



# **Education Council Bylaws**

2015 November 6

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## Preamble

The Education Council (hereafter referred to as “the Council”) is an internal body of Okanagan College, required by the *College and Institute Act*, R.S.B.C., 1996, Chapter 52, as amended, which considers educational policies pertaining to planning, operations, evaluation, and standards.

The Council sets policies regarding examinations, evaluation of student performance and student withdrawal from courses, programs, or the institution. It also sets criteria for academic standards, for awards recognizing academic excellence, and for appeals by students on academic matters. The Council sets curriculum content for all courses leading to certificates, diplomas, or degrees.

The Council advises the Okanagan College Board of Governors (hereinafter referred to as “the Board”) on the approval, evaluation, and cancellation of programs and courses, as well as priorities for the implementation of new programs and courses. It also gives advice to the Board on educational matters such as libraries and resource centres, admissions policies, faculty member qualifications, the academic schedule, and student life and discipline.

The operating procedures of the Council are those established by Council according to the relevant provisions of the *College and Institute Act*, R.S.B.C., 1996, Chapter 52, as amended, including all previous Acts and amendments.

Members of the Council exercise their best individual judgement in accordance with the College Mission, Vision, and Values, and on behalf of the College, and the people and the communities that it serves.

### 1.0 Operating Procedures of Education Council

- 1.1 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.

### 2.0 Official Secretary to Education Council

- 2.1 The Registrar shall be the Official Secretary to Education Council.

### 3.0 Membership and Officers of Education Council

- 3.1 The membership of Council consists of twenty positions with voting privileges [*College and Institute Act*, Section 15(1)]. The Council may, by motion and agreement of the President, increase or decrease in size in accordance with the *College and Institute Act*, Section 15(2).
- 3.2 The terms of office for faculty, support staff, and appointed members shall be two years and for students one year. Elections for position on the Council shall normally be held twice a year, for terms of office beginning August 1 and November 1.
- 3.3 The President of the College is a non-voting *ex officio* member of the Council [*College and Institute Act*, Section 15(4)].

- 3.4 The Okanagan College Indigenous Advisor is a non-voting member who provides expert counsel to Education Council. In the event that the Indigenous Advisor is elected as a member of Education Council, no additional non-voting member will be appointed as expert counsel.
- 3.5 The Council shall elect a Chair from its membership at least annually. The Chair retains voting rights as a Council member. The Chair represents Council and its positions to the Board. The Chair shall be entitled to a minimum of 50 percent release time for faculty, or the equivalent for administrative or support staff.
  - 3.5.1 The election of the Council Chair shall normally take place no later than the April meeting of Education Council. The term of office shall normally begin July 1.
  - 3.5.2 The Official Secretary to Education Council shall call for nominations at meetings prior to the April election meeting to ensure the nomination process is completed for an April election of Education Council Chair.
  - 3.5.3 The election shall be conducted by the Official Secretary to Education Council. Balloting shall be done in secret.
- 3.6 The Council shall normally elect a Vice Chair at least annually, who shall chair meetings in the absence of the Chair.
  - 3.6.1 The election of the Vice Chair shall normally take place no later than the April meeting of Education Council. The term of office shall normally begin July 1.
  - 3.6.2 The Official Secretary to Education Council shall call for nominations at meetings prior to the April election meeting to ensure the nomination process is completed for an April election of the Education Council vice chair.
  - 3.6.3 The election shall be conducted by the Official Secretary to Education Council. Balloting shall be done in secret.
- 3.7 Resignation of Chair or Vice chair or inability to complete the term of office
  - 3.7.1 In the event that the Chair is unable to complete the term as Chair, the vice chair will immediately take over the duties of the chair. If the vice chair is unable to complete the term as chair, a by-election to elect a chair will occur at the next meeting. The chair elected at the by-election will fulfil the role of chair for the balance of the term.
  - 3.7.2 In the event that the Vice Chair is unable to complete the term of office, members will be notified at the next meeting. A by-election to elect a vice chair will take place at the following meeting.
- 3.8 The position of a member shall be declared vacant by the Official Secretary to Education Council when she or he has received notice that the member has resigned from the Council, resigned from the College, retired from the College, or that the member is going on leave for a period of more than six months.

