

CHAPTER 47

**An Act respecting
Ryerson Polytechnical Institute***Assented to November 25th, 1977*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

INTERPRETATION

1.—(1) In this Act,

Interpre-
tation

- (a) "Academic Council" means the Academic Council of Ryerson Polytechnical Institute;
- (b) "administrative staff" means the full-time employees of the Board who are not members of the teaching faculty;
- (c) "alumni" means the persons who have received degrees, diplomas or certificates from the Institute and are no longer registered as students;
- (d) "Board" means The Board of Governors of Ryerson Polytechnical Institute;
- (e) "Institute" means Ryerson Polytechnical Institute;
- (f) "Minister" means the Minister of Colleges and Universities;
- (g) "President" means the President of Ryerson Polytechnical Institute;
- (h) "property" means real and personal property;
- (i) "student" means a person who is registered as such in a program or course of study at the Institute that leads to a degree, diploma or certificate of the Institute;

- (j) "teaching faculty" means the full-time employees of the Board whose prime duty is the performance of the teaching function of the Institute, including those holding the offices of Dean, Chairman or Assistant Chairman of a department, and Academic Director;
- (k) "year" means the membership year of the Board or the Academic Council, as the case may be, and shall be any twelve-month period established by the Board or the Academic Council, respectively, from time to time. 1962-63, c. 128, s. 1; 1971, c. 65, s. 1, *amended*.

Conflict
R.S.O. 1970,
c. 89

(2) In the event of conflict between any provision of this Act and any provision of *The Corporations Act*, the provision of this Act prevails. *New*.

GENERAL

Institute
continued

2. Ryerson Polytechnical Institute is continued, subject to the provisions of this Act. 1962-63, c. 128, s. 2, *amended*.

Objects

3. The objects and purposes of the Institute are to provide,

- (a) programs and courses of study in any branch of arts, applied arts, business, community services and technology; and
- (b) programs and courses of study sponsored jointly with the Government of Ontario or any ministry or board, agency or commission thereof, with the Government of Canada or any department or board, agency or commission thereof, with industry or commerce, or with other educational institutions. 1962-63, c. 128, s. 3, *amended*.

BOARD OF GOVERNORS

Corporation
continued

4.—(1) The Board of Governors of Ryerson Polytechnical Institute is continued as a body corporate and shall be composed of,

- (a) the President, who shall be an *ex officio* member;
- (b) nine members, none of whom is a student or an employee of the Board, appointed by the Lieutenant Governor in Council for a term of three years;

- (c) three members, none of whom is an employee of the Board, elected by the alumni from among themselves for a term of three years;
- (d) three members elected by the teaching faculty from among themselves for a term of two years;
- (e) two members elected by the administrative staff from among themselves for a term of two years;
- (f) three members elected by the students from among themselves for a term of one year; and
- (g) two members, none of whom is a student or an employee of the Board, appointed by the Lieutenant Governor in Council for a term of three years and thereafter by the Board for a term of three years. 1962-63, c. 128, s. 4 (1-3); 1971, c. 65, s. 2, *amended*.

(2) The Board shall by by-law determine the manner and procedure of election of its members and shall conduct such elections and determine any dispute as to eligibility to hold office or to vote, and such elections shall be by secret ballot. Manner of election

(3) No person shall serve as a member of the Board unless he is a Canadian citizen. *New.* Canadian citizenship

(4) Subject to subsection 5, a member of the Board is eligible for reappointment or re-election, as the case may be, except that no member shall serve for more than two consecutive terms, but on the expiration of one year after having served the second of two consecutive terms, such person may again be eligible for membership on the Board. 1962-63, c. 128, s. 4 (4), *amended*. Eligibility for reappointment or re-election

(5) The limit of two consecutive terms referred to in subsection 4 does not include, Idem

- (a) service on the Board prior to the day this section comes into force;
- (b) service on the Board for the balance of an unexpired term for a person who becomes a member of the Board under subsection 8; or
- (c) service on the Board for a term reduced under subsection 1 or 2 of section 17. *New.*

Membership
vacated

(6) A member of the Board ceases to hold office where he ceases to be eligible pursuant to,

(a) subsection 3; or

(b) clauses *b* to *g* of subsection 1 under which he was appointed or elected, as the case may be, except that a student member who graduates during his term of office may serve for the remainder of such term. 1962-63, c. 128, s. 4 (5), *amended*.

