

**ONTARIO REGULATION 152/22**

made under the

**NORTHERN ONTARIO SCHOOL OF MEDICINE UNIVERSITY ACT, 2021**

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## OBJECTS, ETC.

**Objects**

1. The objects of the University are,
  - (a) to provide undergraduate and post-graduate medical health education and other programs and, in doing so, advance the highest quality of learning, teaching, research and professionalism;
  - (b) to shape the medical profession and allied health services in a way that improves their responsiveness to the distinct needs of rural, remote, Indigenous and Francophone communities; and
  - (c) to contribute to the advancement of healthcare in northern Ontario by facilitating student appreciation of the opportunities for quality educational and professional careers in northern Ontario.

**Special mission**

2. It is the special mission of the University to provide programs that are innovative and responsive to the needs of individual students and to the unique healthcare needs of the people of northern Ontario and other northern regions of Canada, which includes people living in rural, remote, Indigenous and Francophone communities.

**Degrees, etc.**

3. The University may confer the following degrees:

1. Doctor of Medicine.
2. Master of Medical Studies.

## BOARD OF GOVERNORS

**By-laws respecting elections, etc.**

4. The board shall by by-law determine,

- (a) the procedures to be followed in the election or appointment to the board of members referred to in paragraphs 4 to 7 of subsection 6 (1) of the Act;
- (b) the eligibility requirements for the election or appointment to the board of members referred to in paragraphs 4 to 7 of subsection 6 (1) of the Act; and
- (c) the number of persons, not to be fewer than six, to be appointed under paragraph 7 of subsection 6 (1) of the Act.

**Term of office**

5. (1) The term of office for a member of the board who is appointed by the Lieutenant Governor in Council shall be as specified in the appointment, and the appointment may be for a fixed term or during pleasure, but in either case the appointment shall not be for a term of more than three years.

(2) The term of office for a member of the board referred to in paragraph 4, 6 or 7 of subsection 6 (1) of the Act shall be not more than three years, as determined by the by-laws of the board.

(3) The term of office for a student member of the board shall be one year.

**Loss of eligibility**

6. (1) If, during a member's term of office, a member of the board elected or appointed under paragraphs 4 to 7 of subsection 6 (1) of the Act ceases to be eligible for election or appointment to the board under the same paragraph, the person thereby ceases to be a member of the board.

(2) Despite subsection (1), if a student member of the board graduates during their term of office, the student member may continue to sit as a member of the board for the remainder of their term.

**Renewal of term**

7. (1) A member of the board is eligible for reappointment or re-election.

(2) Subject to subsection (3), a person elected or appointed to the board under paragraphs 3 to 7 of subsection 6 (1) of the Act may not be a member of the board for more than six consecutive years, but is eligible for reappointment or re-election after one year's absence from the board.

(3) The board may determine by board resolution that a member may serve for more than six consecutive years if the member is serving as chair of the board.

**Vacancies**

8. (1) A vacancy on the board occurs if,

- (a) a member resigns or ceases to be eligible for appointment or election to the board before the end of the member's term;
- (b) the appointment of a member who was appointed by the Lieutenant Governor in Council has been revoked by the Lieutenant Governor in Council;
- (c) a member is incapable of continuing to act as a member and the board by resolution declares the membership to be vacated; or
- (d) the board by resolution declares a membership to be vacated for failure to attend sufficient meetings, as provided in the by-laws of the board.

(2) If a vacancy occurs on the board, other than a vacancy among the members appointed by the Lieutenant Governor in Council, the board shall,

- (a) determine, in accordance with its by-laws, whether or not to fill the vacancy; and
- (b) if the vacancy is to be filled,
  - (i) fill the vacancy within such time period as may be specified in its by-laws, and
  - (ii) appoint or elect the new member in accordance with the same procedures as applied to the appointment or election of the member being replaced.

(3) The person who fills a vacancy under subsection (2) shall hold office for the remainder of the term of the member the person is replacing, and that period of time shall be included in determining, for the purposes of subsection 7 (2), whether the person has been a member of the board for more than six consecutive years.

(4) If a vacancy occurs on the board among the members appointed by the Lieutenant Governor in Council, the Lieutenant Governor in Council shall appoint a new member to fill the vacancy and, for greater certainty, subsection 5 (1) shall apply to the appointment.

#### **Quorum**

**9.** At a meeting of the board, a quorum is constituted if,

- (a) a majority of the current members of the board are present at the meeting; and
- (b) a majority of members present at the meeting are members referred to in paragraphs 2, 3 and 7 of subsection 6 (1) of the Act.

#### **Chair, vice-chair**

**10.** (1) The board shall elect annually a chair and at least one vice-chair from among its members who are not students, teaching staff or non-teaching employees of the University, and shall fill any vacancy in the office of chair or vice-chair from among such members.

(2) The chair shall preside over the meetings of the board, and if the chair is unable to act or if the position is vacant, a vice-chair shall act in place of the chair and, if both the chair and vice-chair are unable to act, the board may appoint a member who is not a student, teaching staff or non-teaching employee of the University to act temporarily in their place.

#### **Powers and duties of the board**

**11.** (1) Except for matters specifically assigned to the senate under section 21, the board is responsible for governing and managing the affairs of the University and has the necessary powers to do so, including the power,

- (a) to determine the mission, vision and values of the University in a manner that is consistent with the objects and special mission of the University;
- (b) to appoint and remove a chancellor;
- (c) to appoint and remove the president;
- (d) to appoint, promote, suspend and remove members of the teaching staff and non-teaching employees of the University, subject to subsection (2);
- (e) to fix the number, duties and salaries and other benefits of the teaching staff and non-teaching employees of the University;
- (f) to appoint committees and assign or delegate to them such duties and responsibilities as may be provided in the by-laws adopted by the board, including authorizing them to act on behalf of the board in the matters specified in the by-laws;
- (g) to approve the annual budget of the University and to monitor its implementation;
- (h) to establish and collect fees and charges for tuition and other services that may be offered by the University or that may be approved by the board on behalf of any organization or group of the University;
- (i) to regulate the conduct of students, teaching staff, non-teaching employees and all persons who use the property of the University, including denying any person access to the property;
- (j) to determine which body within the University has jurisdiction over any matter; and
- (k) to make by-laws regulating its proceedings and generally for the conduct and management of its activities, including in respect of any matters referred to in this Regulation as being set out in the board's by-laws.

