



Okanagan College Education Council Regular Meeting Agenda

Thursday, January 9, 2025

Zoom, Kelowna Campus (online)

4:00 – 7:00p.m.

[Link to Kualii Agenda](#)

[Link to Zoom](#)

Meeting ID: 633 2694 5787

Meeting Passcode: 310240

The meeting will be held on the unceded traditional lands of the Indigenous people who have inhabited and used the lands since time immemorial.

Topic	Action	Presenter	Attached	Pages
1. CALL TO ORDER		J. Garrett		
2. ACKNOWLEDGEMENT		J. Anderson		
3. APPROVAL OF AGENDA <i>Motion: THAT Education Council approves the January 9, 2025, agenda and thereby approves the consent agenda as presented.</i>	Approval	J. Garrett		1-2
3.1 Consent Agenda				
i. Education Council Minutes – December 5, 2024	<i>Approved with motion for agenda as above</i>		Minutes	3-7
ii. Course revisions:				
a) BUAD 382 Operations Management <i>Motion: THAT Education Council approves the course revisions for BUAD 382 Operations Management.</i>				
				-
4. DECLARATION OF CONFLICT		J. Garrett		
5. BUSINESS ARISING				
5.1 Education Council Bylaws <i>Motion: THAT the Okanagan College Education Council approve the Education Council Bylaws as presented.</i>	Approval	J. Garrett	Briefing	8-26
6. NEW BUSINESS				
Continuing Studies, InspirED				
6.1 New Program:				
i. Office Basics Microcredential (MCOBAS) <i>Motion: THAT Education Council approves the new program: Office Basics Microcredential (MCOBAS) for recommendation to the Board of Governors and thereby approves the following new courses:</i>	Approval and recommendation	C. Meissner	Kualii	-
<ul style="list-style-type: none"> OBAS 100 Computer Essentials OBAS 101 Office Skills 				
ii. Community Administrator Microcredential (MCCOAD) <i>Motion: THAT Education Council approves the new program: Community Administrator Microcredential (MCCOAD) for recommendation to the Board of Governors and thereby approves the following new courses:</i>	Approval and recommendation	Z. Webster	Kualii	-

Topic	Action	Presenter	Attached	Pages
<ul style="list-style-type: none"> • <u>COAD 100 Grant Writing Fundamentals</u> • <u>COAD 101 Project Management Fundamentals</u> • <u>COAD 102 Leadership Skills Fundamentals</u> • <u>COAD 103 Workplace Wellness Fundamentals</u> 				
Governance				
6.2 Education Council Code of Conduct & Procedures for Disclosure <i>Motion: THAT the Education Council approve the Code of Conduct for Okanagan College Education Council Members Policy and Procedures for Disclosure by Okanagan College Education Council Members as presented.</i>	Approval	J. Garrett	Briefing	27-38
7. REPORTS				
7.1 Education Council Chair	Information	J. Garrett	verbal	-
i. Timing of 2025-2026 Meetings				
7.2 Provost and Vice President Academic	Information	J. Anderson	verbal	-
7.3 Registrar	Information	I. Wheeler	verbal	-
7.4 Board of Governors	Information	C. Battersby	verbal	-
8. OTHER BUSINESS & BUSINESS ARISING FROM CONSENT AGENDA				
9. ADJOURNMENT				

Attendance

Members

Program Faculty:

- Jillian Garrett, Education Council Chair (Arts)
- Brenda Ridgeley (Business)
- Christopher Torrie (Foundation)
- Brett Wade (Health and Social Development)
- Morgan Martin (Science and Technology)
- Kelly Brochu (Trades and Apprenticeship)

Regional Faculty:

- Eva Gavaris (South Okanagan)
- Leanne Mallory, Vice Chair (North Okanagan)
- Bryan White (Shuswap Revelstoke)

Support:

- Michelle Somerville (Support)

Students:

- Samreet Kaur (Central Okanagan)
- Kaelah Riley (Shuswap Revelstoke)
- Yashtaj Singh (North Okanagan)

Regrets

- Kristine Wickner (Support)
- Neil Fassina, President

Draft Minutes for Approval January 9, 2025

Educational Administrators:

- Samantha Lenci, Provost and Vice President Academic
- Chris Newitt, Associate Dean, Arts and Foundational
- Danny Marques, Associate Dean, Trades & Apprenticeship
- Joan Ragsdale, Special Advisor, In-community Program Design

Non-voting:

- Inga Wheeler, Registrar
- Cindy Battersby (Board of Governors)
- Rhea Dupuis, Director Indigenous Relations & Reconciliation

Recording:

- Elaine Booi, Governance Administrator

Guests

- Danielle Robinson, Associate Dean, School of Business

Presenting:

- Caroline Gilchrist, Business Administration Chair
- Danelle Greebe, Director, Continuing Studies and Corporate Training
- Carolee Clyne, Teaching and Learning Advisor, Learning and Applied Research

Topic	Action
1. CALL TO ORDER	Quorum was established and the meeting called to order at 4:03p.m.
2. ACKNOWLEDGEMENT	M. Martin gave a land acknowledgement.
3. APPROVAL OF AGENDA	

Topic	Action
<p>Motion: THAT Education Council approves the December 5, 2024 agenda and thereby approves the consent agenda as presented.</p> <p>Amendments were requested and will be made to item 3.1(i) - November 7, 2024 Minutes.</p> <p>M. Somerville</p> <p>3.1 Consent Agenda</p> <p>i. Education Council Minutes – November 7, 2024</p> <p>ii. Course revisions:</p> <p>a) IALG 011 Introductory Algebra 011</p> <p>Motion: THAT Education Council approves the course revisions for IALG 011 Introductory Algebra 011.</p> <p>b) MATH 080 Mathematics 080</p> <p>Motion: THAT Education Council approves the course revisions for MATH 080 Mathematics 080.</p> <p>c) MATH 084 Mathematics 084</p> <p>Motion: THAT Education Council approves the course revisions for MATH 084 Mathematics 084.</p> <p>d) MATH 085 Mathematics 085</p> <p>Motion: THAT Education Council approves the course revisions for MATH 085 Mathematics 085.</p>	CARRIED
<p>4. DECLARATION OF CONFLICT</p> <p>J. Garrett asked members if they have a declaration of conflict with the motions on the December 5, 2024, agenda. None of the Education Council members declared conflict.</p>	
<p>5. NEW BUSINESS</p>	
<p>Okanagan College School of Business</p>	
<p>5.1 Program Revisions: Bachelor of Business Administration</p> <p>C. Gilchrist presented the motion noting that Bachelor of Business students are required to write two essays when entering their third year. The two essays are not part of an admission process.</p> <p>Motion: THAT the Education Council approve the Bachelor of Business Administration program revision for recommendation to the Board of Governors.</p> <p>D. Marques</p>	CARRIED
<p>Presentation</p>	
<p>5.2 Sustainable Delivery Framework Information Session</p> <p>J. Ragsdale, C. Clyne, and D. Greebe presented the Sustainable Delivery Framework to members.</p>	

