

BYLAW #17
RECRUITMENT OF THE PRESIDENT

Approved: October 25, 2007
Amended: March 25, 2010

A. General:

The British Columbia *University Act* (the Act) empowers the Board of Governors to appoint a president as Vice-Chancellor and the chief executive officer to supervise and direct, subject to the bylaws and in accordance with the policies and procedures established by the Board, the instructional, administrative, and other staff of the institution, and exercise powers and perform duties assigned to the president by the Board. Procedures for the recommendation and selection of candidates for president will be approved by Senate, consistent with Section 27.2 (f) of the Act.

B. Term of Office:

The term of office of the President shall normally be for a period of five years, renewable for an additional term of up to five years. An individual would not normally serve for more than two consecutive terms, but may be invited to do so.

C. Recruitment of a New President:

Approximately 18 months prior to the expiration of the President's term of office, or at any time a vacancy is to be filled, a presidential search process shall be undertaken. The search process includes the establishment of the Presidential Search Steering Committee (PSSC), the Presidential Search Advisory Committee (PSAC), and the Presidential Search Hiring Committee (PSHC). The Board Chair shall serve as Chair of all three committees. The University Secretary, or a person approved by PSSC, shall be the Secretary for all committees involved in the search process.

C.1 Presidential Search Steering Committee (PSSC)
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Membership:

Consistent with the Terms of Reference of the Board Selection, Performance, & Compensation Committee, the PSSC is comprised of the Board Chair, Vice-Chair, and immediate Past-Chair. One other Board member appointed to the Board by the Lieutenant Governor in Council may be invited to participate as a member of PSSC, as required.

Terms of Reference:

The Steering Committee, on behalf of the Board:

- (a) Implements the Presidential Search process;
- (b) Identifies initial search criteria and qualities desirable in a new President, based on where the institution is going in the next five to ten years, subject to Board approval (see also C.2 (c) and (d));
- (c) May interview and hire a Consultant (advises the Board for information).
- (d) Establishes the Presidential job description, subject to Board approval; and
- (e) Obtains pre-approval from the government (PSEA / PSEC) of a level of compensation that can be offered to the new president.

C.2 Presidential Search Advisory Committee (PSAC)

Membership:

The composition of the Presidential Search Advisory Committee shall be as follows:

Voting Members:

- (a) The Chair of the Board of Governors as Chair of the Committee.
- (b) The Vice-Chair of the Board of Governors as Vice-Chair of the Committee.
- (c) Two members of the Board of Governors from among those appointed to the Board by the Lieutenant Governor in Council, to be appointed to the Committee by the Board.
- (d) Two Vice-Presidents, appointed by the Executive Council.
- (e) Two Academic Deans, appointed by the Deans' and Directors' Council.
- (f) Two Directors, appointed by the Service Directors' Council.
- (g) The Vice-Chair of Senate
- (h) VIUFA Union President.
- (i) CUPE Union President.
- (j) BCGEU Union President.
- (k) Students' Union Representative, appointed by the Students' Union.
- (l) VIUFA faculty members, selected by the faculty, consistent with the Terms and Conditions of the Collective Agreement (copy attached).
- (m) BCGEU faculty member, selected by the Union, consistent with the Terms and Conditions of the Collective Agreement (copy attached).

Non-Voting Members:

- (a) University Secretary
- (b) Consultant

Note: PSAC membership is structured to have broad representation from the University community, and to be representative of the institution, at large, and not from specific program or decanal areas. However, gender balance, and a balanced representation from the diverse program groups within the institution is desirable and should be considered at the time the committee is constituted.

Terms of Reference:

- (a) The purpose of the Presidential Search Advisory Committee (PSAC) is to advise the Board on the number one ranked candidate.
- (b) Continuity and good attendance at meetings is necessary if PSAC is to make good progress in its task.
- (c) The first responsibility of the Committee shall be to solicit the views of representatives of all the constituencies (faculty, staff, and students) regarding criteria for the selection of candidates. The opportunity for input will also be extended to the external community via an ad in local newspapers. Requests for written submissions can be made to the Committee secretary. The search criteria and qualities desirable in a new President, approved by the Board, will also be taken into consideration.
- (d) The Committee shall then recommend criteria for the selection of candidates to the Board of Governors for approval, and the approved criteria shall be publicized.
- (e) The Committee, with the assistance of the consultant, shall establish the Position Profile. The Position Profile shall be publicized once finalized.
- (f) The Committee, with the assistance of the consultant, shall review and finalize the advertisement for the position, and determine placement of external advertisements.
- (g) The Committee, with the assistance of the consultant, shall establish an acceptable “long list” of candidates.
- (h) The Committee, with the assistance of the consultant, shall establish an acceptable “short list” of candidates.
- (i) The Committee, with the assistance of the consultant, shall establish the interview questions.
- (j) The Committee interviews the “short list” based on the established prioritized criteria for selection, approved by the Board.
- (k) All interviews will be held off-campus, and each member of PSAC is required to attend all interviews in order to participate in the ranking of candidates.

