

# Douglas College Education Council Bylaws

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# Douglas College Education Council Bylaws

## Preamble

The education council (the “council”) is a governing body of the college that, as authorized by the *College and Institute Act*, and subject to policies and directives of the Minister of Advanced Education, has the power and duty to set academic policies, criteria and curriculum for the college and to advise the college board regarding certain board functions having an effect on academic matters.

## 1. Membership

### 1.1. Composition

In accordance with the *College and Institute Act*, there shall be a total of twenty-three members of the council including twenty voting members and three non-voting members.

#### 1.1.1. Elected

There shall be sixteen elected voting members of the council, consisting of ten faculty members elected by faculty members, four students elected by students, and two support staff elected by support staff.

##### 1.1.1.1 Faculty Members – Faculty Representatives

Eight faculty members, one from each of the six faculties at the College and one each from Learning Resources and Student Services, shall be elected by their respective faculties or areas to serve as members of the council.

##### 1.1.1.2 Faculty Members – At-Large Faculty Representatives

Two faculty members shall be elected by faculty on a college-wide basis as members of the council.

At any given time the two at-large faculty representatives shall not both be from the same faculty.

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## 1.1.2. Appointed

There shall be four voting members of the council who are educational administrators appointed by the college president.

## 1.1.3. Non-Voting

There shall be three non-voting members of the council, consisting of the college president, the college registrar, and the college board liaison to the council.

## 1.1.4. Officers

One voting member of the council shall serve as chair of the council and another voting member of the council shall serve as vice-chair of the council.

## 1.2. Terms of Office

### 1.2.1. Elected

The college registrar, as authorized by the *College and Institute Act*, shall make rules for and conduct elections for the election of members of the council (the “election rules”).

#### 1.2.1.1. Faculty

Faculty members elected to the council serve a two-year term and may be elected to further terms according to the election rules.

The terms of the two faculty members at large shall be staggered with one faculty member at large beginning their term in one year, and the other faculty member at large beginning their term in the following year.

#### 1.2.1.2. Staff

Support staff elected to the council serve a two-year term and may be elected to further terms according to the election rules.

# Douglas College Education Council Bylaws

## 1.2.1.3. *Students*

Students elected to the council serve a one-year term and may be elected to further terms according to the election rules.

## 1.2.2. *Appointed*

Educational administrators appointed to the council serve a two-year term and may be appointed to further terms.

## 1.2.3. *Non-Voting*

The college president shall be a non-voting member of the council.

The college registrar shall be a non-voting member of the council.

The college board liaison to the council shall be a non-voting member of the council.

## 1.2.4. *Officers*

### 1.2.4.1. *Election of Officers*

The chair and vice-chair of the council shall each be elected by a majority of votes cast, including proxy votes as provided in Bylaw 1.3.1.2, by voting council members at the May council meeting each year, shall serve a one-year term as chair and vice-chair subject to Bylaw 1.2.4.2, and may be elected to further terms.

### 1.2.4.2. *Removal of Officers*

A chair may be removed from office by a two-thirds majority of votes cast, including proxy votes as provided in Bylaw 1.3.1.2, by the voting members of the council.

A vice-chair may be removed from office by a two-thirds majority of votes cast, including proxy votes as provided in Bylaw 1.3.1.2, by the voting members of the council.

# Douglas College Education Council Bylaws

If a chair or vice-chair is removed from office, the voting members shall immediately elect a new chair or vice-chair to serve the remainder of the term of the chair or vice-chair who has been removed.

## 1.3. Roles and Duties of All Members

### 1.3.1. Attendance at Council Meetings

Members of the council shall attend all meetings of the council.

#### *1.3.1.1 Arrangements in the Event a Member is Unable to Attend a Council Meeting*

If a voting member of the council is unable to attend a meeting of the council they may provide a proxy vote to another voting member who will be present and who may cast the proxy vote on behalf of the absent voting member.

In addition to or in place of a proxy vote, any member of the council may appoint another person to appear at a meeting of the council as a guest to make representations to the council on behalf of the absent member.

If a voting member wishes to exercise a proxy vote they shall contact the council secretary in writing in advance of the meeting at which they wish to exercise their proxy vote and they shall specify their name and the name of the voting member they wish to cast the proxy vote on their behalf.

### 1.3.2. Duty to the College

Members of the council have a duty to always participate freely in council deliberations and voting, and ultimately exercise their best judgment with a view to what is in the best interest of the college.

### 1.3.3. Responsibility to Represent Constituents

Elected members of the council have a responsibility to communicate information from the council to their constituents and to communicate information and the views of their constituents to the council.