- 3.8.1 Members who inform the Official Secretary to Education Council of their intent to be active in Council business during their leaves may be granted exemption by Council from the rule prohibiting membership during their leaves.
- 3.9 Any member may be granted a leave of absence by a resolution of the Council for up to three consecutive ordinary meetings of the Council. Any absence without leave for more than three consecutive ordinary meetings shall result in a declaration of vacancy by the Official Secretary to Education Council.
- 3.10 Filling of vacancies on Education Council: Elected Positions
  - 3.10.1 Should an election not fill a vacancy, the Council Chair will canvass the appropriate constituency for volunteers and select a volunteer, by lot, to fill the vacancy.
  - 3.10.2 Should there be a vacancy during a term of office (see sections 3.6 and 3.7 of the bylaws), the Council Chair will canvass the appropriate constituency for volunteers and select a volunteer, by lot, to fill the vacancy.
  - 3.10.3 All vacancies on Education Council shall be filled within one month of the vacancy occurring. Should no replacement be available by that time, the Council Chair will be empowered to appoint a replacement from the appropriate constituency.
- 3.11 Council members may not appoint a proxy.

## 4.0 Meetings of Education Council

### 4.1 Regular Meetings

- 4.1.1 The Council schedules ten regular meetings each academic session, September through June. The times of these meetings shall be established in advance by Education Council itself or by the Operations Committee.
- 4.1.2 Meetings shall normally not exceed three hours. In no case will a meeting adjourn later than 8:30 p.m.
- 4.1.3 The time for adjournment may be extended at any meeting by a successful motion for extension, which is not debatable, and requires an affirmative vote of a simple majority of those who vote.
- 4.1.4 The Council may agree to requests to consider items and vote on motions deemed urgent at a time beyond the adjournment deadline.
- 4.1.5 A regular meeting may be cancelled. The Operations Committee may meet in Council's place if there is neither urgent nor sufficient business.

## 4.2 Special Meetings

- 4.2.1 A Special Meeting may be called to discuss a particular topic or topics.
- 4.2.2 A Special Meeting may be called at the discretion of the Chair or upon receiving a request from the Board.
- 4.2.3 A Special Meeting must be called by the Chair upon a motion carried by Council and passed by a simple majority of those voting, or upon the written request of more than one-quarter of the members of the Council.
- 4.2.4 The Chair shall fix the date of the Special Meeting; that date shall not be more than 21 days after the receipt of a request issued under Section 4.2.3.
- 4.2.5 A Notice of Special Meeting shall specify the purpose of the meeting. Such a notice shall be given to members of the Council at least 10 days prior to the meeting. Only the matter or matters specified in the notice concerning the meeting shall be considered at such a Special Meeting.

## 4.3 Quorum

- 4.3.1 More than one-half of the voting members of the Council (refer to 3.1) shall form a quorum for meetings of the Council.

## 4.4 Open and Closed Sessions

- 4.4.1 Meetings of the Council are open and observers may attend. Observers shall not be entitled to speak or to vote. Observers may be invited to speak to specific matters on the agenda by majority vote of Council.
- 4.4.2 No recording of the meeting shall take place unless at the discretion of the chair.
- 4.4.3 The Council may, by simple majority vote, clear observers from the meeting and consider items of the agenda *in camera*.
- 4.4.4 A Chair of a Standing Committee shall be allowed to speak to matters on the agenda arising from the Standing Committee. Deans and Directors are entitled to speak to curriculum and policy matters from their area of responsibility.

## 4.5 Order of Business

- 4.5.1 The agenda for regular meetings is normally set twelve calendar days prior to the scheduled meeting date of the Council. The agenda and supporting documents shall be circulated at least seven calendar days in advance of regular meetings.
- 4.5.2 The usual order of agenda items is:

1. Determination of quorum.
2. Messages of regret from those unable to attend.
3. Adoption of the agenda.
4. Declaration of conflict. See section 7 of the bylaws.
5. Council membership: Declaration of vacancies, replacements and introduction of new members.
6. Minutes of the previous meeting: Motion to adopt, amend and/or correct the minutes.
7. Business arising from the minutes: Information may be presented, and matters arising from the minutes discussed. Motions may be put and voted upon regarding matters arising from previous minutes.
8. Items brought forward from previous meetings: Unfinished business from previous agendas.
9. New Business.
  - Curriculum recommended by each CPRC. The order of these reports will normally vary from meeting to meeting.
  - Reports of Standing Committees of the Council. These are normally presented in alphabetical order. Reports should normally be circulated in advance. Committees may propose motions with respect to their reports.
  - Correspondence and the receipt of petitions: Petitions may be received by Council and may be forwarded to appropriate committees for consideration. Statements may be circulated to members.
  - Matter discussed *in camera*.
  - Other business.
10. Reports
  - Council Chair. The Chair may report on issues of interest to the Council. Members of the Council shall have the opportunity to pose questions to the Chair regarding matters of interest to the Council.
  - President and Vice President, Education
  - Registrar
  - Board representative: Notification of Board activities, status of advisory proposals, and issues of joint authority.
11. Date and time of next meeting.
12. Submission Deadline for next meeting.
13. Adjournment.