Topic	Action
<p>A member noted that many younger students require community to be successful. The member has concerns about how the new framework will impact learners' success when moving towards more online models of teaching. J. Ragsdale noted that with good design community is achievable online. Members continued discussion about how the connection between the learner and educator is important to gain and retain community.</p> <p>R. Dupuis noted that she sees opportunity for Indigenous communities in the framework and supports the idea of meeting students where they are at because the learning environment is changing.</p> <p>A member noted that not everyone has the skillset to develop their courses into an online format and educators need time and support to achieve this. Members discussed the use of artificial intelligence tools to help build online courses but noted the skill set is still required.</p> <p><i>The Chair called for a recess at 5:20p.m.</i></p> <p><i>The meeting resumed at 5:31p.m.</i></p>	

Governance

5.3 Academic Year Policy

I. Wheeler presented the Academic Year Policy to members. Substantive changes include updating the final exam period to the final assessment period to include courses that are conducting other means of assessments outside of exams. The Final Assessment Policy will come to Education Council in the spring for review. Grade submission deadlines were adjusted to submit grades earlier to ensure students know their academic standing and can make decisions about the academic career sooner.

Members suggested a few non-substantive changes to the Academic Year Policy including adjusting the definition of Family Day and updating the Summer Session I commence day. The members discussed the grade submission deadline and how instructors can have multiple assessments at the end of the assessment period. I. Wheeler noted that exceptions could be made in different circumstances.

A member asked about the flex day that is usually scheduled in case there are many statutory holidays disrupting lecture time and if it should be included in the Academic Year Policy. I. Wheeler noted that the flex day is not included in the policy but suggested that it can continue as an option as it is considered more procedural than policy.

A member suggested streamlining accessibility to the final assessment schedule online and noted that the schedule is difficult to locate on the website. I. Wheeler noted that she can work with IT to ensure when the final assessment schedule is more accessible to students.

C. Battersby left the meeting at 5:46p.m.

Motion: THAT the Okanagan College Education Council approves the Academic Year Policy for recommendation to the Board of Governors as presented.

Topic	Action
M. Sommerville	CARRIED
<p>5.4 Education Council Bylaws</p> <p>J. Garrett presented the proposal noting work that Joanna Campbell and Kristen Wiebe contributed. L. Mallory, C. Newitt, and D. Marques reviewed the Education Council Bylaws before they were distributed to all members.</p> <p>Members noted a few updates to the bylaws including updating the definition Faculty/Instructor to match the election rules, noting that the Chair and Vice Chair must be voting employees, and punctuation.</p> <p>J. Garrett noted that the Education Council Bylaws will be brought to the January 2025 meeting with the changes noted above for review.</p> <p>Motion: THAT the Okanagan College Education Council approve the Education Council Bylaws as presented.</p> <p>Motion not presented; Education Council will review again at the January 9, 2025, meeting.</p>	
6. REPORTS	
<p>6.1 Academic Regulations and Policy Committee</p> <p>J. Garrett noted that ARP is updating the Final Exam Policy to the Final Assessment Policy to include all types of final assessments. J. Garrett noted that ARP will review whether Education Council should approve learning and program outcomes as there is no clear consensus. A member suggested creating tiered learning outcomes to help determine what a substantive change is.</p>	
<p>6.2 Education Council Chair</p> <p>i. Report</p> <p>J. Garrett welcomed and introduced the new Education Council committee members B. White and Y. Singh to the council.</p> <p>J. Garrett gave a report regarding the provincial Academic Governance Council meeting that took place on November 18, 2024, noting that many institutions are also completing governance reviews. She noted that there are conversations around engaging faculty and instructors to join Education Council and the importance of transparency with the institution. J. Garrett suggested that R. Dupuis should be permitted to vote at Education Council as she is giving time as Indigenous representation. J. Garrett will discuss this option with N. Fassina.</p> <p>ii. Timing of 2025-2026 Meetings</p> <p>J. Garrett suggested beginning Education Council meetings at 2:00p.m. instead of 4:00p.m. starting September 2025 and is requesting member's feedback. A member noted that Leadership Council takes place every Thursday afternoon, meaning this may not be feasible. J. Garrett noted that she will bring the discussion back at the January 9, 2024, meeting.</p>	

Topic	Action
<i>B. White left the meeting at 6:29p.m.</i>	
6.3 Provost and Vice President Academic	
S. Lenci noted that she and N. Fassina met with members of the Student Union and had a very positive experience. She hopes to meet with the members at least once a month.	
S. Lenci noted that we do not have many answers about the recent communications released regarding international student enrolment as the data has not been received yet.	
6.4 Registrar	
I. Wheeler noted that she is adding learning outcomes to the Kuali database and will look at what works best in the system.	
6.5 Board of Governors	
No report was given.	
7. OTHER BUSINESS & BUSINESS ARISING FROM CONSENT AGENDA	
8. ADJOURNMENT	
The meeting was adjourned at 6:35p.m.	



EDUCATION COUNCIL BRIEFING NOTE

January 9, 2025

Agenda #: 5.1

Proposal Summary	
Subject:	Education Council Bylaws
Prepared by:	Jillian Garrett, Education Council Chair
Submitted to:	Education Council
Implementation Date:	Upon approval

Background:

The Education Council Bylaws serve as the “rules” by which Education Council governs itself in and outside of meetings. The Bylaws serve as one component of the overall governing documents for the Education Council.

Based on feedback collected during the governance review started earlier this year and a review of best practices, several recommendations were provided to the Education Council Chair. The Education Council Chair assessed these recommendations, updated the Bylaws, and is recommending them to the Education Council for approval. Among the changes are adding sections to the Bylaws to include purpose, precedence, books and records, definitions, council secretary, notice of meetings, voting procedures, resolution by written procedures, public conduct at meetings, public presentations to the council, and conduct of members. The addition of these sections helps to improve best practices and clarify procedures for the Council. Additional changes include efforts to align and modernize the language in the Bylaws. The attached draft has been developed indicating the recommended language for the Bylaws. Each change is accompanied by an explanatory note in the draft.

The revised Bylaws were circulated to the Education Council Vice Chair, and past Chairs and non-substantive feedback on the Bylaws was incorporated. The Bylaws were presented at the December 5, 2024, Education Council meeting and members suggested updating the definition Faculty/Instructor to match the election rules and updating the language to state that the Chair and Vice Chair must be voting employees. On Friday, December 13 the Bylaws were distributed to all Education council members for review and feedback by Friday, December 20.

The attachments included with the notice, and proposed here for the Education Council approval, include the approved 2015 Bylaws and a clean version of the Bylaws with recommended changes. At the beginning of each section of the Bylaws of the clean version, there is an indicator that highlights the type of change being recommended, providing a rationale for the changes.

For reference, the change indicator key is the following:



Housekeeping changes

This indicator is used to note editorial/non-substantial changes made to the language.

**Updated** language

This indicator is used to show where language has been more substantially changed.

**New** items/section

This indicator is used to show which items are new to the document/article.

Items/section **moved**

This indicator is used to note when items have been deleted from an article and moved to another location.