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## 1.3.4. Participation on Committees

Every voting member of the council shall serve on at least one council committee.

## 1.3.5. Avoid Conflicts of Interest

Members of the council shall avoid any conflict of interest, as defined in Appendix I of these bylaws, in relation to any matter coming before the council.

If a conflict of interest or an alleged conflict of interest arises regarding a member of the council, in relation to a matter coming before the council, the council members shall follow the procedure specified in Appendix I to address the conflict of interest or alleged conflict of interest.

If a conflict of interest or an alleged conflict of interest arises regarding a member of the council after the council has already considered the matter to which the conflict of interest or alleged conflict of interest relates, the council may reconsider that matter following the procedure specified in Appendix 1.

## 1.3.6. Removal of Voting Members

A voting member of the council who is not present, as defined in Bylaw 3.5.3, for more than three council meetings during their term of office may be removed from the council by a majority of votes cast by the members of the council.

A voting member of the council who refuses to serve on a council committee, or who is absent from more than three meetings of a council committee during their term of office, may be removed from the council by a majority of votes cast by the members of the council.

Any vote to remove a member of the council shall be considered a decision item and take place only after adding the matter as an item of council business according to Bylaw 3.4, and after being presented as a motion to the council according to Bylaw 3.5.6.

# Douglas College Education Council Bylaws

## 1.4. Specific Roles and Duties of Officers

### 1.4.1. Neutrality

#### *1.4.1.1 Voting on Matters Coming Before Council*

The chair of the council, or the vice-chair when acting as chair, shall not vote or take positions on matters that come before the council.

#### *1.4.1.2 Taking Positions on Matters Within the College – Prior Mandate from Council*

The chair of the council shall not, while representing themselves as the chair of the council, take positions on matters within the college, without, wherever practicable, first receiving an explicit mandate to do so by a majority vote of the council.

#### *1.4.1.3 Taking Positions on Matters Within the College Without Prior Mandate from Council – Disclosure and Vote of Endorsement*

If the chair of the council, having represented themselves as the chair of the council, has taken a position on a matter within the college without having first received a mandate from the council pursuant to Bylaw 1.4.1.2, the chair shall at the next council meeting disclose to the council that they took the position on that matter. The council shall then conduct a vote to endorse the position taken by the chair of the council.

#### *1.4.1.4 Taking Positions on Matters Within the College Without Prior Mandate from Council – Failure of Vote of Endorsement*

If the council does not, by a majority vote of the council, endorse the position taken by the chair of the council, the chair shall communicate this lack of endorsement to any parties with whom they communicated their position on the matter in question.

# Douglas College Education Council Bylaws

## 1.4.2. Tie-Breaking Exception

The chair of the council, or the vice-chair when acting as chair, may vote on a matter before the council only in the event of a tie vote among council members at a council meeting.

## 1.4.3. Appointment of Another Person to Make Representations on Behalf of Constituents of Chair of Council

In recognition of the duty the chair of the council, or the vice-chair when acting as chair, to represent their constituents, the chair or vice-chair of the council, as the case may be, may appoint another person to appear at a meeting of the council as a guest to make representations on behalf of the chair's constituents on a specific matter coming before the council.

If the chair or vice-chair of the council makes such an appointment, the chair or vice-chair, as the case may be, shall not direct that other person regarding the position they should take on the specific matter coming before the council.

## 1.4.4. Participation of Chair in Matters Unforeseeably Arising Before the Council

If a matter arises before the council in a manner that is reasonably unforeseeable to the chair of the council, and it is a matter on which the chair of the council feels compelled to take a position on behalf of their constituents, the chair of the council shall relinquish the role of chair to the vice-chair of the council in order to take a position on that reasonably unforeseen matter only.

## 1.4.5. Setting Council Agenda

The chair of the council, or the vice-chair when acting as chair, shall set the agenda only after ensuring that all applicable agenda-setting requirements as set out in Bylaw 3.4 have been met.

# Douglas College Education Council Bylaws

## 2. Secretary to the Council

### 2.1. Appointment

#### 2.1.1. Authority to Appoint

The secretary to the council shall be appointed by the college president.

#### 2.1.2. Eligibility for Appointment

The college president may appoint as secretary to the council any person who is not a member of the council.

### 2.2. Duties of the Secretary

#### 2.2.1. General

The secretary to the council shall provide administrative support to the council.

