



BY-LAWS, RULES AND REGULATIONS  
OF THE  
UNIVERSITY OF KING'S COLLEGE  
MADE BY  
THE BOARD OF GOVERNORS

Amended by the Board of Governors  
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## PART I

### General

#### Patron

1. As provided by The Royal Charter the Lord Archbishop of Canterbury for the time being shall be Patron of the University.

#### Visitor

2. The Bishop of Nova Scotia and Prince Edward Island for the time being shall be Visitor of the University.<sup>1</sup>

#### Board Responsibility

3. It is the office of the Board of Governors to take care that these By-Laws, Rules and Regulations are observed.

#### Gender References

4. In these by-laws, words importing male persons shall include female persons.

## PART II

### The Board of Governors

#### Co-opted

5.
  - 1) The term of office of a person co-opted to the Board is four (4) years. Co-opted members may be renewed for a second term of four (4) years for a total service of eight (8) years. In exceptional circumstances, a co-opted member may be extended for a further period of two (2) years.
  - 2) Where possible, a majority of the co-opted members should have a close tie to the University.
  - 3) A person who has been co-opted and has completed his/her term under Section 5(1) is eligible to be co-opted again after a two-year absence from the Board.
  - 4) To the extent feasible, the Board shall co-opt members in such manner that the terms of

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<sup>1</sup> Board Minute 96:13: “Be it resolved that this Board recognizes and affirms the historical Anglican Foundation of the College and its Chapel. Further, as the Patron of the University has been and is the Archbishop of Canterbury, and as the Visitor of the College has been and is the Anglican Bishop of Nova Scotia who is also an *ex officio* member of the Board of Governors, the Board looks to these two offices for assurance as to whether the Anglican denomination of the Chapel is appropriate.”

office of two co-opted members expire each year.

- 5) When a co-opted member of the Board dies, resigns or ceases to be a member of the Board otherwise than by expiry of the term for which he was co-opted, the Executive Committee shall co-opt another person to fill the unexpired portion of his/her term as member.

## Meetings

6.

- 1) The Annual Meeting of the Board of Governors shall normally be held in June, at a time and place fixed by the Executive Committee.
- 2) The Board shall normally hold at least three other meetings between July 1 and June 30 of each year.
- 3) A special meeting may at any time be called by the Chair of the Board or by the President, or by any five members thereof.
- 4) In the absence of the Chair, the Vice-Chair shall preside.
- 5) In the absence of both the Chair and the Vice-Chair, the Board shall elect one of its members to preside.
- 6) Twelve (12) members shall be a quorum for the transaction of business.
- 7) Meetings of the Board of Governors and committees may be conducted by telephone conference or any other means or attended by any member by means of telephone or any other electronic means.

## Board Officers

7.

- 1) The Board shall elect, from among its members, a Chair and Vice-Chair. The terms for the Chair and Vice-Chair shall be three (3) years. The Vice-Chair may be a candidate for the Chair's role but will not automatically succeed into the Chair's role.
- 2) The Chair of the Board provides leadership to and is responsible for the effective functioning of the Board of Governors. The Chair collaborates with the President in setting the agenda for Board meetings and represents the Board in its relationship with the University Administration, the University community and the broader community.
- 3) In the absence of the Chair, the Vice-Chair assumes the responsibilities of the Chair.
- 4) The Treasurer shall:
  - a) Together with the President, ensure that the financial and administrative functions of the Bursar are being properly carried out;
  - b) Submit the audited annual financial statements to the Board of Governors, the Executive Committee or the Finance Committee, whenever required.
- 5) The Secretary of the Board shall:
  - a) Record the proceedings of the Board and of the Executive Committee, keeping minutes thereof in books provided for such purpose;
  - b) Keep on file all correspondence, reports, resolutions, statements and other documents submitted to the Board;
  - c) Send notices of all meetings of the Board and Executive Committee to the members thereof;
  - d) Have custody of the seal of the Board; and
  - e) Perform such other duties as these regulations provide or as may be required by resolution of the Board or Executive Committee.

## Officers, Committees, etc.

8.

- 1) At the Annual Meeting the Board shall, as required, nominate, appoint or elect, as the case may

be, the following officers and committees:

- a) Treasurer of the Board,
  - b) Secretary of the Board and of the Executive Committee,
  - c) Auditors of the University,
  - d) Standing committees of the Board,
  - e) the Honorary Degrees Committee,
  - f) the University Equity Committee,
  - g) Any other board or committee to which the Board is required to appoint representatives of the University
- 2) The Board may also establish Ad Hoc board committees from time to time.
  - 3) The Chair shall be an *ex officio* member of all standing committees of the Board and shall have a vote.