Recommendation:

It is recommended that Education Council review and approve the proposed Okanagan College Education Council Bylaws as presented. The Education Council Bylaws are being presented for a first reading; however, the following options are proposed to Education Council for consideration:

1. The Education Council Bylaws may be approved as presented or approved with any proposed non-substantive edits. If approved, the Bylaws will be adopted for the February meeting.
2. Members may defeat the motion and propose changes to the Education Council Bylaws. If significant changes are proposed by the Education Council, the Bylaws would return to the Council for approval at the February meeting.

Rationale:

With the relevant and appropriate Bylaws and supporting documents in place, the Education Council can ensure that the work they do is conducted effectively, efficiently, and in alignment with best practice. The Bylaws provisions have been updated in alignment with the principles endorsed by the governance review. The Education Council Chair has reviewed and supports the proposed changes and updates made to the Bylaws and its supporting documents.

Supporting References:

- Bylaws of Education Council – clean version
- [Bylaws of Education Council \(2015\) – current version](#)

Action requested by Council:

Notice of Motion Approval Advice Referral Information

Recommended Motion

“BE IT RESOLVED THAT the Okanagan College Education Council approve the Bylaws of the Education Council at Okanagan College as presented.”

Consultation History:

Group/Individual, Title	Reviewed	Recommended	Date
Leanne Mallory, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	11/22/24
Danny Marques, Associate Dean Trades (past Chair)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	11/22/24
Chris Newitt, Associate Dean Arts (past Chair)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	11/22/24
Education Council	<input checked="" type="checkbox"/>	<input type="checkbox"/>	12/5/24
Education Council	<input checked="" type="checkbox"/>	<input type="checkbox"/>	12/13/24



**BYLAWS OF THE
Okanagan College Education Council**

INCORPORATED UNDER THE
COLLEGE AND INSTITUTE ACT

APPROVED BY RESOLUTION OF THE
OKANAGAN COLLEGE EDUCATION COUNCIL

on <DATE>

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BYLAWS OF THE EDUCATION COUNCIL

OKANAGAN COLLEGE

PART 1: PREAMBLE

1.1 Purpose

The Education Council of Okanagan College is established under the College and Institute Act which states that each institution must have an Education Council. These Bylaws address matters of Education Council operations and procedures in carrying out their powers and duties, and the advisory and joint approval roles of the Council under the Act.

1.2 Precedence

Where the Bylaws of the Education Council of Okanagan College are at variance with the College and Institute Act and/or at variance with the regulations promulgated pursuant to the Act, the Act and/or the regulations will take precedence.

1.3 Books and Records

The Council will ensure that all necessary books and records of the Council will be regularly and properly kept. Books and records include but are not limited to governing documents, Bylaws, written agreements, Council minutes, and source documents.

1.4 Interpretation

Unless otherwise expressly provided, in all Bylaws and resolutions of the Council, words and expressions used will have the same meaning as is ascribed thereto in the Act and regulations thereunder.

1.5 Singular/Plural

Wherever the singular is used in these Bylaws, it will be considered as if the plural has been used where the context so requires.

PART 2: DEFINITIONS

Act	means the College and Institute Act of British Columbia.
Board	means the Okanagan College Board of Governors.
Bylaws	means these Bylaws.
Chair	means the individual elected as Chair of the Okanagan College Education Council pursuant to the election process outlined in these Bylaws.

Chief Election Officer	means the Registrar or an individual appointed by the Registrar to conduct an election.
Closed Meeting	means a meeting of the Council that, due to the confidential nature of the discussion, is closed to the public and employees of the College as outlined in the Bylaws.
College or OC	means Okanagan College.
Constituency	means a specific group designated under a set of rules to be elected or appointed a representative to a governing body. e.g. Faculty/Instructors, Students, Educational Administrators.
Council Secretary	means the individual assigned by the President to support the operations of the Council.
Designated Resource Person	means the individual requested to participate in parts of a meeting by the Council Chair in consultation with the Provost and Vice President Academic.
Education Council or Council	means the Okanagan College Education Council as authorized under the Act.
Educational Administrator	means an Educational Administrator as defined under the Act. This includes 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.
Election Rules	Means the rules and procedures outlined in the Election Rules.
Employee	Means any person employed by (or who has an appointment with) the College. For the purposes of these Bylaws, Student Members who are employed under the BCGEU Collective Agreement are excluded from this definition.
Faculty/Instructor	means Faculty as defined under the Act, including any faculty member or vocational instructor employed by Okanagan College and represented by the OC Faculty Association (OCFA) or the BC General Employees' Union (BCGEU) Vocational collective agreements.
In Camera Meeting or In Camera Session	means a meeting of the Council or part thereof, as outlined in the Bylaws, that is only attended by Members of the Council, the Council Secretary and guests invited by the Council, and for which there is no agenda, no minutes are recorded, and no motions are passed. Discussions conducted during an In Camera Meeting or Session are confidential to those persons in attendance.

Member	means any individual appointed, elected, or serving ex-officio on the Council.
Open Meeting	means a meeting of the Council that is open to the public and employees of the College as outlined in the Bylaws.
Perceived Conflict	means a conflict of interest which could be said to exist where a Council Member's private interests would appear to a reasonable person to conflict with their duties even though there may not be an actual conflict.
Potential Conflict	means a conflict of interest that could arise where a Council Member has private interests such that, while no conflict has yet arisen, one could arise.
President	means the chief executive officer of the institution as defined in the Act.
Presenter	means the individual invited to make a specific proposal to the Council or those individuals attending to support a specific proposal to the Council.
Real Conflict	means a conflict of interest between the public duty and private interests of a Council Member, in which their private and/or personal interests could influence the performance of their duties for personal or private gain.
Regular Meeting	means a meeting of the Council held based on an annually approved calendar.
Special Meeting	means a meeting of the Council called by the Chair to address matters pertinent to the Council when delaying until the next Regular Meeting is not feasible.
Student	means any person enrolled as a student at Okanagan College in a program approved by Education Council.
Support Staff	means any regular Employee employed by Okanagan College and represented by the BCGEU Support Staff collective agreement or who falls within the Terms and Conditions for Administrators or Excluded Staff. Support Staff as defined under these Bylaws is synonymous with the term Support Staff as outlined in the Act.
Voting Member	means the individuals appointed or elected to the Council under the Act that are thereby considered eligible to vote on decisions of the Council.

Vice Chair means the individual elected as Vice Chair of the Okanagan College Education Council pursuant to the election process outlined in these Bylaws.

PART 3: MEMBERSHIP

3.1 Council Composition

The Education Council will consist of 20 Voting Members as described in the College and Institute Act:

- Ten (10) Faculty/Instructor Members elected by the faculty/instructors of the College.
- Four (4) Students Members elected by the students of the College.
- Two (2) Support Staff Members elected by the support staff of the College.
- Four (4) Educational Administrators appointed by the President. Normally, one of the four seats appointed will be held by the Provost and Vice President Academic.

The Education Council will also consist of the following Non-voting Members:

- The President of the College, as per the Act.
- The Director, Indigenous Relations and Reconciliation, or equivalent position as appointed by the President.
- A Board representative. The board may appoint one person to be a Non-voting Member of the Education Council to serve for one year under the Act.
- The Registrar, or their designate.