(2) The board shall not appoint, promote, suspend or remove a member of the teaching staff or a non-teaching employee of the University, except on the recommendation of the president of the University, who shall be governed by the terms of any applicable commitments and practices of the University.

**Remuneration**

12. The members of the board shall not be remunerated, but may be reimbursed for reasonable expenses incurred in carrying out the duties of their office.

**Conflict of interest**

13. (1) A member of the board or of a committee of the board who has a conflict of interest, as defined in the board's by-laws or in any conflict of interest policies that the board may adopt, with a matter in which the University is concerned shall,

- (a) declare the member's interest as soon as possible and no later than at the first meeting at which the matter is to be considered; and
- (b) if required by the board's by-laws or policies, withdraw from the meeting during the discussion of the matter and not vote on the matter.

(2) Despite subsection (1), a member of the board who is also a member of the teaching staff or a non-teaching employee of the University may take part in discussing and voting on issues concerning general conditions of employment for University employees, unless the discussion and voting deals with the circumstances of the particular employee as an isolated issue, separate and apart from consideration of other employees.

(3) Despite subsection (1), a member of the board who is also a student of the University may take part in discussing and voting on issues concerning students generally, unless the discussion and voting deals with the circumstances of the particular student as an isolated issue, separate and apart from consideration of other students.

## SENATE

**By-laws respecting elections, etc.**

14. The senate shall by by-law determine,

- (a) the procedures to be followed in the election or appointment to the senate of members referred to in paragraphs 2 to 5 of subsection 7 (1) of the Act;
- (b) the eligibility requirements for the election or appointment to the senate of members referred to in paragraphs 2 to 5 of subsection 7 (1) of the Act;
- (c) the number of persons to be elected or appointed to the senate under paragraphs 2, 3 and 5 of subsection 7 (1) of the Act; and
- (d) the constituencies for each of the groups referred to in paragraphs 2 and 3 of subsection 7 (1) of the Act.

**Senate election**

15. The senate shall conduct elections of its elected members and shall determine any dispute as to the eligibility of a candidate or as to a person's entitlement to vote at the election.

**Term of office**

16. (1) The term of office for a member of the senate elected under paragraph 2 of subsection 7 (1) of the Act shall be one year.

(2) The term of office for a member of the senate elected or appointed under paragraphs 3 to 5 of subsection 7 (1) of the Act shall be,

- (a) not more than three years, as determined by the by-laws of the senate; or
- (b) if a by-law referred to in clause (a) is not made, one year.

**Loss of eligibility**

17. (1) If, during a member's term of office, a member of the senate elected or appointed under paragraphs 2 to 5 of subsection 7 (1) of the Act ceases to be eligible for election or appointment to the senate under the same paragraph, the person thereby ceases to be a member of the senate.

(2) Despite subsection (1), if a student member of the senate graduates during their term of office, the student member may continue to sit as a member of the senate for the remainder of their term.

**Renewal of term**

18. (1) A member of the senate is eligible for re-election or reappointment.

(2) A person elected or appointed to the senate may not be a member of the senate for more than two consecutive terms, but is eligible for reappointment or re-election after one year's absence from the senate.

**Vacancies**

19. (1) A vacancy on the senate occurs if,

- (a) a member resigns or ceases to be eligible for appointment or election to the senate before the end of the member's term;
  - (b) a member is incapable of continuing to act as a member and the senate by resolution declares the membership to be vacated; or
  - (c) such circumstances as may be specified in a by-law of the senate exist.
- (2) If a vacancy occurs on the senate, the senate shall,
- (a) determine, in accordance with its by-laws, whether or not to fill the vacancy; and
  - (b) if the vacancy is to be filled, fill the vacancy within the time period, and according to the procedures, provided in its by-laws.
- (3) The person who fills a vacancy under subsection (2) shall hold office for the remainder of the term of the member the person is replacing.
- (4) If the person who fills a vacancy on the senate under subsection (2) is reappointed or re-elected upon the expiry of their term, the person is subsequently eligible for further reappointment or re-election only after one year's absence from the senate.

**Quorum**

**20.** A quorum of the senate consists of a majority of the members of the senate.

**Powers of senate**

**21.** The senate has, subject to the approval of the board with respect to the expenditure of funds, the power to determine and regulate the educational policy of the University and, without limiting the generality of the foregoing, has the power,

- (a) to make recommendations to the board with respect to the establishment, change or termination of programs and courses of study, schools, faculties, divisions and portfolios;
- (b) to make recommendations to the board or the president of the University on the allocation or use of University resources for academic purposes;
- (c) to advise the president of the University on staffing needs for academic purposes;
- (d) to appoint the associate deans of academic portfolios and the heads of academic divisions, as may be required from time to time;
- (e) to determine the curricula of all programs and courses of study, the standards of admission to the University and continued registration therein and the qualifications for degrees, honorary degrees, certificates and diplomas of the University;
- (f) to oversee the accreditation of programs and courses of study;
- (g) to conduct examinations, appoint examiners and decide all matters relating thereto;
- (h) to hear and determine appeals from the decisions of the faculty councils on examinations and on applications for admission;
- (i) to award fellowships, scholarships, bursaries, medals, prizes and other marks of academic achievement;
- (j) to authorize the chancellor, the vice-chancellor or such other person as may be determined by the senate to confer degrees, honorary degrees, certificates and diplomas on behalf of the University;
- (k) to create councils and committees to exercise its powers; and
- (l) to make by-laws regulating its proceedings and generally for the conduct and management of its activities, including in respect of any matters referred to in this Regulation as being set out in the senate's by-laws.