## PART III

### The Executive Committee

#### Composition

9. There shall be an Executive Committee of the Board of Governors, consisting of:
  - a) the Chair of the Board,
  - b) the Vice-Chair of the Board,
  - c) the President of the University,
  - d) the Vice-President of the University,
  - e) the Treasurer of the Board,
  - f) the Secretary of the Board,
  - g) the President of the Alumni Association,
  - h) the President of the Students' Union,
  - i) one Diocesan representative of the Dioceses of Nova Scotia or Fredericton,
  - j) one Faculty representative, and
  - k) two members appointed by the Board of Governors from among their number.

#### Terms of Office

10. If at any annual meeting the Board of Governors fails to elect the members of the Executive Committee, those who are then members shall continue in office until their successors are elected at the next meeting of the Board.

#### Chair

11.
  - 1) The Chair of the Board shall be the Chair of the Executive Committee, and in the absence of the Chair, the Vice-Chair of the Board will chair meetings of the Executive Committee.
  - 2) In case of a tie the Chair (or Vice-Chair acting as the Chair) shall have a casting vote if he/she has not already voted as a member of the Committee.

#### Vacancies

12. If a vacancy occurs in the Executive Committee the Committee may fill the vacancy from among the members of the Board until the next Annual Meeting.

## Meetings

13.

- 1) The Executive Committee shall meet when summoned by the Chair.
- 2) A special meeting may at any time be called by the Chair or by the President or on a requisition in writing addressed to the Chair signed by three members of the Committee.
- 3) Six members of the Executive Committee shall constitute a quorum for the transaction of business.
- 4) Meetings of the Executive Committee may be conducted by telephone conference or any other electronic means or attended by any member by means of telephone or any other electronic means.

## Functions

14.

- 1) The Executive Committee shall have the authority to exercise all the powers of the Board between regular Board meetings.
- 2) It shall have power to affix the corporate seal to all documents relating to real or personal property.
- 3) It shall have power to appoint such sub-committees as it deems necessary for the more effective discharge of its duties.
- 4) Decisions of the Executive Committee will be brought forward for ratification by the Board. No resolution or act of the Executive Committee involving the rights or privileges of the University or Board of Governors shall have any force or effect until it has been approved by the Board. Notwithstanding the foregoing, where the Executive Committee considers it necessary or advisable, the University is authorized to enter into contractual arrangements with third parties upon the approval of the Executive and the Board cannot take any action that would prejudice the rights of third parties under such agreements.

# PART IV

## Officers and Their Duties

### Appointment

15.

- 1) The Board shall appoint the following officers on such terms as may be agreed upon:
  - a) the President,
  - b) the Vice-President,
  - c) the Bursar,
  - d) the Registrar,
  - e) the Director of Advancement,
  - f) such other officers as the Board deems necessary.
- 2) The Board shall also appoint any Director of a School or Programme.

### Vacancies

16. A vacancy occurring in any of the foregoing offices (of section 15(1)) by reason of death, resignation or other cause, may be filled by the Executive Committee until the next Meeting of the Board.

### Presidential/Vice-Presidential Selection

17.



- 1) When through death, resignation, the impending expiry of a term of office or other cause, the office of President or Vice-President comes to be open for consideration, the Chair of the Board shall constitute a committee of the Board to search for a suitable nominee or nominees to be presented to the Board.
- 2) The Search Committee shall be composed of:
  - a) the Board Chair or his/her designate;
  - b) one Governor nominated to the Board by the Alumni Association;
  - c) Two Faculty members, one from among those nominated to the Board by Faculty and the other selected by Faculty;
  - d) one Governor nominated to the Board by the King's Students' Union;
  - e) one person selected to represent the staff;
  - f) two other Governors who are not representatives of Students, Faculty or Alumni;
  - g) in the case of a search for a Vice-President, the President.
- 3) The Chair of the Board, or the Chair's designate, shall act as the Chair of the Search Committee.
- 4) In the case of a search for a new President, the Vice-President (if not a candidate) will be asked to support the work of the Search Committee, but will not be a voting member of the Committee.
- 5) The Search Committee, once established, will generally follow the guidelines established by Board policy.

#### Director Selection

18.