#### 2.2.2. Specific Duties

The specific duties of the secretary to the council include:

- (a) providing notice of council meetings;
- (b) administering all votes occurring at or relating to meetings of the council;
- (c) assisting with the formulation of the agenda of council meetings;
- (d) keeping minutes of council meetings; and
- (e) managing records and other documents relating to council matters.

## 3. Meetings

### 3.1. General Meetings

#### 3.1.1. Frequency of Meetings

The council shall have a general meeting in every month, from September through June, each year.

# Douglas College Education Council Bylaws

## 3.1.2. Meeting Schedule

The annual general meeting schedule of the council shall be approved by the council in the May general meeting of the council each year.

In the event of an unforeseeable closure of the college any meeting scheduled to occur during the closure shall be deemed postponed and the council shall reschedule that meeting for a later date.

## 3.1.3. Cancelling Meetings

The council may, by majority vote, cancel any scheduled general meeting.

## 3.2. Special Meetings

### 3.2.1. Scheduling Special Meetings

The council may, with the approval of a two-thirds majority of the votes cast by the voting members of the council, schedule a special meeting outside the general meeting schedule set under 3.1.2.

### 3.2.2. Notice and Agenda

All council members must receive at least two business days notice of any special meeting, and the notice must include the agenda for the special meeting.

This notice requirement may be waived with the approval of two-thirds of all voting members of the council.

### 3.2.3. No Changes to Agenda at Special Meeting

There shall be no changes to the agenda for the special meeting at the special meeting.

## 3.3. Open Meetings

All general and special meetings shall be open to all persons, subject to a motion passed by a majority of the council to move any agenda item to a portion of the meeting to be held with only council members and the secretary to the council present ("*in camera*").

# Douglas College Education Council Bylaws

## 3.4. Agenda

### 3.4.1 Agenda-Setting Authority

The agenda for any council meeting shall be set by the chair of the council in consultation with the other members of the council Executive Committee and any other person the chair considers necessary.

### 3.4.2 Agenda Item Categories

The chair of the council shall designate and place each agenda item into one of four categories: decision, decision (joint approval), advice, or information.

A decision agenda item is one that comes within the council's decision-making authority under section 24 of the *College and Institute Act*.

A decision (joint approval) item is one that comes within the council's joint decision-making authority with the college board under section 25 of the *College and Institute Act*.

An advice agenda item is one that comes within the council's mandate to provide advice to the college board under section 23 of the *College and Institute Act*.

An information agenda item is one that is placed on the agenda for information only and does not require the council to vote on the item or take any other action.

### 3.4.3 General Requirement for Placement of Item on Agenda: Prior Approval of Relevant Council Committee

Any item to be placed on the agenda shall be submitted to the relevant council committee as stated in Bylaws 3.4.3.1-3.4.3.6 and must receive the approval of that committee before it may be placed on the agenda of a council meeting.

# Douglas College Education Council Bylaws

## 3.4.3.1 Educational Policies Committee

Items relating to the following subjects shall be submitted to the Educational Policies Committee for approval before being placed on the agenda of a council meeting:

- (a) policies concerning examinations and evaluation of student performance;<sup>1</sup>
- (b) policies concerning student withdrawal from courses, programs and the college;<sup>2</sup>
- (c) criteria for academic standing, academic standards and the grading system;<sup>3</sup> and
- (d) policies and procedures for appeals by students on academic matters.<sup>4</sup>

## 3.4.3.2 Curriculum Committee

Items relating to the following subjects shall be submitted to the Curriculum Committee for approval before being placed on the agenda of a Council meeting:

- (a) a proposal for a new course;<sup>5</sup>
- (b) a change to an existing course;<sup>6</sup>
- (c) a cancellation of an existing course;<sup>7</sup>
- (d) assessment of a course from another institution, university or college to determine whether the course is equivalent to a course at the college;<sup>8</sup> and
- (e) assessment of a course from one part of the college to determine whether the course is equivalent to a course at another part of the college.<sup>9</sup>

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<sup>1</sup> *College and Institute Act*, s 24(2)(a) decision-making authority of Education Council.

<sup>2</sup> *College and Institute Act*, s 24(2)(b) decision-making authority of Education Council.

<sup>3</sup> *College and Institute Act*, s 24(2)(c) decision-making authority of Education Council.

<sup>4</sup> *College and Institute Act*, s 24(2)(e) decision-making authority of Education Council.

<sup>5</sup> *College and Institute Act*, s 24(2)(f) decision-making authority of Education Council.

<sup>6</sup> *College and Institute Act*, s 24(2)(f) decision-making authority of Education Council.