**CHANCELLOR****Chancellor**

- 22.** (1) The board may, in its discretion, decide to appoint a chancellor of the University.
- (2) If the board decides to appoint a chancellor, it shall establish an appointment committee to make recommendations to the board as to the person to be appointed chancellor.
- (3) The appointment committee shall be composed of such members of the board and senate as may be determined by the by-laws of the board.
- (4) The board shall take into consideration the recommendation of the appointment committee when appointing a chancellor.

- (5) The chancellor shall hold office for four years.
- (6) The chancellor may be reappointed for a further term but shall not hold office for more than two consecutive terms.
- (7) If a chancellor is appointed under subsection (1), the president shall be the vice-chancellor of the University.
- (8) The chancellor is the titular head of the University and, when authorized by the senate to do so, shall confer all degrees, honorary degrees, certificates and diplomas on behalf of the University.
- (9) The board may set out additional duties of the chancellor in the by-laws of the board.

#### TRANSITIONAL MATTERS

##### First board and senate

**23.** The first board and the first senate of the University shall, no later than 30 days after the Act comes into force, make by-laws of the board and senate respectively.

##### Student credits and marks

**24.** The University shall grant to all of its students and to all former students of the Northern Ontario School of Medicine full recognition for all credits and marks awarded by the Northern Ontario School of Medicine before the day this section came into force, whether the credits and marks were awarded directly by the Northern Ontario School of Medicine or in affiliation with Laurentian University of Sudbury or Lakehead University.

##### Property, obligations, contracts, etc

**25.** On the day this section comes into force, all property of the Northern Ontario School of Medicine is vested in the University and the obligations and liabilities of the Northern Ontario School of Medicine together with the benefits and burdens of all its contracts, collective agreements and covenants are assumed by the University.

##### Graduating students

- 26.** (1) In this section,
- “graduating student” means a person who, on the day before this Regulation came into force, was enrolled as a learner at the Northern Ontario School of Medicine in a program leading to a degree to be conferred by Lakehead University or Laurentian University of Sudbury, and whose standing in the program was consistent with the conferral of the degree on or before June 30, 2022.
- (2) Despite anything in the Act or this Regulation, and subject to subsection (3), the academic arrangements in place on the day before this Regulation came into force for the completion of a program of study by a graduating student shall continue to be observed by the University, Lakehead University and Laurentian University of Sudbury and, for greater certainty,
- (a) the senates of Lakehead University and Laurentian University of Sudbury shall continue to oversee and govern the academic policy and requirements of the degree programs for graduating students; and
  - (b) Lakehead University and Laurentian University of Sudbury may grant degrees to the graduating students in accordance with those universities’ respective governing statutes.
- (3) The academic arrangements referred to in subsection (2) may be varied by agreement between the University and Lakehead University or Laurentian University of Sudbury, as the case may be, and such agreement may relate to all graduating students or to one or more particular graduating students.
- (4) The University, Lakehead University, and Laurentian University of Sudbury shall, upon request, provide to each other such information, including personal information, about students that in the opinion of any of them would facilitate the carrying out of their respective functions in respect of graduating students.

#### COMMENCEMENT

##### Commencement

**27.** This Regulation comes into force on the later of the day subsection 18 (1) of Schedule 16 (*Northern Ontario School of Medicine University Act, 2021*) to the *Supporting Recovery and Competitiveness Act, 2021* comes into force and the day this Regulation is filed.

12/22

**RÈGLEMENT DE L'ONTARIO 152/22**

pris en vertu de la

**LOI DE 2021 SUR L'UNIVERSITÉ DE L'ÉCOLE DE MÉDECINE DU NORD DE L'ONTARIO**

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## MISSION ET AUTRES

**Mission générale**

1. L'Université a pour mission générale de faire ce qui suit :

- a) fournir des programmes de formation médicale de premier cycle et de cycles supérieurs ainsi que d'autres programmes et, ce faisant, offrir un apprentissage, un enseignement, de la recherche et un professionnalisme de qualité supérieure;
- b) façonner les services offerts par les professionnels médicaux et paramédicaux d'une manière qui améliore leur adaptation aux besoins distincts des collectivités rurales, éloignées, autochtones et francophones;
- c) contribuer à l'avancement des soins de santé dans le Nord de l'Ontario en sensibilisant les étudiants aux possibilités de parcours scolaires et professionnels de qualité dans cette région.



**Mission particulière**

2. L'Université a pour mission particulière d'offrir des programmes novateurs et adaptés aux besoins de chaque étudiant et aux besoins uniques en matière de soins de santé des populations du Nord de l'Ontario et d'autres régions du Nord du Canada, notamment les collectivités rurales, éloignées, autochtones et francophones.

**Grades, etc.**

3. L'Université peut décerner les grades suivants :

1. Doctorat en médecine.
2. Maîtrise en études médicales.

**CONSEIL D'ADMINISTRATION****Règlement électoral, etc.**

4. Le conseil établit ce qui suit, par règlement administratif :

- a) les modalités d'élection ou de nomination au conseil des membres visés aux dispositions 4 à 7 du paragraphe 6 (1) de la Loi;
- b) les conditions que doivent remplir les membres visés aux dispositions 4 à 7 du paragraphe 6 (1) de la Loi pour pouvoir être élus ou nommés au conseil;
- c) le nombre de personnes, d'au moins six, à nommer en application de la disposition 7 du paragraphe 6 (1) de la Loi.

**Durée du mandat**

5. (1) La durée du mandat d'un membre du conseil qui est nommé par le lieutenant-gouverneur en conseil est celle précisée dans la nomination. La nomination peut être pour un mandat fixe ou à titre amovible, mais dans les deux cas, le mandat ne doit pas dépasser trois ans.