- 1) In appointing the Director of a School or Programme who has academic responsibilities, the Board shall act on the recommendation of the President after he has consulted with the Faculty.
- 2) The criteria to be employed in the selection of candidates and their terms of appointment shall be determined by the Board on the recommendation of the Faculty.

#### Confidentiality

19. The Board, the Executive Committee, the Faculty and a Search Committee shall maintain strict confidentiality respecting the names, qualifications and reasons for not recommending or appointing persons to any of the offices referred to in this Part IV.

#### President

20. The President shall:

- 1) Normally hold some higher degree from an accredited University;
- 2) Be appointed by the Board for such term and under such conditions of employment and responsibilities as may be mutually agreed between them;
- 3) Be the Chief Executive Officer and Vice-Chancellor of the University; and
- 4) Exercise a general superintendence over every department of the University, and its officers, faculty and staff.

#### Vice-President

21. The Vice-President shall:

- 1) Be responsible for the effective functioning of the University's academic programmes;
- 2) Normally be drawn from faculty and have a teaching appointment at King's;
- 3) Act as a facilitator between faculty and University Administration;
- 4) Be available for consultation with the President as desired by him;

- 5) Act for the President in case of absence or incapacity;
- 6) Act on request of the President in all routine matters; and
- 7) Perform the functions of the President in the event of a vacancy in that office.

#### Registrar

22. The Registrar shall:

- 1) Oversee recruitment and admissions;
- 2) Enrol all students applying for academic courses or lectures, and shall advise them in respect of the curriculum to be followed, degrees and distinctions, scholarships, grants and bursaries open to them;
- 3) Keep a permanent register of all matters pertaining to their academic records;
- 4) Uphold and ensure the enforcement and regulation of the University's academic standards; and
- 5) Determine whether students have met the University's requirements for graduation.

#### Bursar

23. The Bursar shall:

- 1) Be responsible for the general oversight of the finances of the University;
- 2) Under the oversight of the President, keep or cause to be kept, all accounts of the University in respect of capital, endowments, special trust funds, revenue, income, tuition, board and lodging, the operation of the residence and the payment of the employees of the University;
- 3) Ensure that the University receives all fees and charges for tuition, board and lodging payable by students;
- 4) Superintend all domestic arrangements, including the employment, payment and discharge of all staff of the University in any capacity whatever, and supervise the administration of domestic services;
- 5) Have charge of the maintenance and repair of all buildings, grounds and moveable property; and
- 6) Be responsible for the heating, lighting, cleanliness and security of all buildings and the duties of facilities employees, janitors, caretakers, and other staff.

#### Director of Advancement

24. The Director of Advancement shall:

- 1) In co-operation with the Executive of the Alumni Association, administer all aspects of an active Alumni Association;
- 2) Supervise and co-ordinate all fund raising activities of the University;
- 3) Develop fundraising strategies and cases for support of the University;
- 4) Promote understanding and support of the University's mission and objectives internally and externally; and
- 5) With the President, be an official spokesperson for the University.

#### Other Duties

25. The Officers named in Sections 20 to 24 shall perform such other duties as the Board, the Executive Committee or the President may direct.

#### Indemnification

25A Every Board Member, Board Officer, every person appointed to a Committee of the Board and every Officer of the University appointed by the Board as well as their heirs, executors and administrators ("Indemnitees") shall be indemnified and saved harmless by the University from and against all liability, loss,

cost or expense (including legal fees) whatsoever which said Indemnitees sustain or incur in respect of any act, deed, matter or thing whatsoever made, done or permitted by said Indemnitees in the course their lawful and good faith execution of the duties of the Board-related or University-related positions they hold or held.

## PART V

### Convocation

#### Composition

26.

- 1) Convocation shall consist of:
  - a) the Chancellor and Vice-Chancellor of the University;
  - b) all Bachelors of Divinity and Masters and Doctors of the University;
  - c) all Masters of Arts graduating under the Agreement of Association between the University of King's College and the Governors of Dalhousie College, dated the first day of September, 1923, or the fifth day of November, 1954, who may have been enrolled in King's College or who may hold the Bachelor's Degree therefrom;
  - d) all members of the Board of Governors of the University, excepting undergraduate members of the University;
  - e) all current members of the King's Faculty and Inglis Professors;
  - f) all other Bachelors of the University of five years standing;
  - g) Fellows of the University.
- 2) All members of Convocation shall have a vote.

#### Authority

27. Subject to said Agreement of Association of November 5, 1954, Convocation shall have authority to confer all academic degrees and honours.

