

**APPENDIX X**  
**CONSTITUTION**  
**OF THE**  
**THEOLOGICAL COLLEGE OF THE CANADIAN REFORMED CHURCHES**

**Preamble**

WHEREAS in accordance with Holy Scripture and the Confession and Church Order of The Canadian Reformed Churches the Churches shall see to it that there are ministers of the Gospel;

AND WHEREAS to that end The Canadian Reformed Churches have established and together maintain an institution of higher learning in Theology for the training for the ministry, known as the Theological College of The Canadian Reformed Churches; AND WHEREAS it is desirable to repeal the Constitution and Bylaws of the said Theological College, dated June 8, A.D. 1971, and to substitute therefore the following Constitution;

NOW THEREFORE The Canadian Reformed Churches in General Synod assembled at Toronto, Ontario, in the year of our Lord 1974, do hereby declare and enact as follows:

**ARTICLE I**

**Definitions and Interpretation**

In this Constitution, and in all Regulations, Instructions, Bylaws and Rules passed pursuant to it:

- a. "Board of Governors" means the Board of Governors of the College, and "Governor" means a member of the Board of Governors;
- b. "Board of Trustees" means the Board of Trustees of the College, and "Trustee" means a member of the Board of Trustees;
- c. "Churches" means the federation of The Canadian Reformed Churches in General Synod assembled, "Church" or "one of the Churches" means one of the Churches of the said federation, and "all of the Churches" means all the Churches which together comprise the said federation;
- d. "College" means the Theological College of The Canadian Reformed Churches;
- e. "Faculty" means the teaching staff of the College, and includes the Principal, professors and lecturers, but does not include temporary instructors appointed by the Board of Governors to fill a vacancy in the Faculty between Synods;
- f. "Principal" means the Principal of the College;
- g. "property" means all property both real and personal;
- h. "Senate" means the Senate of the College;
- i. "Synod" means a General Synod of The Canadian Reformed Churches;
- j. words importing the singular number include the plural and vice versa; words importing the masculine gender include the feminine and neuter genders; and words importing persons include individuals, bodies corporate, partnerships, trusts and unincorporated associations.

**ARTICLE II**

**Establishment of the College**

The Churches maintain the College for the academic training of ministers of the Gospel. The College is situated in Hamilton, Ontario, and its location can only be changed by decision of Synod.

**ARTICLE III**

**Governing Bodies**

1. Except for such matters as are assigned by this Constitution and the Regulations

and Instructions passed pursuant to it to the Board of Trustees, the Senate and the Principal, the government, conduct, management and control of the College and of its affairs are vested in the Board of Governors.

2. Within the limits of their respective jurisdictions, the Board of Governors, the Board of Trustees, the Senate and the Principal shall, subject to the direction of Synod, do all things they consider necessary or advisable to advance the interests of the College.

#### ARTICLE IV

##### **Constitution of the Board of Governors**

1. The Board of Governors, composed of six persons, is hereby, continued.
2. Prior to each Synod, each regional synod is entitled to nominate three persons for membership on the Board of Governors and three alternates, all of whom are resident in the district of that regional synod, are not over seventy years of age and in the case of ministers, are still in active service at the time of their nomination. Synod may add to such nomination of its own motion and, if a regional synod fails to make such nomination, Synod shall nominate a sufficient number of persons. From the total number nominated Synod elect, appoints and instructs six persons as members of the Board of Governors and designates six alternates; provided however that an equal number of persons shall be appointed as Governors and alternates from each regional synod district. The alternates for each regional synod district shall be designated in the order in which they shall fill a vacancy in the Board of Governors.
3. Each member of the Board of Governors and each alternate must be a member in good standing of one of the Churches.
4. Members of the Board of Governors and alternates hold office until their successors are appointed by the next Synod, unless in the meantime they vacate or resign or are removed from their office or, in the case of ministers, retire from active service. Except in the last-mentioned case they are eligible for reappointment.
5. A vacancy occurs in the Board of Governors when a member thereof dies, resigns or is removed from his office or, in the case of a minister, retires from active service.
6. a. Alternates fill vacancies in the Board of Governors in the order designated by Synod.  
b. If there is no designated alternate to fill a vacancy, the regional synod of the district in which the original member resided may appoint a new member who shall be deemed to have been appointed and instructed by Synod.
7. If a Governor is unable to attend a meeting of the Board of Governors, he shall notify the Secretary of the Board of Governors and the designated alternate and the latter has the right to attend such meeting.
8. Upon taking office, each Governor and each alternate shall subscribe his name to a statement in the following terms:

##### **"DECLARATION OF GOVERNORS OF THE THEOLOGICAL COLLEGE OF THE CANADIAN REFORMED CHURCHES**

We, the undersigned, Governors and alternates of the Theological College of The Canadian Reformed Churches do hereby jointly and severally

- a. acknowledge that we are officers of, and responsible to The Canadian Reformed Churches in General Synod assembled;
- b. further acknowledge the right of each Synod to terminate our appointment;
- c. promise faithfully to carry out the duties imposed upon us by this Constitution and the Regulations, Instructions, Bylaws and Rules passed pursuant to it; and
- d. declare that any property we or any of us may hold on behalf of the College shall be held by us in trust for The Canadian Reformed Churches in General Synod assembled."

