

LANGARA COLLEGE EDUCATION COUNCIL BYLAWS

1. OBJECTIVES

The objectives of Education Council (henceforth referred to as Council) are to fulfill the roles and powers defined by Sections 23, 24 and 25, except as amended under Section 25 (1) (b) of the *College and Institutes Act (1996)*. (Appendix A)

2. COMPOSITION AND TERMS OF MEMBERSHIP

The composition of Council is that defined by Section 15 of the *College and Institutes Act (1996)*, unless amended according to the Statute. (Appendix B)

The terms of office for voting members are those determined by *Section 16* of the *College and Institutes Act (1996)*.

As directed by the *College and Institutes Act (1996)* Section 17, elections for the Council will be conducted by election rules promulgated by the Registrar pursuant to the *Act*.

A member may resign from the Council by giving notice in writing to the Chair. A member will notify the Chair within 30 days of no longer being able to complete the term of their appointment to Council.

In the event of a seat being vacated, the Chair will request that the Registrar fill the vacant seat as described in the election rules.

The new member will serve for the balance of the term of the seat that has been vacated, as permitted under the *Act*.

3. COUNCIL ADMINISTRATION AND OPERATIONS

A. Meetings

- i) Business meetings will normally be held monthly with the exception of July and August. A schedule will be established annually by the Chair.
- ii) To have agenda items included in the agenda, members of Council must submit items to the Office of the Chair at least ten (10) working days prior to a scheduled Council meeting.

- iii) An agenda and supporting materials for a regular meeting will be circulated to Council members six (6) working days prior to the meeting.
- iv) An extraordinary meeting of the Council may be called at a designated time by the Chair. The notice for such a meeting shall clearly specify the purpose of the meeting and shall be given at least six (6) working days before the meeting.
- v) At an extraordinary meeting only the matter (or matters) specified in the notice convening the meeting shall be considered.
- vi) At the Chair's discretion, a virtual meeting can be called to deal with specific issues when a regularly scheduled meeting is not available in the necessary timeframe. Voting from such a meeting may be conducted electronically.
- vii) Notice of regular and special meetings and meeting agendas may be circulated electronically.

B. Procedures

- i) Council meetings will be governed by Robert's Rules of Order, except as otherwise provided.
- ii) A quorum of the Council shall consist of fifty percent (50%) plus one (1) of the regular voting members.
- iii) Voting shall be by simple majority of the votes cast except if otherwise specified in these by-laws. A motion shall be passed or defeated by a simple majority unless otherwise specified.

4. OFFICERS OF COUNCIL

A. The officers of Council will consist of a Chair and Vice-Chair

- i) The Chair of Council will be elected each year by and from the voting members of Council.
- ii) The Vice-Chair will be elected each year by and from the voting members of Council.
- iii) The Chair and Vice-Chair offices may not be held by the same individual.
- iv) A Secretary to Council will be appointed by the College. The secretary is not a member of Council.
- v) The Secretary will maintain the official repository of Council Records and documents.

B. Duties of the Chair of Education Council

- i) The Chair will preside at all meetings of the Council.
- ii) The Chair will represent the Council on the College's Board of Governors.
- iii) The Chair or delegate will represent the Council at joint provincial meetings of Council chairs.
- iv) The Chair will ensure that the Council Secretary:
 - Maintains an up-to-date record of minutes;
 - Maintains a current list of members, appointment dates and terms;
 - Manages electronic records of the Council.
- v) Agenda setting for Council meetings will be undertaken by the Chair and Vice-Chair in consultation with the Secretary and others as appropriate.
- vi) If in the opinion of the Chair, after consultation with appropriate parties (e.g. Registrar, Vice President Academic), the College urgently requires a decision by Education Council at a time when a quorum of the members cannot be convened, the Chair is authorized to make the decision on behalf of Education Council and to determine the duration for which this change is in effect. After making the decision, the Chair will notify the Council members of the decision as soon as possible.

C. Duties of the Vice-Chair.

- i) The Vice-Chair will fulfill the duties of the Chair in cases where the chair cannot fulfill those duties.

D. Election of Council Officers

- i) The Election of Council officers will be held each year by and from the voting members of Council in accordance with Section 18 of the *College and Institutes Act (1996)*.
- ii) The election of Council Officers will be presided over by the Registrar or their delegate. The delegate must be a non-voting member of Council or a non-council member.
- iii) The Registrar or delegate will conduct the vote in a manner deemed appropriate by council and as outlined in Appendix C.