#### Meetings

28.

- 1) A meeting of Convocation may be summoned by the Chancellor or Vice-Chancellor of the University:
  - a) At any time; or
  - b) On the written requisition of ten members of Convocation, stating the purpose for which such meeting is required.
- 2) At all meetings of Convocation ten members shall form a quorum.
- 3) At least one week's notice of all meetings of Convocation shall be given to all members whose addresses are known to the Clerk of Convocation.
- 4) Such notice shall specify the business to be transacted at such meeting.

#### Chancellor

29.

- 1) The Chancellor of the University shall be elected by Convocation.
- 2) He/she shall hold office for five years.
- 3) He/she shall preside, if present, at all meetings of Convocation and shall have a vote on any question and in case of equality of votes upon a division he/she shall have a casting vote.

### Vice-Chancellor

30. The President of the University shall be Vice-Chancellor and shall preside in the absence of the Chancellor or, at his/her request, in his/her presence. (Notwithstanding 29 (3) above).

### Vacancy or Absence

31. In the absence, death or incapacity of the Chancellor and Vice-Chancellor the Chair of the Board shall preside, with full power to perform all the duties of Chancellor.

### Public Orator

32.

- 1) The Public Orator shall be elected by Convocation for a term of five years.
- 2) It shall be his/her duty to make orations in English or Latin and to present all candidates for honorary degrees.

### Clerk

33.

- 1) The Clerk shall be elected by Convocation for a term of five years.
- 2) He/she shall keep a list of Members of Convocation with their addresses as far as known, and keep the Register of honorary degrees conferred and the Minutes of Proceedings of Convocation.
- 3) He/she shall have the custody for safe-keeping of all books and documents relating to Convocation.

### Degrees and Honours

34.

- 1) Convocation may confer the following degrees and honours in course:
  - a) Bachelor of Sacred Letters (B.S.Litt.),
  - b) Bachelor of Sacred Theology (B.S.T.),
  - c) Bachelor of Divinity (B.D.)
  - d) Doctor of Divinity (D.D.)
  - e) Student of Theology (S.Th.),
  - f) Licentiate of Theology (L.Th.)
  - g) Associate of King's College (A.K.C., N.S.),
  - h) Bachelor of Journalism (B.J.)
  - i) Bachelor of Journalism with Honours (B.J. (Hons.))
  - j) Bachelor of Arts in Contemporary Studies in association with Dalhousie University.
- 2) Convocation shall assemble annually to recognize those degrees granted in accordance with Section 10 of the Agreement of Association of November 5, 1954, and to grant such other degrees and honours as may be authorized by the Board of Governors.
- 3) Degrees and honours in Divinity (sub-section (1), clauses (a) to (g)) shall be conferred only on the recommendation of the Faculty of Divinity.
- 4) Degrees and honours in Divinity (sub-section (1), clauses (c) and (d)) shall be conferred only on the recommendation of the Board of Examiners of the General Synod of the Anglican Church of Canada.
- 5) The degree of Associate of King's College (Nova Scotia) A.K.C., (N.S.) may be conferred upon any person who has passed the required examinations in Divinity after extramural study in the subjects prescribed by the Council of the Divinity School.
- 6) The degree of Bachelor of Sacred Letters (B.S.Litt.) may be conferred upon any person who has passed the requisite examinations in all subjects prescribed by the course leading to such

degree, which course shall satisfy the requirements of the Board of Examiners for Divinity Degrees of the General Synod as pre-requisite to the final examinations for the degree of Bachelor of Divinity.

- 7) For reasons satisfactory to Convocation, any degree or honour may be conferred in absentia.

### Honorary Degrees

35.

- 1) Convocation may confer the following honorary degrees:
  - a) Doctor of Divinity (D.D.),
  - b) Doctor of Canon Law (D.Cn.L.),
  - c) Doctor of Civil Law (D.C.L.),
  - d) Fellow of the University.
- 2) Convocation may confer honorary degrees upon such persons as are deemed worthy of the distinction.
- 3) The degree of Doctor of Canon Law (D.Cn.L.) *honoris causa* may be conferred by Convocation upon such clergymen and laymen as are deemed worthy of such distinction.
- 4) The dignity and honour of Fellow may be conferred by the vote of Convocation upon any friend of the University for noteworthy services rendered in its behalf.

### Honorary Degrees Committee

36.

