

***DOUGLAS COLLEGE***  
***EDUCATION COUNCIL BYLAWS***

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## **PREAMBLE**

The Education Council (henceforth referred to as the Council) is an internal body of the College, required by the College and Institute Act (1979), as amended in 1996, which considers educational policies pertaining to planning, operations, evaluations, and standards.

Members of the Council, in carrying out the business of the Council, will exercise their best individual judgement in accordance with the Douglas College statement of Mission, Values and Goals.

All eligible members should vote freely on all issues before the Education Council regardless of their own perceived association with any particular division or faction of Douglas College, unless a member believes that she/he is in conflict of interest as defined in Schedule A.

## **EDUCATION COUNCIL BYLAWS**

### **1. POWERS AND TERMS OF THE EDUCATION COUNCIL AS DEFINED BY THE COLLEGE AND INSTITUTE ACT, 1979, AS AMENDED IN 1996**

#### **1.1 Powers of the Education Council**

1.1.1 An Education Council must make bylaws for the conduct of the business of the Education Council including bylaws specifying the duties of members of the Education Council in conflict of interest situations.

1.1.2 The Education Council has the power and duty to:

- (a) set policies concerning examinations and evaluation of student performance;
- (b) set policies concerning student withdrawal from courses, programs and the institution;
- (c) set criteria for academic standing, academic standards and the grading system;
- (d) set criteria for awards recognizing academic excellence;
- (e) set policies and procedures for appeals by students on academic matters and establish a final appeal tribunal for these appeals, and

- (f) set curriculum content for courses leading to certificates, diplomas or degrees.

## 1.2 Joint Approval

1.2.1 To be implemented, decisions concerning the following matters must have joint approval:

- (a) curriculum evaluation for determining whether
  - (I) courses or programs, or course credit, from another institution, university or other body are equivalent to courses or programs, or course credit, at the institution, or
  - (ii) courses or programs, or course credit, from one part of the institution are equivalent to courses or programs, or course credit, in another part of the institution;
- (b) other responsibilities of the Board that, on the initiative of the Board, the Board and the Education Council agree are subject to joint approval.

1.2.2 An agreement with the Board may be terminated by

- (a) the Board giving written notice of termination to the Chair of the Education Council, or
- (b) by the Education Council giving written notice of termination to the Chair of the Board.

1.2.3 Joint approval must not conflict with policy or directives established elsewhere.

1.2.4 If joint approval on a matter described in subsection (1) is not attained within 60 days of the Board or Education Council requesting the other to consider its proposal, the Board or Education Council may refer the matter to the Minister and the Minister, or the person the Minister designates for the purposes of this subsection, may make the decision the Minister or person designated considers most appropriate.

## 1.3 Advisory Role of the Education Council

1.3.1 An Education Council must advise the Board, and the Board must seek

advice from the Education Council, on the development of educational policy for the following matters:

- (a) the mission statement and the educational goals, objective, strategies and priorities of the institution;
- (b) proposals about implementation of courses or programs leading to certificates, diplomas or degrees, including the length of hours for courses or programs;
- (c) reports after implementation by the institution without prior review by the Education Council of
  - (I) new non-credit programs, or
  - (ii) programs offered under service contract;
- (d) priorities for implementation of new programs and courses leading to certificates, diplomas or degrees;
- (e) cancellation of programs or courses offered by the institution or changes in the length of or hours for courses or programs offered by the institution;
- (f) evaluation of programs and educational services;
- (g) policies concerning library and resource centres;
- (h) setting of the academic schedule;
- (I) policies on faculty member qualifications;
- (j) adjudication procedure for appealable matters of student discipline;
- (k) terms for affiliation with other post-secondary bodies;
- (l) consultation with community and program advisory groups concerning the institution's educational programs;
- (m) qualifications for admission policies;
- (n) criteria for awarding certificates, diplomas and degrees;
- (o) other matters specified by the Board.