<sup>7</sup> *College and Institute Act*, s 23(1)(e) advisory (to board) authority of Education Council.

<sup>8</sup> *College and Institute Act*, s 25(1)(a) joint approval (with board) authority of Education Council.

<sup>9</sup> *College and Institute Act*, s 25(1)(a) joint approval (with board) authority of Education Council.

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## 3.4.3.3 Programs Committee

Items relating to the following subjects shall be submitted to the Programs Committee for approval before being placed on the agenda of a council meeting:

- (a) a proposal for a new program;<sup>10</sup>
- (b) a change to an existing program;<sup>11</sup>
- (c) a cancellation of an existing program;<sup>12</sup>
- (d) assessment of the curriculum of a program from another institution, university or college to determine whether the curriculum of that program is equivalent to the curriculum of a program at the college;<sup>13</sup> and
- (e) assessment of the curriculum of a program from one part of the college to determine whether that curriculum of that program is equivalent to the curriculum of a program at another part of the college.<sup>14</sup>

## 3.4.3.4 Admissions Advisory Committee

Items relating to the following subjects shall be submitted to the Admissions Advisory Committee for approval before being placed on the agenda of a council meeting:

- (a) any aspect of a proposal for a new program that relates to program or college admissions;<sup>15</sup> and
- (b) any aspect of a proposal for a change to an existing program that relates to program or college admissions.<sup>16</sup>

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<sup>10</sup> *College and Institute Act*, s 23(1)(b) advisory (to board) authority of Education Council (IF Re: new program] OR *College and Institute Act*, s 24(2)(f) decision-making authority of Education Council (IF re: course approval only).

<sup>11</sup> *College and Institute Act*, s 23(1)(b) advisory (to board) authority of Education Council (IF Re: new program] OR *College and Institute Act*, s 24(2)(f) decision-making authority of Education Council (IF re: course approval only).

<sup>12</sup> *College and Institute Act*, s 23(1)(e) advisory (to board) authority of Education Council.

<sup>13</sup> *College and Institute Act*, s 25(1)(a) joint approval (with board) authority of Education Council.

<sup>14</sup> *College and Institute Act*, s 25(1)(a) joint approval (with board) authority of Education Council.

<sup>15</sup> *College and Institute Act*, s 23(1)(m) advisory (to board) authority of Education Council.

<sup>16</sup> *College and Institute Act*, s 23(1)(m) advisory (to board) authority of Education Council.



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## *3.4.3.5 Educational Excellence Committee*

Items relating to setting criteria for, or the awarding of, educational excellence awards shall be submitted to the Educational Excellence Committee for approval before being placed on the agenda of a council meeting.<sup>17</sup>

## *3.4.3.6 Council Executive Committee*

Any other items that do not fall within the purview of another committee under Bylaws 3.4.3.1 – 3.4.3.5, including items brought to the council for information only, shall be submitted to the Council Executive Committee for approval before being placed on the agenda of a council meeting.

## 3.4.4 Exception – Items Added to Agenda at Discretion of Chair

If there are extenuating circumstances, or it is otherwise impracticable to meet the requirements of Bylaw 3.4.3, a proposed agenda item may be submitted to the chair of the council for possible placement on the agenda of a council meeting.

## 3.5. Meeting Procedures

### 3.5.1 Rules of Order

In conducting its meetings, the council shall be guided by Robert's Rules of Order, subject to the provisions of these bylaws.

### 3.5.2 Forum for Meetings – In-Person or Electronic

Council meetings shall normally be conducted in-person but they may be conducted electronically at the discretion of the chair of the council in unusual or extraordinary circumstances.

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<sup>17</sup> *College and Institute Act*, s 24(2)(d) decision-making authority of Education Council.

# Douglas College Education Council Bylaws

## 3.5.3 Presence at Meetings

### *3.5.3.1 Presence at In-Person Meetings*

A voting member of the council member shall be considered present at an in-person meeting if they:

- (a) are physically present at the meeting; or
- (b) are present at another campus of the college and connected to the meeting by a video link facilitated by the Council secretary.

### *3.5.3.2 Presence at Electronic Meetings*

A voting member of the council member shall be considered present at an electronic meeting if they are connected to the meeting by electronic means facilitated by the council secretary.

## 3.5.4 Quorum

A quorum of any council meeting shall be achieved by having half of the voting members of the council being present in accordance with Bylaw 3.5.3.

The council shall not conduct any business without quorum.

## 3.5.5 Consideration of Items by Council

The council may only consider an item if it has been placed on the council meeting agenda in accordance with Bylaw 3.4.