- 1) Convocation shall be convened at least annually, at which meeting it shall elect its officers, as required, and a Committee on Honorary Degrees shall be constituted, composed of:
  - a) The Chancellor and Vice-Chancellor;
  - b) The Chair of the Board;
  - c) The Bishop of Nova Scotia and the Bishop of Fredericton, or, in the absence of either, his/her appointee;
  - d) The Clerk of Convocation;
  - e) The Public Orator
  - f) One member of the Faculty elected by the Faculty for a three year term;
  - g) Two graduates of the University of at least five years standing, elected by the Alumni Association of the University for a two year term;
  - h) One member of the Board of Governors elected at the Annual Meeting of the Board;
  - i) Alternate members for clauses (e), (f) and (g) may be elected in the same way to replace regular members unable to be present.
- 2) Vacancies occurring by death, resignation or otherwise shall be filled by the electing body for the unexpired portion of the term of the member so dying or resigning or vacating membership in the Committee.
- 3) The President shall be Chair and the Clerk of Convocation shall be Secretary of the Committee and in his/her absence the Committee shall appoint a Clerk *Pro Tem*.
- 4) At meetings of this Committee, five shall constitute a quorum.
- 5) The Clerk of Convocation shall from time to time by direction of the Committee on Honorary Degrees, invite nominations in writing from members of Convocation.
- 6) Nominations should be made with the following categories in mind:
  - a) The academic and professional work of the University;
  - b) Public and community service;
  - c) Theology and religion; and
  - d) Philanthropy and business success.

- 7) Nominations shall contain all relevant information concerning the nominee submitted on a standard form available from the Clerk and be signed by the member of Convocation submitting the nomination, and shall be referred to the Committee for consideration.
- 8) The Committee shall advise Convocation of the maximum number of degrees to be conferred in each degree category. The Committee shall also recommend from among the nominations the names to be considered by Convocation and shall bring forward at least one more candidate than the number of degrees to be granted in any given category.
- 9) The Committee shall not consider for honorary degrees current members of the Board of Governors, Faculty or staff (whether full-time, part-time or post-retirement appointments).

### Procedure

37.

- 1) The Clerk shall present to a meeting of Convocation called to consider nominations the Committee's recommendations, with any necessary explanatory remarks.
- 2) There shall be no nomination from the floor, and no discussions concerning the merits or demerits of any nominee.
- 3) If any nominee be present he shall be asked to leave the meeting.
- 4) Voting by secret ballot shall then follow by the various degree categories.
- 5) No honorary degree shall be granted to a nominee unless at least two-thirds of the members of Convocation present at the meeting cast their ballots in favour of such nominee.
- 6) In the event of a tie, Convocation shall vote again on the tied candidates only.
- 7) If no election takes place under subsection (5), the name receiving the smallest number of votes is to be dropped and a new ballot taken.
- 8) This procedure shall be repeated until only one more name is left on the list than the number of degrees to be awarded.
- 9) If no honorary degrees are selected by Convocation or if no candidates can accept their degrees, Convocation may be recalled on 2 weeks' notice.

### Gowns and Hoods

38.

- 1) The gowns and hoods appertaining to all degrees shall be the same as for the University of Oxford with the following additions:
  - a) the hood of the degree of Doctor of Canon Law shall be of scarlet cloth, lined with royal blue silk;
  - b) the gown of such degree shall be of scarlet cloth with sleeve ornaments and facings of royal blue silk; and
  - c) the hood to be worn by an Honorary Fellow of King's College shall be of the same shape and design as that of the Licentiate of Theology, with royal blue ribbon instead of lavender.

### Encaenia

39. On the day appointed by the Board of Governors for the Encaenia, a public Convocation shall be held in some convenient place, when an oration shall be delivered by the President of the University, or some member of the University appointed by him, degrees conferred and other academical exercises performed, as Convocation may direct.

### Entry and Evidence of Degrees

40. Every degree shall be entered in the Register of the University; and any graduate shall, upon request and payment of the appointed fee, receive a testimonial thereof under the Seal of University.

## PART VI

### The College

#### “College”

41. In this Part, “College” means the lands, buildings and grounds of the University of King’s College.

#### Application

42. An application for a room in the College residence shall be made to the Dean of Residence or the Dean of Men/Women.

#### Non-King’s Students

43. Non-King’s students residing in the College shall be subject to the same discipline as King’s students.

#### Residence in Vacation

44.

- 1) Any student may reside in College during Christmas vacation only with written permission from the Dean.
- 2) Any student in residence over Christmas vacation shall be subject to the *General College Regulations*.