(2) Le mandat d'un membre du conseil visé à la disposition 4, 6 ou 7 du paragraphe 6 (1) de la Loi est d'une durée maximale de trois ans, selon ce que prévoient les règlements administratifs du conseil.

(3) Le mandat de l'étudiant qui est membre du conseil est d'une durée d'un an.

**Perte d'éligibilité ou d'admissibilité**

6. (1) Le membre élu ou nommé en application des dispositions 4 à 7 du paragraphe 6 (1) de la Loi qui, au cours de son mandat, cesse de remplir les conditions requises pour être élu ou nommé au conseil en application de la même disposition cesse en conséquence d'en être membre.

(2) Malgré le paragraphe (1), l'étudiant qui est membre du conseil et qui obtient son diplôme en cours de mandat peut continuer de siéger au conseil pour la durée restante de son mandat.

**Reconduction du mandat**

7. (1) Tout membre du conseil peut être nommé ou élu de nouveau.

(2) Sous réserve du paragraphe (3), une personne élue ou nommée au conseil en application des dispositions 3 à 7 du paragraphe 6 (1) de la Loi ne peut pas en être membre pendant plus de six années consécutives. Il est toutefois possible d'y être nommé ou élu de nouveau après une absence d'un an.

(3) Le conseil peut décider, par résolution, qu'un membre peut en être membre pendant plus de six années consécutives s'il fait fonction de président du conseil.

**Vacances**

8. (1) Les faits suivants créent une vacance au sein du conseil :

- a) avant la fin de son mandat, un membre démissionne ou cesse de remplir les conditions requises pour pouvoir être élu ou nommé au conseil;
- b) la nomination d'un membre qui a été nommé par le lieutenant-gouverneur en conseil a été révoquée par ce dernier;
- c) un membre est dans l'incapacité de continuer à occuper sa charge et le conseil déclare celle-ci vacante, par résolution;
- d) le conseil déclare vacante, par résolution, la charge du titulaire qui omet d'assister à un nombre suffisant de réunions, selon ce que prévoient ses règlements administratifs.

(2) Si une vacance, autre qu'une vacance parmi les membres nommés par le lieutenant-gouverneur en conseil, survient au sein du conseil, celui-ci fait ce qui suit :

- a) il décide, conformément à ses règlements administratifs, s'il convient de la combler ou non;
- b) s'il faut la combler :



- (i) il la comble dans le délai prévu dans ses règlements administratifs,
- (ii) il nomme ou élit le nouveau membre conformément aux modalités suivies pour la nomination ou l'élection de celui qu'il remplace.

(3) La personne qui comble une vacance en application du paragraphe (2) occupe sa charge pour la durée restante du mandat du membre qu'elle remplace, et cette période doit entrer dans le calcul visant à déterminer, pour l'application du paragraphe 7 (2), si la personne a été membre du conseil pendant plus de six années consécutives.

(4) Si une vacance survient au sein du conseil parmi les membres nommés par le lieutenant-gouverneur en conseil, ce dernier nomme un nouveau membre pour combler la vacance. Il est entendu que le paragraphe 5 (1) s'applique à la nomination.

#### **Quorum**

9. Lors des réunions du conseil, le quorum est atteint si, à la fois :

- a) la majorité des membres actuels du conseil sont présents;
- b) la majorité des membres présents sont des membres visés aux dispositions 2, 3 et 7 du paragraphe 6 (1) de la Loi.

#### **Présidence et vice-présidence**

10. (1) Le conseil élit chaque année un président et au moins un vice-président parmi ses membres qui ne sont pas des étudiants, des membres du corps professoral ou des employés non enseignants de l'Université, et comble toute vacance de l'une ou l'autre charge parmi ce groupe de membres.

(2) Le président dirige les réunions du conseil; en cas d'empêchement de sa part ou de vacance de sa charge, un vice-président assure l'intérim. En cas d'empêchement du président et du vice-président, le conseil peut nommer un remplaçant temporaire parmi les membres qui ne sont pas des étudiants, des membres du corps professoral ou des employés non enseignants de l'Université.

#### **Pouvoirs et fonctions du conseil**

11. (1) Sauf en ce qui concerne les questions relevant expressément du sénat comme le prévoit l'article 21, le conseil est chargé d'administrer et de gérer les affaires de l'Université et il a les pouvoirs nécessaires à cette fin, notamment les pouvoirs suivants :

- a) définir la mission, la vision et les valeurs de l'Université d'une manière compatible avec la mission générale et la mission particulière de l'Université;
- b) nommer et destituer le chancelier;
- c) nommer et destituer le président;
- d) nommer, promouvoir, suspendre et destituer les membres du corps professoral et les employés non enseignants de l'Université, sous réserve du paragraphe (2);
- e) fixer le nombre des membres du corps professoral et des employés non enseignants de l'Université, ainsi que leurs fonctions, leur rémunération et leurs autres avantages;
- f) constituer des comités et leur attribuer ou leur déléguer les fonctions et les responsabilités prévues dans les règlements administratifs adoptés par le conseil, y compris les autoriser à agir au nom du conseil en ce qui concerne les questions précisées dans les règlements administratifs;
- g) approuver le budget annuel de l'Université et surveiller son exécution;
- h) fixer et percevoir des frais de scolarité et des frais pour les autres services qu'offre l'Université ou qu'approuve le conseil au nom d'une organisation ou d'un groupe de l'Université;
- i) réglementer la conduite des étudiants, des membres du corps professoral, des employés non enseignants et de toutes les personnes qui se servent des biens de l'Université, y compris interdire l'accès de ces biens à qui que ce soit;
- j) déterminer quelle entité au sein de l'Université a compétence sur une question;
- k) adopter des règlements administratifs pour régir la conduite de ses délibérations et traiter, de façon générale, de la conduite et de la gestion de ses activités, y compris à l'égard des questions que le présent règlement mentionne comme étant énoncées dans les règlements administratifs du conseil.