Absence
from
meetings

(7) Where, within any year, a member of the Board, not having been granted leave of absence by the Board, attends less than 50 per cent of the regular meetings of such body, the Board may by resolution declare his membership vacant. 1962-63, c. 128, s. 4 (6), *amended*.

Filling
vacancies

(8) Where a vacancy on the Board occurs before the term of office for which a person was appointed or elected has expired,

(a) if the vacancy is that of an appointed member, the vacancy may be filled by the same authority which appointed the person whose membership is vacant; and

(b) if the vacancy is that of an elected member, the Board in its sole discretion shall determine if the vacancy is to be filled and, if so and notwithstanding any other provision of this Act, the manner and procedure for so doing,

and the person filling such vacancy shall hold office for the remainder of the term of the person whose membership is vacant. 1962-63, c. 128, s. 4 (8), *amended*.

Quorum

(9) A quorum of the Board shall consist of ten members or such greater number as the Board by by-law may determine, and at least one-half of the quorum shall consist of members of the Board appointed or elected under clauses *b*, *c* and *g* of subsection 1. 1962-63, c. 128, s. 4 (10), *amended*.

Chairman
and
Vice-
Chairman

(10) The Board shall elect a Chairman and a Vice-Chairman from among the members appointed or elected under clauses *b*, *c* and *g* of subsection 1 and in the event of the absence or inability to act of the Chairman or of there being a vacancy in that office, the Vice-Chairman shall act as and have all the powers of the Chairman. 1962-63, c. 128, s. 4 (11), *amended*.

(11) In the absence or inability to act of the Chairman and Vice-Chairman, the Board may appoint one of its members appointed or elected under clauses *b*, *c* and *g* of subsection 1 to act as Chairman for the time being and the member so appointed shall act as and have all the powers of the Chairman. 1962-63, c. 128, s. 4 (12, 13), *amended*.

Absence

(12) The term of office of the Chairman and of the Vice-Chairman shall be as determined by the Board. *New*.

Term of office

5.—(1) The Board may establish committees and appoint persons thereto and, subject to subsection 5, confer upon any such committee authority to act for the Board with respect to any matter or class of matters. 1962-63, c. 128, s. 5 (1), *amended*.

Committees

(2) A majority of the members of a committee shall be members of the Board. 1962-63, c. 128, s. 5 (2).

Majority to be board members

(3) The President shall be an *ex officio* member of every committee established under subsection 1 unless excluded therefrom by a by-law or a resolution of the Board. 1971, c. 65, s. 3, *amended*.

President ex officio member

(4) The President, if not excluded under subsection 3 as a member of a committee, may nominate an officer of the Board to represent him on a committee established under subsection 1, and such nominee shall act in the place and stead of the President on such committee. *New*.

Nominee

(5) No decision of a committee that includes in its membership persons who are not members of the Board is effective until approved and ratified by the Board. 1962-63, c. 128, s. 5 (4).

Decision of committee

(6) For the purposes of subsections 2 and 5, an officer of the Board nominated by the President under subsection 4 to represent him on a committee shall be deemed to be a member of the Board. *New*.

Nominee deemed member of the Board

6.—(1) The government, conduct, management and control of the Institute and of its property, revenues, expenditures, business and affairs, except with respect to such matters as are assigned by this Act to the Academic Council, are vested in the Board, and the Board has all powers necessary or convenient to perform its duties and achieve the objects and purposes of the Institute including, without limiting the generality of the foregoing, the power, —

