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Bill Pr17

An Act respecting Redeemer Reformed Christian College

Mr. Skarica

Private Bill

1st Reading May 5, 1998
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 Redeemer Reformed Christian College

Preamble	<p>The board of governors of Redeemer Reformed Christian College has applied for special legislation to revise the College's degree-granting powers, to amend the composition of its board of governors and its academic council and to rename the academic council the senate. The applicant represents that it was incorporated as a degree-granting institution by <i>The Redeemer Reformed Christian College Act, 1980</i> and that it has provided post-secondary education since 1982.</p> <p>It is appropriate to grant the application.</p> <p>Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:</p>	<p>2. (1) Redeemer Reformed Christian College is continued as a corporation without share capital under the same name.</p> <p>(2) The supporting members as of the day this Act comes into force and the persons who later become supporting members constitute the corporation.</p> <p>(3) The members of the board and senate of the College in office immediately before the coming into force of this Act are continued in office until the end of their terms and the election or appointment of their successors under this Act.</p> <p>(4) The vice-president (academic) of the College is the chief academic officer of the College.</p> <p>3. The objects of the College are to provide, at the post-secondary level,</p> <p>(a) for the advancement of learning and dissemination of knowledge on the basis of the Reformed confessions, traditions and perspectives;</p> <p>(b) degree, diploma and certificate programs and courses of study based on Biblical and theological studies, studies in the foundations of Reformed Christian perspectives, which programs and courses may include studies in the general arts, humanities and sciences, both natural and social, permeated by such Scripturally-directed Reformed Christian perspectives in accordance with the Statement of Basis and Principles set out in the by-laws of the College;</p> <p>(c) diploma and certificate programs and courses of study in the general arts, humanities and sciences, including both pure and applied natural and social sciences, in accordance with the Statement of Basis and Principles set out in the by-laws of the College;</p> <p>(d) degree programs and courses of study in the general arts, humanities and sciences, including both pure and applied natural and social sciences, under the supervision of and pursuant to a written agreement with,</p> <p>(i) a university established under an Act of the Legislature,</p>	<p>Redeemer Reformed Christian College continued</p> <p>Members of corporation</p> <p>Current board, senate continued</p> <p>Chief academic officer</p> <p>Objects</p>
Definitions	<p>1. In this Act,</p> <p>“administrative staff” means the full-time employees of the College who are not members of its teaching faculty;</p> <p>“alumnus” means a former student of the College who has completed at least eight courses of study and is no longer registered as a student;</p> <p>“board” means the board of governors of the College;</p> <p>“College” means Redeemer Reformed Christian College;</p> <p>“student” means a person who is registered as such in a program or course of study at the College that leads to a degree, diploma or certificate of the College;</p> <p>“supporting member” means a person who has subscribed to the Statement of Basis and Principles of the College set out in the by-laws of the College, pays the annual dues of the College and has been admitted as a supporting member of the College by the board in accordance with the by-laws of the College;</p> <p>“teaching faculty” means the full-time employees of the College who hold the academic rank of professor, associate professor, assistant professor, lecturer or librarian;</p> <p>“year” means the membership year of the board or the senate, as the case may be, which may be any 12-month period selected by the supporting members.</p>		