- 1.3.2 Advice given must not conflict with policy or directives established elsewhere.
- 1.3.3 The Board must request advice by giving the Education Council, at least ten (10) working days before the Board will deal with the matter, the following:
- (a) the agenda items concerning the matter for the meeting of the Board at which the matter will be discussed;
  - (b) the date by which a statement setting out the advice of the Education Council must be given to the Chair of the Board.
- 1.3.4 If the Board must deal with a matter and there are substantial reasons why ten (10) working days notice cannot be given, the Board must advise the Education Council, as soon as practicable, concerning
- (a) the matter,
  - (b) the reason why notice could not be given under subsection (3), and
  - (c) the decision taken on the matter.

## 2. COMPOSITION OF EDUCATION COUNCIL

As directed by The College and Institute Act, elected members should reflect the geographic distribution of programs of the institution and provide for representation of program and educational support areas at the institution as determined by the Registrar.

## 3. OPERATIONAL PROCEDURES FOR EDUCATION COUNCIL

- 3.1 Education Council shall meet monthly from September to June of each year.
- 3.2 Meetings of the Council and its committees shall be governed by the most recent edition of Robert's Rules of Order except that in the case of conflict between Council Bylaws and Robert's Rules of Order, Council Bylaws shall prevail.
- 3.3 To ensure continuity, the Council shall adopt a process by which the terms of office of approximately fifty per cent (50%) of elected members (excluding student members) will expire each year.

- 3.4 Elections for Council will be held in April of each year.
- 3.5 Members are expected to attend all meetings of the Education Council. The Chair of Education Council should be notified prior to the meeting of any regrets. The Chair will contact members who are absent without regrets.
- 3.6 All absences beyond three meetings per year will require a written request for approval of a leave of absence.
- 3.7 The seat of any member who fails to attend three meetings per year without approval of Council shall be declared vacant.
- 3.8 In the event of a vacant seat, the Chair shall request the Registrar to fill the vacant seat through by-election.
- 3.9 A quorum of any regular meeting shall be fifty per cent (50%) of the regular voting members.
- 3.10 Faculty/Department Education Committees will function as set out in Douglas College Education Council Rules and Procedures.
- 3.11 Members may be required to serve on the Appeal Tribunal when necessary.

#### 4. ROLES AND FUNCTIONS OF MEMBERS

##### 4.1 The Chair

The Chair will be elected at the May meeting of Council by the members holding Council seats the following September. The election of Chair will be ratified at the September meeting. The term of office of the Chair is September 1st - August 31st. The duties of the Chair are as specified in Douglas College Education Council Rules and Procedures.

##### 4.2 Vice Chair

The Vice Chair will be elected at the May meeting of Council by the members holding Council seats the following September. The election of Vice Chair will be ratified at the September meeting. The term of office of the Vice Chair is September 1st - August 31st. The duties of the Vice Chair are as specified in Douglas College Education Council Rules and Procedures.

##### 4.3 Members

The membership of Education Council will be constituted according to the terms

11.4 and 11.5 of the College and Institute Act as amended in 1996.

4.3.1 Each member of the Council is expected to serve on at least one standing committee of Council.

#### 4.4 Secretary

A permanent secretary to the Education Council will be appointed by the College. The secretary is not a member of the Council.

### 5. MEETINGS AND PROCEDURES

5.1 The Rules of Order and Agenda and Decisions are in compliance with Bylaw #3 and Douglas College Education Council Rules and Procedures

5.2 Voting shall be by simple majority of the votes cast except if otherwise specified in these by-laws. An abstention will not be considered a vote, and will not affect a quorum.

#### 5.3 Special Meetings

5.3.1 Special meetings on matters requiring the immediate attention of members of the Council may be called by the Chair.

5.3.2 Notice of special meetings will be circulated at least two full working days prior to the meeting.

5.3.3 No additions to the agenda of a special meeting will be allowed.

5.3.4 Special meetings may be held in more than one location when audio and/or video linkage is available.

#### 5.4 Status of Observers

5.4.1 Education Council meetings shall be open to the college community and members of the public.

5.4.2 The Chair shall have the right to declare the meeting or any portion of the meeting “in-camera” and close the meeting to the public if a topic on the agenda contains material that is determined to be private or confidential.

5.4.3 The Chair may, when appropriate, recognize observers or request a statement of clarification from an observer.

6. CONFLICT OF INTEREST

6.1 Education Council will specify the duties of Education Council members in conflict of interest situations, as described in Schedule A.