## 3.5.6 Motions (Decision-Cycle)

All agenda items categorized as being for decision, decision (joint-approval) or advice may only be approved by motion of the council.

### *3.5.6.1 Regular-Cycle Motions (Two-Meeting Cycle)*

A regular-cycle motion is the default motion for council meetings and receives council consideration over the course of two council meetings.

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Notice of a regular-cycle motion shall be given at the council meeting one month before the council is to vote on the regular-cycle motion.

The council shall vote on a regular-cycle motion at the council meeting one month after notice of the regular-cycle motion was given.

The council may approve a regular-cycle motion by a vote of the council.

## *3.5.6.2 Short-Cycle Motions (One-Meeting Cycle)*

A short-cycle motion is a motion that receives full consideration and a vote at one council meeting.

An agenda item shall only be considered by short-cycle motion if the council approves consideration of a short-cycle motion by two-thirds majority of the votes cast by the voting members of the council.

If the council approves consideration of an agenda item by short-cycle motion, the council may then approve the short-cycle motion by a vote of the council.

## **3.5.7 Voting at Council Meetings**

Approval of a motion at a council meeting shall be determined by votes cast, including proxy votes as provided in Bylaw 1.3.1.2, by the voting members of the council present at the meeting.

The approval of the council shall be indicated by a simple majority of the votes cast, including proxy votes as provided in Bylaw 1.3.1.2, at the meeting, subject to any other provision in these bylaws.

An abstention shall not count as the casting of a vote.

# Douglas College Education Council Bylaws

## 3.6 Education Council Advice to the College Board

### 3.6.1 Advice Requested by College Board

If, having received a request for advice from the college board, the council passes a motion to provide advice to the college board, the chair of the council shall provide that advice to the college board in writing, and shall include the following information:

- (a) the specific issue for which the council is offering advice;
- (b) a summary of the nature of the consultations by, and feedback from, council members on the issue;
- (c) a summary of any consultation the chair of the council, or any other council members, engaged in with the senior management team of the college on the issue;
- (d) a summary of any evidence the council relied upon in support of its advice to the college board; and
- (e) a clear statement of the position of the council, or the recommendation of the council, to the college board.

### 3.6.2 Advice Given at Direction of the Council

If, on its own initiative and not at the request of the college board, the council passes a motion to provide advice to the college board, the chair of the council shall provide that advice to the college board in the same manner as that prescribed in Bylaw 3.6.1.

## 4. Committees

### 4.1. General

#### 4.1.1 Authority of Council to Establish and Empower Committees

The council may establish standing committees or ad hoc committees to which the council may delegate council powers and duties to conduct council business, but the council shall not delegate the council's authority under the *College and Institute Act* to make decisions or give advice.

# Douglas College Education Council Bylaws

## 4.1.2 Committees Only to Advise and Support Council

Standing or ad hoc committees may offer advice to the council to support the council's decision-making and advisory functions under the *College and Institute Act*.

## 4.1.3 Council to Set Terms of Reference

When establishing a standing or ad hoc committee the council shall set the terms of reference of that committee and attach the terms of reference of the committee as an appendix to these bylaws.

In setting the terms of reference for a committee the council shall use the template in Appendix 2 of these bylaws, and shall include the following terms:

- (a) the mandate and authority of the committee, with specific reference to applicable sections of the *College and Institute Act*;
- (b) the process by which the committee shall elect a chair;
- (c) the process by which the committee shall recruit members for appointment by the council;
- (d) the length of the term of service for members of the committee; and
- (e) the expectations of members of the committee, including meeting attendance and preparation for meetings.

## 4.2. Standing Committees

### 4.2.1. Standing Committees and their Functions

#### 4.2.1.1 Educational Policies Committee

The council shall establish and maintain an Educational Policies Committee whose function shall be to consider and advise the council on:

- (a) policies concerning examinations and evaluation of student performance;<sup>18</sup>

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<sup>18</sup> *College and Institute Act*, s 24(2)(a) decision-making authority of Education Council.

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- (b) policies concerning student withdrawal from courses, programs and the college;<sup>19</sup>
- (c) criteria for academic standing, academic standards and the grading system;<sup>20</sup>
- (d) policies and procedures for appeals by students on academic matters;<sup>21</sup>

and any other matters referred by the council to the committee and specified in an appendix to these bylaws.