## ARTICLE V

### Termination of Membership on Board of Governors

1. When a Governor ceases to be a member of one of the Churches (except where he forthwith becomes a member of another Church) he shall:
  - a. give notice thereof in writing to the Board of Governors;
  - b. consider his appointment as Governor terminated; and
  - c. deliver up all books, correspondence, moneys and assets which he has obtained in his capacity as a Governor to the Board of Governors.
2. When a Governor ceases to be a member in good standing of one of the Churches, he shall:
  - a. suspend his duties as Governor as long as he is under censure by such Church; and
  - b. take the actions prescribed in clauses a. and c. of paragraph 1.
3. Upon receipt of a notice in writing as contemplated by paragraphs 1a and 2b, the Board of Governors shall forthwith consider what actions shall be taken to ensure the proper continuance of their work.
4. When the Board of Governors is notified in writing by one of the Churches that one of the Governors has broken with that Church, or that that Church has placed one of the Governors under censure, they shall forthwith declare the Governor to be suspended from his office and thereupon they shall take the actions prescribed in paragraph 3.

## ARTICLE VI

### Officers, Meetings and Actions of the Board of Governors

1. The Board of Governors shall annually elect from among themselves a President, a Secretary and a Vice-President to hold office for the ensuing year, provided that in default of such election the then incumbents, being Governors, shall hold office until their successors are elected. They are eligible for re-election.  
The Board of Governors may also from time to time elect or appoint such other officers as may be desirable who need not be Governors.
2. The Board of Governors shall hold an annual meeting, if possible and convenient at the College, and shall hold such other meetings as may be necessary or desirable. Meetings may be formally called by the Secretary with the concurrence of the President or of any other Governor. If two or more Governors so request in writing the Secretary shall call a meeting of the Board of Governors forthwith.
3. A majority of the Governors form a quorum for the transaction of business at all meetings.
4. The Board of Governors may exercise its duties and power at a meeting at which a quorum of Governors is present, or by Bylaw or resolution consented to by the signatures of at least three-quarters of the Governors then in office if constituting a quorum.
5. At the annual meeting, the Board of Governors shall deal with the following:
  - a. the election of officers;
  - b. the report of the Board of Trustees;
  - c. the report of the Senate;
  - d. the report of the visitors;
  - e. the report of the Librarian;
  - f. the report of the Registrar;
  - g. the visitors' schedule for the following year; and
  - h. such other matters as may be appropriate.

**ARTICLE VII**  
**Duties of the Board of Governors**

The Board of Governors have the following, among other, duties:

1. to serve Synod with advice on all matters pertaining to the College and to carry out the decisions and instructions of Synod on such matters;
2. to exercise supervision over the confession, doctrine and life of the Faculty including temporary instructors and over the instruction they give at the College in order that everything may be barred from their teaching which is not in accordance with Holy Scripture and the Confession and Church Order of the Churches;
3. a. to bar forthwith from the execution of his office a Faculty member whom the Board of Governors has found to be delinquent either in doctrine or in life, and thereupon to request the designated convening Church to cause Synod to be convened as soon as may be to judge the matter, and  
b. to discharge a temporary instructor in such a case;
4. to regulate in consultation with the Faculty the subjects in which each Faculty member is to give instruction within the general guidelines set by Synod;
5. to regulate in consultation with the Senate which subjects comprise the course of study;
6. to appoint visitors from among themselves from time to time to visit the lectures and examinations on a regular basis pursuant to an annual schedule drawn up by the Board of Governors, and to receive the written reports of the visitors.
7. to organize annually a College evening at the beginning of each academic year; and
8. to keep proper records of their meetings and to maintain all other records pertaining to their duties.

**ARTICLE VIII**  
**Powers of the Board of Governors**

The Board of Governors further have power,

1. to appoint a Registrar and a Librarian and such other officers as may be necessary or desirable, and to fix their duties, responsibilities and powers;
2. after consultation with the Senate, to appoint temporary instructors in cases of prolonged illness of Faculty members or to fill vacancies in the Faculty between Synods, to fix the duties, responsibilities and powers of such temporary instructors and to discharge them;
3. for good and sufficient reasons to grant a professor or lecturer honourable discharge before his normal retirement;
4. for good and sufficient reasons to grant a professor or lecturer a leave of absence, for such period or periods and upon such terms or conditions as may seem meet; and
5. to make Bylaws for the conduct of their meetings and affairs.