#### Care of Rooms

45. Rooms occupied by students are to be regularly inspected, and any damage to a room beyond reasonable wear and tear must be made good by the occupant.

#### Gowns

46. The academical habits shall be such as are worn in the University of Oxford.

#### Further Rules

47. The Board of Appeal and Discipline may make further regulations as maybe thought necessary.

## PART VII

### Discipline

#### Board of Appeal and Discipline

48.

1. As outlined in the *Code of Conduct*, the discipline of the University in other than academic matters and matters specifically assigned by the Board of Governors to another body within the University, shall be exercised in the first instance by the President of the University and her or his designates (the Dean of Students, the dons, and Patrol for the general regulation of residence and student life, and the Bursar and Security staff for campus security), with appeals directed to the Board of Appeal and Discipline as described below.
2. The members of the Board of Appeal and Discipline shall be appointed for two year terms. The

maximum number of consecutive terms to be served is two, for a total of four years. The terms shall be staggered in such a way that at any one time the Board shall have at least two members who have served for at least one year.

3. The Board of Appeal and Discipline shall consist of:
  - a. one member of administration (President, Vice-President, Registrar, Bursar, Librarian, Dean of Students) named by the President,
  - b. one member of Faculty, appointed by the Faculty,
  - c. one member of staff, chosen by the staff,
  - d. one student, appointed by the Students' Union,
  - e. one member of the Board of Governors who falls into none of the other categories, and
  - f. one member of the Alumni Association of at least five years' standing, selected by the Alumni Association Executive.
4. The Board of Appeal and Discipline shall choose its Chair from among its members. The Chair shall serve for a minimum of two years and a maximum of three years.
5. Quorum for meetings of the Board of Appeal and Discipline is five.
6. An appeal is made to the Board of Appeal and Discipline following:
  - a. an administrative decision made pursuant to the *College Regulations* or the *Code of Conduct* (see *Code of Conduct* G.6);
  - b. a complaint alleging a violation of the *Code of Conduct* from a student or employee of the University which has not been acted upon by the President or designates.
7. Appeals are directed in writing to the Chair of the Board of Appeal and Discipline.
8. Upon receipt of an appeal, the Chair will determine if an informal resolution has already been pursued by the President of the University. If an informal resolution has not been pursued, then the matter will be referred to the President, and a report provided within 10 University business days to the Chair of the Board of Appeal and Discipline. If an informal resolution is found to be unattainable, the Chair will then, within 10 University business days, appoint a three-person Panel from the Board to examine the appeal.
9. The Panel (one of whom will act as Chair) will first determine if both parties are willing to go to mediation with a trained neutral mediator appointed by the University. If both are in agreement, the Board of Appeal and Discipline will instruct the Chair of the Panel to initiate that process. If one or both parties refuse mediation, the appeal shall remain with the Panel for a preliminary decision. The decision on whether to turn to a mediator or to remain with Panel will be made within 10 University business days.

## Procedure of the Board and its Panels

49.

1. Complainants, appellants and respondents have the right to make written or oral submissions or both.
2. The proceedings of the Panel will be governed by the rules of natural justice including the



right to counsel for persons appearing before it. The Panel may request the University to provide legal guidance on procedure.

3. After hearing submissions, a decision on the disposition of the appeal and the action to be taken shall be made by the Panel within 10 University business days.
4. The Panel shall report the decision to the Board of Appeal and Discipline.
5. The Chair of the Panel shall regularly inform the Chair of the Board of the Board of Appeal and Discipline of the progress of the decision.
6. The Chair of the Board of Appeal and Discipline will communicate the decision to the President for any necessary action.

## Rights of Appeal

50. A decision of the Board of Appeal and Discipline may be appealed to the Executive of the Board of Governors, whose decision shall be final. Such appeal shall only be made on the basis of a denial of natural justice or procedural fairness.

1. Appeals are directed in writing to the Chair of the Board of Governors.
2. Complainants, appellants and respondents have the right to make written or oral submissions or both.
3. Upon receipt of an appeal, the Chair will, within 10 University business days, appoint a three-person Panel from the Executive of the Board of Governors to examine the appeal (one of whom will act as Chair).
4. The proceedings of the Panel will be governed by the rules of natural justice including the right to counsel for persons appearing before it. The Panel may request the University to provide legal guidance on procedure.
5. After hearing submissions, a decision on the disposition of the appeal and the action to be taken shall be made by the Panel within 10 University business days.
6. The Panel shall report the decision to the Executive of the Board of Governors.
7. The Chair of the Panel shall regularly inform the Chair of the Board of Governors of the progress of the decision.
8. The Chair of the Board of Governors will communicate the decision to the President for any necessary action.