The Education Council may also include the following Non-voting Members as appointed by the Chair in consultation with the President:

- The Dean, Learning and Teaching Innovations or equivalent position.
- The Associate Director, International or equivalent position.

3.2 Elections and Terms of Office

Elections for elected Council Members will be held in accordance with College's Election Rules set under the College and Institute Act.

Terms will be as follows:

- i) Faculty/Instructors and Support Staff serve a term of two (2) years and may be elected to further terms.
 - a) Elected members may serve up to three consecutive terms.
 - b) Elected members who have served the maximum term may stand for re-election two years after the expiration of their last term.
 - c) Should an elected member have served their maximum consecutive terms, and the Registrar has conducted an election for the seat for the Constituency where no candidate stood for election, the elected member will be eligible to participate in a byelection for the seat in that Constituency.
- ii) Students serve a term of one (1) year and may be elected to further terms.

- iii) Educational Administrators are appointed for a two-year term and may be appointed to further terms.

3.3 Leave of Absence

The Member must inform the Chair, and the Chair must approve in advance, any extended absences from the Council expected to last between one and three months. An elected or appointed position will be declared vacant if the Member will be on leave for more than three (3) months.

3.4 Resignation & Removal

a) Written Resignation

Any Council Member may resign from their seat by submitting a written resignation to the Chair. In the event of the resignation of a Council Member elected by a Constituency, the Council Secretary will notify the Registrar, who will determine whether a by-election is required based on the Election Rules.

b) Resignation by Change in Constituency

Should a Member leave the Constituency which they were elected to represent, that Member is considered to have resigned their seat and it will be declared vacant.

c) Removal

The Chair may propose the removal of an elected Member, and Council may, by two-thirds (2/3) majority resolution of the Council, approve the removal of an elected Council Member. Without limiting the generality of the foregoing, the Council may consider the removal of a Council Member for not fulfilling their responsibilities and duties as a Member or for breaching the [Council's Code of Conduct](#), Bylaws, or policies. Not limiting the generality of the foregoing, this section does not apply to the appointed or Non-Voting Members, the President or the Board of Governors representative. The Chair may recommend to the President, the removal of an appointed Member, and the President may approve that member's removal.

3.5 Council Vacancies

In the event of a vacant seat other than those created by expiration of a term, the Chair will notify the Registrar. The College's Election Rules will be followed.

When a vacancy occurs among the appointed Members of the Education Council, the Chair will notify the President. The President will appoint a new Member.

Where an election or byelection is held, followed by a single extension of the election dates, and where the vacancy is not filled, the Council Chair will, in consultation with the Registrar, seek volunteers for appointment from the appropriate Constituency group.

PART 4: OFFICERS OF THE EDUCATION COUNCIL

4.1 Chair and Vice Chair

a) Elections

The Education Council will elect a Chair and a Vice Chair from its Voting Employee Members annually at a Regular Meeting of Council, normally by May of each year.

The Registrar or their designate will conduct the elections according to the [Council's Election Procedures](#).

The election of the Chair and Vice Chair requires the affirmative votes of a majority of Voting Members present at a Council meeting in which a quorum is present. In the event no candidate obtains the necessary majority on the first ballot, the two candidates with the highest number of votes will be eligible for the second ballot.

The elections will be conducted by secret ballot. In the event of a tie vote, the tie will be broken by drawing lots.

If only one candidate is nominated, and that nominee is willing to serve, that nominee will be elected without conducting a vote.

If there is a vacancy for the position of the Chair or the Vice Chair, an election to fill that vacancy will be held during the next Regular Meeting of the Council.

b) Term of Office

The term of office for the Chair and Vice Chair is one year. The term will normally begin annually on August 1. Where a Chair or Vice Chair is elected as a result of a vacancy, their term will end on the following July 31 of the term for which they are elected.

4.2 Duties of the Chair

The Chair will preside over meetings of the Education Council, ensuring that the Council's Bylaws and rules of procedure are followed. The Chair will be a Member of the Council and act as its official spokesperson.

The Chair will serve as an ex-officio Non-voting member of the Board as per the Act. The Chair will act as the official spokesperson of the Education Council in this capacity.

The Vice Chair will assume the duties of the Chair in their absence. In the absence or inability to act of the Chair and the Vice Chair, the Chair will, when possible, appoint an Acting Chair.

If an Acting Chair has not been appointed, the Members may elect an Acting Chair for a particular meeting.

The Chair will normally be entitled to 50 percent release time for Faculty/Instructors, or equivalent for Support Staff or Educational Administrator.

4.3 Council Secretary

The Council Secretary will be an employee of the College and will carry out the following duties:

- i) prepare orders of business as directed by the Chair;
- ii) provide notice of meetings as appropriate;
- iii) act as Secretary as required at all meetings of the Council;
- iv) prepare minutes of meetings for review by the Chair;
- v) maintain a permanent record of the activities of the Council including books and records of the Council and any committee of the Council;
- vi) receive, co-ordinate and direct communications between Members and between the Council and any private, public or government agent or agency; and
- vii) carry out such other duties as may be designated by the Council.

In the absence of the Council Secretary, the President will name an Acting Council Secretary.

PART 5: MEETINGS

5.1 Meeting Schedule and Procedures

a) Schedule

The date, time, and location of Regular Meetings of the Education Council will be established annually by resolution of the Council.

b) Procedures at Meetings of The Council

At meetings of the Council, Parliamentary Procedure will govern the procedure in all cases not specifically provided for by Bylaw or resolution.

When the Chair is called upon to decide a point of order or practice, the Chair will give the decision and state the rule applicable to the case. In the event the ruling of the Chair is challenged, the Chair will have the right to state reasons for the decision given.

An appeal from the ruling of the Chair will be put to a vote of the Members present at the meeting in question without debate.

5.2 Regular, Closed, and In Camera Meetings

Regular Meetings

The Education Council will normally hold one (1) meeting per month during the academic year. The majority of Education Council business is conducted at Regular Open Meetings.

Closed Meetings

Education Council may conduct Closed Meetings when the confidential nature of the discussion requires that the meeting be closed to the public and employees of the College.

Designated Resource Person(s) may be invited by the Council Chair, in consultation with the Provost and Vice President Academic, to participate in parts of a Closed Meeting.

Closed Meetings are reserved for topics requiring discretion and confidentiality. e.g. financial matters or when Education Council is tasked with providing advice to the Board of Governors and that advice will be presented to the Board at a Closed Meeting.

In Camera Meetings

Education Council may conduct an In Camera Meeting, or an In Camera Session may be conducted during a Regular Open or Closed Meeting. In Camera Meetings and In Camera Sessions are only attended by Members of the Council, the Council Secretary and guests invited by the Council.

In Camera Sessions can be initiated within a Regular Open or

Closed Meeting at the discretion of Education Council when approved by a majority of Members. Members must vote on a motion to enter or exit an In Camera Session. In order to transact any business of the Council, Members must be out of In Camera.