Powers of the Board

- (a) to enact by-laws for the conduct of its affairs;
- (b) to appoint the President and define his duties and responsibilities;
- (c) to appoint, classify, promote, suspend, transfer, reclassify or remove the members of the teaching faculty and administrative staff and such other employees as it considers necessary or advisable for the proper conduct of the affairs of the Institute, but no member of the teaching faculty or administrative staff except the President shall be appointed, classified, promoted, suspended, transferred, reclassified or removed unless recommended by the President or such other officer or employee of the Board delegated under subsection 4;
- (d) to fix the number, duties and salaries and other remuneration of the officers and employees of the Board;
- (e) to delegate such of its powers under clauses *c* and *d* as it considers proper to the President or other officer or employee of the Board as may be recommended by the President;
- (f) to provide for the retirement and superannuation of persons referred to in clauses *b* and *c*;
- (g) to provide for payments by way of gratuities, retirement allowances, sick leave allowances, superannuation allowances, pensions, annuities or life insurance, or any combination thereof, payable to any representative of or for the benefit of the persons mentioned in clauses *b* and *c*, or any class or classes thereof, out of a fund or funds comprising contributions made by such persons, or any class or classes thereof, or by the Board, or both, or otherwise;
- (h) to expend such sums as may be required for the purposes of funds that are established for the payment of gratuities, retirement allowances, pensions, life insurance, or health insurance, for the benefit of the persons mentioned in clauses *b* and *c*;
- (i) to expend such sums as the Board considers necessary for the support and maintenance of the Institute and for the betterment of existing buildings and the erection of such new buildings as the

Board may consider necessary for the use and purposes of the Institute and for the furnishings and equipment of such existing and newly-erected buildings;

- (j) to expend such sums as the Board considers necessary for the erection, equipment, furnishings and maintenance of residences and dining halls for the use of the students;
- (k) to acquire, hold and maintain such real property as the Board considers necessary for the use of the students of the Institute for athletic purposes and to erect and maintain such buildings and structures thereon as it considers necessary;
- (l) to provide such health services, health examinations and physical training for the students of the Institute as the Board considers necessary;
- (m) to appoint by resolution a member or members of the Board, or any other person or persons, to execute on behalf of the Board either documents and other instruments in writing generally, or specific documents and other instruments in writing and to affix the corporate seal of the Board thereto;
- (n) to borrow money for its purposes upon its credit, and to give such security against the assets of the Institute by way of mortgage, debenture or otherwise, as it determines;
- (o) to invest all money that comes into its hands that is not required to be expended for any purpose to which it lawfully may be applied, subject always to any express limitations or restrictions on investment powers imposed by the terms of the instruments creating any trust as to the same, in such manner as it considers proper and, except where a trust instrument otherwise directs, combine trust moneys belonging to various trusts in its care into a common trust fund;
- (p) after consultation with the Minister,
 - (i) to co-operate with other educational institutions on such terms and for such periods of time as the Board may determine,
 - (ii) to establish, change and terminate such degree, diploma or certificate programs as

the Academic Council recommends and the Board considers appropriate; and

- (g) to establish and collect fees and charges for tuition and for services of any kind offered by the Institute and collect fees and charges on behalf of any entity, organization or element of the Institute. 1962-63, c. 128, s. 7; 1971, c. 65, s. 4, *amended*.

Recommendations by President as to staff

(2) The President shall make recommendations to the Board as to the appointment, classification, promotion, suspension, transfer, reclassification and removal of the members of the teaching faculty and administrative staff.

Recommendation

(3) The President may recommend an officer or employee of the Board for the purpose of a delegation by the Board under clause *e* of subsection 1 of certain of its powers.

Delegation by President

(4) The President, subject to the approval of the Board, may delegate his duties under subsection 2 to any other officer or employee of the Board. *New*.

Audit of accounts R.S.O. 1970, c. 373

7. The Board shall appoint one or more public accountants licensed under *The Public Accountancy Act* to audit the accounts and transactions of the Board at least annually. 1962-63, c. 128, s. 8, *amended*.

Annual report to Minister

8.—(1) The Board shall make a financial report annually to the Minister in such form and containing such information as the Minister may require. 1962-63, c. 128, s. 9 (1), *amended*.

Tabling

(2) The Minister shall submit the report to the Lieutenant Governor in Council and shall then lay the report before the Assembly if it is in session or, if not, at the next ensuing session. 1962-63, c. 128, s. 9 (2).

Annual public report

(3) The Board shall make available to the public an annual report including an annual financial report in such form and manner as the Board may determine. *New*.