**ARTICLE IX**  
**Reports of the Board of Governors**

1. The Board of Governors shall prepare a report in writing addressed to the next Synod, summarizing their actions during the preceding years and shall send a sufficient number of copies thereof to each of the following:
  - a. the convening Church for the next Synod,
  - b. all of the Churches,
  - c. the Board of Trustees,
  - d. all of the Faculty, and
  - e. all professors and lecturers - emeriti in good standing, provided that the Board of Governors may delete from any such report any portion thereof which in their opinion ought not to be circulated before the next Synod has dealt with it.

2. The Board of Governors shall from time to time publish a brief resume of their meetings including resumes of the reports of the Senate and of the Librarian.

## ARTICLE X

### **Constitution of the Board of Trustees**

1. The Board of Trustees, composed of five persons, is hereby continued.
2. The Trustees are appointed and instructed by Synod.
3. Each Trustee must be a member in good standing of one of the Churches and not over seventy years of age at the time of his appointment.
4. The Trustees hold office until their successors are appointed by the next Synod, unless in the meantime they vacate or resign or are removed from their office. They are eligible for reappointment.
5. When a vacancy occurs in the Board of Trustees by reason of a Trustee having died, or having resigned or having been removed from his office,
  - a. the remaining Trustees shall appoint another person to fill the vacancy for the balance of the term of the Trustee whose office is vacated, but
  - b. if less than three Trustees remain in office, the remaining Trustees and the Board of Governors shall jointly appoint a sufficient number of persons to fill the vacancies, and
  - c. the new Trustees shall be deemed to have been appointed and instructed by Synod.
6. Upon taking office, each Trustee shall subscribe his name to a statement in the following terms:

#### **"DECLARATION OF TRUSTEES OF THE THEOLOGICAL COLLEGE OF THE CANADIAN REFORMED CHURCHES**

We, the undersigned, Trustees of the Theological College of The Canadian Reformed Churches do hereby jointly and severally

- a. acknowledge that we are officers of, and responsible to The Canadian Reformed Churches in General Synod assembled;
- b. further acknowledge the right of each Synod to terminate our appointment;
- c. promise faithfully to carry out the duties imposed upon us by this Constitution and the Regulations, Instructions, Bylaws and Rules passed pursuant to it; and
- d. declare that any property we or any of us may hold on behalf of the College shall be held by us in trust for The Canadian Reformed Churches in General Synod assembled."

## ARTICLE XI

### **Termination of membership on Board of Trustees**

1. When a Trustee ceases to be a member of one of the Churches (except where he forthwith becomes a member of another Church) he shall:
  - a. give notice thereof in writing to the Board of Trustees;
  - b. consider his appointment as Trustee terminated; and
  - c. deliver up all books, correspondence, moneys and assets which he has obtained in his capacity as Trustee to the Board of Trustees.
2. When a Trustee ceases to be a member in good standing of one of the Churches, he shall:
  - a. suspend his duties as Trustee as long as he is under censure by such Church; and
  - b. take the actions prescribed in clauses a. and c. of paragraph 1.
3. Upon receipt of a notice in writing as contemplated by paragraphs 1a. or 2b. the Board of Trustees shall forthwith consider what actions shall be taken to ensure the proper continuance of their work.
4. When the Board of Trustees is notified in writing by one of the Churches that one

of the Trustees has broken with that Church, or that that Church has placed one of the Trustees under censure, they shall forthwith declare the Trustee to be suspended from his office, take the actions prescribed in paragraph 3, and inform the Board of Governors of the matter.

## ARTICLE XII

### **Officers, Meetings and Actions of the Board of Trustees**

1. The Board of Trustees shall annually elect from among themselves a President, a Secretary, and a Treasurer to hold office for the ensuing year, provided that in default of such election the then incumbents, being Trustees, shall hold office until their successors are elected. They are eligible for re-election.  
The Board of Trustees may also from time to time elect or appoint such other officers as may be desirable who need not be Trustees.
2. The Treasurer is the treasurer of the College.
3. The Board of Trustees shall hold an annual meeting, if possible at the College, following the end of each fiscal year, and shall hold such other meetings as may be necessary or desirable. Meetings may be formally called by the Secretary with the concurrence of the President or of any other Trustee. If two or more Trustees so request in writing, the Secretary shall call a meeting of the Trustees forthwith.
4. A majority of the Trustees form a quorum for the transaction of business at all meetings.
5. The Board of Trustees may exercise its duties and powers at a meeting at which a quorum of Trustees is present, or by Bylaw or resolution consented to by the signatures of at least three-quarters of the Trustees then in office, if constituting a quorum.
6. At the annual meeting the following shall be dealt with:
  - a. the draft annual report of the Board of Trustees;
  - b. the auditor's report;
  - c. the election of officers; and
  - d. such other matters as may be appropriate

## ARTICLE XIII

### **Duties of the Board of Trustees**

The Board of Trustees have the following, among other, duties:

1. to serve Synod and the Board of Governors with advice on matters of a financial or business nature and to carry out decisions of Synod, of the Board of Governors and of joint meetings of the Board of Governors and the Board of Trustees on such matters;
2. to receive all moneys for and on behalf of the College and to make all proper disbursements;
3. to invest all moneys not immediately required for College purposes in securities authorized by law as trust investments;
4. to inform all of the Churches from time to time of the financial needs of the College and to ensure as much as possible that all of the Churches carry out their financial obligations to the College in accordance with decisions of Synods, of the Board of Governors and of the Board of Trustees;
5. to properly administer the funds, moneys and other property and assets of the College entrusted to the Board of Trustees;
6. to keep proper records of their meetings and to maintain all other records pertaining to their duties;
7. to take out insurance and to take such other actions and precautions as may be necessary or desirable for the proper maintenance and increase of the assets of the College;

8. to prepare a budget for each fiscal year;
9. to maintain all necessary books of account;
10. to prepare financial statements at the end of each fiscal year, and to have the same audited by reputable auditors;
11. to appoint auditors; and
12. to secure title to all the property of the College in their names jointly as trustees for the Churches, and for that purpose to enter into an agreement or declaration of trust setting out the terms of the trust.

#### **ARTICLE XIV**

##### **Powers of the Board of Trustees**

The Board of Trustees further have power,

1. to appoint such employees, servants or agents as may be necessary or desirable and to fix their duties, responsibilities, salaries, pensions and other emoluments, and terms of employment;
2. to acquire personal property by purchase or lease to a maximum of \$10,000 per year;
3. pursuant to any direction of Synod
  - a. to purchase or lease real property for the College, and
  - b. to sell or lease all or part of the real property of the College;
4. to borrow money on the credit of the College to a maximum of \$10,000 per year.
5. to advance money on the security of mortgages or other good and sufficient security;
6. subject to paragraph 1i. of Article XVI, to accept legacies, bequests or devises;
7. to bring and defend actions;
8. to fix the residence fees and fees to be paid for all auxiliary activities at the College; and
9. to make Bylaws for the conduct of their meetings and affairs.

#### **ARTICLE XV**

##### **Reports of the Board of Trustees**

1. The Board of Trustees shall prepare an annual report in writing addressed to the next Synod and the Board of Governors, summarizing their activities during the preceding year and shall send a sufficient number of copies thereof to each of the following:
  - a. the convening Church for the next Synod,
  - b. all of the Churches,
  - c. all of the Faculty, and
  - d. all professors and lecturers-emeriti in good standing,
 provided that the Board of Trustees may delete from any such report any portion thereof which in their opinion ought not to be circulated before the next Synod has dealt with it.
2. The Board of Trustees shall also in each year send to the persons and institutions enumerated in paragraph 1 a sufficient number of copies of the following:
  - a. the annual budget,
  - b. the financial statements, and
  - c. the auditor's report

#### **ARTICLE XVI**

##### **Joint Powers of the Board of Governors and the Board of Trustees**

1. The Board of Governors and the Board of Trustees have joint powers:
  - a. to appoint an Administrator;
  - b. to fix the salaries, pensions and other emoluments of the persons referred to in paragraphs 1 and 2 of Article VIII and in paragraph 1a. of this Article;
  - c. to fix the fees to be paid for instruction given at the College and for examinations, degrees, diplomas and certificates;

- d. to approve the budget for each fiscal year;
  - e. to fix the annual contributions to be made by the Churches within the limits, if any, set by Synod;
  - f. to authorize the Board of Trustees to acquire personal property by purchase or lease in excess of \$10,000 per year;
  - g. to authorize the Board of Trustees to borrow money on the credit of the College in excess of \$10,000 per year and to give such security therefor as may be desirable;
  - h. in cases of emergency, or where as a practical matter it is not possible to reserve the matter for decision by the next Synod, to authorize the Board of Trustees
    - i. to sell or lease all or part of the property of the College, or
    - ii. to purchase or lease real property for the College;
  - i. to authorize the Board of Trustees to purchase insurance or otherwise to provide for pensions of professors or other employees of the College;
  - j. to pass Regulations respecting pensions and salaries of Faculty, provided that such Regulations shall not be effective until ratified by Synod;
  - k. to authorize the Board of Trustees to accept legacies, bequests or devises that are subject to any trusts or conditions;
  - l. to authorize the Board of Trustees to bring actions;
  - m. to make Bylaws for the conduct of their joint meetings; and
  - n. to make Bylaws for the conduct of joint meetings of the Board of Governors and the Board of Trustees, or either of them, with the Faculty.
2. The joint powers conferred by paragraph 1 may be exercised at a joint meeting of the Board of Governors and the Board of Trustees at which a quorum is present, or by Bylaw or resolution consented to be the signatures of at least three-quarters of the Governors and Trustees then in office if they would have constituted a quorum at a joint meeting.
  3. A majority of Governors and a majority of Trustees form a quorum for the transaction of business at all such joint meetings.