Special Meetings

Special Meetings may be called by the Chair, or upon written request by at least five (5) Members of the Council. A Special Meeting may also be called where the Council is asked to provide advice at the request of the Board and it is impractical to wait to conduct the business at the next Regular Meeting. Discussions at a Special Meeting will be limited to the topics identified on the agenda. The notice will specify the item of business to be transacted at the meeting and only that business for which the Special Meeting has been called may be dealt with at that meeting.

5.3 Notice of meetings

At least seven (7) calendar days' notice will be given of Regular Meetings.

At least 48 hours' notice will be given of Special Meetings.

Notice of the meeting and the agenda for the meeting will be sent to each Member and others entitled to receive it by electronic or written means or as otherwise provided in these Bylaws.

Public notification of Open Regular or Open Special Meetings of the Council will be posted on the College's website and will include the meeting date, time, and location.

Reasonable notice will be given, wherever possible, to communicate changes to the location or format in which the meeting will be conducted (e.g. moving from in-person to online due to weather).

The foregoing does not limit the Council Secretary from notifying Members or the public of meetings through alternative means of communication.

The accidental failure to send notice of a meeting to a Member, or accidental irregularity in connection with the giving of notice or the conduct of a meeting does not invalidate any proceedings of the meeting.

5.4 Agendas

Meeting agendas and supporting documentation will be distributed to Education Council Members at least six (6) calendar days prior to a Regular Council or committee meeting. For Special Meetings, the agenda will be distributed no less than 24 hours prior to the meeting date.

Development of agendas will follow the [Council's Agenda Development Guidelines](#).

5.5 Quorum

A quorum for the transaction of business at any meeting of the Education Council will be a majority of its Voting Members.

5.6 Motions

Only Education Council Members may present motions.

5.7 Meetings by Electronic Communication

Where required to facilitate participation of Members, electronic communication technologies may be used by the Council to conduct meetings of the Council or its committees. Meetings may be held in person or by electronic means or a mixture thereof as is practical to conduct the business before the Council.

5.8 Voting Procedures

Voting procedures apply to the Council and all committees established by the Council.

- i) Each Voting Member of the Council or its committees has one (1) vote.
- ii) Decisions will be made by vote by the simple majority of Voting Members present at the meeting. Exceptions which will require a 2/3 majority vote include:
 - (1) Voting to rescind a motion previously carried;
 - (2) Voting to end debate on a motion;
 - (3) Voting to remove a Council Member;
 - (4) Upon invitation by the Chair, a vote to invite a member of the public to address the Council; and
 - (5) Approval of the bylaws.
- iii) Voting Members will be considered present if they attend the meeting in person or by electronic means.
- iv) Voting on ordinary business and motions will be by a show of hands, unless a secret ballot is requested by any Member prior to or at the time of voting.
- v) Names ascribed to a specific vote will be recorded only upon request at the time of voting.
- vi) The Chair will cast a vote only in the event of a tie. If the role of Chair is being filled by the Vice Chair or an Acting Chair, it is that person who will only vote in the event of a tie.
- vii) Abstentions made by a Member at the time of voting are considered a refusal to vote and are not counted in the number of votes cast. Members will be asked to provide a reason for their abstention. The Member's name and reason for abstention will be recorded in the Council's minutes. Examples of acceptable reasons for abstention may include: a perceived conflict of interest; internal moral conflict; or a lack of sufficient information on which to vote.
- viii) Upon request of a Member of Education Council, a vote will be taken by secret ballot only when a motion to vote by secret ballot is approved, by a majority of Members. Such a motion to vote by secret ballot shall be without debate and proceed directly to a vote of the Council.
- ix) When a secret ballot is requested, Voting Members who attend the meeting electronically will be provided the same opportunity to vote secretly as those Voting Members who attend the meeting in person.

5.9 Resolution by Written Procedure

If it is impractical to hold a meeting of the Council, the Chair may call for a vote to pass a Resolution by Written Procedure outside of a Regular or Special Meeting of the Council. A majority of the Voting Council Members are required to pass a resolution by written procedure. The results of a vote conducted using technologically assisted means will be considered valid. Where a vote is carried, the Resolution by Written Procedure will be recorded as minutes or as a written resolution approved electronically. Minutes of resolutions passed by written procedure will be included in the next Regular Meeting of the Council for approval.

If it is impractical to hold a committee meeting, the Chair of the Council committee may call for a vote to pass a Resolution by Written Procedure outside of a committee meeting. A majority of the Voting committee Members are required to pass a Resolution by Written Procedure. The results of a vote conducted using technologically assisted means will be considered valid. Where a vote is carried, the Resolution by Written Procedure will be recorded as minutes. Minutes of resolutions passed by written procedure will be included in the next meeting of the committee for approval.

When seeking Resolution by Written Procedure (Council and committee), the initial communication of the motion electronically by the Chair is considered to have “moved” the motion. The first vote cast in support of the motion is considered as the “second” to that motion.

5.10 Resolution will be Evidence of Action

Unless required to be exercised by Bylaw, the action of the Council upon any matter coming before it will be evidenced by resolution, and the entry thereof in the minutes of the Council will be *prima facie* evidence of the action taken.

5.11 Circulation of Resolutions and Minutes

A record of passed resolutions of each Council meeting will be circulated to Members following the meeting and as soon as reasonably possible.

Minutes of Regular Open Meetings will be taken, approved by the Council at the next Regular Open Meeting of the Council as part of the consent agenda, filed with the Council Secretary, and posted on the College’s website once approved.

Minutes of Closed Meetings will be taken and approved by the Council at the next scheduled Closed Meeting as part of the consent agenda and filed with the Council Secretary. Approved minutes of Closed Meetings are not posted publicly.

5.12 Public Conduct at Meetings

Regular Education Council meetings are open to the College community and members of the public.

A person who is not a Council Member, Designated Resource Person, or Presenter is considered a member of the public, and may only participate in discussion or debate of an Open Meeting if said person is invited by the Chair. and the request is moved to a resolution. Once a resolution is moved, the request is non-debatable and must receive two-thirds (2/3) majority vote of the Voting Members present to be passed.

Attendees are expected to maintain the decorum prescribed for parliamentary galleries and act in accordance with the principles outlined in these Bylaws and the College’s [Code of Conduct Policy](#).

Any member of the public or employee of the College who breaches these principles or disrupts the meeting proceedings will be asked to leave and removed from the meeting.

5.13 Public Presentations to the Council

At the discretion of the Chair and in consultation with the Provost and Vice President Academic, the Council may hear presentations or answer questions from individuals or groups from the College community or the public.

Persons wishing to address the Council will normally advise the Council Secretary in writing at least fourteen (14) calendar days in advance of a Regular Meeting and outline, in writing, the topic and purpose of the presentation.

In considering a request, the Chair will not grant the request where the topic falls outside the Council's jurisdiction.

Only items included on an agenda will be presented to the Council.

For each request the Chair will decide how much time, if any, will be allocated on the agenda.

PART 6: CONDUCT OF MEMBERS

6.1 Code of Conduct

The Council's Code of Conduct sets out the minimum standards of conduct and principles that each Member is expected to follow. To demonstrate their commitment to effective governance and ethical conduct, each Member will review the [Council Code of Conduct](#) and declare their compliance with the Code of Conduct and these Bylaws by completing an Oath of Office before the Council at the start of their term and annually thereafter.

