



BYLAWS OF THE EDUCATION COUNCIL OF VANCOUVER COMMUNITY COLLEGE

1.0 NAME

The name of the association shall be the Education Council of Vancouver Community College, and shall be referred to hereinafter as Council.

2.0 MISSION STATEMENT

The Education Council of Vancouver Community College dedicates itself, along with other members of the college community, to the development of sound and effective educational policy.

The Council recognizes its responsibility to the College Board and to the college community as a whole.

The Council specifically dedicates itself to:

- a) The creation and ongoing support of structures which promote the development and implementation of sound educational policy.
- b) Timely and effective communications with the College Board and all members of the college community.
- c) The development and implementation of educational policy in a prudent and diligent manner consistent with the College's need to operate in a changing and demanding environment.

3.0 The COLLEGE AND INSTITUTE ACT, R.S.B.C. 1996, c. 52 (the "Act")

The *Act* requires that Vancouver Community College formally create an Education Council. The Council has:

- a) advisory responsibilities;
- b) powers for setting policy; and
- c) joint authority for approval with the Board as defined in the Act.

Where the Bylaws of the Education Council of Vancouver Community College are at variance with the *Act*, the *Act* and all amendments to it shall take precedence.

4.0 ROLE OF THE EDUCATION COUNCIL

4.1 Advisory Role (the Act, s. 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 institutions;
 - 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)

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- 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 practical, concerning:
- a) the matter,
 - b) the reason why notice could not be given under subsection (3), and
 - c) the decision taken on the matter.
- 4.2 Powers of Education Council the Act, s. 24)
- 4.2.1 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.
- 4.2.2 Subject to the policy and directives established under section 24 of the Act, 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 institutions;
 - 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.
- 4.3 Joint approval of Council the Act, s. 25
- 4.3.1 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.
- 4.3.2 Subsection 4.3.1 (a) does not include curriculum evaluation based on instructional methods.
- 4.3.3 An agreement under subsection 4.3.1(b) 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.
- 4.3.4 Joint approval given under subsection 4.3.1 must not conflict with policy or directives established under section 4.3.2.
- 4.3.5 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.

5.0 COMPOSITION

- 5.1 Education Council shall be composed, initially, of twenty (20) voting members as follows:
- a) ten (10) faculty members elected by the faculty
 - b) four (4) students elected by the students
 - c) four (4) educational administrators appointed by the President
 - d) two (2) support staff elected by the support staff
 - e) the President (non-voting member)
 - f) the Board may appoint one person to be a non-voting member.
- 5.2 The number of voting members after an increase or decrease is apportioned to represent faculty members, students, educational administrators and support staff respectively in the same ratio as under subsection 5.1.

5.3 Election of Members

5.3.1 Representatives of the faculty, student society and support staff will be elected according to the bylaws of their respective bodies.

5.3.2 Elections

- a) The Registrar shall conduct the elections as described in the Act.
- b) Rules for elections described in the Act must reflect the geographic distribution of programs of the institution and provide for representation of programs 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.
- c) Elections shall conclude in October for terms of office to begin in November.
- d) Newly elected Education Council members shall be invited to attend as Observers prior to their term of office.

5.4 Terms of Office, Vacancies and Attendance

- a) Members are elected or appointed for a two-year term except for students whose term will be one year.
- b) All members may be elected or appointed to further terms.
- c) Only the members of Education Council may conduct the business of the Council.
- d) Any member who will be absent from a meeting should notify the secretary prior to the meeting.
- e) As per 7.2.1 of the Election Rules for VCC Board and Education Council representatives, the Election Committee will set time-lines for a by-election within one (1) month of confirmation of a vacancy. If there are no nominations for any positions posted in this by-election, the seats will remain vacant until an eligible member of the constituency group expresses interest in running or a vacancy occurs which results in the need to call a by-election or a vacancy has extended for four months (4 months). By-elections will be conducted if there is a minimum of four (4) months left in the term of office at the completion of the election process. A member who has been elected by by-election to fill a vacant seat shall serve for the remainder of the original term of the vacant seat.
- f) Council members conducting approved Education Council business will be reimbursed for travel costs according to standard college guidelines.

