

# Selkirk College Education Council Bylaws

## 2022-2024

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## **PREAMBLE**

The Education Council (hereafter referred to as “the Council”) is an internal body of Selkirk College (hereafter referred to as “the College”), required by the College and Institute Act, which considers educational policies pertaining to planning, operations, evaluation, and standards.

The Council advises the Selkirk College Board of Governors (hereafter referred to as "the Board") on the approval, evaluation, suspension, and cancellation of programs and courses, as well as priorities for the implementation of new programs and courses.

The Council approves curriculum content for all credentials in accordance with Policy 8100 Instructional Programs.

Members of the Council exercise their best judgement on behalf of Selkirk College and in accordance with the College’s [Strategic Plan](#).

## **A. PURPOSE**

The Council shall undertake the responsibilities set out in the College and Institute Act, section 24.

## **B. POWERS OF COUNCIL FOR VOTING MEMBERS OF COUNCIL**

### **1. POWERS**

The Council is constituted pursuant to the College and Institute Act (hereafter referred to as “the Act”) and exists to exercise those powers, rights and responsibilities included in the Act. Any Bylaw found to be in conflict with regulations, policy or directives of the Act, shall be null and voided, and have no effect.

## **C. COMPOSITION OF COUNCIL AND TERMS OF OFFICE**

### **1. VOTING MEMBERS**

There shall be 21 voting members distributed across:

#### *a) Faculty Members*

Faculty shall have ten (10) voting members who shall serve for a two (2) year term and may be elected to further terms. Normally, there will be five (6) elected members from the Selkirk College Faculty Association (SCFA) and five (5) elected members from the British Columbia Government Employees Union (BCGEU).

#### *b) Indigenous Member*

The Director of Indigenous Education and Engagement is appointed as a voting representative. The Director may also designate an alternate member from the Indigenization Standing Committee. The representative advises and guides based on the priorities of the Indigenization Plan and recognizes educational relationships with First Nation partners in our service region.

#### *c) Support and Exempt Staff*

Support and Exempt staff shall have three voting members, two (2) of whom are elected from the support staff union and serve a two (2) year term. The third member will be elected from the Exempt group to a one (1) year term as per the Act 15(3)(a). The Exempt Member position varies from the Act in accordance with the Selkirk College Education Council Annual Membership Variance.

This Exempt member may be elected to further terms.

#### *d) Students*

Students shall have four (4) voting members who shall serve for a one (1) year term upon being voted in as a member. They may be elected to further terms.

#### *e) Educational Administrators*

Educational Administration shall have four (4) voting members who shall normally serve for a two (2) year term, and may be re-appointed by the President.

## 2. NON-VOTING MEMBERS

### a) *President*

The President is a non-voting member.

### b) *Board*

The Board may appoint one of its members to be a non-voting member who shall serve for a one (1) year term.

### c) *Registrar*

The Registrar is a non-voting member.

## D. COUNCIL OFFICERS AND ASSISTANT

### 1. THE CHAIR AND VICE CHAIRS

#### a) *Duties of the Chair*

The Chair shall preside at all meetings of the Council. The Chair is responsible for setting the agenda, calling meetings, answering correspondence and other duties as delegated by the Council. The Chair shall be an ex-officio member of all committees and task forces of the Council.

#### b) *Release Time for the Chair*

The Chair of the Council shall be entitled to release time to carry out the Chair's functions on behalf of the Council. Such release time, as determined by the Council, shall not exceed twenty-five (25) percent.

#### c) *Duties of the Vice Chair*

The Vice Chair shall perform the duties and exercise the powers of the Chair when the latter is absent or unable to carry out the duties. The Vice Chair shall perform such duties as may be delegated by the Chair and the Council.

The position of a member shall be declared vacant by the Registrar to Education Council when they have 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.

### 2. ASSISTANT TO THE EDUCATION COUNCIL

The Assistant shall be provided by the College Administration. The Assistant will work with the Chair of Council and perform duties which shall include:

- a) issuing notices of Council meetings, preparing agendas for meetings, distributing all relevant documentation for meetings to members and others, according to the bylaws;
- b) preparing and distributing the minutes of meetings;
- c) making the necessary meeting arrangements; and
- d) maintaining accurate and complete records of Council proceedings.

### 3. OFFICE OF COUNCIL

The official office of the Council shall be:

Selkirk College Education Council

c/o Office of Vice President Education 301 Frank Beinder Way

Castlegar, BC V1N 4L3

## **E. ELECTION PROCEDURES**

### **1. ELECTION RESPONSIBILITY**

Pursuant to the Act, the Registrar or their designate is responsible for conducting elections to the Council and the election of officers.

