9) Seven members of the executive board described in clause (2) (f) constitute a quorum of the executive board for all purposes.</p>		
Conflict	<p>(10) If a member of the executive board or of a committee created by the executive board is in any way interested in a proposed contract with the Corporation, he or she shall declare the nature and extent of the interest at the meeting at which the proposed contract is to be</p>		

	(a) the Principal, Deans, full professors on the full-time faculty and the Chief Librarian of H.U.C.;		ards of admission to and continued registration in H.U.C., the qualifications for graduation and for conferring degrees, titles, diplomas and certificates and the curricula of programs and courses;
	(b) nine persons elected by the associate professors, assistant professors and other members of the full-time faculty of H.U.C., other than full professors, from among their number;		(c) determine all matters related to examinations and the appointment of examiners;
	(c) three persons appointed by the executive board, who need not be members of the executive board;		(d) consider and decide all applications for admission to courses in Arts and Theology and recommend to the members of the Corporation all candidates for degrees (other than honorary degrees in Theology), titles, diplomas and certificates.
	(d) the President of H.U.C. Students' Council, the Theological Representative on H.U.C. Students' Council and the Academic Representative on H.U.C. Students' Council; and		(2) The powers under clauses (1) (b), (c) and (d) are subject to the terms of any affiliation agreement to which H.U.C. is a party. Limitation
	(e) four H.U.C. students appointed by H.U.C. Students' Council.		12. (1) The executive board of the Corporation shall appoint a Principal of H.U.C., who may be a professor or officer of H.U.C. or any other person. Principal
Term of office	(2) The members of the academic council elected under clause (1) (b) shall hold office for a term of four years, but shall cease to hold office upon ceasing to be a full-time member of the faculty of H.U.C.		(2) The Principal of H.U.C. shall present a report on the activities of H.U.C. to a meeting of the members of the Corporation at least twice a year and at any other time as may be requested by the members of the Corporation. Report
Same	(3) The members of the academic council appointed under clause (1) (c) shall hold office for a term of four years and are eligible for re-appointment.		13. (1) All real property vested in the Corporation shall be deemed, for the purpose of the application of any statute of limitations, including any statute limiting or defining the period for investigation of titles, to have been and to be real property vested in the Crown in right of Ontario for the public uses of the Province of Ontario. Property
Same	(4) The members of the academic council appointed under clause (1) (e) shall hold office for a term of one year, or until they cease to be registered as H.U.C. students, and are eligible for re-appointment.		(2) The real property vested in the Corporation shall not be liable to be entered upon, used or taken by any corporation, except a municipal corporation, or by any person possessing the right of taking land compulsorily for any purpose, and no power to expropriate real property conferred after this Act receives Royal Assent shall extend to such real property unless the Act conferring the power to expropriate expressly provides that the power applies to the real property vested in the Corporation. Same
Vacancy	(5) A vacancy in a membership on the academic council may be filled by appointing or electing a person in the same manner and by the same authority as the vacating member was appointed or elected and the person appointed or elected to fill the vacancy shall remain in office for the remainder of the vacating member's term of office.		14. (1) The executive board of the Corporation shall annually appoint one or more auditors licensed under the <i>Public Accountancy Act</i> to audit the accounts and transactions of the Corporation. Auditors
Chair	(6) The Principal of H.U.C. shall be chair of the academic council.		(2) The executive board of the Corporation shall submit the annual financial report to the Minister of Training, Colleges and Universities in the form and containing the information that may be required by the Minister. Financial report
Quorum	(7) The academic council shall determine the number of members, not less than one-third of its members, which constitutes a quorum for the purpose of conducting meetings.		15. (1) The by-laws of the Corporation shall be open to examination during normal business hours. By-laws open to examination
Same	(8) The academic council may exercise any of its powers so long as there are in office on the academic council at least one-half of the number of members required by subsection (1).		
Powers of academic council	11. (1) The academic council may, (a) make regulations for the conduct of its affairs; (b) determine all matters relating to the academic life of H.U.C., including the stand-		

Publication	(2) The Corporation shall publish its by-laws from time to time in the manner it considers appropriate.	3. <i>The Huron College Act, 1975.</i>	
Repeals	16. The following are repealed: 1. <i>The Huron College Act, 1958.</i> 2. <i>The Huron College Act, 1964.</i>	17. This Act comes into force on the day it receives Royal Assent.	Commencement
		18. The short title of this Act is the <i>Huron University College Act, 2000.</i>	Short title