	(ii) an educational institution established outside Ontario which has the authority to grant non-religious degrees and which is accredited in its jurisdiction of origin, or	(4) Despite subsection (3), the board shall by by-law provide for the election and retirement of members of the board in rotation.	Election and retirement in rotation
	(iii) an educational institution not referred to in subclause (i) or (ii) if that institution has obtained the written consent of the Minister of Education and Training under section 4 of the <i>Degree Granting Act</i> ; and	(5) No member of the board shall serve for more than six consecutive years, but on the expiration of one year after having served on the board for six consecutive years, a person is again eligible for membership on the board.	Eligibility for re-election
	(e) diploma and certificate programs and courses of study sponsored jointly with other institutions or organizations.	(6) The six-year limit referred to in subsection (5) does not include any time served on the board in order to fill a vacancy.	Same
Board	4. (1) Subject to the matters assigned by this Act to the senate or to the supporting members, the affairs of the College shall be managed by the board.	(7) No person shall be a member of the board unless he or she is, (a) a Canadian citizen or a permanent resident of Canada; and (b) a supporting member.	Requirements for membership
Composition	(2) The board shall be composed of, (a) seven persons elected by the supporting members from among the nominees presented by the ecclesiastical bodies or presbyteries, known as "Classes", of the Christian Reformed Church in North America in Ontario; (b) that number of persons, not to exceed six, as determined by the supporting members, elected by the supporting members from among the nominees presented by the ecclesiastical bodies within or outside Ontario that are prepared to support the College financially on a basis comparable to the Classes of the Christian Reformed Church in North America in Ontario; (c) that number of persons, not less than four or more than six, as determined by the supporting members, elected by the supporting members from among the administrators of the elementary and high schools operated by member societies of the Ontario Alliance of Christian Schools; (d) that number of persons, not less than nine or more than 21, as determined by the supporting members, elected by the supporting members from among the supporting members; and (e) one alumnus of the College elected by the supporting members from among the nominees presented by the alumni association of the College.	(8) No person shall be a member of the board if he or she is a student or employee of the College. (9) The president of the College shall not be a member of the board but, subject to subsection (10), may attend all board meetings. (10) The president of the College shall not attend a part of a board meeting where the board, in its opinion, will discuss a matter in which the president may have a conflict of interest. (11) Elections to the board shall be by secret ballot and the manner and procedure for board elections shall be determined by the board by by-law. (12) Where a vacancy occurs for any reason among the members of the board, the board in its sole discretion shall determine whether the vacancy is to be filled and the board shall elect persons qualified under the appropriate clause of subsection (2) to fill the vacancy until the next annual meeting of the supporting members. (13) The board shall elect a chair and a vice-chair from among its members and, in the case of the absence or illness of the chair or there being a vacancy in that office, the vice-chair shall act as and have all the powers of the chair. (14) In the case of the absence or illness of the chair and vice-chair or there being vacancies in those offices, the board may appoint one of its members to act as chair for the time being and the member so appointed shall act as and have all the powers of the chair.	Disqualification President may attend board meetings Exception Manner of election Vacancies Chair and vice-chair Same
Term of office	(3) The term of office for the members of the board is three years.	(15) The term of office of the chair and the vice-chair shall be determined by the board.	Term of office

Quorum (16) A simple majority of the members of the board constitutes a quorum.

Delegation of powers (17) The board may appoint an executive committee and other committees as the board considers advisable and may delegate to any committee any of its powers in accordance with the by-laws of the College.

Powers of the board 5. (1) The board has all the powers necessary or convenient to perform its duties and achieve the objects of the College.

Same (2) Without restricting the generality of subsection (1), the board may,

- (a) make by-laws for the conduct of its affairs;
- (b) appoint, suspend and remove the president of the College and define his or her duties and responsibilities;
- (c) appoint, classify, promote, suspend, transfer, reclassify or remove, as it considers necessary or advisable for the proper conduct of the affairs of the College, the members of the teaching faculty and administrative staff and other employees;
- (d) fix the number, duties and salaries and other remuneration of employees of the College;
- (e) delegate any of its powers under clauses (c) and (d) as it considers proper to the president or to other employees of the College, as may be recommended by the president;
- (f) expend sums, within the financial limits set by the annual budget of the College, that the board considers necessary for the support and maintenance of the College, for the erection and improvement of the buildings that the board may consider necessary for the use and purposes of the College and for furnishings and equipment for such buildings;
- (g) expend sums, within the financial limits set by the annual budget of the College, that the board considers necessary for the erection, equipment, furnishings and maintenance of residences and dining halls for the use of students;
- (h) establish by by-law the Statement of Basis and Principles of the College;
- (i) approve changes in established programs of study as recommended by the senate;

(j) establish and collect fees and charges for tuition and for services of any kind offered by the College and collect fees and charges on behalf of any entity, organization or element of the College;

(k) establish classes of members in addition to supporting members and the qualifications and conditions of such classes of membership;

(l) admit as supporting members or other classes of members those persons who apply and qualify for admission.