7. ELECTIONS

7.1 Election procedures will be conducted according to 11.6 of the College and Institute Amendment Act of 1996, and this process will be described in Douglas College election procedure guidelines prepared by the Registrar.

8. STANDING COMMITTEES

8.1 General

Council may carry out its business through standing committees which have on-going responsibilities and through task forces/ad hoc committees which have specific tasks and shorter time frames. Committees and task forces/ad hoc committees and their terms of reference shall be created by motions of Council.

8.1.1 Standing Committees, Task Forces and Ad Hoc Committees

The Council resolution creating a standing committee or task force/ad hoc committee shall include the following:

- (a) a name for the standing committee or task force/ad hoc committee;
- (b) a terms of reference, together with a list of specific duties and responsibilities, and an interim Chair;
- (c) membership which may contain non members of the Council;
- (d) at least one member of the Council must be included on every committee or task force/ad hoc committee;

8.1.2 at the first meeting of the committee or task force/ad hoc committee a permanent Chair must be elected;

8.1.3 committee membership shall be established on an annual basis in August;

8.1.4 each standing committee shall report regularly to the Education Council and shall present an annual report of its activities to the Council at the regular meeting in June.

## 9. LIMITATION OF LIABILITY

No member of the Education Council is personally liable for a loss or damage suffered by a person by reason of anything done or omitted to be done in good faith in the exercise of a power given by the College and Institute Act.

## **SCHEDULE A**

### **CONFLICT OF INTEREST**

#### **Section 1: Conflict of Interest Defined**

(1.1) A conflict of interest arises when an Education Council member's private interests supersede or compete with his/her dedication to the interests of the institution. This could arise from Real, Potential or Apparent Conflict of Interest for an Education Council member or related persons and may be financial or otherwise. For this purpose;

- (a) A "Real Conflict of Interest" occurs when an Education Council member exercises an official power or performs an official duty or function and at the same time, knows that in the performance of this duty or function or in the exercise of power there is the opportunity to further a private interest;
- (b) A "Potential Conflict of Interest" occurs when there exists some private interest that could influence the performance of a member's duty or function or in the exercise of power provided that he or she has not yet exercised that duty or function;
- (c) An "Apparent Conflict of Interest" exists when there is a reasonable apprehension which reasonably well-informed persons could properly have that a Real Conflict of Interest exists on the part of the member.

#### **Section 2: Declaration of Conflict**

(2.1) Education Council members must arrange their private affairs and conduct themselves in a manner to avoid a conflict of interest. In cases where conflict cannot be avoided, an Education Council member has an obligation to declare a conflict of interest prior to discussion or decision of an issue. Upon declaration of a conflict the person recording the events of the meeting should duly note the declaration and the Education Council member must;

- (a) in an in-camera session or committee meeting, absent him/herself from the proceedings during discussion or voting on that particular matter, contract or arrangement;
- (b) in a public session, refrain from discussion or voting on that particular matter, contract or arrangement.

(2.2) Where an Education Council member is unsure of whether he/she is in conflict that member should raise the perceived potential conflict with the Education Council, and the Education Council should determine by majority vote whether or not a conflict of interest exists. The member perceived to be in conflict should refrain from voting on the issue.

(2.3) Where a conflict of interest is discovered after consideration of a matter, the conflict must be declared to the Education Council and appropriately recorded at first opportunity. If the Education Council determines that involvement of said member influenced the decision of the matter, the Education Council shall re-examine the matter and may rescind, vary, or confirm its decision.

(2.4) Any Education Council member who perceives another member to be in conflict of interest in a matter under consideration must identify the perceived conflict to the Education Council at the first opportunity. The Education Council should determine by majority vote whether or not a conflict of interest exists and the member perceived to be in conflict should refrain from voting.

(2.5) At the discretion of the Education Council, the Education Council may invite the member in conflict to state his or her position on the issue in question prior to absenting him/herself.

