

**Kwantlen**  
POLYTECHNIC  
UNIVERSITY

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1 March, 2010

**Board of Governors**

James L. Turk  
Executive Director  
Canadian Association of University Teachers  
2705 Queensview Drive  
Ottawa Ontario K2B 8K2

Fax: 613-820-7244

Dear Mr. Turk:

Thank you for your correspondence of February 26, 2010.

While we welcome your views on the practical effect of Kwantlen Polytechnic University's relatively new bi-cameral governance structure, we must advise that your interpretation of the effect of the *University Act* is not consistent with the advice we have otherwise received.

As a "true university," Kwantlen cannot negotiate those issues that are *ultra vires* the jurisdiction afforded to it by the *Act*. Accordingly, our original letter to the KFA was intended to clarify the University's position relative to the expectations and requirements of the *Act*. At the same time, I wish to assure you that the University has taken no action that would conflict with the current Collective Agreement with the Kwantlen Faculty Association.

We hope you would agree that the rights of Senate must be protected and that the Board of Governors has a responsibility to ensure these rights. The Board cannot fail to adopt an honestly held position because of an unpopular reception to that idea. We are sure you would agree that such conduct on our part would be inconsistent with the principles of any institution supporting the rigorous analysis of ideas, as any university obviously must.

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It is in keeping with that principle that we thank you for taking the time to make your concerns known to us.

Sincerely,

A handwritten signature in black ink, appearing to be 'S. Nicoll', written in a cursive style.

Scott Nicoll  
Chair, Board of Governors

Cc: Terri Van Steinburg  
David Atkinson