5.5 Council Year

November 1 to October 31.

6.0 DUTIES & RESPONSIBILITIES OF THE MEMBERS OF THE COUNCIL

6.1 Duties of Elected Members

- a) Attend all meetings.
- b) Annually elect a Chair, Vice-Chair and Executive committee to serve January 1 to December 31, as long as they are members in good standing of Education Council. The position of chair shall be limited to six (6) consecutive terms, and
- c) Serve on standing or ad hoc committees (as required).

6.2 Duties of Officers

6.2.1 Duties of the Chair:

- a) Act as official spokesperson of the Council, preside over all meetings of the Council and the Executive Committee.
- b) Communicate to the College Board all recommendations and reports of the Council, sit as a non-voting member of the College Board.
- c) Call, through Executive Committee, all regular meetings of the Council.
- d) Call, through Executive Committee and with seven (7) working days' notice, all special meetings of the Council.
- e) Serve as an ex-officio member of all committees of the Council.
- f) Have the right to vote as a member of Education Council.
- g) Relinquish the chair when participating in debate.
- h) Ensure that all business and operations of the Council are coordinated through the Recording Secretary; and
- i) Liaise with other Education Council Chairs at other institutions.

6.2.2 Duties of the Vice-Chair

- a) Fulfill the duties of the chair in his/her absence, and
- b) Assist the Chair in the performance of his/her duties.

6.2.3 Duties of the Chair and the Recording Secretary

- a) Maintain an up-to-date record of minutes. Such record shall be available for reference to all members of the VCC community upon request.
- b) Maintain a current list of Council members, appointment dates and terms.

- c) Issue copies of these bylaws to newly elected Council members.
- d) Communicate with the VCC community in such matters as:
 - i) the agenda for the meetings;
 - ii) circulating the agenda and reports at least seven (7) calendar days prior to a regular Council meeting;
 - iii) distributing the minutes and/or reports of meetings to members of Education Council, the Board of Governors, Library, and producing a summary for the college website; and
 - iv) publishing the dates of Education Council meetings in the college website.

6.3 Duties of Committee Members

6.3.1 The Executive Committee's responsibilities will include:

- a) Formulating and recommending efficient methods of transaction of the Council's business.
- b) Preparing an agenda for each meeting of the Council.
- c) Acting on behalf of Council between Council meetings after consulting with Council members.
- d) Reviewing, when requested, draft reports prior to their submission to the full Council.

For composition of Committees, see 10.0.

7.0 MEETINGS

7.1 Quorum

A quorum for Education Council shall consist of a simple majority of voting members.

Any business conducted at a meeting (regular or otherwise) where there is no quorum present will be considered as unofficial and subject to ratification at the next meeting held where a quorum is present. Any communication coming out of a meeting where no quorum was present shall be prefaced with a clear indication the communication is subject to ratification.

While this provision covers a meeting called knowing there will likely be no quorum, it is possible for a regular meeting with an insufficient quorum to continue under the same provision, providing all members present are in agreement.

7.2 Council Administration and Operations

7.2.1 Regular and Special Meetings

7.2.1.1 Regular meetings of the Council shall normally be held monthly, on a date designated by the officers of Education Council and published on the College website.

7.2.1.2 A special meeting of the Council may be called at a designated time by the chair, or following a petition signed by one-half of the total membership of Council. The notice for any meeting shall clearly specify the purpose of the meeting and shall be given at least seven calendar days before the meeting.

7.2.1.3 At a special meeting, only the matter (or matters) specified in the notice convening the meeting shall be considered.

7.3 Procedures

7.3.1 Any group or individual wishing to make a presentation to Council must submit the request to the Executive Committee ten (10) days before a regularly scheduled meeting for inclusion on the agenda.

7.3.2 Standing or Ad Hoc committee must submit written reports to the recording secretary at least ten (10) working days prior to a scheduled Council meeting.

7.3.3 Suggestions for agenda items will be received by the Chair on behalf of the Executive Committee from any one in the College community at least ten (10) working days prior to a scheduled Council meeting.