(2) Le conseil ne doit pas nommer, promouvoir, suspendre ou destituer un membre du corps professoral ou un employé non enseignant de l'Université sauf sur recommandation du président de l'Université, lequel est assujéti aux conditions des engagements et des pratiques applicables de celle-ci.

**Rémunération**

12. Les membres du conseil ne reçoivent pas de rémunération, mais ont droit au remboursement des dépenses raisonnables qui sont attribuables à l'exercice de leurs fonctions.

**Conflits d'intérêts**

13. (1) Le membre du conseil ou d'un de ses comités qui, relativement à une question qui concerne l'Université, est en situation de conflit d'intérêts au sens de la définition donnée à ce terme dans les règlements administratifs du conseil ou des politiques qu'il adopte en la matière doit, à la fois :

- a) déclarer son intérêt dès que possible, mais au plus tard à la première réunion à laquelle la question doit être étudiée;
- b) si les règlements administratifs ou les politiques du conseil l'exigent, se retirer de la réunion pendant les délibérations portant sur cette question et ne pas voter sur celle-ci.

(2) Malgré le paragraphe (1), le membre du conseil qui est également un membre du corps professoral ou un employé non enseignant de l'Université peut prendre part à la discussion et au vote sur les questions concernant les conditions générales d'emploi des employés de l'Université, à moins que les délibérations portent sur sa propre situation en tant que question distincte qui ne touche pas les autres employés.

(3) Malgré le paragraphe (1), le membre du conseil qui est également un étudiant de l'Université peut prendre part à la discussion et au vote sur les questions concernant les étudiants en général, à moins que les délibérations portent sur sa propre situation en tant que question distincte qui ne touche pas les autres étudiants.

**SÉNAT****Règlement électoral, etc.**

14. Le sénat établit ce qui suit, par règlement administratif :

- a) les modalités d'élection ou de nomination au sénat des membres visés aux dispositions 2 à 5 du paragraphe 7 (1) de la Loi;
- b) les conditions que doivent remplir les membres visés aux dispositions 2 à 5 du paragraphe 7 (1) de la Loi pour pouvoir être élus ou nommés au sénat;
- c) le nombre de personnes à élire ou à nommer au sénat en application des dispositions 2, 3 et 5 du paragraphe 7 (1) de la Loi;
- d) le corps électoral de chacun des groupes visés aux dispositions 2 et 3 du paragraphe 7 (1) de la Loi.

**Élection du sénat**

15. Le sénat procède à l'élection de ses membres élus et tranche tout différend quant à l'éligibilité d'un candidat ou au droit de vote de quiconque.

**Durée du mandat**

16. (1) Le mandat d'un membre élu au sénat en application de la disposition 2 du paragraphe 7 (1) de la Loi est d'une durée d'un an.

(2) Le mandat d'un membre élu ou nommé au sénat en application des dispositions 3 à 5 du paragraphe 7 (1) de la Loi est, selon le cas :

- a) d'une durée maximale de trois ans, selon ce que prévoient les règlements administratifs du sénat;
- b) d'une durée d'un an, s'il n'est pas adopté de règlement administratif visé à l'alinéa a).

**Perte d'éligibilité ou d'admissibilité**

17. (1) Le membre élu ou nommé en application des dispositions 2 à 5 du paragraphe 7 (1) de la Loi qui, au cours de son mandat, cesse de remplir les conditions requises pour pouvoir être élu ou nommé au sénat en application de la même disposition cesse en conséquence d'en être membre.

(2) Malgré le paragraphe (1), l'étudiant qui est membre du sénat et qui obtient son diplôme en cours de mandat peut continuer de siéger au sénat pour la durée restante de son mandat.

**Reconduction de mandat**

18. (1) Tout membre du sénat peut être nommé ou élu de nouveau.

(2) Une personne élue ou nommée au sénat ne peut pas en être membre pendant plus de deux mandats consécutifs. Il est toutefois possible d'y être nommé ou élu de nouveau après une absence d'un an.

**Vacances**

19. (1) Les faits suivants créent une vacance au sein du sénat :

- a) avant la fin de son mandat, un membre démissionne ou cesse de remplir les conditions requises pour pouvoir être élu ou nommé au sénat;
  - b) un membre est dans l'incapacité de continuer à occuper sa charge et le sénat déclare celle-ci vacante, par résolution;
  - c) les circonstances prévues par règlement administratif du sénat se produisent.
- (2) Si une vacance survient au sein du sénat, celui-ci fait ce qui suit :
- a) il décide, conformément à ses règlements administratifs, s'il convient de la combler ou non;
  - b) s'il faut la combler, il la comble dans le délai et conformément aux modalités prévues dans ses règlements administratifs.
- (3) La personne qui comble une vacance en application du paragraphe (2) occupe sa charge pour la durée restante du mandat du membre qu'elle remplace.
- (4) La personne qui comble une vacance au sénat en application du paragraphe (2) et qui est de nouveau élue ou nommée après avoir terminé son mandat ne peut y être nommée ou élue par la suite qu'après une absence d'un an.

#### **Quorum**

20. Le quorum du sénat se compose de la majorité de ses membres.

#### **Pouvoirs du sénat**

21. Le sénat a, sous réserve de l'approbation du conseil, en ce qui concerne les dépenses, le pouvoir de définir et de réglementer la politique de l'Université en matière d'enseignement et notamment :

