



**BYLAWS
OF THE EDUCATION COUNCIL
OF
VANCOUVER COMMUNITY COLLEGE**

1.0 THE EDUCATION COUNCIL

1.1 The Education Council of Vancouver Community College (the “Education Council”) is established under the College and Institute Act, RSBC 1996, c. 52 (the “Act”).

1.2 These Bylaws are made by the Education Council under Section 24(1) of the Act.

2.0 MANDATE

2.1 The Education Council is established to exercise the powers and perform the duties prescribed by the Act. The Education Council is committed to working in a collegial manner toward the development of sound and effective educational policy.

2.2 The Education Council recognizes its responsibility to the College’s Board of Governors (the “Board”) and to the College community as a whole.

2.3 The Education 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 Board and with all members of the College community.

3.0 ROLE OF THE EDUCATION COUNCIL

3.1 Under the Act, the Education Council has:

- a) advisory responsibilities;
- b) statutory powers and duties; and
- c) joint approval powers with the Board over specified matters.

3.2 If there is any conflict between these Bylaws and a provision of the Act, the Act shall prevail to the extent of the inconsistency.

4.0 SPECIFIC POWERS AND DUTIES

4.1 Advisory role of the Education Council (Act, s. 23)

- 4.1.1 The 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 College;
 - 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 College 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 College or changes in the length of or hours for courses or programs offered by the College;
 - 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 College's educational programs;
 - m) qualifications for admission policies;
 - n) criteria for awarding certificates, diplomas and degrees;
 - o) other matters specified by the Board.

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- 4.1.2 Advice given under subsection 4.1.1 must not conflict with policy or directives established under Section 2(1)(a) of the Act.
- 4.1.3 The Board must request advice on a matter under subsection 4.1.1 by giving the Education Council at least ten (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.
- 4.1.4 Despite subsection 4.1.3, if the Board must deal with a matter under subsection 4.1.1 and there are substantial reasons why 10 working days' notice under subsection 4.1.3 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 4.1.3, and
 - c) the decision taken on the matter.
- 4.2 Powers of the Education Council (Act, s. 24)
- 4.2.1 The 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 2(1)(a) of the Act, 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 College;
 - 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 the Education Council and the Board (Act, s. 25)

4.3.1 To be implemented, decisions concerning the following matters must have joint approval of the Education Council and the Board:

- a) curriculum evaluation for determining whether
 - i) courses or programs, or course credit, from another College, university or other body are equivalent to courses or programs, or course credit, at the College, or
 - ii) courses or programs, or course credit, from one part of the College are equivalent to courses or programs, or course credit in another part of the College;
- 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 2(1)(a) of the Act.

4.3.5 If joint approval on a matter described in subsection 4.3.1 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 (Act, s. 15)

5.1 The Education Council shall initially be composed of twenty (20) voting members as follows:

- a) ten (10) faculty members elected by the faculty members;

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- b) four (4) students elected by the students;
 - c) four (4) educational administrators appointed by the President; and
 - d) two (2) support staff elected by the support staff.
- 5.2 The number of the Education Council's 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 5.1,
 - (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 5.3 is 20 or more.
- 5.3 The number of the Education Council's voting members may be increased for one year if
- (a) the increase is agreed to by the President of the College 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 5.2 (a) or this subsection.
- 5.4 The President of the College is a non-voting member of the Education Council.
- 5.5 The Board may appoint one person to be a non-voting member of the Education Council to serve for one year.
- 6.0 TERM OF OFFICE (Act, s. 16)**
- 6.1 Faculty members or support staff elected under section 5 above, other than those elected under section 5.3, serve a two (2) year term and may be elected to further terms under section 5.

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- 6.2 Students elected under section 5 serve a one year term and may be elected to further terms under that section.
- 6.3 Educational administrators appointed under section 5, other than those appointed under section 5.3, serve a two (2) year term and may be appointed to further terms under section 5.
- 6.4 Those elected or appointed under section 5.3 serve for one (1) year and may be appointed to further terms under section 5.

7.0 ELECTIONS (Act, s. 17)

- 7.1 The Registrar must conduct the elections described in section 5 above.
- 7.2 The Registrar after consulting with the chief officers of the representative groups (i.e. faculty association, support staff union, students union) and the President must establish the rules necessary and consistent with the Act for the conduct of the elections described in section 5, including an appeal process for the conduct of elections.
- 7.3 Rules for elections described in section 5 must reflect the geographic distribution of programs of the College and provide for representation of program and education support areas at the College as determined by the Registrar after consulting with the chief officers of the representative groups and the President.
- 7.4 Elections shall conclude in October for terms of office to begin in November.
- 7.5 The Registrar after consulting with the chief officers of the representative groups (i.e. faculty association, support staff union, students union) and the President 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.