ACADEMIC COUNCIL

Academic Council

9.—(1) There shall be an Academic Council of the Institute composed of,

- (a) the President, the Vice-Presidents and the Deans, who shall be *ex officio* members; and

(b) such other members, not exceeding fifty in number, composed of persons elected by secret ballot,

(i) by the teaching faculty from among themselves,

(ii) by the students from among themselves, and

(iii) by the alumni from among themselves.

(2) The Academic Council shall by by-law determine, By-laws

(a) the number of members to be elected to the Academic Council by the teaching faculty, the students and the alumni, respectively;

(b) constituencies for each of the groups referred to in clause *b* of subsection 1 and assign persons or classes of persons thereto;

(c) the term of office of one, two or three years, as the case may be, for the members elected by each of the groups referred to in clause *b* of subsection 1; and

(d) the procedures to be followed in the election of members of the Academic Council.

(3) The Academic Council shall conduct the election of Elections its members and shall determine any dispute as to the eligibility of a candidate at such election or of a person to vote thereat.

(4) Where for any reason a by-law of the Academic Term of office Council has not been enacted under clause *c* of subsection 2, the term of office of an elected member of the Academic Council is one year.

(5) Subject to subsection 6, a member of the Academic Eligibility for re-election Council is eligible for re-election except that no member shall serve for more than two consecutive terms, but on the expiration of one year after having served the second of two consecutive terms, such person may again be eligible for membership on the Academic Council.

(6) The limit of two consecutive terms referred to in Idem subsection 5 does not include,

(a) service on the Academic Council for the balance of an unexpired term for a person who becomes a

member of the Academic Council under subsection 8; or

- (b) service on the Academic Council for a term of office established by the Board under subsection 3 of section 17.

Membership vacated

(7) An elected member of the Academic Council ceases to hold office where he ceases to be eligible pursuant to clause *b* of subsection 1 under which he was elected, except that a student member who graduates during his term of office may serve for the remainder of the current year.

Filling vacancy

(8) Where a vacancy occurs for any reason among the elected members of the Academic Council before the term for which a person was elected has expired, the Academic Council in its sole discretion shall determine whether the vacancy is to be filled and, if so and notwithstanding any other provision of this Act, the manner and procedure for so doing, and the person filling such vacancy shall hold office for the remainder of the term of the person whose membership is vacant.

Chairman and Vice-Chairman

(9) The President shall be the Chairman of the Academic Council and a Vice-Chairman shall be elected from among its members in such manner as the Academic Council may determine. *New.*

Powers of Academic Council

10. The Academic Council has, subject to the approval of the Board with respect to the expenditure of funds, the power to establish the educational policy of the Institute and without limiting the generality of the foregoing has the power,

- (a) to enact by-laws for the conduct of its affairs;
- (b) to enact by-laws for the purposes of subsection 2 of section 9 in order to conduct the election of its members;
- (c) to make recommendations to the Board with respect to the establishment, change or termination of programs and courses of study, schools, divisions and departments;
- (d) to determine the curricula of all programs and courses of study, the standards of admission to the Institute and continued registration therein, and the qualifications for degrees, diplomas and certificates of the Institute;

- (e) to conduct examinations, appoint examiners and decide all matters relating thereto;
- (f) to award fellowships, scholarships, bursaries, medals, prizes and other marks of academic achievement;
- (g) to award diplomas and certificates;
- (h) to grant bachelor of applied arts, bachelor of technology and bachelor of business management degrees; and
- (i) to create councils and committees to exercise its powers. *New.*

BOARD OF GOVERNORS AND ACADEMIC COUNCIL

11.—(1) Subject to subsections 2 and 3, a meeting of the Board or of the Academic Council shall be open to the public and prior notice of the meeting shall be given to the members of the Board or the Academic Council, as the case may be, and to the public in such manner as the Board and the Academic Council by by-law shall respectively determine, and no person shall be excluded from a meeting except for improper conduct as determined by the Board or the Academic Council, as the case may be. ^{Meetings open to public}

(2) Where matters confidential to the Institute are to be considered, the part of the meeting concerning such matters may be held *in camera*. ^{Proviso}