- a) de faire des recommandations au conseil à l'égard de la création, de la modification ou de la suppression de programmes, de cours, d'écoles, de facultés, de divisions et de domaines;
- b) de faire des recommandations au conseil ou au président de l'Université quant à l'affectation ou à l'utilisation des ressources de l'Université aux fins des études;
- c) de conseiller le président de l'Université sur les besoins en personnel aux fins des études;
- d) de nommer le doyen associé de chaque domaine universitaire et les responsables des divisions universitaires, selon les besoins;
- e) de définir le contenu de tous les programmes et cours, les normes d'admission et de maintien de l'inscription à l'Université ainsi que les conditions d'obtention des grades, grades honorifiques, certificats et diplômes;
- f) de superviser l'agrément des programmes et des cours;
- g) de tenir des examens, de nommer des examinateurs et de décider des questions connexes;
- h) d'entendre et de trancher les appels des décisions des conseils de faculté portant sur les examens et sur les demandes d'admission;
- i) d'attribuer des distinctions au mérite, notamment des bourses de recherche, des bourses d'études, des bourses d'entretien, des médailles et des prix;
- j) d'autoriser le chancelier, le vice-chancelier ou l'autre personne désignée par le sénat à remettre des grades, des grades honorifiques, des diplômes et des certificats au nom de l'Université;
- k) de créer des conseils et des comités pour exercer ses pouvoirs;
- l) d'adopter des règlements administratifs pour régir la conduite de ses délibérations et traiter, de façon générale, de la conduite et de la gestion de ses activités, y compris à l'égard des questions mentionnées au présent règlement comme étant énoncées dans les règlements administratifs du conseil.

#### CHANCELIER

#### **Chancelier**

22. (1) Le conseil peut, à sa discrétion, décider de nommer un chancelier de l'Université.
- (2) S'il décide de nommer un chancelier, le conseil crée un comité des candidatures chargé de faire des recommandations quant à la personne à nommer.
- (3) Le comité des candidatures est composé de membres du conseil et du sénat précisés par règlement administratif du conseil.
- (4) Le conseil tient compte des recommandations du comité des candidatures lorsqu'il nomme le chancelier.
- (5) Le mandat du chancelier est de quatre ans.

(6) Le chancelier peut être nommé de nouveau, mais il ne doit pas occuper sa charge pendant plus de deux mandats consécutifs.

(7) Si un chancelier est nommé en vertu du paragraphe (1), le président est le vice-chancelier de l'Université.

(8) Le chancelier est le chef en titre de l'Université et, si le sénat l'y autorise, il remet tous les grades, grades honorifiques, certificats et diplômes au nom de celle-ci.

(9) Le conseil peut préciser, par règlement administratif, les autres fonctions du chancelier.

#### QUESTIONS TRANSITOIRES

##### Premier conseil et premier sénat

**23.** Au plus tard 30 jours après l'entrée en vigueur de la Loi, le premier conseil et le premier sénat de l'Université adoptent respectivement les règlements administratifs du conseil et du sénat.

##### Crédits et notes des étudiants

**24.** L'Université reconnaît sans restriction les crédits et les notes que l'École de médecine du Nord de l'Ontario a attribués à ses étudiants et anciens étudiants avant le jour de l'entrée en vigueur du présent article, que ce soit directement ou en affiliation avec l'Université Laurentienne de Sudbury ou Lakehead University.

##### Biens, obligations, contrats et autres

**25.** Le jour de l'entrée en vigueur du présent article, tous les biens de l'École de médecine du Nord de l'Ontario sont dévolus à l'Université et celle-ci assume les obligations et les dettes de l'École de médecine du Nord de l'Ontario, ainsi que les profits et charges de tous ses contrats, conventions collectives et engagements.

##### Finissants

**26.** (1) La définition qui suit s'applique au présent article.

«finissant» S'entend d'une personne qui, la veille de l'entrée en vigueur du présent règlement, était inscrite en tant qu'étudiant à l'École de médecine du Nord de l'Ontario dans un programme menant à l'obtention d'un grade qui sera décerné par Lakehead University ou l'Université Laurentienne de Sudbury, et dont la progression dans le programme était conforme à la remise du grade au plus tard le 30 juin 2022.

(2) Malgré toute disposition de la Loi ou du présent règlement, et sous réserve du paragraphe (3), les arrangements universitaires en place la veille de l'entrée en vigueur du présent règlement concernant la réussite d'un programme d'études par un finissant continuent d'être respectés par l'Université, Lakehead University et l'Université Laurentienne de Sudbury. Il est de plus entendu que :

- a) le sénat de Lakehead University et celui de l'Université Laurentienne de Sudbury continuent de superviser et de régir la politique universitaire et les exigences des programmes menant à l'obtention d'un grade pour les finissants;
- b) Lakehead University et l'Université Laurentienne de Sudbury peuvent décerner des grades aux finissants conformément aux lois régissant ces universités.

(3) Les arrangements universitaires visés au paragraphe (2) peuvent être modifiés par un accord entre l'Université et Lakehead University ou l'Université Laurentienne de Sudbury, selon le cas, et cet accord peut concerner tous les finissants ou un ou plusieurs finissants particuliers.

(4) L'Université, Lakehead University et l'Université Laurentienne de Sudbury fournissent les unes aux autres, sur demande, les renseignements concernant les étudiants, y compris des renseignements personnels, qui de l'avis de l'une d'elles faciliteraient l'exercice de leurs fonctions respectives à l'égard des finissants.

#### ENTRÉE EN VIGUEUR

##### Entrée en vigueur

**27.** Le présent règlement entre en vigueur le dernier en date du jour de l'entrée en vigueur du paragraphe 18 (1) de l'annexe 16 [de la Loi de 2021 sur l'Université de l'École de médecine du Nord de l'Ontario] de la Loi de 2021 sur le soutien à la relance et à la compétitivité et du jour du dépôt du présent règlement.

12/22

**ONTARIO REGULATION 153/22**  
made under the  
**UNIVERSITÉ DE HEARST ACT, 2021**

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**GENERAL**

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OBJECTS, ETC.

**Objects**

1. The objects of the University are,
  - (a) to give the student community a central place in university life;
  - (b) to foster the pursuit of learning through scholarship, teaching and research within a spirit of free inquiry and expression;
  - (c) to provide French-language undergraduate and graduate university programs that are innovative and engaging; that respond to the needs of students, the community and employers; and that advance the values of pluralism and inclusiveness; and

- (d) to support governance by and for the French-speaking community by conducting the affairs of the University in French.