**DOUGLAS COLLEGE EDUCATION COUNCIL**

**RULES AND PROCEDURES**

## **RULES AND PROCEDURES - DOUGLAS COLLEGE EDUCATION COUNCIL**

### **1. COMPOSITION OF EDUCATION COUNCIL**

- 1.1 Ex-officio (Non-voting)
  - a) President of the College
  - b) One Board Member appointed by the College Board
- 1.2 Administrators -- 4 educational administrators appointed by the College President
- 1.3 Faculty Representatives -- 10 elected
- 1.4 Staff Representatives -- 2 elected
- 1.5 Student Representatives -- 4 elected by the students
- 1.6 Standing Committees --

There will be the following standing committees of Education Council whose membership and duties will be defined by resolution of Education Council. Such duties shall be included in these bylaws as an appendix for each committee.

- a) Admissions and Language Competency Standards
  - b) Educational Policies
  - c) Educational Excellence
  - d) Curriculum Committee
  - e) Applied Degree Standards
  - f) Budget and Planned Change
- 1.7 Ad Hoc Committees
  - 1.8 Joint Committees with the Board

### **2. OPERATIONAL PROCEDURES FOR EDUCATION COUNCIL**

- 2.1 An elected member of Education Council must be a member of his/her Faculty/Department Education Committee to facilitate communication between the two committees. Other Faculty/Department Education Committee members must reflect the diversity of disciplines/programs within the department.
- 2.2 Faculty/Department Education Committees are responsible for setting curriculum

content leading to certificates, diplomas or degrees, subject to the approval of Education Council.

- 2.3 Faculty/Department Education Committees will review proposals for new programs/courses and proposed modifications to, or deletions of, existing programs/courses, in accordance with Education Council policy.
- 2.4 Faculty/Department Education Committees will advise Deans and Deans will develop Educational plans including priorities for each department and will ensure that program/course content changes which
  - 1) affect other departments, and/or
  - 2) include extensive changes to curriculum as set out in College policywill be received by Education Council as information.
- 2.5 Where there is a jurisdictional dispute between departments, the issue must be brought to Education Council.
- 2.6 Faculty/Department Education Committee meetings should be scheduled to facilitate the flow of information to and from Education Council.

### 3. ROLES AND FUNCTIONS OF MEMBERS

#### 3.1 Chair

3.1.1 The duties of the Chair shall be:

3.1.1.1 To determine the Agenda items to be brought to Council.

3.1.1.2 To open the meeting.

3.1.1.3 To decide and announce the business and the order in which it is to be acted upon.

3.1.1.4 To state and put the question, and to announce the result of the vote.

3.1.1.5 To enforce rules of order.

3.1.1.6 To act as a full voting member.

3.1.1.7 To designate a Council member to act in the capacity of Chair.

3.1.1.8 To receive regrets from members unable to attend.

3.1.1.9 To notify members who are absent without regret.

3.1.1.10 To table written requests for leaves of absence.

3.1.1.11 To represent Education Council on designated internal and external committees, and the Board.

3.1.1.12 To Chair the Education Council Appeal Tribunal.

## 3.2 Vice Chair

3.2.1 The duties of the Vice Chair shall be:

3.2.1.1 To act as Chair of Council if the Chair is unable to perform the duties/functions.

3.2.1.2 To sit on the Education Council Appeal Tribunal.

3.2.1.3 To Chair the Education Council Appeal Tribunal if the Chair is in a conflict of interest situation for a particular appeal.

## 3.3 Members

3.3.1 Members are expected to prepare adequately before the meetings.

3.3.2 Faculty members are expected to attend and conduct Education Council business in their respective Faculty/Department Education Committees.

3.3.3 Other members are expected to report appropriately to their respective constituencies.

3.3.4 Members are expected to participate in committees of Council as appropriate.

3.3.5 Members may be requested to represent Education Council on external bodies.

## 3.4 Secretary

3.4.1 The duties of the Secretary shall be:

- 3.4.1.1 In consultation with the Chair of Education Council, to issue Agendas for all meetings of Education Council and its committees, one week in advance of such meetings.
- 3.4.1.2 To have charge of all books and records of Education Council and minutes of its committees.
- 3.4.1.3 To issue minutes of the previous meeting within ten days whenever possible. The agenda and related documents will be distributed to the members not less than seven days prior to the next meeting.
- 3.4.1.4 To conduct correspondence in the name of Education Council.
- 3.4.1.5 To determine quorum, and to advise the Chair if quorum is not maintained during a business meeting.
- 3.4.1.6 To conduct all elections for Education Council officers and membership of standing committees, if required, and other matters to be decided by vote.
- 3.4.1.7 To maintain a roster of current members of Education Council.