(3) Subject to the approval of the supporting members, the board,

(a) may operate joint or co-operative diploma and certificate programs and courses of study with other institutions or organizations on the terms and for the periods of time that the board may determine;

(b) may establish and terminate degree, diploma or certificate programs, as the senate recommends and the board considers appropriate;

(c) may provide for the affiliation, federation or legal association of the College with a university or college offering courses leading to a degree, establish for teaching any branch of learning on the terms the board may determine, and enter into any agreement that the board may consider necessary to effect the affiliation, federation or legal association and preserve the Christian character of the College;

(d) may amend the Statement of Basis and Principles of the College set out in the by-laws of the College;

(e) shall fix the annual dues to be paid by the supporting members of the College.

6. (1) The supporting members, at their annual meeting, shall appoint one or more public accountants licensed under the *Public Accountancy Act* to audit the accounts and transactions of the board.

(2) The board shall send the annual report of the College, including an audited annual financial statement, in the form and manner determined by the board, to,

(a) the Classes of the Christian Reformed Church in North America described in clause 4 (2) (a);

Same

Audit

Distribution of annual report

- (b) any other ecclesiastical body that has a representative on the board under clause 4 (2) (b);
- (c) the administrators of the elementary and high schools operated by member societies of the Ontario Alliance of Christian Schools; and
- (d) the supporting members.

Senate

7. (1) There shall be a senate of the College composed of,

- (a) the president and vice-president (academic) of the College;
- (b) any member of the teaching faculty who holds the rank of dean in an area of administration which deals with academic matters; and
- (c) not fewer than 12 or more than 30 supporting members of the College,
 - (i) at least four of whom shall be elected from among and by the teaching faculty,
 - (ii) at least four of whom shall be elected from among the persons holding the rank of professor, associate professor or assistant professor at any accredited post-secondary educational institution, one-half of whom are nominated by the teaching faculty and one-half of whom are nominated by the board, and all of whom are elected by the supporting members,
 - (iii) at least one of whom shall be elected from among and by the students of the College,
 - (iv) at least two of whom shall be elected from among and by the members of the board, and
 - (v) at least one of whom shall be elected from among and by the alumni.

Size increased

(2) The board shall by by-law determine if more than 12 persons shall be elected to the senate under clause (1) (c).

Same

(3) A by-law made under subsection (2) shall provide that the persons elected under subclauses (1) (c) (i) and (ii) comprise more than one-half of the membership of the senate.

Term of office

(4) The senate shall determine by by-law the term of office, which may be one, two or three years, for the members appointed from each of the groups referred to in clause (1) (c).

Eligibility for re-appointment

(5) Subject to subsection (6), no elected member of the senate shall serve on the senate

for more than six consecutive years, but on the expiration of one year after having served on the senate for six consecutive years, a person is again eligible for membership on the senate.

Ineligibility

(6) An elected member of the senate ceases to hold office when he or she ceases to be eligible under the subclause of clause (1) (c) under which he or she was elected, but a student member who graduates during his or her term of office may serve for the remainder of the year.

Vacancies

(7) Subject to the approval of the board, where a vacancy occurs for any reason among the elected members of the senate before the term for which a person was elected has expired, the senate shall determine whether the vacancy is to be filled and if so, the manner and procedure for so doing, and the person filling the vacancy shall hold office for the remainder of the term of the person whose membership is vacant.

Chair

(8) The president of the College shall be chair of the senate.