## 4.2.1.2 Curriculum Committee

The council shall establish and maintain a Curriculum Committee whose function shall be to consider and advise the council on:

- (a) a proposal for a new course;<sup>22</sup>
- (b) a change to an existing course;<sup>23</sup>
- (c) a cancellation of an existing course;<sup>24</sup>
- (d) assessment of a course from another institution, university or college to determine whether the course is equivalent to a course at the college;<sup>25</sup>
- (e) assessment of a course from one part of the college to determine whether the course is equivalent to a course at another part of the college;<sup>26</sup>

and any other matters referred by the council to the committee and specified in an appendix to these bylaws.

## 4.2.1.3 Programs Committee

The council shall establish and maintain a Programs Committee whose function shall be to consider and advise the council on:

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<sup>19</sup> *College and Institute Act*, s 24(2)(b) decision-making authority of Education Council.

<sup>20</sup> *College and Institute Act*, s 24(2)(c) decision-making authority of Education Council.

<sup>21</sup> *College and Institute Act*, s 24(2)(e) decision-making authority of Education Council.

<sup>22</sup> *College and Institute Act*, s 24(2)(f) decision-making authority of Education Council.

<sup>23</sup> *College and Institute Act*, s 24(2)(f) decision-making authority of Education Council.

<sup>24</sup> *College and Institute Act*, s 23(1)(e) advisory (to board) authority of Education Council.

<sup>25</sup> *College and Institute Act*, s 25(1)(a) joint approval (with board) authority of Education Council.

<sup>26</sup> *College and Institute Act*, s 25(1)(a) joint approval (with board) authority of Education Council.

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- (a) a proposal for a new program;<sup>27</sup>
- (b) a change to an existing program;<sup>28</sup>
- (c) a cancellation of an existing program;<sup>29</sup>
- (d) assessment of the curriculum of a program from another institution, university or college to determine whether the curriculum of that program is equivalent to the curriculum of a program at the college;<sup>30</sup>
- (e) assessment of the curriculum of a program from one part of the college to determine whether that curriculum of that program is equivalent to the curriculum of a program at another part of the college;<sup>31</sup>

and any other matters referred by the council to the committee and specified in an appendix to these bylaws.

#### 4.2.1.4 Admissions Advisory Committee

The council shall establish and maintain an Admissions Advisory Committee whose function shall be to consider and advise the council on:

- (a) any aspect of a proposal for a new program that relates to program or college admissions;<sup>32</sup>
- (b) any aspect of a proposal for a change to an existing program that relates to program or college admissions;<sup>33</sup>

and any other matters referred by the council to the committee and specified in an appendix to these bylaws.

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<sup>27</sup> *College and Institute Act*, s 23(1)(b) advisory (to board) authority of Education Council (IF Re: new program] OR *College and Institute Act*, s 24(2)(f) decision-making authority of Education Council (IF re: course approval only).

<sup>28</sup> *College and Institute Act*, s 23(1)(b) advisory (to board) authority of Education Council (IF Re: new program] OR *College and Institute Act*, s 24(2)(f) decision-making authority of Education Council (IF re: course approval only).

<sup>29</sup> *College and Institute Act*, s 23(1)(e) advisory (to board) authority of Education Council.

<sup>30</sup> *College and Institute Act*, s 25(1)(a) joint approval (with board) authority of Education Council.

<sup>31</sup> *College and Institute Act*, s 25(1)(a) joint approval (with board) authority of Education Council.

<sup>32</sup> *College and Institute Act*, s 23(1)(m) advisory (to board) authority of Education Council.

<sup>33</sup> *College and Institute Act*, s 23(1)(m) advisory (to board) authority of Education Council.

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## *4.2.1.5 Educational Excellence Committee*

The council shall establish and maintain an Educational Excellence Committee whose function shall be to consider and advise the council on setting criteria for, or the awarding of, educational excellence awards.<sup>34</sup>

## *4.2.1.6. Education Council Executive Committee*

The council shall establish and maintain an Education Council Executive Committee whose function shall be to consider and advise the council on any matters not falling within the mandates of other committees, or any matters otherwise relating to the powers and duties of the council and the conduct of its business.

## *4.2.1.7. Academic Appeals Tribunal*

The council shall establish and maintain an Academic Appeals Tribunal whose function shall be to hear and decide appeals on academic matters arising under academic policies and procedures established by the council.<sup>35</sup>

## 4.2.2. Process for Establishment of Standing Committees

The council shall establish all standing committees by majority vote of the council and the council may refer additional matters to a standing committee by a majority vote of the council.

## 4.2.3. Membership of Standing Committees

### *4.2.3.1 General*

The Education Council Executive Committee shall annually make recommendations to the council regarding membership of standing committees.