8.0 OFFICERS AND EXECUTIVE COMMITTEE

- 8.1 The Education Council shall have the following officers, elected each year by and from the voting members of the Education Council:
- a) Chair;
 - b) Vice-Chair; and
 - c) Two (2) Education Council Members.

8.2 The term of office of each officer of the Education Council shall be January 1 through December 31.

8.3 The Chair shall serve no more than four (4) consecutive terms.

8.4 The elected officers shall constitute the Education Council's Executive Committee.

9.0 DUTIES AND RESPONSIBILITIES OF MEMBERS AND OFFICERS

9.1 Voting Members

- a) Participate as appropriate in conducting the business of the Education Council.
- b) Prepare for and attend all Education Council meetings. Any member who will be absent from a meeting should notify the Recording Secretary prior to the meeting.
- c) The seat of any voting member who fails to attend three (3) regular meetings of Council within a year shall be declared vacant, unless excused by a resolution of the Council.
- d) Serve on Standing or Ad Hoc Committees, as required.

9.2 Officers

9.2.1 Duties of the Chair:

- a) Act as official spokesperson of the Education Council.
- b) Chair all meetings of the Education Council and the Executive Committee.
- c) Communicate to the Board all recommendations and reports of the Education Council;
- d) Sit on the Board as a non-voting member.
- e) Call, through the Executive Committee, all regular meetings of the Education Council.
- f) Call, through the Executive Committee and with seven (7) working days notice, all special meetings of the Education Council.
- g) Serve as an ex-officio member of all committees of the Education Council, with the exception of appeal hearing committees or panels.
- h) Have the right to vote as a member of Education Council.

- i) Relinquish the chair when participating in debate.
- j) Ensure that all business and operations of the Education Council are coordinated through the Recording Secretary.
- k) Liaise with other Education Council Chairs at other Colleges.

9.2.2 Duties of the Vice-Chair

- a) Fulfill the duties of the Chair in their absence.
- b) Assist the Chair in the performance of their duties.

9.3 Executive Committee

- a) Formulate and recommend efficient methods for the transaction of the Education Council's business.
- b) Prepare an agenda for each meeting of the Education Council.
- c) Act on behalf of the Education Council between meetings, after consulting where appropriate with the Education Council's members.
- d) Review, when requested, draft reports prior to their submission to the full Education Council.

10.0 RECORDING SECRETARY

10.1 The Recording Secretary of the Education Council will be appointed by the College. The secretary is not a member of the Education Council.

10.2 Duties of the Recording Secretary

- a) Maintain an up-to-date record of minutes. Such record shall be available for reference to all members of the College community upon request.
- b) Maintain a current list of Education Council members, appointment dates and terms.
- c) Issue copies of these Bylaws to newly elected Education Council members.
- d) Communicate with the College community regarding such matters as:
 - i) the agenda for Education Council meetings;
 - ii) circulating the agenda and reports at least seven (7) calendar days prior to a regular Education Council meeting;

- iii) distributing the minutes and/or reports of meetings to members of Education Council, the Board, Library; and
- iv) publishing the dates of Education Council meetings on the College website.

11.0 MEETINGS

11.1 Quorum

11.1.1 The quorum for an Education Council meeting shall consist of a simple majority of the voting members.

11.1.2 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.

11.2 Regular and Special Meetings

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

11.2.2 A special meeting of the Education Council may be called at a designated time by the Chair, or following a petition signed by one-half of the voting members. 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.

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

11.3 Procedures

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

11.3.2 Standing or Ad Hoc Committees must submit their written reports to the Recording Secretary at least ten (10) working days before the Education Council meeting at which their report is to be discussed.

11.3.3 Suggestions for agenda items will be received by the Recording Secretary on behalf of the Executive Committee from any member of the College community at least ten (10) working days prior to a scheduled Education Council meeting.

Any member of the College community who wishes 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 proposed item on the agenda.

Items presented to the Education Council or its Standing Committees shall normally have been reviewed by the appropriate faculty or administrative process or the attempt made to follow standard College procedures.

- 11.3.4 Notwithstanding the above, any member of Education Council may initiate debate by placing an item on the agenda at an Education Council meeting.
- 11.3.5 Robert's Rules of Order (most recent edition), shall be the governing rules for Education Council meetings.
- 11.3.6 For each motion or amendment, the Chair shall develop a speakers list. A member of the Education 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.
- 11.3.7 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.
- 11.3.8 All matters referred by the Education Council to its Standing Committees shall include instructions to address specific questions and to make recommendations within a specified time frame to the Education Council.