## ARTICLE XVII

### Faculty

1. Synod appoints all members of the Faculty, including the Principal, but ordinarily only after having sought the advice of the Board of Governors, provided that Synod shall not be bound by such advice.
2. Synod determines the number, ranks and tenure of professors and lecturers and fixes generally their powers, functions and duties.
3. Synod fixes the salaries and pensions of all the members of the Faculty, including the pensions of their widows and orphans, by Regulation.
4. Only Synod is empowered to terminate the appointment of a member of the Faculty, but ordinarily only after having sought the advice of the Board of Governors, provided that Synod shall not be bound by such advice.
5. The members of the Faculty must be members in good standing of one of the Churches. They shall sign upon their appointment the following "Form of Subscription for Docents at the Theological College of The Canadian Reformed Churches", formulated by the Synod of Edmonton 1965 (Acts, Art. 180):

"FORM OF SUBSCRIPTION FOR THE DOCENTS  
AT THE THEOLOGICAL COLLEGE  
OF THE CANADIAN REFORMED CHURCHES

We, the undersigned, docents at the Theological College of The Canadian Reformed Churches, do hereby, sincerely, and in good conscience before the Lord, declare by this our subscription that we heartily believe and are persuaded that all the articles and points of doctrine, contained in the doctrinal standards of The Canadian Reformed Churches: the Belgic Confession, the Heidelberg Catechism, and the Canons of Dort, do fully agree with the Word of God.



We promise therefore diligently to teach and faithfully to defend the aforesaid doctrine, without either directly or indirectly contradicting the same, by our public teaching or writing. We declare, moreover, that we not only reject all errors that militate against this doctrine, but that we are disposed to refute and contradict these and to exert ourselves in keeping the Church free from such errors. And if hereafter any difficulties or different sentiments respecting the aforesaid doctrine should arise in our minds, we promise that we will neither publicly nor privately propose, teach, or defend the same, either by teaching or writing, until we have first revealed such sentiments to the Governors, that the same may be examined by them, being ready always cheerfully to submit to their judgment under the penalty in case of refusal to be by that very fact suspended from our office.

And further, if at any time the Governors, upon sufficient grounds of suspicion and to preserve the uniformity and purity of doctrine may deem it proper to require of us a further explanation of our sentiments respecting any particular article of the above mentioned doctrinal standards, we do hereby promise to be always willing and ready to comply with such requisition, under the penalty above mentioned, reserving for ourselves, however, the right of appeal in case we should believe ourselves aggrieved by the sentence of the Governors, and until a decision is made upon such an appeal, we will acquiesce in the determination and judgment already passed."

6. Members of the Faculty shall carry out decisions of the Board of Governors and of the Board of Trustees made pursuant to their respective powers.

#### ARTICLE XVIII

##### **Principal**

The Principal supervises the day to day operation of the College and the instruction given thereat.

#### ARTICLE XIX

##### **Constitution of the Senate**

1. The Senate is hereby continued.
2. The Senate is composed of the Faculty. Professors and lecturers-emeriti who have been honourably discharged as professors or lecturers, and who remain members in good standing of one of the Churches, are entitled to attend all meetings of the Senate in an advisory capacity.
3. The Principal is the chairman of the Senate and as such has power to call together meetings of the Senate. He shall do so whenever two or more members so request in writing.
4. The Senate may appoint such other officers, as may be desirable.
5. The Senate may make Bylaws for the conduct of its meetings and affairs. Such Bylaws shall be submitted to the Board of Governors for approval.

#### ARTICLE XX

##### **Degree Granting Powers of the Senate**

The Senate is authorized to conduct examinations in theology and to award the degrees of Bachelor of Divinity and Master of Divinity in Convocation.

#### ARTICLE XXI

##### **Further Powers and Duties of the Senate**

1. The Senate supervises the students and has power to take such disciplinary action against any student as may be warranted, including the dismissal of a student from the College; provided that a student has the right to appeal any disciplinary action taken by the Senate against him to the Board of Governors and the decision of the Board of Governors shall be final and binding on the Senate

- and the student, subject always to a right of further appeal to the next Synod by an aggrieved party.
2. The Senate shall serve the Board of Governors with advice concerning all matters of an academic nature, particularly in regard to the filling of vacancies in the Faculty between Synods and concerning any appointment by Synod to the Faculty.
  3. The Senate shall carry out decisions made by the Board of Governors pursuant to the powers granted to it.
  4. The Senate shall fix the curriculum with the approval of the Board of Governors.
  5. The Senate shall admit students who meet the stipulated requirements to the course of study.

## ARTICLE XXII

### Course of Study

1. The Course of Study leading to the degree of Bachelor of Divinity or Master of Divinity normally requires full-time attendance at the College for a period fixed by the Senate with the approval of the Board of Governors.
2. The curriculum encompasses those subjects which are fixed by the Senate with the approval of the Board of Governors.
3. Each academic year contains approximately thirty teaching weeks divided into such terms as may be fixed by the Senate with the approval of the Board of Governors. The academic year runs from September through May. The several vacations are fixed by the Senate with the approval of the Board of Governors.