**Special mission**

2. It is the special mission of the University to offer a range of university degrees and education in French in order to promote the linguistic, cultural, economic and social well-being of its student population and of French-speaking communities in Ontario and elsewhere.

**Official language**

3. (1) All members of the board and senate of the University must be proficient in French, and the board and senate shall conduct their affairs in French.

(2) In exercising their powers and discharging their duties under the Act, the board and senate shall ensure that the university's services are provided in French, except in the provision of a course or other academic service where the nature of the course or service requires the use of another language for its effective provision.

**Degrees**

4. The University may confer the following degrees:

1. Bachelor of Arts in Management.
2. Bachelor of Arts in Interdisciplinary Studies.
3. Bachelor of Arts in Psychology.
4. Bachelor of Business Administration.

BOARD OF GOVERNORS

**By-laws respecting elections, etc.**

5. The board shall by by-law determine,

- (a) the procedures to be followed in the election of members referred to in paragraphs 4, 5 and 6 of subsection 6 (1) of the Act; and
- (b) the eligibility requirements for the election or appointment to the board of members referred to in paragraphs 3, 4, 5, 6 and 8 of subsection 6 (1) of the Act.

**Term of office**

6. (1) The term of office for a member of the board who is appointed by the Lieutenant Governor in Council shall be three years.

(2) The term of office for a member of the board referred to in paragraph 3, 4, 6 or 8 of subsection 6 (1) of the Act shall be not more than three years, as determined by the by-laws of the board.

(3) The term of office for a member of the board referred to in paragraph 5 of subsection 6 (1) of the Act shall be one year.

**Loss of eligibility**

7. (1) If, during a member's term of office, a member of the board elected or appointed under paragraph 3, 4, 5, 6 or 8 of subsection 6 (1) of the Act ceases to be eligible for election or appointment to the board under the same paragraph, the person thereby ceases to be a member of the board.

(2) Despite subsection (1), if a student member of the board graduates during their term of office, the student member may continue to sit as a member of the board for the remainder of their term.

**Renewal of term**

8. (1) Subject to subsection (2), a member of the board is eligible for reappointment or re-election.

(2) The following rules apply with respect to appointments or elections to the board:

1. A person elected or appointed to the board under paragraph 3, 4, 5, 6 or 8 of subsection 6 (1) of the Act may not be a member of the board for more than six consecutive years, but is eligible for reappointment or re-election after one year's absence from the board.
2. Despite paragraph 1, a member of the board may be appointed as president or chancellor of the University or as an appointee of the president regardless of whether, as a result of such appointment, they will exceed six years of service on the board.
3. A member who has served on the board in the capacity of chancellor of the University, president of the University or as an appointee of the president is not eligible for subsequent appointment or election to the board.

**Vacancies**

- 9.** (1) A vacancy on the board occurs if,
- (a) a member resigns or ceases to be eligible for appointment or election to the board before the end of the member's term;
  - (b) the appointment of a member who was appointed by the Lieutenant Governor in Council has been revoked by the Lieutenant Governor in Council;
  - (c) a member is incapable of continuing to act as a member and the board by resolution declares the membership to be vacated; or
  - (d) the board by resolution declares a membership to be vacated for failure to attend sufficient meetings, as provided in the by-laws of the board.
- (2) If a vacancy occurs on the board, other than a vacancy among the members appointed by the Lieutenant Governor in Council, the board shall,
- (a) determine, in accordance with its by-laws, whether or not to fill the vacancy; and
  - (b) if the vacancy is to be filled,
    - (i) fill the vacancy within such time period as may be specified in its by-laws, and
    - (ii) appoint or elect the new member in accordance with the same procedures as applied to the appointment or election of the member being replaced.
- (3) The person who fills a vacancy under subsection (2) shall hold office for the remainder of the term of the member the person is replacing, and that period of time shall be included in determining, for the purposes of paragraph 1 of subsection 8 (2), whether the person has been a member of the board for more than six consecutive years.
- (4) If a vacancy occurs on the board among the members appointed by the Lieutenant Governor in Council, the Lieutenant Governor in Council shall appoint a new member to fill the vacancy and, for greater certainty, subsection 6 (1) shall apply to the appointment.

**Quorum**

- 10.** At a meeting of the board, a quorum is constituted if,
- (a) a majority of the current members of the board are present at the meeting; and
  - (b) a majority of members present at the meeting are members referred to in paragraphs 2, 7 and 8 of subsection 6 (1) of the Act.

**Chair, vice-chair**

- 11.** (1) The board shall elect annually a chair and at least one vice-chair from among its members who are not students or employees of the University, and shall fill any vacancy in the office of chair or vice-chair from among such members.
- (2) The chair shall preside over the meetings of the board, and if the chair is unable to act or if the position is vacant, a vice-chair shall act in place of the chair and, if both the chair and vice-chair are unable to act, the board may appoint a member who is not a student or employee of the University to act temporarily in their place.

**Powers and duties of the board**

- 12.** (1) Except for matters specifically assigned to the senate under section 21, the board is responsible for governing and managing the affairs of the University and has the necessary powers to do so, including the power,
- (a) to determine the mission, vision and values of the University in a manner that is consistent with the objects and special mission of the University;
  - (b) to appoint and remove a chancellor;
  - (c) to appoint and remove the president;
  - (d) to establish faculties, schools, institutes and departments and appoint the heads thereof, subject to subsection (2);
  - (e) to appoint, promote, suspend and remove employees of the University, subject to subsection (2);
  - (f) to fix the number, duties and salaries and other benefits of the employees of the University;
  - (g) to appoint committees and assign or delegate to them such duties and responsibilities as may be provided in the by-laws adopted by the board, including authorizing them to act on behalf of the board in the matters specified in the by-laws;
  - (h) to approve the annual budget of the University and to monitor its implementation;



- (i) to establish and collect fees and charges for tuition and other services that may be offered by the University or that may be approved by the board on behalf of any organization or group of the University;
  - (j) to regulate the conduct of students and employees of the University and all other persons who use the property of the University, including denying any person access to the property;
  - (k) to conclusively determine which body within the University has jurisdiction over any matter; and
  - (l) to make by-laws regulating its proceedings and generally for the conduct and management of its activities, including in respect of any matters referred to in this Regulation as being set out in the board's by-laws.
- (2) The board shall not exercise its powers under clause (1) (d) or (e) except on the recommendation of the senate or the president of the University, who shall both be governed by the terms of any applicable commitments and practices of the University.