6.2 Fiduciary Duties of Members

Members of the Education Council are elected or appointed from specific constituencies of the College. Regardless of a Member's position, when they are carrying out the business of the Education Council, their actions will be directed toward the best interest of the College 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. In instances where a Member believes that they are in conflict of interest in voting they should make a disclosure to the Chair under section 7.1 of these bylaws.

6.3 Duty of Care

Members of the Education Council are expected to exercise a duty of care in carrying out their duties as Members of the Council; including:

- i) understanding the obligations of the Council in general and conducting themselves according to such duties, ethics and legal obligations.
- ii) informing themselves specifically as to the policies, business and affairs of Okanagan College and the Council's role within each of those, while conducting themselves and exercising their judgment in light of such policies, business and affairs;
- iii) regularly attending meetings and adequately preparing for and executing the duties expected of them;
- iv) using their level of knowledge and expertise effectively in dealing with matters requiring decisions by the Council; and

v) exercising independent judgment.

6.4 Attendance

Members are expected to regularly attend meetings. Members who are present at a meeting of the Council will have their attendance recorded by the Council Secretary. Late arrival or early departure of Members and Designated Resource Persons will be recorded by the Council Secretary for purposes of the minutes. No Council Member will leave the Council meeting before the close of the meeting without notifying the Chair.

Barring extraordinary circumstances, a Member who will be absent from a meeting will ideally notify the Council Secretary and the Chair at least 48 hours prior the meeting. Members may contact the Council Secretary or Chair to provide rationale for their absences.

Any elected Member absent from three (3) consecutive 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 the Election Rules established by the Registrar. If the Council determines the reasons for the absences to be sufficient, the Council may excuse the absences by resolution.

6.5 Confidentiality

Members of the Education Council will maintain confidentiality of all matters discussed in meetings or parts thereof held as Closed Sessions or In Camera.

PART 7: CONFLICT OF INTEREST

7.1 Disclosure of Conflict

A Member will, immediately upon becoming aware of a Potential, Real, or Perceived Conflict of interest situation disclose the conflict to the Chair. The Member and the Chair will follow the [Procedures for Disclosure under the Code of Conduct for Okanagan College Education Council](#).

Members of the Education Council must declare any perceived, potential or real conflict of interest to the Chair. The Chair will make the determination whether a potential or real conflict exists. A Member with a conflict of interest must abstain from any discussion or voting on the matter.

A conflict of interest arises when a Council Member's individual private 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.

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 Council Secretary will note the declaration in the Minutes and the Council Member must:

- i) in a Closed or In Camera Session or committee meeting, excuse themselves from the proceeding during discussion or voting on that matter.
- ii) in a public session, refrain from discussion or voting on that matter.

PART 8: COMMITTEES

8.1 Establishing Committees

The Education Council may establish Standing or Ad Hoc Committees to carry out its business related to specific issues and report or make recommendations to the Education Council. Committees and their terms of reference will be established by resolution of the Council as required. Committees may be discharged by resolution of the Council or when the specific timeline of that committee expires under their terms of reference.

8.2 Standing Committees

The Council may establish Standing Committees as necessary to carry out the Council's regular business under the Act.

8.3 Ad Hoc Committees

The Council may establish Ad Hoc Committees as necessary to conduct business related to specific issues that arise for the Council. Ad Hoc Committees will be established for a specific period of time, for a defined purpose and scope, and to fulfill a specific deliverable to the Council. An Ad Hoc Committee's terms of reference will include the timeline, purpose, and deliverables to the Council.

8.4 Committee Terms of Reference

Committees established by Education Council will operate under their respective Terms of Reference, which will be approved by the Education Council. Committees will report to the Council upon request by the Council.

8.5 Committee Membership

Committee membership may include Members of the Council and other individuals with expertise in relevant areas, as determined by the Council.

The Committee Chair of each committee will be appointed by the Council Chair from the committees' membership in consultation with the committee.

The Chair of Education Council will be an ex-officio Member of all Council committees, and their attendance counts towards the quorum.

8.6 Committee Attendance

Meetings of Council committees are normally Closed Meetings, limited to Members of the committee, Presenters, and Designated Resource Persons. Committee meetings may be attended by others only with the permission of, or at the request of the Chair of that committee.

8.7 Committee Records

Minutes of committee meetings will be taken, approved by the committee at the next meeting of the committee as part of the consent agenda, and filed with the Council Secretary. Minutes of committee meetings are not posted publicly.

PART 9: AMENDMENTS TO THE BYLAWS

9.1 Notice of Amendment

Amendments to these bylaws may be made by a two-thirds (2/3) vote of the Members present at a Regular or Special Meeting, provided that the proposed amendments have been circulated to Members at least fourteen (14) calendar days prior to the meeting.



EDUCATION COUNCIL BRIEFING NOTE

January 9, 2025

Agenda #: 6.2

Proposal Summary

Subject:	Code of Conduct for Okanagan College Education Council Policy and Procedures for Disclosure
Proposed by:	Jillian Garrett
Submitted to:	Education Council
Implementation date:	February 6, 2025

Background Statement:

As part of the Education Council governance review, the Code of Conduct for Okanagan College Education Council Policy and Procedures for Disclosure were developed as governing documents to outline acceptable conduct for Council Members and to provide guidance for the Chair and Council Members in addressing conflicts of interest. Establishing a code of conduct in conjunction with the Bylaws is consistent with governance practices that guide effective and accountable decision-making.

The Code of Conduct for Okanagan College Education Council Policy is a new policy that outlines the standards of conduct that Council Members are expected to follow in fulfilling their roles as members, including Council Members' duty to carry out their responsibilities with integrity, ethically, and respectfully.

The Procedures for Disclosure is a supporting document to the Code of Conduct Policy and expands on language previously contained in the 2015 version of the [Bylaws \(section 7.0\)](#). The Procedures describe the process for disclosing potential conflicts of interest and determining whether a conflict exists upon a Council Member's disclosure. The Procedures also describe the role of the Education Council Chair for determining whether a conflict of interest exists and guidance for managing a conflict of interest.

Recommendation:

Education Council is asked to review the proposed Okanagan College Education Council Code of Conduct Policy and Procedures for Disclosure. The following options are proposed to Education Council for consideration:

1. Recommend for approval:
The Council may propose the Code of Conduct for Okanagan College Education Council Policy and Procedures for Disclosure for approval as drafted, or as amended with any non-substantive edits proposed during the discussion.
2. Provide advice:
If significant changes are suggested the policy and procedures will be revised and returned to Education Council for further consideration at the February meeting.

Rationale:

The Code of Conduct for Okanagan College Education Council Policy establishes clear expectations for Education Council Members on acceptable conduct, including demonstrating ethical behavior, integrity, and accountability. Having a clear policy and procedures for managing Education Council conduct and conflicts of interest, will ensure the Council is able to carry out their duties and responsibilities ethically and effectively.

