



NORTHERN LIGHTS COLLEGE EDUCATION COUNCIL BYLAWS

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MANDATE OF THE EDUCATION COUNCIL

The mandate of the Education Council is as outlined in the College and Institute Act.
http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_96052_01#section24

COMPOSITION OF COUNCIL

2.1 Elected Members

Election to the Education Council is in accordance with the provisions of the College and Institute Act.

http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_96052_01#section12

NLC Education Council will have 16 elected voting members as follows:

- 10 faculty* members
- 4 student* members
- 2 support staff* members

[*see Definitions](#)

2.2 Eligibility for Election

As outlined in the College and Institute Act – Section 15

http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_96052_01#section15

Elected members must be nominated and elected by eligible* members from their representative group*.

[*see Definitions](#)

2.3 Election Rules

As outlined in the College and Institute Act – Section 17

http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_96052_01#section17

Election rules will be reviewed immediately following each election and published on the NLC Education Council website.

2.4 Non-Elected Members

As outlined in the College and Institute Act – Section 15

http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_96052_01#section15

NLC Education council will have 4 non-elected voting members as follows:

- 4 educational administrator members (that are appointed by the President)
- NLC Education council will have 2 non-elected non-voting members as follows:
- The president
 - 1 college board member – appointed by board.

2.5 Term of Office

The term of office for Council members is in accordance with the College and Institute Act

http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_96052_01#section16

- Faculty and support staff members – two years from the time of their election.
- Students - one year from the time of their election (October).
- Educational administrators – two years from the time of their appointment.
- Board member – one year from the time of their appointment.

2.6 Filling Vacancies on the Education Council

2.6.1 Election Times

An election to fill a vacancy must commence as quickly as possible and must be held within 90 days of vacancy.

The normal timing of elections for the Student positions on the College Board and the Education Council is October.

2.6.2 Filling Vacancies by Election

The normal process for filling vacancies on the Education Council is by election, in accordance with the College and Institute Act.

In the case of a vacancy brought on by the resignation of an Administrator, the Chair is to inform the College President that a new appointment needs to be made.

2.6.3 President Appointed Staff Vacancies

The President may appoint interim members from program areas not represented to fill vacancies on the Education Council until the next election is held.

2.7 Officers of the Council

The officers of the Education Council are the Chair and the Vice Chair. Both positions are elected by the voting members of the Education Council, usually in April. The newly elected officers will assume their duties in September. The Registrar will appoint an individual to conduct the election. The term of office is one year. Incumbents may stand for re-election.

Election of officers is by secret ballot. Voting members must be present at the meeting at which an election is held. Notification of election of officers must be provided at least one meeting prior to the election.

2.7.1 Vacancy

Should a vacancy occur in the seat of Chair and/or Vice Chair, a new Chair/Vice Chair will be elected at the next scheduled meeting.

ROLES AND DUTIES OF COUNCIL MEMBERS

3.1 Code of Ethics

The members of the Council are covered by the H-1.13 Standards of Ethical Conduct Policy

3.2 Conflict of Interest

The members of the Council are covered by the Northern Lights H-1.13 Standards of Ethical Conduct Policy

3.3 Duty to Participate

Each member of the Education Council has the duty to participate in a manner which promotes the efficient and effective operation of the Council in accordance with the purposes of the College and Institute Amendment Act and as provided for in the Council's Bylaws.

3.3.1 Meeting Absence

A meeting absence should be communicated to the Education Council Secretary in advance of the meeting.

3.3.2 Consecutive Absences

In the case of two consecutive absences (excused or not), the Chair should be in verbal communication with the member to determine the attendance difficulty. The Council may recommend to the Chair that the absentee member be suspended and determine if a replacement is necessary according to current bylaws of the Education Council.

3.3.3 Leaves

If the leave* will span more than two consecutive meetings the seat will be considered 'vacant', and an election will need to be called.

*see Definitions.

3.4 Duties of the Education Council Chair

The duties of the Chair include, but are not limited to, the following:

- a) calling meetings of the Council
- b) setting the agenda for meetings of the Council
- c) presiding over meetings of the Council
- d) being the official spokesperson for the Council
- e) serving as ex officio member of all committees of the Council
- f) representing the Education Council at the College Board meetings and any other meetings to which the invitation is extended to the Chair of the College's Education Council
- g) coordinating all business and operations of the Council.

3.5 Duty of the Education Council Vice Chair

The duty of the Vice Chair is to fulfill the duties of the Chair during their absence and to carry out any of the Chair's duties at their request.

The duty of the Vice Chair is to chair any ad hoc committees of Education Council.

The duty of the Vice Chair is to chair the Governance committee.

3.6 Recording Secretary

A Recording Secretary, assigned to the Education Council by the College Administration is responsible for recording the business of the Council and maintaining pertinent records. Further, the Recording Secretary assists the Chair in all aspects of the conduct of the Council's affairs, including committee meetings.

MEETINGS OF COUNCIL

4.1 Meeting Schedule

The Council is normally scheduled to meet regularly on the fourth Wednesday of the month, during the afternoon. There are no meetings scheduled for July, August or December.