## ARTICLE XXIII

### Standards of Admission

1. A person who is a member of one of the Churches, who presents a good attestation of confession and life, and who has a Bachelor of Arts or equivalent degree from a recognized University, qualifies for admission to the College, provided, however, that he has taken those courses in the programme leading to such a degree as are prescribed by the Senate with the approval of the Board of Governors, but the Senate with the approval of the Board of Governors may waive the latter requirement in special cases.
2. A person who is thirty years of age or over, who is a member of one of the Churches and who presents a good attestation of confession and life may be admitted to the Course of Study without being in possession of a Bachelor of Arts or equivalent degree if he possesses a High School diploma (Academic Course) or an equivalent level of education, and if he successfully passes an entrance examination, the requirements for which shall be set by the Senate and approved by the Board of Governors; provided that such requirements shall not exceed what is required of a candidate for the degree of Bachelor of Arts who takes the courses prescribed for that purpose by the Senate with the approval of the Board of Governors.
3. A person who is a member in good standing of one of the sister Churches may be admitted to the Course of Study, provided that he otherwise meets the requirements set out in either paragraph 1 or 2.
4. In exceptional cases, a person who meets the requirements of either paragraph 1 or 2, but who is not a member of one of the Churches or of one of the sister Churches may be admitted to the Course of Study and to the degree of Bachelor of Divinity or the degree of Master of Divinity if he declares that he agrees with the doctrine of Holy Scripture as it is confessed in the Three Forms of Unity. Such a person may only be admitted to the Course of Study and to the degree of Bachelor of Divinity or the degree of Master of Divinity with the approval of the Board of Governors.
5. The Senate with the approval of the Board of Governors may waive in whole or in

part any of the requirements of the Course of Study, of any course or subjects and of any examinations, for any person who has satisfactorily completed a course of study or courses or subjects and examinations, equal in quality and content, at another institution of higher learning.

6. A committee composed of members of the Board of Governors and the Faculty shall counsel each applicant for admission concerning the significance of his studies as preparatory to the office to which he aspires and shall examine him on his knowledge of Holy Scripture, of the Confession and government of the Churches and of the history of the Church. The committee shall report in writing to the Board of Governors and the Faculty, on each applicant counselled and examined.

#### ARTICLE XXIV

##### **Joint Meetings with Faculty, Cooperation**

1. The Board of Governors and the Board of Trustees shall meet together, and they or either of them shall meet together with the Faculty as often as may seem desirable for the advancement of the College and for the effective governance and administration of the College and its affairs.
2. The Board of Governors, Board of Trustees, Senate and Faculty shall as much as possible keep each other advised of their activities from time to time.

#### ARTICLE XXV

##### **Binding Decisions; Appeals**

The decisions of a majority of the Board of Governors, Board of Trustees and Senate, and decisions of the Principal, made within their respective jurisdictions or joint jurisdictions, are final and binding; provided that in the case of decisions of the Senate and the Principal an appeal lies to the Board of Governors; and provided further that a final appeal lies to Synod in all cases.

#### ARTICLE XXVI

##### **Critical Situations**

If a majority of the Board of Governors or of the Board of Trustees are of the opinion that a critical situation has developed with respect to the continued effective operation of the College, the two Boards shall attempt to resolve the matter in a joint meeting. If the matter cannot be resolved in such a meeting a majority of both Boards acting jointly, may request the designated convening Church to cause Synod to be convened as soon as may be.

#### ARTICLE XXVII

##### **Non Profit Organization and Dissolution**

1. The College shall be carried on without purpose of gain for its members and any profits or other accretions to the College shall be used in promoting its objects.
2. In the event of dissolution or winding up of the College, all its remaining assets, after payment of liabilities shall be distributed among the several Canadian Reformed Churches, which are registered charitable organizations in Canada.

#### ARTICLE XXVIII

##### **Limitation of Liability and Indemnity; Conflict of Interest; Remuneration and Expenses**

1. No Governor, Trustee, officer or employee of the College shall be liable for the acts, receipts, neglects or defaults of any other Governor, Trustee, officer or employee, or for joining in any receipt or other act for conformity, or for any loss, damage or expense happening to the College through the insufficiency or deficiency of title to any property acquired for or on behalf of the College, or for the insufficiency or deficiency of any security in or upon which any of the moneys