**Conflict of interest**

13. (1) A member of the board or of a committee of the board who has a conflict of interest, as defined in the board's by-laws or in any conflict of interest policies that the board may adopt, with a matter in which the University is concerned shall,
- (a) declare the member's interest as soon as possible and no later than at the first meeting at which the matter is to be considered; and
  - (b) withdraw from the meeting during the discussion of the matter and not vote on the matter.
- (2) Despite subsection (1), a member of the board who is also an employee of the University may take part in discussing and voting on issues concerning general conditions of employment for University employees, unless the discussion and voting deals with the circumstances of the particular employee as an isolated issue, separate and apart from consideration of other employees.
- (3) Despite subsection (1), a member of the board who is also a student of the University may take part in discussing and voting on issues concerning students generally, unless the discussion and voting deals with the circumstances of the particular student as an isolated issue, separate and apart from consideration of other students.

SENATE

**By-laws respecting elections, etc.**

14. The senate shall by by-law determine,
- (a) the procedures to be followed and the eligibility requirements for the election or appointment to the senate of members referred to in paragraphs 2, 3, 4 and 6 of subsection 7 (1) of the Act;
  - (b) the number of persons to be elected or appointed to the senate under paragraphs 2 and 6 of subsection 7 (1) of the Act;
  - (c) the constituencies of students of the University to be used in the election of the members referred to in paragraph 2 of subsection 7 (1) of the Act; and
  - (d) any other limitations with respect to the re-election or reappointment of members.

**Senate election**

15. The senate shall conduct elections of its elected members and shall determine any dispute as to the eligibility of a candidate or as to a person's entitlement to vote at the election.

**Term of office**

16. The term of office for an elected or appointed member of the senate shall be,
- (a) not more than three years, as determined by the by-laws of the senate; or
  - (b) if a by-law referred to in clause (a) is not made, one year.

**Loss of eligibility**

17. (1) If, during a member's term of office, a member of the senate elected or appointed under paragraphs 2 to 6 of subsection 7 (1) of the Act ceases to be eligible for election or appointment to the senate under the same paragraph, the person thereby ceases to be a member of the senate.

(2) For greater certainty, if a student member of the senate ceases to be a student because they graduate during their term of office, that person ceases to be a member of the senate on the day of their graduation.

**Renewal of term**

18. (1) Subject to subsection (2), a member of the senate is eligible for re-election or reappointment.
- (2) The senate may, by by-law, establish any limitations with respect to the re-election or reappointment of a member of the senate.

**Vacancies**

- 19.** (1) A vacancy on the senate occurs if,
- (a) a member resigns or ceases to be eligible for appointment or election to the senate before the end of the member's term;
  - (b) a member is incapable of continuing to act as a member and the senate by resolution declares the membership to be vacated; or
  - (c) such circumstances as may be specified in a by-law of the senate exist.
- (2) If a vacancy occurs on the senate, the senate shall,
- (a) determine, in accordance with its by-laws, whether or not to fill the vacancy; and
  - (b) if the vacancy is to be filled, fill the vacancy within the time period, and according to the procedures, provided in its by-laws.
- (3) The person who fills a vacancy under subsection (2) shall hold office for the remainder of the term of the member the person is replacing.

**Quorum**

- 20.** At a meeting of the senate, a quorum is constituted if,
- (a) a majority of the current members of the senate are present at the meeting; and
  - (b) a majority of members present at the meeting are members referred to in paragraph 1 of subsection 7 (1) of the Act and members who are teaching staff appointed or elected under paragraph 3, 4 or 6 of subsection 7 (1) of the Act.

**Powers of the senate**

- 21.** The senate has, subject to the approval of the board with respect to the expenditure of funds, the power to determine and regulate the educational policy of the University and, without limiting the generality of the foregoing, has the power,
- (a) to make recommendations to the board with respect to the establishment, change or termination of programs and courses of study, schools, faculties, divisions and departments;
  - (b) to make recommendations to the board with respect to terms in affiliation or federation agreements that relate to academic matters;
  - (c) to advise the president of the University on the staffing needs of the academic departments;
  - (d) to determine the curricula of all programs and courses of study, the standards of admission to the University and continued registration therein and the qualifications for degrees, honorary degrees, certificates and diplomas of the University;
  - (e) to conduct examinations, appoint examiners and decide all matters relating thereto;
  - (f) to establish a committee to hear and determine all appeals from the decisions of the faculty councils on examinations and on applications for admission;
  - (g) to award fellowships, scholarships, bursaries, medals, prizes and other marks of academic achievement;
  - (h) to authorize the chancellor, the vice-chancellor or such other person as may be determined by the senate to confer degrees, honorary degrees, certificates and diplomas on behalf of the University;
  - (i) to create councils and committees to exercise its powers; and
  - (j) to make by-laws regulating its proceedings and generally for the conduct and management of its activities, including in respect of any matters referred to in this Regulation as being set out in the senate's by-laws.

CHANCELLOR

**Chancellor**

- 22.** (1) The board may, in its discretion, decide to appoint a chancellor of the University.
- (2) If the board decides to appoint a chancellor, it shall establish an appointment committee to make recommendations to the board as to the person to be appointed chancellor.
- (3) The appointment committee shall be composed of such members of the board and senate as may be determined by the by-laws of the board.
- (4) The board shall take into consideration the recommendation of the appointment committee when appointing a chancellor.