The Policy and Procedures are consistent with best practices used in other conduct and governance policies such as OC's Code of Conduct for Employees Policy and the Code of Conduct for Board of Governors.

Supporting Materials:

- Code of Conduct Policy of Education Council Policy
- Procedures for Disclosure of Conflict of Interest

Action:		
<u>Motion Required</u> <input type="checkbox"/> Notice of Motion <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Advice <input type="checkbox"/> Referral		<u>No Motion Required</u> <input type="checkbox"/> Discussion/Advice <input type="checkbox"/> Information
Recommended Motion		
<p>Motion: "THAT the Education Council approve the Code of Conduct for Okanagan College Education Council Members Policy and Procedures for Disclosure by Okanagan College Education Council Members as presented."</p>		

Consultation History:

Group/Individual, Title	Reviewed	Recommended	Date
Jillian Garrett, Education Council Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	12/17/24



CODE OF CONDUCT FOR OKANAGAN COLLEGE EDUCATION COUNCIL MEMBERS

Policy Area:	Education Council
Policy Number:	
Policy Sponsor:	Education Council Chair
Policy Contact:	Education Council Secretary
Stakeholders:	Okanagan College Education Council
Authority:	<i>College and Institute Act</i>
Approval Authority:	Education Council
Approval Date:	January 2025
Effective Date:	January 2025
Replaces or New:	New
Last reviewed:	Scheduled review date: January 2028

Procedures:	<i>Okanagan College Education Council Meeting Protocols</i> <i>Procedures for Disclosure by Okanagan College Education Council Members</i>
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1. Policy Statement

The effective governance of Okanagan College is contingent on Education Council Members fulfilling their roles and responsibilities with the highest standards of conduct.

Each Council Member is expected to follow the standards of conduct and principles described herein and set out in applicable legislation, policies, and procedures.

2. Purpose

This policy serves as the Education Council's commitment to establishing and maintaining high standards of conduct.

3. Scope and Application

This policy applies to all Education Council Members, including ex-officio members. To demonstrate determination and commitment to effective governance and the standards of conduct set out in this policy, each Member shall review the Code of Conduct for Okanagan College Education Council Members Policy and declare their compliance by signing an Oath of Office at the commencement of their Education Council term and annually thereafter. Disclosures under this policy may also be

referred to the Code of Conduct Policy (for Employees) and the Student Non-Academic Conduct Policy as appropriate.

4. Definitions

This policy's definitions are set out in the Bylaws of the Okanagan College Education Council.

Bylaws	means the Okanagan College Education Council Bylaws.
Chair	means the individual elected as Chair of the Okanagan College Education Council pursuant to the election process outlined in the Bylaws.
Closed Meeting	means a meeting of the Council that, due to the confidential nature of the discussion, is closed to the public and employees of the College as outlined in the Bylaws.
College or OC	means Okanagan College.
Confidential Information	means any proprietary technical, business, financial, legal, or any other information which the College treats as confidential. For the purposes of Education Council, means any information shared in a Closed or In Camera Meeting or any such information that has not been publicly announced.
Council Member	means any individual appointed, elected, or serving ex-officio on the Education Council.
Employee	means any person employed by (or who has an appointment with) the College.
Educational Administrator	means the definition set out in the College and Institute Act, including 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.
Education Council or Council	means the Okanagan College Education Council as authorized under the College and Institute Act.
Faculty/Instructor	means Faculty as defined under the Act, including any faculty members or vocational instructors employed by Okanagan College and represented by the OC Faculty Association or the BC General Employees' Union (BCGEU) Vocational collective agreements.
In-camera Meeting or In-Camera Session	means a meeting of the Council or part thereof, as outlined in the Bylaws, that is only attended by Members of the Council, the Council Secretary and guests invited by the Council, and for which there is no agenda, no minutes are recorded, and no motions are passed. Discussions conducted during an In Camera Meeting or Session are confidential to those persons in attendance.
Oath of Office	means the oath outlined in section 16 of this policy.
Perceived Conflict	means a conflict of interest which could be said to exist where a Member's private interests would appear to a reasonable person to conflict with their duties even though there may not be an actual conflict.
Potential Conflict	means a conflict of interest that could arise where a Member has private interests such that, while no conflict has yet arisen, one could arise.

Real Conflict	means a conflict of interest between the public duty and private interests of a Council Member, in which their private and/or personal interests could influence the performance of their duties for personal or private gain.
Related Person	means a spouse, child, parent or sibling of Council Members.
Significant Financial Interest	means any interest substantial enough that decisions of the College could result in a personal gain for the Council Member.
Student	means any person enrolled as a student at Okanagan College in a program approved by Education Council.
Support Staff	means any regular employee employed by Okanagan College and represented by the BCGEU Support Staff collective agreement or who falls within the Terms and Conditions for Administrators or Excluded Staff. Support Staff as defined under these Bylaws is synonymous with the term Support Staff as outlined in the Act.
Vice Chair	means the individual elected as Vice Chair of the Okanagan College Education Council pursuant to the election process outlined in the Bylaws.

5. Duties of Members

Fiduciary duty

- 5.1 Council Members have a duty to provide fiduciary oversight to the College under consideration of the following principles:
- Putting the interests of the College at the centre of decision making.
 - Behaving with integrity, demonstrating a strong commitment to ethical values, the College's values, and respecting the rule of law.
 - Ensuring open and respectful engagement with the College community;
 - Striving for outcomes that support a healthy community, including social, economic and environmental well-being; and
 - Implementing actions to achieve the College's mandate.
- 5.2 Council Members have a duty to be responsible first and foremost to the welfare of Okanagan College and must function primarily as a Council Member, not as a member of any particular group. Council Members elected or appointed from a specific group such as a Faculty/Instructor, Support Staff, Educational Administrators, or Students may bring forward to Education Council discussions the views of their respective group; however, in deliberations and voting they will always act in accordance with the best interest of Okanagan College and the Education Council as a whole.

Duty of Care

- 5.3 Council Members are expected to always act and make decisions in good faith in a prudent and diligent manner by:
- Informing themselves of the duties, ethics, and legal obligations of Council Members in general and conducting themselves according to such duties, ethics, and legal obligations;

- b) Informing themselves specifically as to the policies, business, and affairs of Okanagan College and conducting themselves and exercising their judgment in light of such policies, business, and affairs;
 - c) Regularly attending meetings and adequately preparing for and executing the duties expected of them;
 - d) Using their level of knowledge and expertise effectively in dealing with the affairs of Okanagan College;
 - e) Exercising independent judgment; and
- 5.4 Speaking with one voice with recognition that the Chair or someone designated by the Chair represents the Education Council in the community and Members must refer to the Chair for public comments about the Education Council and its decisions.

6. Compliance with the Law

- 6.1 Council Members will act at all times in full compliance with both the letter and the spirit of all applicable laws.
- 6.2 No Council Member will commit or condone an unethical or illegal act or instruct another Council Member, employee, or supplier to do so.
- 6.3 Council Members are expected to be sufficiently familiar with any legislation that applies to their work to recognize potential liabilities and to know when to seek legal advice. If in doubt, Council Members are expected to ask the Chair for clarification.
- 6.4 Council Members will not only comply fully with the law but will also avoid any situation which could be perceived as improper or indicate a casual attitude towards compliance.