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<sup>34</sup> *College and Institute Act*, s 24(2)(d) decision-making authority of Education Council.

<sup>35</sup> *College and Institute Act*, s 24(2)(e) establish a final appeal tribunal.



## Douglas College Education Council Bylaws

The council shall annually appoint members of standing committees by majority vote of the council, and all standing committees shall have at least one member from the council in addition to any non-council members.

### *4.2.3.2 Exception - Education Council Executive Committee*

The Education Council Executive Committee shall be composed of the chair of the council, the vice-chair of the council and the college president.

### *4.2.3.3 Exception – Admissions Advisory Committee*

The Admissions Advisory Committee shall include the college registrar as one of its members, and the college registrar shall serve as the chair of the committee.

### *4.2.3.4 Exception – Academic Appeals Tribunal*

The Academic Appeals tribunal shall be composed of the chair of the council, the vice-chair of the council, and one member of the council appointed by the council.

### 4.2.4. Rules of Order

Subject to any other provision in these bylaws, a standing committee shall determine its own rules of order, but the selection of the chair of the standing committee, and any recommendation made by a standing committee to the council, shall be supported by a majority vote of the members of the standing committee.

## 4.3. Ad Hoc Committees

### 4.3.1. Authority to Establish Ad Hoc Committees

The council may establish ad hoc committees by majority vote of the council.

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## 4.3.2. Mandate of Ad Hoc Committees

If the council establishes an ad hoc committee it shall, by majority vote of the council, specify the name and mandate of the ad hoc committee.

## 4.3.3. Membership of Ad Hoc Committees

If the council establishes an ad hoc committee it shall, by majority vote of the council, appoint members to the ad hoc committee which shall include at least one member of the council and may include non-council members.

## 4.3.4. Rules of Order for Ad Hoc Committees

Subject to any other provision in these bylaws, an ad hoc committee shall determine its own rules of order, but the selection of the chair of the ad hoc committee, and any recommendation made by an ad hoc committee to the council, shall be supported by a majority vote of the members of the ad hoc committee.

## 4.3.5. Dissolution of Ad Hoc Committees

The council may, by majority vote of the council, dissolve an ad hoc committee at any time.

## 5. Amendment and Review of Bylaws

### 5.1 Amendment of Bylaws

These bylaws may be amended at any time by a regular-cycle motion passed by a two-thirds majority of the votes cast by the voting members of the council present.

### 5.2 Review of Bylaws

The Education Council Executive Committee shall review these bylaws at least once every five years and make recommendations to the council regarding possible amendments.

# Douglas College Education Council Bylaws

## Appendix 1 – Conflict of Interest

### **1. Definition of Conflict of Interest**

#### **1.1 General Definition**

A conflict of interest exists when a council member's self-interest conflicts with their duties and responsibilities as a council member such that they are unable to fully exercise their duties and responsibilities.

A conflict of interest may involve a self-interest that is financial or non-financial and it may involve an interest of a person to whom the council member is closely related.

A conflict of interest may be actual or potential, and it may be real or perceived. An actual conflict of interest is one that currently exists, but a potential conflict of interest may arise in the reasonably foreseeable future. A real conflict of interest is one that exists, but a perceived conflict of interest is one that is reasonably believed to exist.

Whether a conflict of interest is potential or perceived is determined from the perspective of a reasonable and informed person viewing the matter realistically and practically.

#### **1.2 Exception – Personal Interest in Common with Many Others**

It is not a conflict of interest if the self-interest of a council member is one that the council member has in common with many other people.

#### **1.3 Exception – Personal Interest that is Remote or Insignificant**

It is not a conflict of interest if the self-interest of a council member is one that is so remote or insignificant that it cannot reasonably be seen as affecting the ability of the council member to carry out their duties and responsibilities as a council member.

# Douglas College Education Council Bylaws

## **2. Procedure for Identifying and Addressing Conflicts of Interest**

### **2.1 Disclosure of Own Conflict of Interest by Council Member**

A council member shall disclose their conflict of interest to the chair of the council in writing in advance of a council meeting, or orally at a council meeting if the conflict of interest arises without notice.

A council member shall, whenever possible, disclose their conflict of interest in relation to an issue before the council discusses or otherwise considers that issue.

When a council member has disclosed a conflict of interest in advance of a council meeting, the chair of the council shall notify all other council members of the disclosure prior that council meeting, or if that is not practicable, prior to council consideration of the matter in which the conflict of interest has been identified.