Other meeting times are at the call of the Chair or, in the absence of the Chair, the Vice Chair.

4.2 Notice of Meeting

A meeting to be conducted at the normally scheduled time needs not have written notice the schedule being deemed to be the notice. For all other meetings, Council members are to be given ten working days' written notice, which commences the day the notice is delivered to the members' work or study location.

4.3 Notice of Meeting When No Quorum Will Be Present

The Chair (or in the absence of the Chair, the Vice Chair) may call a meeting of the Council, even when there will be no quorum present. Such a meeting will be called only in an extra ordinary circumstance when there is a need for the Educational Council to express an opinion on a matter (or matters) or where a decision needs to be made.

Normally, the notice of meeting will be the same as for a regular notice, i.e., ten working days. In the event that this is not possible the maximum time available for giving notice will be the notice period. In no circumstance, however, can there be less than three working days' notice provided. All members of the Council must be sent a written notice of meeting at their normal work or study location.

The notice must provide a sufficient rationale as to why there is the need to conduct a meeting in the likely or known absence of a quorum.

4.4 Quorum

The quorum for a regular meeting of the Council is a simple majority of the voting positions which are filled. The meeting must be chaired by the elected Chair or Vice Chair or, in the event neither is able to be present, a Council member appointed by the Chair.

4.5 Business Conducted at a Meeting Where No Quorum Is Present

Any business conducted at a meeting (regular or otherwise) where there is no quorum present it 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 that the communication is subject to ratification.

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

4.6 Extending a Meeting

In the event the business of the Education Council is not completed within the announced meeting finish time, a majority vote in favor of extending the meeting beyond this time is required of all those present.

4.7 Submissions to Education Council

Persons wishing to have an item placed on the agenda are required to submit the item according to the "Process for Submissions to the Education Council" and using the prescribed forms.
(See Appendix for copy of Process for Submissions)

4.8 Robert's Rules of Order

Except as otherwise provided, all proceedings of the Council shall be governed by Robert's Rules of Order.

4.9 Consideration of Submissions Outside of Regular or Special Meetings of the Education Council

In the event a submission delivered to the Education Council is time sensitive and requires consideration by the Council prior to the Council next convening in a regular or special meeting, or where it is deemed inefficient to convene a regular or special meeting, the following provision is available:

It is the Chair of the Education Council, or the Vice Chair in the absence of the Chair, who determines whether this provision for consideration of a submission outside of a regular or special meeting will be activated.

In the event the Chair determines the circumstances warrant consideration then every reasonable effort needs to be made to bring together a group consisting of, at minimum, the Education Council Chair, a faculty representative, a support staff representative, a student representative and an administration representative to consider the submission. In the event that not all the noted areas are able to be represented, there still needs to be a minimum of five Education Council members present. As well, all Education Council members need to be informed via e-mail of the time and place for the meeting (with a minimum of two working days' notice) along with the subject of the submission. All Education Council members are welcomed to participate as full members at the meeting.

The group considering the submission is able to make an interim decision. This interim decision is then subject to ratification at the next regular or special meeting of the full Education Council.

COMMITTEES

From time to time, the Council may establish or discontinue ad hoc and standing committees by motion and approval at meetings. Terms of reference for these committees must be approved by Education Council.

6.1 Appointment

Education Council member representatives on each committee will be selected by motion and approval at Education Council meetings.

6.2 Membership

The Council will determine the membership, the method of appointment or election of members, and the terms of reference to said committees.

- a) If the membership position is by position (e.g., Registrar) or by authority (e.g., Dean) the individual will be appointed by the VP Academic.
- b) If the membership position is either Faculty or Staff, the chair of the committee will request the Registrar to call an election to fill the position(s).
- c) If the membership position is a student, the Vice Chair of Education Council will contact the newly elected Education Council student and Student Council student members, after their election, to solicit representation on the Education Council committee(s).

The membership of committees may vary and may include non-members of the Council, and even a majority of non-members.

6.3 Conduct of Business

All committees of the Council will conduct their business according to the bylaws of the Council.

6.4 Term

The term of an ad hoc committee will end upon fulfillment of the Terms of Reference of the committee.

The membership of standing committees will be a two-year renewable term.

6.5 Council Chair Ex Officio Member

The Council Chair will be an ex officio member of all committees.

6.6 Review

Northern Lights College Education Bylaws will be reviewed at a minimum every 3 years.

DEFINITIONS

7.1 Faculty

As outlined in the College and Institute Act – Definitions

http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_96_052_01#section1

Includes an instructor, librarian, tutor, counsellor, research associate, program coordinator 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

7.2 Eligible faculty

A regular employee of the College at the time nominations are called.

As defined in the Collective Agreement (BCGEU LOCAL 0710 – NLC FACULTY Effective from April 1, 2019 to March 31, 2022, Definitions - Page 1, 13 (a) and

(b)): (a) “Regular Full-Time Employee” - means a person who holds an appointment to ongoing work with a full-time annual workload within one (1) or more departments or functional areas.