### **2. ELECTION TO THE COUNCIL**

The faculty members, support staff, and student voting members shall be elected in a manner that reflects the geographic distribution of programs of the College and provides for representation of program and education support areas at the College. Normally faculty and support staff (Exempt) elections will be held in May and term of office will begin at the June meeting of Council. The Registrar will attempt to stagger the elections so that no one group shall have all members up for election in the same year. Student and support staff (PPWC) elections will be held in the fall and term of office will begin at the next meeting of Council.

### **3. ELIGIBILITY TO STAND FOR ELECTION TO COUNCIL**

#### *a) Faculty Members and Support Staff*

Faculty members and support staff are eligible to be elected in the manner described in Section E.2.

#### *b) Students*

Students who are registered at Selkirk College and in good standing in a course or program of studies are eligible to be elected in the manner described in Section 2.

### **4. ELECTION OF COUNCIL OFFICERS**

#### *a) Council Officers – the Chair and the Vice Chair*

Shall be nominated and elected annually by and from the voting members by a simple majority vote of the voting members of Council at the Annual General Meeting. If any of these elections fails to produce a majority candidate, the balloting for that election should be repeated as many times as necessary to obtain a majority vote for a single candidate. The term of office for Council officers normally begins at their election at the June meeting.

Notwithstanding this, the outgoing Chair may continue to chair the AGM by mutual consent of the outgoing and incoming Chair.

## **F. FILLING OF VACANCIES**

### **1. FILLING OF VACANCIES TO COUNCIL: ELECTED POSITIONS**

Any elected position that remains or becomes vacant during the term of office shall be filled through the following process:

First, the Registrar shall seek nominations for the position in consultation with the Executive of the constituency in which the vacancy occurs (the Constituency Executive). If more than one candidate is available, the Registrar shall hold a by- election.

Otherwise, the Registrar may request that the Constituency Executive will appoint a member where possible in accordance with Section E.2. If, after two (2) months, the position remains vacant, the Chair may appoint a member to fill the vacancy in accordance with Section C.1.

Notwithstanding the above, if the vacancy occurs in the last four (4) months of a two (2) year term, the Registrar may request that the Constituency Executive appoint a member to serve out the remainder of the term.

## 2. FILLING OF VACANCIES TO COUNCIL: APPOINTED POSITIONS

Should the vacancy of an Educational Administrator occur during the term, that position will be appointed by the President.

## 3. FILLING OF VACANCIES TO COUNCIL: OFFICER POSITIONS

Should the Chair's position become vacant during the Chair's term of office, the position will be filled by the first Vice Chair if available. If none of these officers are able to perform the duties of the Chair, the Registrar will hold an election by and from the voting members of the Council to fill any vacant officer positions. The Chair elected at the by-election will fulfil the role of chair for the balance of the term.

# G. MEETINGS OF COUNCIL

All meetings of the Council shall be open unless specifically restricted by the Chair or a resolution by the Council to only members of Council.

## 1. REGULAR MEETINGS

The Council shall normally meet ten (10) times a year. The dates and times of the meetings shall be established at the Annual General Meeting.

## 2. AGENDA, MEETING MATERIALS AND MINUTES

The request for agenda items will be sent to members of Council at least fifteen (15) business days before each regularly scheduled meeting. The deadline for receipt of agenda items will be eight (8) business days prior to the meeting. The agenda package shall be made available online to all members five (5) business days in advance of the meeting.

The meeting agenda shall normally specify the duration of the meeting, which may be extended by a simple majority of voting members present.

Approval of requests to add items to the agenda after the deadline will be at the discretion of the Chair in consultation with a Vice Chair (if possible). Factors guiding the Chair's decision will include the following:

- a) whether the item is within the Education Council's mandate;
- b) whether there is time available on the agenda;
- c) whether other bodies of the College are dependent on Education Council's timely action of the item; and
- d) whether sufficient background information or context is provided.

Items denied will be considered by the Chair for inclusion on the agenda of the next regularly scheduled meeting.

## 3. WIDER DISTRIBUTION OF THE AGENDA, MEETING MATERIALS, AND MINUTES

Public copies of the minutes shall be posted on the Selkirk College website.

## 4. SPECIAL MEETINGS AND NOTICE THEREOF

Special meetings may (or on the written request of at least five (5) voting members of the Council or the Board shall) be called by the Chair at any time. Notice of each special meeting, accompanied by copies of the agenda and all papers to be submitted at the meeting, shall be made available to members of Council at least twenty-four (24) hours in advance.