### **2.2 Allegation of Conflict of Interest Regarding Another Council Member**

If any council member believes that another council member has a conflict of interest, that council member shall identify that alleged conflict of interest to the other council members including the member who is the subject of the allegation.

If any person believes that a council member has a conflict of interest they shall identify that alleged conflict of interest to the chair of the council, or if their belief is that the chair of the council has a conflict of interest, they shall identify that alleged conflict of interest to the vice-chair of the council. The chair, or vice-chair, as the case may be, shall then determine whether to identify this alleged conflict of interest to other council members including the member who is the subject of the allegation.

If the council member who is alleged to be in conflict of interest accepts that they are in conflict of interest, this acceptance shall be taken as equivalent to a disclosure of own conflict of interest as outlined in 2.1.

If there is disagreement by any council member about the existence of the alleged conflict of interest, the council shall hold a vote to resolve the matter. With the council member who is alleged to be in conflict of interest refraining from voting, the council shall determine by majority vote whether a conflict of interest exists.

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If a council member is determined by majority vote to be in a conflict of interest, the council member is deemed to be in a conflict of interest.

### **2.3 Process Following Disclosure or Determination of Conflict of Interest**

Following a disclosure of conflict of interest by a council member, or a determination of conflict of interest by a majority vote of the council, the council member who is in conflict of interest must absent themselves from the council meeting during any consideration of the matter to which the conflict of interest relates. "Consideration" includes discussion, debate and voting.

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# Douglas College Education Council Bylaws

## Appendix 2 – Committee Terms of Reference Template

### (Example: Educational Excellence Committee)

**(Please note: This is intended only as a sample and does not constitute the actual terms of reference of the Educational Excellence Committee)**

#### **1. Mandate and Authority of Committee**

The Educational Excellence Committee is a standing committee of the council established by the council under Bylaw 4.1.1 of the council bylaws.

The mandate of the Educational Excellence Committee is to advise and support the council regarding the council's authority under section 24(2)(d) of the *College and Institute Act* to set criteria for awards recognizing academic excellence.

#### **2. Responsibilities of the Committee**

##### **2.1 Review of Criteria for Academic Excellence Awards**

The committee shall review criteria for academic excellence awards and make recommendations to the council for revisions to these criteria when necessary.

##### **2.2 Managing Processes for Academic Excellence Awards**

The committee shall manage the processes for academic excellence awards, including:

- (a) Circulating information about academic excellence awards in a timely manner;
- (b) Soliciting nominations for awards;
- (c) Reviewing nominations and supporting documentation as required; and
- (d) Selecting and recommending to the council candidates for academic excellence awards.

##### **2.3 Review and Management of Academic Excellence Awards (External)**

The committee shall serve, as required by agencies external to the college, as the college's nomination committee for external agencies' academic excellence awards, including:

# Douglas College Education Council Bylaws

- (a) receiving and circulating information about external academic excellence awards in a timely manner;
- (b) receiving nominations and supporting documentation for external academic excellence awards;
- (c) selecting candidates for nomination for external academic excellence awards;
- (d) submitting nominations with appropriate signatures;
- (e) publishing lists of external academic awards recipients; and
- (f) performing other tasks related to external academic excellence award distribution and recognition.

## **2.4 Reporting to Education Council**

The committee shall report to the Council as follows:

- (a) the council member on the committee shall submit academic excellence awards recommendations of the committee to the council;
- (b) the chair of the committee shall keep minutes of committee meetings and submit them to the secretary of the council for retention; and
- (c) the chair of the committee shall provide an annual report of the committee's activities to the council.

## **3. Membership**

There shall be five members of the committee.

The membership of the committee shall include at least one member of the council and may include non-council members.

The membership of the committee shall include:

- (a) two faculty members;
- (b) one staff member;
- (c) one administrator; and
- (d) one student.

## **4. Recruitment of Committee Members**

The committee may recruit potential committee members and recommend them for appointment by the council.

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When recruiting potential committee members the committee shall:

*[insert details here of process to be followed in recruiting members of the committee]*

Only the council shall appoint members of the committee.

## **5. Terms of Committee Members**

Members of the committee shall have a two-year term and may be reappointed by the council to subsequent terms.

## **6. Selection of Chair of the Committee**

The chair of the committee shall be elected annually by the members of the committee.

## **7. Duties of Committee Members**

Committee members are expected to be prepared for all committee meetings.

Committee members shall attend all committee meetings and if any member fails to attend more than three committee meetings during their term that member may be removed from the committee by the council.