- (l) The Committee shall rank the acceptable short-listed candidates, and identify the number one ranked candidate. The Committee shall recommend to the Hiring Committee only one name at a time that includes a rationale/defence for the number one ranked candidate without revealing the name(s) of the other subsequently ranked candidate(s).
- (m) If the candidate is not accepted by the Hiring Committee, successive names, in the order of ranking from the short list, shall be proposed, one at a time, until a name is accepted.
- (n) It is not within the terms of reference of PSAC to consider salary and related concerns. These are matters that are dealt with directly between the Chair of the Board of Governors and the person being recommended to the Board of Governors.

C.3 Presidential Search Hiring Committee (PSHC)

Membership:

The Presidential Search Hiring Committee is comprised of the full voting membership of the Board of Governors.

Terms of Reference:

- (a) The Committee meets with PSAC and receives the recommendation for the number one ranked candidate that includes a rationale/defence for the number one ranked candidate that does not reveal the name(s) of the other subsequently ranked candidate(s).
- (b) The Committee meets with the recommended candidate prior to making a decision.
- (c) If the candidate is not accepted by the Hiring Committee, successive names, in the order of ranking from the short list, shall be proposed one at a time until a name is accepted.
- (d) The Committee selects and appoints the new President.
- (e) The Committee, through the Board Chair, makes a public announcement regarding the hiring of the new President.

D. Meetings / Confidentiality:

- (a) Committees are expected to operate in-camera, and on the basis of strictest confidentiality.
- (b) It is the obligation of all Committee members never to discuss outside of the Committee what has been said during a meeting, nor to divulge the confidences and opinions concerning potential candidates for the position, nor to reveal the names of these candidates.

- (c) Committee members must complete and sign an Oath of Confidentiality.
- (d) Committees shall attempt to make decisions by consensus.
- (e) Meetings of the Committees shall be at the call of the Board Chair and conducted in accordance with Policy 11.03.
- (f) Quorum shall be consistent with Policy 11.27 whereby a majority of the members of the Committee present constitute a quorum.
- (g) There shall be no provision for proxies, substitutes, or alternates.
- (h) In the event of a formal vote, there shall be no provision for abstentions from voting, and the Chair shall vote in accordance with Bylaw #12.

E. Communication:

Communication on the presidential search process will be consistent with Policy 11.13; whereby, all communication shall be approved by the Board Chair or his/her delegate and posted on the Presidential Search website.

The Presidential Search website shall be maintained by the University Secretary.

F. Compensation:

The Chair of the Board, in consultation with the Board's Selection, Performance & Compensation Committee, shall negotiate and conclude a contract with the candidate approved for appointment by the Board of Governors as President of the University in accordance with PSEC Guidelines.

Cross References:

- Bylaw #8 – Conflict of Interest
- Policy 11.25 – Standing Conflict of Interest for Board Members on Matters of Labour Relations
- Policy 21.06 – Conflict of Interest Related to Employees and Students
- Policy 43.07 – Interview Privileges for Existing Employees
- Policy 43.11 – Recruitment of Employees
- Policy 43.17 – Terms and Conditions of Employment of Administrative Staff
- Human Resources Hiring Guidelines
- FOIPOP Regulations

Contractual Language from VIUFA Collective Agreement Re Selection and Appointment of the President

6.4.2.3 Selection and appointment of the University President is the duty and responsibility of the University Board. It is recognized however that the President should be appointed only after wide consultation within (and perhaps outside) the University community. Therefore in order to assist the University Board in this task a Search Committee which shall include faculty representation shall be constituted. These faculty representatives shall be selected by the faculty.

6.4.2.4 Additional staff, student, or community representatives, up to a number equal to the number of Association members on the Search Committee for the President may also be invited by the Committee, as constituted in Article 6.4.2.2, to serve as voting members of the Committee.

6.4.2.5 It shall be the responsibility of the Search Committee to recommend a short list to the University Board or President for appointment to the office in respect to which it is struck.

Contractual Language from BCGEU Collective Agreement Re Selection and Appointment of the President

2.11 (b) Selection and appointment of the University President is the responsibility of the University Board. It is recognized, however, that the President should be appointed only after wide consultation within (and perhaps outside) the University community. Therefore, in order to assist the University Board in this task, a Search Committee, which will include BCGEU representation, will be constituted. This representative will be selected by the bargaining unit.

Contractual Language from CUPE Collective Agreement Re Selection and Appointment of the President

No specific language, but a CUPE representative would normally be part of the Search Committee. There is language that entitles CUPE to be paid (i.e., no wages lost) if they are appointed to sit on an employer struck committee.