## Penalties

51. After a hearing conducted pursuant to subsection s. (57) (6) (a) or (b) of Part VII, the Board of Appeal and Discipline shall make a report to the President which may include a recommendation for some specified action or penalty.

1. Possible penalties for any student may include, but are not limited to:
  - a. Warning – A notice in writing to the individual that he or she is violating or has violated institutional regulations.
  - b. Probation – A written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the individual is found to violate any institutional regulation(s) during the probationary period.
  - c. Fines – Amounts are to follow the schedule established annually and published by the Dean of Students in the *Residence Guidelines*.
  - d. Loss of Privileges – Denial of specified privileges for a designated period of time.

- e. Restitution – Compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.
  - f. Discretionary Sanctions – Work assignments, service to the University or other such discretionary assignments that are considered appropriate.
  - g. Conditions – Conditions may be imposed upon the individual's continued presence on campus.
  - h. Suspension – Suspension of the individual from the University for a specified period of time, after which he or she is eligible to return. Conditions for readmission may be specified.
  - i. Expulsion – Permanent separation of the individual from the University.
2. Possible penalties for any employee may include, but are not limited to:
- a. Warning – A notice in writing to the individual that he or she is violating or has violated institutional regulations.
  - b. Probation – A written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the individual is found to violate any institutional regulation(s) during the probationary period.
  - c. Loss of Privileges – Denial of specified privileges for a designated period of time.
  - d. Restitution – Compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.
  - e. Discretionary Sanctions – Work assignments, service to the University or other such discretionary assignments that are considered appropriate.
  - f. Conditions – Conditions may be imposed upon the individual's continued presence on campus.
  - g. Suspension – Suspension of the individual from the University for a specified period of time, after which he or she is eligible to return. Conditions for readmission may be specified.
  - h. Termination – Termination of the individual's employment with the University.

## Privacy

52. Hearings of the Board of Appeal and Discipline will be private. The Board of Appeal and Discipline will keep all materials pertaining to complaints in strict confidence. The names of complainants, appellants and respondents will not be made public. The exceptions to complete confidentiality are:
- 1) a disclosure which would oblige the University, in its opinion, to take the necessary steps to ensure health, safety and security of any member of the University community;
  - 2) disclosure as required by law.

## PART VIII

### The School of Divinity

#### Divinity School Provisions in Abeyance

- 53.
- 1) The operation of the provisions of this Part and any references in these By-Laws to the Faculty or School of Divinity, including the relevant provisions of Appendix B, shall be

suspended for the duration of the arrangement between the University and the Atlantic School of Theology dated March 29, 1971 as it may be amended from time to time.

- 2) Following the end of the Arrangement noted in subsection (1) the re-entry into force of this Part would be delayed for up to 1 year in order that any necessary revisions to Appendix B may be made and that any additions to diocesan representation on the Board of Governors may be made.

## **PART IX**

### **Amendments**

#### Notice

54. Notice of any motion to petition the Legislature of the Province of Nova Scotia to change the College Statutes or of any proposed amendment(s) to these Regulations, either by addition, repeal or alteration, shall be given in writing at a regular meeting of the Board of Governors or of the Executive Committee, and shall be specified in the notice summoning the next regular meeting or special meeting of the Board at which the same amendment is to be considered.

#### Adoption

55. No such motion to petition the Legislature of the Province of Nova Scotia to change the College Statutes or amendment shall become effective until adopted at such meeting by two-thirds of the members of the Board present at such meeting.

#### Repeal

56. All by-laws, rules and regulations heretofore made by the Board of Governors are rescinded.

## APPENDIX A

### Grace Before Meals

I. *Oculi omnium ad Te spectant, Domine. Tu das illis escam tempore opportuno. Aperis manum tuam, et imples quicquid vivit benedictione tua. Miserere nobis, quaesumus, domine; tuisque donis, quae tua benignitate percepturi, benedicito per Christum Dominum nostrum. Amen.*

(The eyes of all wait upon Thee, O Lord. Thou givest them their meat in due season. Thou openest thine hand and fillest all things living with plenteousness. Have mercy upon us we beseech Thee, O Lord; and bless these gifts which we are about to receive by thy bountiful goodness, through Christ Our Lord. Amen.)