- of the College shall be invested, or for any loss or damage arising from the bankruptcy, insolvency or tortious acts of any person with whom any of the moneys, securities or effects of the College shall be deposited, or for any loss occasioned by any error of judgment or oversight on his part, or for any other loss, damage or misfortune whatever which shall happen in the execution of the duties of his office or employment or in relation thereto, unless the same are occasioned by his own wilful neglect or default.
2. Every Governor, Trustee, officer and employee of the College and every other person who has undertaken or is about to undertake any liability on behalf of the College and his heirs, executors, administrators and other legal personal representatives shall, from time to time, be indemnified and saved harmless by the College from and against:
    - a. any liability and all costs, charges and expenses that he sustains or incurs in respect of any action, suit or proceeding that is proposed or commenced against him for or in respect of anything done or permitted by him in respect of the execution of the duties of his office; and
    - b. all other costs, charges and expenses that he sustains or incurs in respect of the affairs of the College.
  3. A Governor or Trustee shall not be disqualified by reason of his office from contracting with the Board of Governors, the Board of Trustees, or the College, nor shall a Governor or Trustee by reason only of his office be accountable to the College for any profit or gain realized from a contract or transaction in which he has an interest, and such contract or transaction shall not be voidable by reason only of such interest, provided that he shall have made a declaration and disclosure of such interest to the Board of Governors, to the Board of Trustees, or to both, as the case may be, and shall have refrained from voting on the contract or transaction.
  4. The Governors and Trustees shall receive no remuneration for acting as such, but they shall be entitled to be reimbursed for travelling and other expenses properly incurred by them in attending meetings of the Board of Governors and the Board of Trustees, or of any committee of either of the said Boards, or other meetings in connection with the College. Nothing herein contained shall preclude any Governor or Trustee from serving the College in any other capacity and receiving remuneration therefor.

**ARTICLE XXIX  
Further Powers and Duties**

The further powers and duties of the Board of Governors and of the Board of Trustees, acting singly or jointly, and of the Senate shall be set out in the Regulations and in any Instructions which may from time to time be issued by Synod.

**ARTICLE XXX  
Matters not Provided for**

Any matters not provided for in this Constitution or in the Regulations, Instructions, Bylaws and Rules passed pursuant to it shall be decided upon by the Board of Governors and by the Board of Trustees within their respective jurisdictions.

**ARTICLE XXXI  
Amendment**

This Constitution may only be amended by Synod.

**ARTICLE XXXII  
Effective Date**

This Constitution takes effect upon enactment by Synod and supercedes the

Constitution and Bylaws of the College dated June 8, A.D. 1971 which are thereupon repealed; provided that all acts legally done under the last-mentioned Constitution and Bylaws shall remain valid and in full force and effect.

DECLARED and enacted by the General Synod of The Canadian Reformed Churches held at Toronto, Ontario, this 28th day of November A.D. 1974.

## **REGULATION No. 1**

### **A Regulation regarding SALARY, RETIREMENT, SALARY CONTINUATION AND PENSIONS of the Faculty of the THEOLOGICAL COLLEGE OF THE CANADIAN REFORMED CHURCHES**

BE IT ENACTED as a Regulation of the Theological College of The Canadian Reformed Churches as follows:

#### **Definitions**

1. In this Regulation:
  - a. "Adjusted salary" of a professor since his retirement for any year means the "salary" earned in such year by all professors in active service of the same rank as the retired professor;
  - b. "dependant" means a professor's child who is under the age of 18 years, unmarried, not employed full-time, and who normally resides with the professor or is in full-time attendance at a school or university, or a professor's child over the age of 18 years who through illness or infirmity is unable to earn a livelihood, or any other person (other than a professor's wife) who is wholly dependant for support upon a professor, provided that a child shall be deemed to be under the age of 18 years for the balance of the calendar year in which he attains that age;
  - c. "deferred retirement" means retirement of a professor or lecturer at the end of any academic year after he reaches age 66 and before he reaches age 71;
  - d. "dependant's allowance" means an allowance in the nature of a pension calculated and payable in accordance with this Regulation to or for the benefit of a dependant of a professor;
  - e. "early retirement" means honourable discharge of a professor or lecturer due to his disability or illness before his normal retirement;
  - f. "salary" means the total salary earned by a professor in any one year without any deductions, but the term does not include
    - i. additional remuneration paid to the professor in respect of a special office or for additional services,
    - ii. moneys paid to him in cases of need or to provide for unforeseen events, or
    - iii. "other benefits" not actually payable to a professor;
  - g. "lecturer" means a part-time lecturer appointed by Synod;
  - h. "normal retirement" means retirement of a professor or lecturer at the end of the academic year in which he reaches age 65;
  - i. "other benefits" means benefits of a financial nature other than salary, which may from time to time be paid by the College for the benefit of a professor;
  - j. "professor" includes a professor, an associate professor, an assistant professor, and a full-time lecturer;
  - k. "professor's pension" means a pension calculated and payable in accordance with this Regulation to a professor;
  - l. "stipend" means the honorarium payable to a lecturer;
  - m. "widow's pension" means a pension calculated and payable in accordance with this Regulation to a professor's widow.

### **Retirement**

2. Professors and lecturers shall normally retire at the end of the academic year in which they reach age 65, but they may at their option retire at the end of any academic year after they reach age 66 and before they reach age 71.