#### 4. MEETINGS AND PROCEDURES

##### 4.1 Rules of Order

- 4.1.1 The Chair of the Education Council will be elected each year from the Education Council voting membership.

The Chair of Education Council shall receive a ½ time release over 12 months and shall receive adequate administrative and staff support.

- 4.1.2 All items sent to the Education Council for decision shall be tabled with the Chair of Education Council no later than two weeks prior to the Education Council meeting at which the item is to be considered, or according to the meeting schedule circulated annually. The item will first be placed on the agenda as an item for preliminary discussion only. Decisions on the item will be scheduled for a subsequent Education Council meeting.

- 4.1.3 Items may be designated as "short" or "regular" cycle items. "Short" cycle items are those which do not need to pass through the full two-month procedure. Individuals wishing to submit a short-cycle item to Council are expected to notify the Chair of this request in advance. Short cycle items must be approved as such by a two-thirds majority, and are normally identified in advance on the agenda, with necessary documents (if any) attached. However, Council may entertain a motion to short cycle an item arising out of Council discussions.
- 4.1.4 Robert's Rules of Order will guide the conduct of Education Council meetings.

#### 4.2 Agenda and Decisions

The following is the procedure to be followed by Education Council when developing the agenda and determining time-frames for decisions.

- Week 0 Item received by Chair.  
  
The Chair decides whether or not the item is appropriate for Education Council. If appropriate,
- Week 1 Chair places item on Agenda for College Education Council preliminary discussion.
- Week 2 Education Council accepts item as "Notice of Motion", engaging in only preliminary discussion. Full discussion, motion(s) and decision(s) are reserved for the subsequent meeting. All supporting documents to be submitted to members in time for discussion by Faculty/Department Education Committees.  
  
Discussion at Council provides representatives with sufficient understanding of the item so that they can take the item to their respective constituencies for discussion and direction.  
  
Education Council decides how much time is needed at the constituency level and tables the item for consideration at an appropriate Education Council Meeting.
- Week 5 Chair places item on Education Council Agenda for decision.
- Week 6 Education Council discusses item and holds necessary vote or

votes on item.

Discussion and decision(s) will have proceeded on the understanding that constituencies have had adequate opportunity to consider the item and to provide direction to the representatives.

## 5. STANDING COMMITTEES

- 5.1.1 The provisions of these bylaws as they relate to the Council shall apply in like manner to all standing committees established by the Council.
- 5.1.2 The Council shall annually, in August, establish membership on the standing committees.

APPENDIX I(A)

FORMAT FOR SUBMISSIONS  
(General)

1. Submitter

Person or body (committee) identifying who will speak to the item.

2. Background Information

A statement of the purpose and rationale underlying the document with a brief description of the agenda item's origin and/or history.

3. Submission of Proposals

The pros and cons of the argument with adequate attention to the downside of the proposal -- such as criticisms already received.

4. Action Requested

A succinct statement of the action(s) Council is being asked to consider. It is strongly recommended that the "action" request take the form of a "proposed" resolution or motion.

5. Procedural Statement

A point form identification of the procedural steps (what forums, groups, departments, divisions, etc.) the document has gone through prior to its presentation to Council.

APPENDIX I(B) MONTHLY SCHEDULE

Council regularly meets the third Monday every month (effective September, 1995), with some exceptions. See the schedule of regular meeting dates circulated annually.

Minutes: Drafted, edited, finalized for distribution within ten days of meeting whenever possible.

Preliminary Agenda: Two weeks prior to the meeting.

Final Agenda: Ten days prior to the meeting.

Agenda Distribution: Seven days prior to the meeting.

Council meets.

(Education Council/Policies & Bylaws/Bylaws)