- 4.5.3 Any matter not already on the agenda of a regular meeting may, at the request of a member from the floor of the Council and at the discretion of the Chair, be included on the agenda under "Other Business".
- 4.5.4 Any member may request in writing to the Chair that the agenda of the next regular meeting include any such matter which the member requests Council to consider.
- 4.5.5 Any member may give notice of a motion from the floor of the Council, whereby the motion shall be on the agenda of the next regular meeting of Council.

## 4.6 Conduct of Meetings

- 4.6.1 Voting on ordinary business and motions is normally by show of hands. A member may request at any time through a motion that a roll call vote or a secret ballot vote be conducted. Such a motion requires a simple majority of those voting excluding blanks and abstentions for the motion to pass.
- 4.6.2 The Council may acquiesce in a recommendation or motion without a vote. This is an indication of the will of the Council should the minutes reporting the concurrence be adopted without challenge.
- 4.6.3 The Chair has the same voting rights as other members of the Council and shall vote at the same time as other members. In the event of an equal number of votes for and against a motion, the motion shall be lost.
- 4.6.4 Any member of the Council may request that the vote count, or the member's individual vote or abstention from voting be recorded in the Council minutes.
- 4.6.5 The Chair normally vacates the Chair to enter into discussion, other than under Section 4.5.2.8.
- 4.6.6 The Council may choose a *president pro tem* to chair council meetings enabling the Chair to speak freely on council matters.

## 4.7 Motions

- 4.7.1 Motions may originate from a Standing Committee presenting a report, from a Standing Committee advising the Council in advance of its intention to bring forth motions at the next regular meeting, from an organization unit, if the Operations Committee considers that the matter does not need to be referred to a Committee, from a member presenting a notice of motion to be presented at the next regular meeting, or from the floor of the Council to be considered immediately in accordance with Section 4.5.3.
- 4.7.2 Once a motion is moved and seconded, the mover of the motion, or as appropriate, a department or Dean's representative may speak to it and answer questions from the floor of the Council.
- 4.7.3 A motion included on the agenda may be withdrawn before being moved on the floor of the Council.
- 4.7.4 A motion may be presented and voted upon with or without discussion.
- 4.7.5 A motion on the floor of the Council may be referred to a committee by the carrying of a second motion to this effect, which is debatable and is passed by a simple majority.
- 4.7.6 A motion to postpone consideration of a motion on the floor of the Council may be moved at any time. If seconded, a motion to postpone consideration is debatable. If the motion to postpone is carried by a simple majority, no



further discussion of the original motion is allowed; if the motion to postpone is lost, debate on the initial motion may continue.

- 4.7.7 A motion to “lay on the table” the pending motion halts consideration of the pending motion immediately. It must be seconded, is not debatable and may be passed by a simple majority. It should be employed **only** when the Council wishes to lay the pending motion aside temporarily when a matter of immediate urgency has arisen.
- 4.7.8 A motion to amend a motion on the floor of the Council may be moved at any time. If seconded, the motion to amend may be debated and may be passed by a simple majority. Regardless of the outcome, debate of the original motion may continue, with further motions of amendments proposed and voted upon. Once all discussions are complete, including voting upon all motions of amendment, the original motion (in amended form if such amendments were carried) is put to a vote in its entirety.
- 4.7.9 Upon the agreement of the Council in the form of a motion to such effect, which is not debatable and is passed by a simple majority, a motion on the floor may be split into two or more parts, with each part to be debated and voted upon separately. The defeat of one part of a motion so divided does not automatically defeat the other parts of the split motion.
- 4.7.10 When two motions on the agenda are at variance, the Chair may rule that consideration of the second motion is unnecessary if the first is passed. If the first motion is lost, the second may be considered.
- 4.7.11 A motion to rescind a motion requires a vote of two-thirds majority in the affirmative to pass, or, if a notice of motion has been given, a simple majority in the affirmative to pass.
- 4.7.12 A motion to adjourn may be made at any time. When seconded, it is not debatable, must be voted upon immediately and requires a simple majority vote in the affirmative to pass.
- 4.7.13 Any ruling or action of the Chair with regard to motions or any other matter may be challenged. Such a challenge is generally not debatable, shall be voted upon by Council and is sustained by a simple majority.

## 5.0 Standing Committees

### 5.1 Academic Regulations and Policy Committee

The Academic Regulations and Policy Committee (ARP) shall function under the Terms of Reference approved by Education Council.