E. Roles and Responsibilities of Council Members

Council's responsibilities are mandated under the *College and Institutes Act (1996)* Section 23 and as such, Council is required to fulfill these.

To undertake this work, members of Council need to:

- i) Attend all meetings of Council (regular and special) but when attendance is not possible, inform the Secretary two (2) days in advance of the meeting.
- ii) Serve on Council committees

5. CONFLICT OF INTEREST

- A. Conflict of interest arises when a council member uses his or her position to further a private interest.

Declaration of Conflict

- i) A member who has a conflict of interest in any matter under consideration by the council must disclose the nature of that conflict to the chairperson at the earliest opportunity.
- ii) A member who declares such a conflict must refrain from any further participation in discussions or other consideration of the matter.
- iii) Any member of the council who perceives another member to be in conflict of interest in a matter under consideration must disclose that perceived conflict to the chairperson at the first opportunity.
- iii) Where there is doubt that a conflict of interest exists, the council will decide by vote.

6. INDEMNITY AGAINST PERSONAL LIABILITY

- A. 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 power given by the College and Institute Act.

7. AMENDMENTS AND REVISIONS OF BY-LAWS

- A. By giving a notice of motion at a regular meeting, the terms of the by-laws may be considered for amendment at the next regular meeting of Council.
- B. Bylaws and bylaw amendments shall be considered passed if approved by at least two-thirds (2/3) of the members present subject to any approval required by statute.

8. STATUS OF OBSERVERS AND GUESTS

- A. Council and standing committee meetings are open to the College community and members of the public.
- B. Guests are invited by Council to report on proposals for educational program changes and for new educational programs. Presentations can be made to Council or provide information and a rationale that is helpful to Council decision-making.
- C. Observers are welcome to attend Council meetings and may be called upon by the Chair to comment.

9. COMMITTEES OF COUNCIL

Council may carry out its business through standing committees which have ongoing responsibilities and through ad hoc task forces which have specific tasks and short time frames. Committees and ad hoc task forces and their terms of reference shall be created by motions of Council in accordance with the Act.

Resolutions creating Terms of Reference for Standing Committees and ad hoc Task Forces shall include:

- i) a name for the standing committee or task force;
- ii) a statement of purpose, together with a list of specific duties and responsibilities;
- iii) membership which may contain non-members of the Council;
- iv) standing committees shall be appointed on an annual basis;
- v) ad hoc task forces shall be created for a specific time (not to exceed a year) and;
- vi) reporting procedures and time-lines.

APPENDIX A

The College and Institute Act [RSBC 1996] CHAPTER 52
(Current to May 04, 2011).

http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_96052_01

Excerpts Pertaining to Education Council: Sections 14, 15, 16, 17, 18, 23, 24, 25

Part 3 — Colleges and Provincial Institutes

Education council

14 (1) Each institution, other than the Justice Institute of British Columbia, must have an education council.

(2) The board of the Justice Institute of British Columbia has the powers and duties of an education council under this Part to discharge under its own bylaws.

Composition of an education council

15 (1) On first being established, an education council must have 20 voting members as follows:

- (a) 10 must be faculty members elected by the faculty members;
- (b) 4 must be students elected by the students;
- (c) 4 must be educational administrators appointed by the president;
- (d) 2 must be support staff elected by the support staff.

(2) After an education council is established, the number of its faculty member, educational administrator and support staff voting members having terms of more than one year, and of its student voting members, may be increased or decreased if

- (a) the increase or decrease is agreed to by the president and a majority vote of the voting members of the education council,
- (b) the number of voting members after the increase or decrease is apportioned to represent faculty members, students, educational administrators and support staff respectively in the same ratios as under subsection (1),
- (c) the new faculty member, student and support staff voting members, if any, are elected by the faculty members, students and support staff respectively, and the new educational administrator voting members, if any, are appointed by the president, and
- (d) the total of voting members exclusive of those elected or appointed under subsection (3) is 20 or more.

(3) After an education council is established, the number of its voting members may be increased for one year if

- (a) the increase is agreed to by the president and a majority vote of the voting members of the education council,
- (b) these new faculty member, student or support staff voting members are elected by the faculty members, students and support staff respectively, and these new educational administrator voting members, if any, are appointed by the president, and

- (c) these new voting members are deemed not to be voting members for the purposes of a vote under subsection (2) (a) or this subsection.
- (4) The president is a non-voting member of the education council.
- (5) The board may appoint one person to be a non-voting member of the education council to serve for one year.