Anyone wishing to add an item to the agenda, after the Executive Committee has met and established the agenda, should contact the Chair who will determine whether or where to place the item on the agenda.

Items presented to Council or its standing committees shall normally have been reviewed by the appropriate faculty or administrative process or the attempt made to follow normal channels and/or college procedures.

7.3.4 Notwithstanding the above, any member of Education Council may initiate debate by placing an item on the agenda at an Education Council meeting.

7.3.5 Robert's Rules of Order, as revised (most recent edition), shall be the governing rules for Council meetings.

7.3.6 For each motion or amendment, the Chair shall develop a speakers list. A member of the Council may speak a second time on a motion or amendment only after the Chair has exhausted the list of first-time speakers. The mover of a motion or amendment shall have the final opportunity to speak.

7.3.7 Decisions shall be by majority vote by the members in attendance; the names of those opposed to motions will not be recorded unless by special request.

7.3.8 All matters referred by Council to its standing committees shall include instructions to address specific questions and to make recommendations within a specified time frame to Council.

7.4 Notice

The meeting agenda shall be circulated to Education Council at least seven (7) working days prior to a meeting.

7.5 Limits on Debate

Normally, the Chair shall impose limits on debate as follows:

7.5.1 Apart from the mover of a substantive motion, who may reply, no member may speak more than twice to a question, unless in explanation of something the member has said.

7.5.2 No member may speak for a total of more than eight (8) minutes to any question, except with leave of the Council (the Secretary of Council shall be responsible for keeping account of the length of time a person has spoken).

7.5.3 Prior to the beginning of debate on a question, the Chair, with the majority concurrence of Council, may establish a time limit for debate, after which the question shall be called.

8.0 AMENDMENTS AND REVISION OF BYLAWS

8.1 By giving notice of motion at a regular meeting, the terms of the by-laws may be amended at a subsequent regular meeting of the Council by a two-thirds vote, subject to any approval required by statute.

9.0 OBSERVERS

9.1 Education Council and standing committee meetings, with the exception of an Appeals Committee, shall be open to the VCC community and members of the public. An observer shall have no voting privileges.

9.2 From time to time, Council or Standing Committee may request a statement for clarification from an observer.

9.3 An observer may be added to the speaker's list for the discussion of an agenda item at the discretion of the Chair of Council or Standing Committee.

9.4 If a topic or topics on the agenda contain material that is deemed private or confidential, the Chair shall have the right to close that portion of the meeting in which those topics are discussed.

10.0 COMMITTEES

10.1 Executive Committee

10.1.1 Membership

- a) Education Council Chair,
- b) Education Council Vice-Chair,

- c) Two Education Council Members.
- 10.1.2 Agenda
- See Item 7.3.7.
- 10.2 Standing or Ad Hoc Committees
- Education Council may at its discretion create Standing or Ad Hoc Committees in order to conduct its business.
- 10.3 The Council resolution creating a Standing or Ad Hoc Committee shall include the following:
- a) A name for the committee.
 - b) 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.
 - e) At the first meeting of the committee a permanent chair must be elected.
 - f) Standing committees shall be appointed on an annual basis or as determined by Council.
 - g) Every committee must report at every regular meeting.
 - h) Ad hoc committees shall be created for a specific time (not to exceed one year).
 - i) Reporting procedures and timelines shall be defined.
 - j) All committee meetings shall be conducted under Robert's Rules of Order, as revised (most recent edition).
- 11.0 CONFLICT OF INTEREST**
- 11.1 A conflict of interest arises when a Council member's individual private pecuniary interest supersedes or competes with his/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.
- 11.2 In cases where conflict cannot be avoided, a Council member has an obligation to declare a conflict of interest prior to discussion of or decision on 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:

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

12.0 INDEMNITY TO COUNCIL MEMBERS

Every Council member and his/her heirs, executors and administrators, and estate and effects, respectively, shall be indemnified and saved harmless by the College, from and against all claims arising by reason of any act or omission in the performance of his/her duties of his/her office, except such claim arising as a result of his/her own wilful neglect or wilful default.

*Revised: November 4, 1997
June 7, 2005;
November 1, 2005
January 2007,
January 12, 2010*