(b) “Regular Part-Time Employee” - - means a person who holds an appointment to an ongoing annual workload of less than full-time within one (1) or more departments or functional areas.

7.3 Support staff

As outlined in the College and Institute Act – Definitions

http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_96_052_01#section1

The employees of the institution who are not the president, educational administrators or faculty members

7.4 Eligible support staff

A regular employee of the College at the time nominations are called. For Support Staff this definition is broader than defined in the Collective Agreements, and includes the Campus Administrators, Director of Facilities, Executive Director of HR, HR Advisors, Associate Registrar, Director of Student Services, Health and Safety Advisor, Executive Assistants, and other individuals who may fall outside the traditional definition of support staff.

As defined in the Collective Agreement (BCGEU LOCAL 0710 – NLC SUPPORT Effective from July 1, 2019 to June 30, 2022, Definitions - Page 1, 10 (a)): “Regular Employee” means an employee who is employed for work which is of a continuous full time or continuous part-time nature.

As defined in the Collective Agreement (BCGEU LOCAL 0710 – NLC SUPPORT Effective from July 1, 2019 to June 30, 2022, Page 49, Article 25 (c)) If any temporary employee is employed longer than one thousand five hundred twenty-two point five (1522.5) hours in a two (2) year period they will automatically be considered to be a regular employee with ten (10) months regular service seniority. Each temporary job is subject to the standard probation period as defined elsewhere in this agreement.

7.5 Educational administrator

As outlined in the College and Institute Act – Definitions

http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_96_052_01#section1

Means a 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

7.6 Eligible student member

Any student enrolled at NLC taking a minimum of two courses, and who is paying the NLC Students' Association fee (or having tuition paid for by a sponsoring organization). Both full and part-time students are eligible.

An interested student that has not paid the NLC Students' Association fee could make their eligible by simply paying the Students' Association fee.

7.7 Representative group

As outlined in the College and Institute Act – Definitions

http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_96_052_01#section1

- (a) a bargaining agent, as defined in section 1 of the Labour Relations Code, for faculty members or for support staff, or
- (b) a student society or student organization for which fees are collected under section 19 or 21 of this Act

7.8 Leave

As outlined in the in the Collective Bargaining Agreements:

Leave of Absence with pay – absent from duty with permission and with pay.

Leave of Absence without pay – absent from duty with permission but without pay.

APPROVED BY:

Education Council Chair

Date

History

Created/Revised/Reviewed	Date	Author	Approved By
Revised	Jan 2005	Education Council	Education Council
Revised	April 2007	Education Council	Education Council
Revised	Dec 2009	Education Council	Education Council
Revised	Oct 2010	Education Council	Education Council
Revised	May 2012	Education Council	Education Council
Revised	June 2018	Governance Subcommittee	Education Council
Revised	June 2022	Governance Committee	Education Council

Next Scheduled Review Date: June 2027

APPENDIX

COLLEGE CODE OF ETHICS

8.1 Code of Ethics

Members of the college community recognize that personal relationships with their students or those employees they supervise can place them in an awkward situation. Certainly, there are exceptions where such behaviour would be deemed acceptable by the test of a reasonable person, but given the power relationship in such situations, and/or perceived inequities by third parties, this type of behaviour is more likely to be judged to be inappropriate.

Members of the college community recognize the need to avoid conflicts of interest.

In declaring this ethical code, the college acknowledges that there can be circumstances which test its definitiveness. It is recognized that one safeguard for exceptions is to declare them to an appropriate individual.

The members of the Council are covered by the Northern Lights College Human Resources Policy H-1.13 Standards of Ethical Conduct Policy

APPENDIX

CONFLICT OF INTEREST CONSIDERATIONS

9.1 Conflict Defined

A conflict can exist/has the potential to exist/can be seen to exist/where an Education Council member has a particular interest in an item being discussed and decided upon. This particular interest can be in terms of the member's personal situation, employment status, academic status, departmental resourcing, work assignment, or other direct or even indirect College involvement.

Declaration/Identification of Conflict

An Education Council member, when dealing with an agenda item where the member sees they're in a conflict-of-interest situation, is expected to declare this conflict. The Council Chair will adjudicate the situation, upon advice from the Council.

Similarly, if an Education Council member believes another member is in a conflict-of-interest situation, he/she has a responsibility to raise the issue with the Chair.

In addressing a conflict situation, the intent is to ensure the outcome of the discussion or decision is not influenced by an opinion or vote that is knowingly in conflict. It is up to the Chair to determine the extent to which a member in conflict can participate in the discussion and any subsequent voting.

In the event that it is the Chair who is in a conflict situation, the Vice Chair will adjudicate the situation.

An appeal of an adjudication of conflict of interest by the Chair is by way of a challenge to the Chair.

APPENDIX

SUBMISSIONS TO EDUCATION COUNCIL

10.1 Process for Submissions to Education Council

All agenda items for Education Council meetings must be submitted to the Secretary to Education Council by the Due Date.

Exceptions to the Due Date may be made by the Education Council chair, in consultation with the Vice-President Academic and the Registrar.

Due Dates are normally four weeks prior to the Education Council meeting.