

# EDUCATION COUNCIL BYLAWS

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## **Preamble**

*The College and Institute Act* requires that the College of New Caledonia formally create an Educational Council.

When the Bylaws of the Educational Council of the College of New Caledonia are at variance with the College and Institute Act, the Act and all amendments to it shall take precedence.

[Click here for The College and Institute Act.](#)

## **I. Statement of Conduct**

Members of the Education Council are elected or appointed from specific constituencies of the College of New Caledonia (CNC). Regardless of members' position within CNC, when they are carrying out the business of the Education Council, their actions will be directed toward the best interest of CNC rather than any constituency or faction within it. All eligible members are expected to vote freely on all issues before the Education Council regardless of their own association with any constituency within CNC. In instances where a member believes that they are in conflict of interest in voting Bylaw XIV should be applied.

## **II. Officers of Education Council**

The Officers of Education Council are the Chair and a Vice-Chair.

- a. The Chair and Vice-Chair of Education Council shall be elected each year by and from the voting members of the Education Council.
- b. The elections shall occur at the regular May meeting of Council.

### **Duties of the Chair**

The Chair shall:

- a. be a member of the Council and shall act as its official spokesperson;
- b. be responsible for the preparation and distribution of the Council agenda in consultation with the Agenda Committee;
- c. be responsible for the distribution of minutes and the official correspondence of the Council;

- d. communicate to the Board all reports and recommendations of the Council;
- e. attend regular meetings and functions of the Board;
- f. prepare and present for approval at the last meeting of Council every year a schedule of meetings for the coming year;
- g. coordinate all business and operations of the Council;
- h. ensure that all the provisions and requirements of the Council's Bylaws are fulfilled;
- i. communicate with Education Council Chairs at other institutions;
- j. liaise with the appropriate Ministry on matters that affect Education Council's powers or its advisory role to the College Board.

#### **Duties of the Vice-Chair**

The Vice-Chair shall:

- a. carry out the duties and responsibilities of the Chair when the Chair cannot be present;
- b. assume the office of the Chair on an interim basis if the position should become vacant;
- c. replace the Chair at regular meetings and functions of the Board if the Chair is unable to attend.
- d. liaise with Program Committees.

#### **III. Recording Secretary**

The institution will appoint a recording secretary to the Education Council. The recording secretary is not a member of Council.

#### **IV. Conduct of Meetings**

Robert's Rules of Order will guide the conduct of Education Council meeting.

#### **V. Quorum**

A quorum of the Council shall be fifty percent (50%) plus one of the voting members.

## **VI. Motions**

Only Education Council members may present motions.

## **VII. Voting Procedures**

- a. Voting shall be by a show of hands or roll call, unless a secret ballot is requested. In any vote, a simple majority of voting members present shall be required to carry a motion except as otherwise provided in the bylaws, and names will be recorded upon request.
- b. Voting members will be considered present if they attend the meeting in person, online, or on the phone.
- c. When a voting member participates in a meeting online or by phone, their vote may be indicated verbally.
- d. Upon request of a member of Education Council, a vote shall be taken by secret ballot.
- e. When a secret ballot is requested, voting members who attend the meeting online or by phone will be provided the same opportunity to vote secretly as those voting members who attend the meeting in person.
- f. The Chair shall also vote on all matters at the same time as other members.
- g. Motions receiving a tie vote shall be lost.

## **VIII. Minutes**

- a. The minutes of the meetings of the Council shall be kept by the recording secretary.
- b. Minutes of all Education Council meetings will be made public and archived on the [College website](#):

## **IX. Regular and Special Meetings**

- a. Regular meetings of the Council shall normally be held monthly, on a date designated by Education Council.
- b. If for any reason in any month the regular meetings of the Council cannot be held on the published date, the recording secretary must inform the members of the Council and the College community at least seven (7)

calendar days prior to the published date of an adjustment of the meeting date.

- c. Special meetings will be called by the Chair at any time upon the written concurrence or request of at least five (5) voting members of Council.
  - i. Notice of each special meeting accompanied by copies of the agenda and all documents to be submitted at the meeting shall be made available to members of the Council at least seven (7) calendar days in advance.
  - ii. The Chair will make every reasonable effort to schedule the special meeting at a time feasible to most members of Education Council.
  - iii. At a special meeting only the matter (or matters) specified in the notice convening the meeting shall be considered.

#### **X. Open and Closed Meetings**

- a. Meetings of the Council are open and may be attended by observers.
- b. Observers shall be entitled to speak to specific matters on the agenda by invitation of the Chair.
- c. No recording or other electronic equipment may be brought into the meeting except at the discretion of Council.
- d. The Council may, by simple majority vote, consider items of the agenda in-camera.