(3) Where a matter of a personal nature concerning an individual may be considered at a meeting, the part of the meeting concerning such individual shall be held *in camera* unless such individual requests that that part of the meeting be open to the public. *New.* ^{Idem}

12. Every student is eligible for election to the Board or the Academic Council whether or not he has attained the age of eighteen years. *New.* ^{Age of student members}

13.—(1) The by-laws of the Board and of the Academic Council shall be open to examination by the public during normal business hours. ^{Examination of by-laws}

(2) The Board and the Academic Council shall publish their by-laws from time to time in such manner as they may, respectively, consider proper. *New.* ^{Publication of by-laws}

PROPERTY

Property
vested in
Board

14. All property heretofore or hereafter, by statute or otherwise, granted, conveyed, devised or bequeathed to the Board, the Institute or to any person in trust for or for the benefit of the Board, the Institute or any of its divisions or departments, subject to any trust affecting the property, is vested in the Board. 1962-63, c. 128, s. 6; 1966, c. 139, s. 1, *amended*.

Power to
deal with
property

15. The Board has power to purchase or otherwise acquire, take or receive, by deed, gift, bequest or devise, and to hold and enjoy without licence in mortmain and without limitation as to the period of holding any estate or property whatsoever, and to sell, grant, convey, mortgage, lease or otherwise dispose of the same or any part thereof from time to time and as occasion may require, and to acquire other estate or property in addition thereto or in place thereof. 1962-63, c. 128, s. 7 (*m*), *amended*.

Expropria-
tion
R.S.O. 1970,
c. 154

16.—(1) Subject to the provisions of *The Expropriations Act*, the Board may, without the consent of the owner or any person interested therein, other than a municipality or a district, regional or metropolitan municipality, enter upon, take, use and expropriate all such land as defined in section 1 of *The Expropriations Act* as it considers necessary for the purposes of the Institute. 1962-63, c. 128, s. 7 (*n*), *amended*.

Land
vested in
Board not
liable to
expropria-
tion

(2) Real property vested in the Board and used by the Institute for its purposes 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 real property compulsorily for any purpose and no power to expropriate real property hereafter conferred shall extend to such real property unless in the Act conferring the power it is made in express terms to apply thereto. *New*.

MISCELLANEOUS

Election
of Board

17.—(1) For the purpose of the election of members to the Board who are to take office on the 1st day of July, 1978, the Board in office when this section comes into force shall, notwithstanding any other provision of this Act, conduct the election and may determine that one or more of the members so elected shall serve for a period of less than three years.

(2) Notwithstanding clauses *b* and *g* of subsection 1 of section 4, the Lieutenant Governor in Council may determine that one or more of the members appointed by it to the Board to take office on the 1st day of July, 1978, shall serve for a period of less than three years. ^{Term of office}

(3) For the purpose of the first election of members to the Academic Council who are to take office on the 1st day of July, 1978, the Board in office when this section comes into force shall determine, notwithstanding any other provision of this Act, the composition and the number, not exceeding fifty, of the members to be elected and shall determine the term or terms of office of one, two or three years of such members and the method of their election and shall conduct such elections. ^{First election of Academic Council}

(4) The Board in office when this section comes into force is hereby authorized and empowered to arrange for and call the first meeting of the Board and of the Academic Council, respectively, to be held on or after the 1st day of July, 1978, and the members of the said Board and Academic Council shall be given reasonable notice of such meetings. ^{First meeting of Board and Academic Council}
New.

18. The following are repealed:

Repeals

1. *The Ryerson Polytechnical Institute Act, 1962-63*, being chapter 128.
2. *The Ryerson Polytechnical Institute Amendment Act, 1966*, being chapter 139.
3. *The Ryerson Polytechnical Institute Amendment Act, 1971*, being chapter 65.

19.—(1) This Act, except sections 1 to 16 and 18, comes into force on the day it receives Royal Assent. ^{Commencement}

(2) Sections 1 to 16 and 18 come into force on the 1st day of July, 1978. ^{Idem}

20. The short title of this Act is *The Ryerson Polytechnical Institute Act, 1977*. ^{Short title}