11.4 Notice

The agenda for regular meetings of the Education Council shall be circulated to Education Council members at least seven (7) working days prior to the meeting.

11.5 Limits on Debate

The Chair may impose limits on Education Council debate as follows:

- 11.5.1 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.
- 11.5.2 No member may speak for a total of more than eight (8) minutes to any question, except with leave of the Education Council (the Recording Secretary shall be responsible for keeping account of the length of time a person has spoken).
- 11.5.3 Prior to the beginning of debate on a question, the Chair, with the majority concurrence of Council, may establish an overall time limit for the debate, after which the question shall be called.

12.0 AMENDMENTS AND REVISION OF BYLAWS

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

13.0 OBSERVERS

- 13.1 Education Council and Standing Committee meetings, with the exception of Appeals Committee meetings, shall be open to the College community and members of the public. Observers shall have no voting privileges.
- 13.2 An observer may be added to the speakers' list for the discussion of an agenda item at an Education Council or Standing Committee meeting, at the discretion of the chair of the meeting.
- 13.3 If a topic or topics on the agenda of an Education Council or Standing Committee meeting raise matters that the majority of the voting members present at the meeting agree are of a confidential nature, such matters shall be discussed *in camera*.

14.0 STANDING AND AD HOC COMMITTEES

- 14.1 The Education Council may create Standing or Ad Hoc Committees, with the power to discuss specific issues and report or make recommendations to the Education Council regarding such issues.
- 14.2 The chair of each Standing or Ad Hoc Committee must be a voting member of the Education Council.
- 14.3 The chair of each Standing Committee shall be elected each year by the voting members of the Education Council. The chair of each Ad Hoc Committee shall be elected by the voting members of the Education Council when the committee is created.
- 14.4 The term of office of each Standing Committee chair shall be January 1 through December 31.
- 14.5 An Education Council resolution creating a Standing or Ad Hoc Committee shall include the following:
- a) The name of the Committee;
 - b) The Committee's terms of reference;
 - c) The criteria or qualifications for membership on the Committee;
 - d) The Committee's reporting procedures and timelines.

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- 14.6 Standing Committees shall be appointed on an annual basis, unless otherwise determined by the Education Council. Ad Hoc Committees shall be created for a specified time period, usually not to exceed one year.
- 14.7 Every Standing or Ad Hoc Committee must report at each regular meeting of the Education Council.
- 14.8 All Standing and Ad Hoc Committee meetings shall be conducted under Robert's Rules of Order (most recent edition).
- 14.9 Duties of Standing Committee Chairs
- a) Act as official spokesperson of the Standing Committee and preside over all meetings of the Standing Committee.
 - b) Communicate to Education Council all recommendations and reports of the Standing Committee.
 - c) Call all regular meetings of the Standing Committee.
 - d) Call all special meetings of the Standing Committee with seven (7) working days notice.
 - e) Relinquish the chair when participating in debate.
 - f) Ensure that all business and operations of the Standing Committee are coordinated through the Recording Secretary of the Education Council; and
 - g) Liaise with the Chair of the Education Council and the Chairs of other Standing Committees as necessary.

15.0 TRAVEL COSTS

- 15.1 Education Council members conducting approved Education Council business will be reimbursed for travel costs according to standard College guidelines.

16.0 CONFLICT OF INTEREST

- 16.1 A conflict of interest exists where there is an actual or potential conflict between an Education Council member's personal interests and their duties or responsibilities as a member of Education Council. Education Council decisions that may have an impact on a broad group will not usually give rise to a conflict on the part of an Education Council member who is in that group.
- 16.2 Any Education Council member who may have a conflict of interest in relation to a matter or issue that is scheduled to be discussed by Education Council must fully disclose the nature and extent of such conflict of interest before Education Council discusses or makes any decision on that matter or issue.

- 16.2 If the majority of the non-conflicted voting members of Education Council determine that a conflict of interest exists, the Education Council member who is in conflict shall:
- a) in an in-camera session or committee meeting, absent themselves from the session or meeting while the matter or issue is being discussed and voted on;
 - b) in a public session, refrain from discussing or voting on that particular matter or issue.

17.0 INDEMNITY

- 17.1 The College shall indemnify and save harmless every Education Council member and their heirs, executors and administrators, from and against all claims arising out of any act or omission arising in connection with the proper performance of their Education Council duties or responsibilities, except claims arising as a result of their own wilful neglect, wilful default, or unlawful act or omission.

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