## 5. QUORUM

A quorum at all meetings of Council shall be a simple majority of the voting membership. If a Council meeting does not produce a quorum it shall continue to proceed, provided there is no objection from the members present; however, no changes shall be made to the agenda of a meeting without quorum. The decisions of a meeting with no quorum shall be presented for approval to the next duly constituted meeting of the Council.

## 6. MEMBER ATTENDANCE

Council members are expected to be punctual and attend all Council meetings. Council members not attending two consecutive meetings or a total of four (4) meetings in a year may be asked for their resignation.

## 7. CONDUCT OF MEETINGS

The conduct of meetings shall be governed by provincial legislation, the Bylaws, and Council resolutions. When these are silent, Robert's Rules of Order most recent edition shall apply.

## 8. PLACE OF MEETING

Council shall normally meet at the Castlegar Campus. The Council shall have the option of scheduling meetings at other Selkirk College Campuses or Centres.

The Chair may, at their discretion, schedule a meeting as an electronic meeting. An electronic meeting would be appropriate in the following circumstances:

- a) if there is little business for the committee to consider, but an item cannot wait for the next meeting to be approved; and
- b) if it is known that members will not be able to travel to the meeting, but could attend electronically.

## 9. VOTING PROCEDURES

### *a) General Voting Procedures*

- i. For any motion to pass, (with the exception of 9.a.ii) it must receive a simple majority of votes cast by the voting members present.
- ii. Motions dealing with the amendment of the bylaws require a two-thirds vote of all of the current voting members.
- iii. In an attempt to maintain the appearance of impartiality, the Chair will only vote where it makes a difference to the outcome. If the vote is tied (and thus the motion is defeated), the Chair may vote in favour to pass the motion. If the Chair's vote against would create a tie (and thus defeat the motion) the Chair may cast such a vote.
- iv. Voting shall be done by a show of hands or a verbal 'yea' or 'nay' on all general voting.
- v. A secret ballot will be held upon the request of any voting member.

### *b) Secret Ballot Procedures*

- i. Each voting member must be supplied with a mechanism to vote. Each member must write: "in favour", "not in favour", or "abstain". Abstentions do not count as votes cast in determination of the majority.



- ii. The votes will be counted by the Assistant and one ex-officio member. If no ex-officio member is present, the Chair will select a scrutineer.
- iii. The numerical result of the vote must be announced following confirmation of the result.
- iv. The ballots will be retained by the Assistant for no more than thirty days or until a recount has occurred, whichever has come first.
- v. A recount can occur any time within the thirty (30) day period. After the thirty
- vi. (30) day period has expired or a recount has occurred the ballots must be destroyed. If the motion is passed by less than two-thirds of the votes cast, a recount may be requested by any voting member of Council. The recount procedures will be conducted in the same way as outlined in Section G
- vii. 9.b. parts i through iv.

c) *Proxy Voting*

Proxy voting will not be allowed by the Education Council.

## H. CONFLICT OF INTEREST

### 1. CONFLICT OF INTEREST DEFINED

- a) A conflict of interest arises when a Council member's personal interests supersedes or competes with their dedication to the interests of the institution. This could arise from real, potential or apparent conflict of interest for a Council member or related persons and may be financial or otherwise. For this purpose:
  - i. A "Real Conflict of Interest" occurs when a Council member exercises an official power or performs an official duty or function and, at the same time, knows that in the performance of this duty or function or in the exercise of power, there is the opportunity to further a personal interest.
  - ii. A "Potential Conflict of Interest" occurs when there exists some personal interest that could influence the performance of a member's duty or function or in the exercise of power, provided that they have not yet exercised that duty or function.
  - iii. An "Apparent Conflict of Interest" exists when there is a reasonable apprehension that a Real Conflict of Interest exists on the part of the member.

### 2. DECLARATION OF CONFLICT

- a) Council members must arrange their personal affairs and conduct themselves in a manner to avoid a conflict of interest. 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 note the declaration and the Council member must:
  - i. in an in-camera session or committee meeting, absent themselves from the proceedings during discussion or voting on that particular matter, contract or arrangement; and
  - ii. in a public session, refrain from discussion or voting on that particular matter, contract or arrangement.