#### **XI. Agenda**

- a. Agenda items may be submitted by any member of the College community.
- b. Agenda items and supporting documentation for meetings, including recommendations from any committee, must be submitted in writing to the recording secretary of Council by 4:00 pm fourteen (14) calendar days prior to the scheduled meeting date.
- c. Within one (1) working day after the submission deadline the agenda committee will:
  - i. ensure all appropriate documentation is included for agenda items;
  - ii. set the agenda by giving priority based on but not limited to calendar publication deadlines, Ministry deadlines, etc.

- d. Meeting agendas and supporting documentation shall be sent to Education Council members not less than seven (7) calendar days prior to the scheduled Council meeting hour with approval of the agenda committee.
- e. Agenda items and supporting documentation received after this date may be placed on the current agenda with the approval of the agenda committee.
- f. The agenda for the scheduled meeting shall be posted on the Education Council [website](#).
- g. The agenda committee shall be comprised of the Chair and Vice-Chair of Education Council plus one other member of Education Council elected from and by the voting members of Council.

## **XII. Committees**

- a. Council may carry out its business through standing committees which have ongoing responsibilities and through task forces which have specific tasks and time frames. Committees and task forces and their terms of reference shall be created by motions of Council as required.
- b. The Standing Committees of Council shall consist of, but not be limited to:
  - i. Program Committees
  - ii. Integrated Curriculum Committee
  - iii. Agenda Committee
- c. The Council motion creating a standing committee or task force shall include the following:
  - i. a name for the standing committee or task force;
  - ii. terms of reference, together with a list of specific duties and responsibilities, and an interim chair;
  - iii. membership which may include non-members of the Council;
  - iv. a method for selecting members and term of membership;
  - v. reporting procedures and timelines.
- d. At least one member of the Council may be included on every committee or task force.
- e. At the first meeting of the committee or task force, a chair must be elected or appointed.

- f. The Chair of Education Council shall be an ex-officio member of all committees and task forces.
- g. Standing committees and task forces shall report to the Council as required and submit a one-page annual report in June.

### **XIII. Terms, Vacancies, and Attendance**

- a. Any member of Council may resign from their seat and, thereby, create a vacancy. Except in unusual circumstances, this shall be done by way of a written letter delivered to the Chair.
- b. When a vacancy occurs among the elected members of the Education Council, the Chair will notify the Registrar. Election procedures, as determined by the Registrar in consultation with the chief officers of the representative group, will be followed.
  - i. When a vacancy occurs among the members of Council appointed by the President, the Chair will notify the President.
- c. Any member who will be absent from a meeting shall notify the recording secretary at least 24 hours prior the meeting, if possible.
  - i. Any elected member absent from three (3) meetings of the Council without acceptable cause and without notifying the Chair, will be considered as having resigned from the Council and the position will be filled in accordance with section XIII. b.
  - ii. Acceptable causes for members missing meetings will include conflicts with a scheduled class, out-of-town meetings on College business, illness, or approved leave.
- d. The seat of a member who leaves the constituency that the member represents shall be declared vacant.
- e. It is the responsibility of each member of Education Council to identify at least one (1) alternate of record who will attend Education Council meetings in the absence of the member of Education Council. This alternate shall have all the privileges of the position at that time.
- f. In the event of a vacant seat other than those created by expiration of a term, the Chair shall request that the constituency from which the member is selected fill the vacant seat through by-election or appointment.

- g. Alternative communication technologies shall be used when needed to facilitate participation of Education Council members whose campus is in a community other than that in which the meeting is held.
- h. All Council members conducting approved Education Council business will be reimbursed for travel expenses according to standard college guidelines.

#### **XIV. Conflict of Interest**

- a. A conflict of interest arises when a Council member's individual private monetary interest supersedes or competes with their dedication to the interests of the College. In general, voting on matters which effect a broad group by a member of that group is not considered a conflict of interest.
- b. In cases where conflict cannot be avoided, a Council member has an obligation to declare a conflict of interest prior to discussion or decision on an issue. Upon declaration of a conflict the recording secretary shall note the declaration and the Council member must:
  - i. in an in-camera session or committee meeting, absent themselves from the proceeding during discussion or voting on that matter.
  - ii. in a public session, refrain from discussion or voting on that matter.

#### **XV. Bylaw Amendments**

By giving notice of motion at a regular meeting, the terms of the bylaws may be amended by a two-thirds vote of Council at a subsequent regular meeting. Members shall have one (1) month to consider such a change.

***Adopted by Education Council – September 14, 2021***