

Selkirk College Education Council Bylaws

2024-2028

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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 (hereafter referred to as “the 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 8101 Academic Programs and Policy 8102 Credentials, Recognition and Credit Standards.

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 as set out in the Act.

B. POWERS OF THE COUNCIL FOR VOTING MEMBERS OF THE COUNCIL

1. POWERS

The Council is constituted pursuant to 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 THE COUNCIL AND TERMS OF OFFICE

1. VOTING MEMBERS

There shall be twenty-one (21) voting members. EdCo will strive to obtain equal representation across the college. All members will serve a two-year term except for students who serve a one-year term.

a) *Faculty* shall have ten (10) voting members elected by the faculty members.

Education Council members will strive for representation of the program and educational support areas of the College as follows:	Number of Seats
University Arts and Sciences	1
Health and Human Services	1
Business	1
Environment and Geomatics	1
Arts and Technology	1
Applied Research, Student Success, Teaching and Learning Centre	1
Academic Upgrading and Development	1
Industry and Trades Training	1
Hospitality and Tourism	1
Members at large	1

- b) *Students* shall have four (4) voting members elected by the students.
- c) *Educational Administrators* shall have four (4) voting members appointed by the president.
- d) *Support Staff* shall have (2) two voting members, elected by the support staff.
- e) *Indigenous Member* - the Director of Indigenous Education and Engagement or designate.

The Indigenous member advises, and guides based on the priorities of the Indigenization Plan and recognizes educational relationships with Nation partners in our service region.

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 CHAIR

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 or Designate shall be a member of all committees and task forces of the Council. Each standing committee or task force will determine through their terms of reference whether the Chair or Designate is voting or non-voting.

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 of a full-time contract.

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.

2. ASSISTANT TO THE EDUCATION COUNCIL

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

- a) issuing notices of the 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
- d) maintaining accurate and complete records of the Council proceedings

3. OFFICE OF THE 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 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 to reflect the composition of the Council in C.1. Normally faculty and support staff elections will be held in May and term of office will begin at the June meeting of the 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 elections will be held in the fall and term of office will begin at the next meeting of the Council.

3. ELIGIBILITY TO STAND FOR ELECTION TO THE 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 E. 2.

4. ELECTION OF THE COUNCIL OFFICERS

The Council Officer roles of Chair and Vice Chair shall be nominated and elected annually by and from the voting members by a simple majority vote of the voting members of the 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

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.

1. FILLING OF VACANCIES TO THE 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 to maintain the composition of the Council as described in section C.1.a.

If more than one candidate is available, the Registrar shall hold a by-election. If, the position remains vacant, the Registrar may seek nominations from the members at large to fill the vacancy.

2. FILLING OF VACANCIES TO THE COUNCIL: APPOINTED POSITIONS

Should the vacancy of an Educational Administrator occur during the term, that position will be appointed by the President. Should the vacancy of the Indigenous Member occur during the term, that position will be appointed by the Director of Indigenous Education and Engagement.

3. FILLING OF VACANCIES TO THE COUNCIL: OFFICER POSITIONS

Should the Chair's position become vacant during the Chair's term of office, the position will be filled by the Vice Chair. If the Vice Chair is unable 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 THE 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 the Council.

1. REGULAR MEETINGS

The Council shall normally meet eight (8) 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 the 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 the voting members that are present.

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

- a) whether the item is within the Council's mandate
- b) whether there is time available on the agenda
- c) whether other bodies of the College are dependent on the Council's timely action of the item
- 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 be called at any time by the Chair or by the written request of at least five (5) voting members of the Council. 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 the Council at least twenty-four (24) hours in advance.

5. QUORUM

A quorum at all meetings of the 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 the Council meetings.

7. CONDUCT OF MEETINGS

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

8. PLACE OF MEETING

The Council will meet virtually or in-person.

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 by the voting members that are 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 (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 the Council. The recount procedures will be conducted in the same way as outlined in Section G. 9 (b) parts (i) through (iv).

c) Proxy Voting

Proxy voting will not be allowed by the 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 simple 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 simple majority vote whether 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. 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 and task forces shall be created by resolutions of the Council and be advisory to the Council.
- 2. Any Council resolution creating a standing committee or task force shall have a Terms of Reference, which will include the following, and be approved by Education Council:
 - 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 composition, which includes the Council Chair or Designate, and which may also include non-members of the Council
 - d) reporting procedures and timelines

J. BYLAW REVIEW

The Council shall review its Bylaws every four (4) years at a meeting preceding the AGM of the Council in preparation for approval at the AGM of the 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.

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 Chair 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. “Designate” means a voting member of the Council.
8. “Educational Administrator” dean, vice president or similar employee of the institution whose primary responsibility is to provide administrative services in support of education or training offered by the institution and does not include the president (CIA definition).
9. “Faculty Member” includes an instructor, librarian, tutor, counsellor, research associate, program co-ordinator or other employee of the institution that a collective agreement between the bargaining agents, as defined in section 1 of the Labour Relations Code, for the institution and faculty members specifies to be a faculty member (CIA Definition).
10. “Assistant” means an individual or individuals who assist the Chair in conducting the affairs of the Council.
11. “Non-voting Member” means a member of the Council who may participate in the Council activities but may not participate in the 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 more than half of the current voting membership.
16. “Section” unless otherwise specified refers to a section of the Education Council Bylaws.
17. “Special Meeting” means a non-regular meeting 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” means the employees of the institution who are not the president, educational administrators, or faculty members (CIA definition).
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 3400: Student Code of Conduct

Policy 6000: Employee Code of Conduct and Conflict of Interest

Policy 8101: Academic Programs

Policy 8201: Credentials, Recognitions, and Credit Standards