### Grace After Meals

II. *Tibi laus, Tibi honor, Tibi gloria, O sancta et beata Trinitas. Sit nomen Domini benedictum, et nunc, et in perpetuum.*

(To Thee be praise, to Thee be honour, to Thee be glory, O holy and blessed Trinity. May the Lord's name be blessed, both now and for evermore.)

[On High College Feast Days, the following may be added:]

*Laudamus Te, Pater Coelestis, pro serenissimo Rege, Georgio Tertio, huius Collegii Fundatore munificentissimo, pro Reverendissimo Patrono, caeterisque benefactoribus nostris; submisse rogantes Te, ut tuis donis recte ad tuam gloriam utentes in hoc saeculo, Te, unacum fidelibus in futuro, feliciter perfruamur, per Christum Dominum nostrum.*

### College Prayer

O God, who hast taught us by the holy Apostle to hold fast that which is good, we give humble thanks for all our benefactors, and for the lives and good examples of all who have truly served thee here, beseeching thee to make us worthy to follow in their steps.

Keep us under the protection of thy good Providence. Bless us as thou alone canst bless; Prosper us as thou alone canst prosper; Guard us as thou alone canst guard. Let not the wicked prevail against our habitations, but let our University stand as a fortress of Truth and Purity and Right. Take from us all that may hinder godly union and concord, that we may with one mind and one mouth glorify thee; through Jesus Christ, our Lord. Amen.

## APPENDIX B

### School of Divinity

#### Divinity School Council

1.
  - 1) Subject to the authority of the Board of Governors, the School of Divinity shall be under the management of the Divinity School Council, consisting of:
    - a) the Bishops of the Dioceses of Nova Scotia and Fredericton,
    - b) any Coadjutor or Assistant Bishop of either Diocese,
    - c) the President of the University,
    - d) the Dean of the School of Divinity,
    - e) two clergy and two laity appointed by the Bishop of Nova Scotia from among the members of the Board of Governors elected by the Diocesan Synod of Nova Scotia,
    - f) two clergy and two laity appointed by the Bishop of Fredericton from among the members of the Board of Governors elected by the Diocesan Synod of Fredericton,
    - g) two clergy to be appointed by each Diocesan Bishop,
    - h) the Treasurer of the University.
  - 2) Should the elected representatives from either Synod on the Board of Governors include fewer than two clergy or two laity, the Bishop of the Diocese concerned shall have authority to make the necessary appointment or appointments to complete the representation from his/her Synod under clauses (e) and (f) of subsection (1).
  - 3) Each person appointed under clause (e), (f), or (g) of subsection (1) shall hold office for the term designated by the Bishop in his/her appointment.
  - 4) In case of a vacancy occurring among the persons appointed under clauses (e), (f) and (g) of subsection (1), the Bishop concerned shall appoint a person to fill the vacancy for the unexpired term.

#### Powers of Council

2.
  - 1) Subject to the authority of the Board of Governors, the Council shall administer the affairs of the School of Divinity, including:
    - a) the regulation and conduct of its own meetings, including the fixing of a quorum, the frequency of meetings and the appointment, when deemed necessary, of sub-committees;
    - b) subject to the approval of the Bishops, prescribing the courses of study and instruction, the requirements and conditions for admission thereto, recommending the appointment of the Dean of the School, professors, lecturers, instructors and fellows for the teaching of the various courses, their remuneration and the termination of their services;
    - c) on the recommendation of the Faculty of the School, the award of scholarships, bursaries, exhibitions, prizes and grants from funds under the control of the Council or held in trust by the Board of Governors for the School;
    - d) the preparation and submission from time to time to the Board of Governors of estimates of income and expenditure in connection with the School.
  - 2) Any of the foregoing powers may be delegated to any member of the Council or to the Faculty or any member thereof.

#### Dean

- 3.

- 1) The Dean shall be the executive officer of the School of Divinity and shall have the powers and privileges, and shall perform the duties, ordinarily appertaining to the office of a Dean of a University Faculty.
- 2) Subject to the authority of the Council the Dean of the School shall:
  - a) be responsible for its internal administration;
  - b) preside at all meetings of the Faculty of the School;
  - c) maintain discipline among the students of the School including their attendance at Chapel Services;
  - d) present reports and make recommendations to the President of the University, Convocation and the Diocesan Synods of Nova Scotia and Fredericton; and to the Divinity School Council and through it to the Board of Governors or the Executive Committee of the Board.