Powers of the senate

(9) Subject to the approval of the board with respect to the expenditure of funds, the senate may,

- (a) enact by-laws for the conduct of its affairs;
- (b) make recommendations to the board with respect to the establishment, change or termination of programs and courses of study, schools, divisions and departments;
- (c) determine the curricula of all programs and courses of study;
- (d) determine the standards of admission to and continued registration in the College;
- (e) determine the qualifications for degrees, diplomas and certificates of the College;
- (f) conduct examinations, appoint examiners and decide all matters relating to examinations and examiners;
- (g) award fellowships, scholarships, bursaries, medals, prizes and other marks of academic achievement;
- (h) award diplomas and certificates;
- (i) grant the degrees of Bachelor of Arts, Bachelor of Science, Bachelor of Christian Education and Bachelor of Christian Studies, consistent with the College's objects;
- (j) create councils and committees to exercise its powers;

	(k) advise the board as to the appointment, classification, transfer, reclassification and removal of the members of the teaching faculty in accordance with the rules and procedures established by the board.		
Annual meeting of supporting members	<p>8. (1) At every annual meeting of the supporting members, in addition to any other business that may be transacted, the supporting members shall,</p> <p>(a) consider the audited annual financial statements and the annual budget for the ensuing year;</p> <p>(b) consider the report of the auditors;</p> <p>(c) approve or reject the annual dues payable by the supporting members set by the board;</p> <p>(d) receive the report of the board as to the operation of the College;</p> <p>(e) appoint the auditors and fix their remuneration;</p> <p>(f) elect the board members under clauses 4 (2) (a), (b), (c), (d) and (e);</p> <p>(g) confirm or reject any by-laws passed during the past year by the board, including any amendments to the Statement of Basis and Principles and any matter referred to the meeting by the board.</p>		<p>9. (1) Subject to subsections (2) and (3), the meetings of the board, the senate and the supporting members shall be open to the public and no person shall be excluded from a meeting except for improper conduct as determined by the board, the senate or the supporting members, as the case may be.</p> <p>(2) Where a matter is confidential to the College, the part of the meeting concerning such a matter may be closed to the public.</p> <p>(3) Where a matter is of a personal nature concerning an individual, the part of the meeting concerning the individual shall be closed to the public unless the individual and the board or senate agree that that part of the meeting be open to the public.</p> <p>(4) Prior notice of the meetings of the board, senate and supporting members shall be given to the members of the board or senate or to the supporting members, as the case may be, and to the public in the manner that the board, the senate and the supporting members shall respectively determine.</p> <p>(5) The by-laws of the board and the senate shall be open to examination by the public during the normal office hours of the College.</p> <p>(6) The board and the senate shall publish their by-laws at the times and in the manner that they respectively consider appropriate.</p>
New business	(2) At any annual meeting of the supporting members, any supporting member may raise any matter relevant to the operation of the College, but no action may be taken on such a matter until it has been referred to and considered by the board.		<p>10. (1) The College shall be carried on without the purpose of gain for the members of the board or the supporting members.</p> <p>(2) Any surplus of the College shall be applied solely for its objects and shall not be divided among its supporting members.</p>
Other duties	<p>(3) The supporting members shall,</p> <p>(a) select a 12-month period as the membership year for the board and the senate;</p> <p>(b) determine the number of persons to be elected to the board under clauses 4 (2) (b), (c) and (d).</p>		<p>11. Upon the dissolution of the College and after the payment of all debts and liabilities, the remaining real and personal property of the College shall be given to a Canadian charitable educational institution whose basis and objectives are, in the opinion of the board, similar to the Statement of Basis and Principles of the College set out in the by-laws of the College.</p>
Quorum	(4) A quorum for a meeting of the supporting members shall consist of 50 supporting members who are not students, members of the teaching faculty or members of the academic staff of the College.		<p>12. <i>The Redeemer Reformed Christian College Act, 1980 is repealed.</i></p> <p>13. This Act comes into force on the day it receives Royal Assent.</p> <p>14. The short title of this Act is the Redeemer Reformed Christian College Act, 1998.</p>