- b) Where a Council member is unsure of whether they are in conflict, that member should raise the perceived potential conflict with the Council and the Council should determine, by majority vote, whether a conflict of interest exists. The member shall not vote on the issue of whether they are in conflict. If the Council determines that the member is in conflict, then the member must follow the procedure in Section H.2 (a) (i) & (ii).
- c) Where a conflict of interest is discovered after consideration of a matter, the conflict must be declared to the Council and appropriately recorded at first opportunity. If the Council determines that involvement of said member influenced the decision of the matter, the Council shall re-examine the matter and may rescind, vary, or confirm its decision.
- d) Any Council member who perceives another member to be in conflict of interest in a matter under consideration must identify the perceived conflict to the Council at the first opportunity. The Council should determine by majority vote whether or not a conflict of interest exists. The member shall not vote on the issue of whether he/she is in conflict. If the Council determines that the member is in conflict, then the member must follow the procedure in Section H 2 (a) (i) & (ii). At the discretion of the Council, the Council may invite the member in conflict to state their position on the issue in question prior to absenting themselves.

Note: Refer also to Selkirk College Policy 6000: Employee Code of Conduct and Conflict of Interest.

## **I. STANDING COMMITTEES AND TASK FORCES**

### **1. GENERAL**

Council may carry out its business through standing committees, which have ongoing responsibilities, and through task forces, which have specific tasks and short time frames. Committees, task forces, and their terms of reference shall be created by resolutions of Council. All committees and task forces shall be advisory to the Council.

### **2. STANDING COMMITTEES AND TASK FORCES**

Any Council resolution creating a standing committee or task force shall include the following:

- a) a name for the standing committee or task force;
- b) a statement of purpose, together with a list of specific duties and responsibilities;
- c) membership, including the Council chair which may also include non-members of the Council; and
- d) reporting procedures and time lines.

### **3. TERM LIMITS FOR COMMITTEE MEMBERSHIP**

- a) Standing committees shall be appointed by Education Council for a period determined by their Terms of Reference.
- b) Task forces shall be created for a specific time (not to exceed one (1) year).

## **J. BYLAW REVIEW**

The Council shall review its Bylaws every 2 years at a meeting preceding the AGM of Council in preparation for approval at the AGM of Council. A Bylaw review group will be struck, no later than four (4) months in advance of the upcoming AGM, to review the Bylaws and make recommendations to the Council.

## **K. APPENDIX A - INTERPRETATIONS**

1. “Act” means the College and Institute Act.
2. “Annual General Meeting” (AGM) means the meeting at which the Chair and Vice Chairs are elected, and shall be held in June or such other time as determined by resolution of the Council.
3. “Board” means the Selkirk College Board of Governors.
4. “Chair” means the Chair of the Selkirk College Education Council.
5. “Constituency” means the group from which a voting member is elected or appointed.
6. “Council” means the Education Council of Selkirk College.
7. “Educational Administrator” means a Senior Administrator of the institution, other than the president, who provides leadership for the programs and services offered by the institution.
8. “Electronic Meeting” means a virtual meeting of the Education Council at which one or more committee members who are participating in the meeting are not present at the same location. (These may take the form of teleconference, video conference, or online formats).
9. “Faculty Member” includes any member in good standing with SCFA or BCGEU who is currently employed with Selkirk College.
10. “Governance and Records Services Coordinator” means an individual or individuals who assist the Chair in conducting the affairs of Council. Referred to as “Assistant”.
11. “Nonvoting Member” means a member of Council who may participate in Council activities but may not participate in Council governance, including the moving and seconding of or voting on motions.
12. “President” means the Chief Executive Officer of Selkirk College.
13. “Registrar” means the Registrar of Selkirk College.
14. “Regular Meeting” means a meeting that is set at the Annual General Meeting of the Council.
15. “Simple majority” means at least half of the current voting membership plus one
16. “Section” unless otherwise specified refers to a section of the Education Council Bylaws.
17. “Special Meeting” means a meeting called by the Chair and established to deal with a special or unique issue of concern to the Council.
18. “Student” means a person the Registrar recognizes to be enrolled and in good standing in a course or program of studies at the institution.
19. “Support Staff” includes any member in good standing of the PPWC or of the exempt group who is not an Educational Administrator.
20. “Voting Member” means a member who has been elected or appointed pursuant to the Act, and these Bylaws, and who enjoys the full rights and duties of membership.
21. “Voting Membership” is based on the number of seats that are filled at the time.

### **Other Relevant Policies**

*Policy 6000: Employee Code of Conduct and Conflict of Interest*

*Policy 8100: Instructional Programs*

*Policy 3400: Student Code of Conduct*