Term of office

- 16** (1) Faculty members or support staff elected under section 15, other than those elected under section 15 (3), serve a 2 year term and may be elected to further terms under that section.
- (2) Students elected under section 15 serve a one year term and may be elected to further terms under that section.
- (3) Educational administrators appointed under section 15, other than those appointed under section 15 (3), serve a 2 year term and may be appointed to further terms under that section.
- (4) Those elected or appointed under section 15 (3) serve for one year and may be appointed to further terms under section 15.

Elections

- 17** (1) The registrar must conduct the elections described in section 15.
- (2) The registrar after consulting with the chief officers of the representative groups and the president must establish the rules necessary and consistent with this Act for the conduct of the elections described in section 15, including an appeal process for the conduct of elections.
- (3) Rules for elections described in section 15 must reflect the geographic distribution of programs of the institution and provide for representation of program and education support areas at the institution as determined by the registrar after consulting with the chief officers of the representative groups and the president.

Chair of the education council

- 18** The chair of the education council must be elected each year by and from the voting members of the education council.

Part 4 — The Powers and Duties of Boards and Education Councils

Advisory role of the education council

- 23** (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, objectives, strategies and priorities of the institution;
 - (b) proposals about implementation of courses or programs leading to certificates, diplomas or degrees, including the length of or 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.

(2) Advice given under subsection (1) must not conflict with policy or directives established under section 2 (1) (a).

(3) The board must request advice on a matter under subsection (1) by giving the education council, at least 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.

(4) Despite subsection (3), if the board must deal with a matter under subsection (1) and there are substantial reasons why 10 working days' notice under subsection (3) 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.

Powers of the education council

24 (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.

(2) Subject to the policy and directives established under section 2 (1) (a), the education council has the power and duty to do all of the following:

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

Joint approval

25 (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.
- (2) Subsection (1) (a) does not include curriculum evaluation based on instructional methods.
- (3) An agreement under subsection (1) (b) may be terminated by
 - (a) the board giving written notice of termination to the chair of the education council, or
 - (b) the education council giving written notice of termination to the chair of the board.
- (4) Joint approval given under subsection (1) must not conflict with policy or directives established under section 2 (1) (a).
- (5) 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.

APPENDIX B

EDUCATION COUNCIL MEMBERSHIP

The College and Institutes Act (1996) defines the composition of Education Council in Section 15 (membership) and Section 17 C (election rules reflecting distribution and representation).

In accordance with the Act, Langara's Education Council consists of

- 4 students elected by students
- 4 educational administrators appointed by the president
- 2 at large support staff elected by support staff

To reflect the 2018 reorganization of the academic faculties, the 10 faculty positions are apportioned as follows:

- 10 faculty members elected by faculty members
 - 5 faculty members representing each of the faculties of
 - Arts
 - Science
 - Social Sciences and Community Programs
 - Nursing
 - Management
 - 1 library/counselling representative (elected from each of these departments in alternating terms)
 - 4 faculty at large

APPENDIX C

**PROCEDURE FOR ELECTION OF
EDUCATION COUNCIL OFFICERS**

Process for Election of Chair and Vice Chair

The Registrar or delegate calls for nominations from all voting and non-voting members of Education Council.

1. The candidates submit a maximum 200-word platform statement along with their completed nomination for consideration for that office.
2. If there is only one candidate for an officer position, the candidate is appointed to that position by acclamation.
3. The slate of candidates and their platform statements are distributed to voting members.
4. Voting members cast their ballots.
5. The candidate with the most votes will be declared elected, and in the event of a tie, the winner is decided by the toss of a coin.
6. The Registrar informs the candidates of the outcome. If applicable, candidates are appointed by acclamation.
7. The Registrar announces the names of the successful candidates to members of Education Council and the Langara Community.

Elections of the Chair and Vice-Chair of Education Council will take place annually after the April Education Council meeting with the process being complete, officers elected, before the May meeting.

Action	Timing	Duration
Call for nominations from all voting Education Council members	Begins after April EdCo meeting	One week (5 working days)
Voting opens	Begins after the close of nominations	One week (5 working days)
Successful candidates notified and announced to the Langara Community	After the close of voting	N/A