#### **Salaries fixed by Synod**

3. Synod fixes the salaries payable to all professors and the stipends payable to all lecturers for the period between Synods in accordance with this Regulation. Salaries and stipends shall be payable commencing from the date set by Synod. Unless otherwise provided by this Regulation, a professor's salary and a lecturer's stipend cease to be payable upon the death and upon the early, normal or deferred retirement, as the case may be, of the professor or lecturer.

#### **Professors' Salaries, Additional Remuneration and other Benefits**

4. a. A professor shall be paid a salary in the amount fixed by Synod.  
b. Synod may direct the payment of additional remuneration to a professor in respect of any special office held by him.  
c. In addition there may be paid for the benefit of a professor such other benefits as the Board of Governors and the Board of Trustees, acting jointly, may determine.

#### **Lecturers' Stipends**

5. A lecturer shall receive an annual stipend.
6. Provided that a professor, his widow or any of his dependants are living, the professor's salary and his other benefits will continue:
  - a. in the case of his early retirement, for the lesser of six months or until he would have reached normal retirement,
  - b. in the case of his death during the period stipulated in clause a. hereof, for the balance of such period, and
  - c. in the case of his death before his normal retirement, except as provided in clause b. hereof, for the lesser of six months or until he would have reached normal retirement.

Such salary shall be paid to the professor or, if he is dead, to his widow or, if she is dead, to or for the benefit of his dependants, if any, and to none other.

#### **Professor's Pension**

7. a. A professor's pension shall be paid to a professor,
  - i. in the case of his early retirement, commencing six months from the date thereof or when he would have reached normal retirement, whichever is the shorter period,
  - ii. in the case of his normal retirement, commencing upon the date thereof, or
  - iii. in the case of his deferred retirement, commencing upon the date thereof.  
b. A professor's pension shall end when the professor dies.

#### **Widow's Pension**

8. A Widow's Pension shall be paid to a professor's widow commencing when the professor dies and ending when she ceases to be his widow.

#### **Dependant's Allowance**

9. A Dependant's Allowance shall be paid to or for the benefit of a professor's dependant, commencing when the survivor of the professor and his wife dies and ending when the recipient ceases to be a dependant.

#### **Amounts of Professor's and Widow's Pensions**

10. The amounts of the annual Professor's Pension, Widow's Pension and Dependant's Allowance shall be calculated as follows:
  - a. A Professor's Pension shall be:
    - i. 70 per cent of his adjusted salary, plus

- ii. a further 5 per cent of such adjusted salary in respect of each dependant to a maximum of two, less
  - iii. the amount of any pension or other allowance paid to the professor and to his wife and to or in respect of any dependants by the Government of Canada or by any province or municipality or any agency thereof.
- b. A Widow's Pension shall be:
- i. 60 per cent of her husband's adjusted salary, plus
  - ii. a further 5 per cent of such adjusted salary in respect of each dependant to a maximum of four, less
  - iii. the amount of any pension or other allowance paid to the widow and to or for the benefit of any dependants by the Government of Canada or by any province or municipality or any agency thereof.
- c. A Dependant's allowance shall be:
- i. 5 per cent of his father's adjusted salary, less
  - ii. the amount of any pension or other allowance paid to or for the benefit of the dependant by the Government of Canada or by any province or municipality or any agency thereof.

#### **Discretionary Payments**

11. The Board of Governors and the Board of Trustees acting jointly may, in cases of need or to provide for unforeseen events (including serious inflation),
- a. pay to a professor (whether before or after his retirement), to his widow, or to or in respect of or for the benefit of any of his dependants, such further moneys from time to time as the said Boards acting jointly may in their sole discretion deem necessary or appropriate, and
  - b. pay to or in respect of or for the benefit of any person who is partially dependant upon a professor for support such moneys from time to time as the said Boards acting jointly may in their sole discretion deem necessary or appropriate.

#### **Periodic Payments, Deductions**

12. All salaries, stipends, pensions and allowances payable under this Regulation shall be paid monthly in advance or by other convenient instalments, or, where that is more convenient in the opinion of the Board of Trustees, in a lump sum, to or for the benefit of the person or persons entitled thereto less any deductions required to be made by law, by this or other College Regulation, or for any other reason.

#### **Suspension of Lecturer's Stipend**

13. If a lecturer has been unable, due to his disability or illness, to fulfill his duties as a lecturer for a continuous period of six months, and the lecturer does not request early retirement, the Board of Governors and the Board of Trustees, acting jointly, may suspend his salary at the end of such six months if they are of the opinion that the disability or illness is likely to continue for some time or be of indefinite duration, but they shall not take such a decision without first hearing the lecturer concerned or his representative.

#### **Repeal and Continuation**

14. All previous Regulations regarding Salaries, Retirement, Salary Continuation, Pensions and Allowances are hereby repealed, provided however, that any person who is presently receiving any pension or allowance under any such previous Regulation shall continue to receive a pension or allowance calculated in accordance with this Regulation.

PASSED by the General Synod of The Canadian Reformed Churches held at Toronto, Ontario, this 28th day of November, A.D. 1974.