## 5.2 Curriculum Criteria and Calendar Committee

The Curriculum Criteria and Calendar Committee (CCC) shall function under the Terms of Reference approved by Education Council.

## 5.3 Curriculum Proposal Review Committees

The Curriculum Proposal Review Committees (CPRC) shall function under the Terms of Reference approved by Education Council.

## 5.4 Operations Committee

The Operations Committee shall function under the Terms of Reference approved by Education Council.

## 5.5 Tributes Committee

The Tributes Committee shall function under the Terms of Reference approved by Education Council.

## 5.6 Membership on Committees

5.6.1 Council may at any time form a standing or an *ad hoc* committee and establish the terms of reference of a standing or an *ad hoc* committee of which the size and composition is normally recommended by the Nominating Committee.

5.6.2 The terms of reference of each Council Committee shall specify the membership and specific responsibilities of the committee.

5.6.3 The Council Chair shall be an *ex officio* member of all committees.

5.6.4 The Council may designate members of committees according to any of the following methods:

- *Ex officio* – Designated officer
- Education Council member elected by Council
- Constituency member elected by Council
- Constituency member elected by Constituency
- Constituency member appointed by designated person or body

5.6.5 A member of the Council is entitled to seek nomination for any committee, or suggest to the Operations Committee the names of individuals who might be nominated for particular committees.

- 5.6.6 Additional nominations may be made from the floor of the Council, provided the consent of the nominees has been obtained. When additional nominations are made from the floor, a ballot election should be held to determine the membership of the committee of the size recommended by the Operations Committee.
- 5.6.7 Bylaws section 3.6 (vacancy), 3.7 (leave of absence), 3.8 (filling of vacancies: elected positions) and 3.9 (proxy) of the Education Council bylaws also apply to standing and *ad hoc* committees.
- 5.6.8 When a vacancy occurs or is expected to occur on a committee, or when a committee wishes to add to its members, the Chair of that committee shall notify without delay the Chair of the Operations Committee. Such vacancies should, if possible, be announced at a regular meeting of the Council before the Operations Committee considers a nomination for the vacancy.
- 5.6.9 Attendance at meetings of Council committees is normally limited to members of the committee. Committee meetings may be attended by others only with the permission or at the request of the Chair of the Committee.

## 5.7 **Committee Reports to Council**

- 5.7.1 Standing committees shall report to the Council as required but in any event, not less than once each year.
- 5.7.2 A committee report is generally presented by the Chair of the committee, but in the Chair's absence, another member of the committee may do so.
- 5.7.3 Committee reports are not required to be seconded to be discussed on the floor of the Education Council.
- 5.7.4 A committee report should normally consist of the body of the report with recommendations (if appropriate) summarized at the end and motions arising from the recommendations, if any, following the recommendations.
- 5.7.5 Recommendations of the Tributes Committee regarding nominations for honorary degrees are to be presented *in camera*.
- 5.7.6 The final recommendation of an *ad hoc* committee's final report should be that Education Council discharge the committee.
- 5.7.7 The Council may take, through appropriate motions, any of the following actions with regard to committee reports:
- Receive a report.
  - Receive a report, and consider motions to approve specific recommendations.
  - Adopt a report.

- Adopt a report, and consider motions to approve specific recommendations.
- Refer a report to another committee.
- Refer a report back to the original committee.
- Postpone consideration of a report, until a specified date or indefinitely.

5.7.8 A committee may circulate a report for information. Such a report may raise questions without making recommendations, or may make recommendations, with no motions or actions arising from the report.

## 6.0 Amendment of Education Council Bylaws

- 6.1 Any amendment of the bylaws of the Education Council shall require one month's notice of motion.
- 6.2 The Council may amend its bylaws by a duly given notice of motion by a vote of at least two-thirds of the voting members of the Council.

## 7.0 Conflict of Interest

- 7.1 A conflict of interest arises when a Council member's private interests supersede or compete with his or her dedication to the interests of the College. In general, voting on matters which have an effect on a broad group by a member of that group is not considered a conflict of interest.
- 7.2 In cases where conflict cannot be avoided, a 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 Council member must:
- 7.2.1 in an *in camera* session or committee meeting, absent him/herself from the proceeding during discussion or voting on that particular matter.
- 7.2.2 in a public session, refrain from discussion or voting on that particular matter.
- 7.3 Where a Council member is unsure of whether he or she is in conflict, that member should raise the perceived potential conflict with the Council, and the Council should determine by a two-thirds majority vote whether or not a conflict of interest exists. The member perceived to be in a conflict should refrain from voting on the issue.