7. Conflicts of Interest

- 7.1 In general, a conflict of interest exists for Council Members who use their position at the College to benefit themselves, friends or families. Conflicts may be Real Conflicts, Potential Conflicts or Perceived Conflicts.
- 7.2 A Council Member must ensure that no Real, Potential or Perceived Conflict of Interest exists between their personal interests and their ability to execute their governance responsibilities.
- 7.3 A Council Member will not use their position with the College to pursue or advance the Council Member's personal interests, the interests of a Related Person, the Council Member's business associate, corporation, union or partnership, or the interests of a person to whom the Council Member owes an obligation.
- 7.4 A Council Member will not directly or indirectly benefit from a transaction with the College over which a Council Member can influence decisions made by the College.
- 7.5 A Council Member will not take personal advantage of any opportunity available to the College unless the College has clearly and irrevocably decided against pursuing the opportunity, and the opportunity is also available to the public.
- 7.6 A Council Member will not use their position with the College to solicit clients for the Council Member's business, or a business operated by a Related Person, close friend, family member, business associate, corporation, union or partnership of the Member, or a person to whom the Member owes an obligation.

- 7.7 A Council Member will avoid any situation in which there is, or may appear to be, potential conflict of interest which could appear to a reasonable person to interfere with the Council Member's judgment in making decisions in the best interest of the College.
- 7.8 Full and immediate disclosure to the Chair of borderline cases will always be taken as good-faith compliance with these standards.

8. Disclosure of Conflict of Interest

- 8.1 All Council Members are expected to fully disclose all circumstances that could conceivably be construed as a Real Conflict, Potential Conflict or Perceived Conflict.
- 8.2 Full disclosure enables Council Members to resolve unclear situations and gives an opportunity to dispose of conflicting interests before any difficulty can arise.
- 8.3 The process for determining whether a Council Member is in conflict is outlined in the *Procedures for Disclosure by Okanagan College Education Council Members*.

9. Outside Business Interests

- 9.1 Council Members will declare any Real Conflicts, Potential Conflicts or Perceived Conflicts at the time of appointment and annually thereafter. Notwithstanding any outside activities, Members are required to act in the best interest of the College.
- 9.2 No Council Member will hold a Significant Financial Interest, either directly or through a relative or associate, or hold or accept a position as an officer or member in an organization in a material relationship with the College, where by virtue of their position in the College, the Council Member could in any way benefit the other organization by influencing the purchasing, selling or other decisions of the College, unless that interest has been fully disclosed in writing to the Chair.
- 9.3 These restrictions apply equally to interests in companies that may compete with the College in all of its areas of activity.

10. Confidential Information

- 10.1 Council Members have a duty to maintain the confidentiality of information received and discussions held in the course of their duties and to not use such information for any purpose outside that of undertaking the work of the Education Council.
- 10.2 Council Members will not, either during or following the end of their term, disclose Confidential Information to any outside person unless authorized by the Chair.
- 10.3 Similarly, Council Members will never disclose or use Confidential Information gained by virtue of their association with the College for personal gain, or to benefit friends, relatives, a Related Person, or associates.
- 10.4 If in doubt about what is considered confidential, a Council Member will seek guidance from the Chair.

11. Investment Activity

- 11.1 Council Members will not, either directly or through relatives or associates, acquire or dispose of any interest, including publicly traded shares, in any company while having undisclosed Confidential Information obtained in the course of work at the College which could reasonably affect the value of such securities.

12. Outside Employment and Association

- 12.1 A Council Member, who accepts a position with any organization that could lead to a conflict of interest or situation prejudicial to the interest of the College, will discuss the implications of accepting such a position with the Chair recognizing that acceptance of such a position might require the Member's resignation from the Education Council.

13. Breach of Duty

- 13.1 A Council Member found to have breached their duty by violating the minimum standards set out in the Education Council Bylaws, in this policy, or other applicable College policies may be liable to censure or a recommendation for dismissal or other actions as the Education Council determines is appropriate.

14. Clarification on Ethical Behaviour

- 14.1 Normally, the Education Council Chair will be responsible to provide guidance on any item concerning standards of ethical behaviour. If required, the Education Council Chair may also seek the advice of the Provost and Vice President Academic.

15. Oath of Office

All Education Council members are required to take the following Oath of Office before the Education Council, at the commencement of each Member's term and annually thereafter:

I _____, sincerely promise and swear (or affirm) that I will truly faithfully and impartially to the best of my ability execute the duties and responsibilities of my position as a Member of the Okanagan College Education Council. I have read and agree to abide by the Bylaws of the Okanagan College Education Council, the Council's **Terms of Reference**, the **Code of Conduct for Okanagan College Education Council Members**, and all applicable College policies and procedures.

16. Related Acts and Regulations

Financial Administration Act

Freedom of Information and Protection of Privacy Act

17. Supporting References, Policies, Procedures and Forms

Bylaws of the Education Council

Okanagan College Education Council Meeting Protocols

History / Revisions

Date	Action
2025-01-xx	New policy Approved by the Okanagan College Education Council: <i>Code of Conduct for Okanagan College Education Council Members</i>



Procedures for Disclosure by Okanagan College Education Council Members

Parent Policy:	<i>Code of Conduct for Okanagan College Education Council Members</i>		
Procedure Reference			
Procedure Sponsor:	Education Council Chair		
Procedure Contact:	Education Council Secretary		
Stakeholders:	Members of the Okanagan College Education Council		
Approved by:	Education Council		
Effective Date:	January 2025		
Last reviewed:	New	Scheduled review date:	January 2028

1. Purpose

These procedures set out the process of disclosure of real, potential, or perceived conflicts of interest and for determining if a conflict exists upon disclosure by a Member of the Okanagan College Education Council.

2. Scope and Application

This procedure applies to any Education Council Member who becomes aware of a real, potential or perceived conflict of interest in their duties as a Council member.

3. Procedures for Disclosure

Chair

- 3.1 If the Chair becomes aware of their own real, potential, or perceived conflict of interest then the Chair will declare the conflict of interest to the Vice Chair, and the Vice Chair will make a determination of whether a conflict exists acting, for that purpose, as the Chair.
- 3.2 If there is a concern that the Chair has a conflict then the matter will be referred to the Vice Chair and the Vice Chair will make a determination whether a conflict exists, acting for that purpose, as the Chair.

Council Members

- 3.3 A Council Member will, immediately upon becoming aware of a real, potential or perceived conflict of interest situation disclose the conflict to the Chair. This requirement exists even if the Council Member does not become aware of the conflict until after a transaction is complete.

- 3.4 If a Council Member is in doubt whether a situation involves a conflict of interest, the Council Member will immediately seek the advice of the Chair. The Chair may seek advice from the Provost and Vice President Academic (Provost) to consider whether a conflict exists.
- 3.5 If a Council Member is concerned that another Council Member is in a conflict of interest, the reporting Council Member will immediately bring the concern to the other Member's attention and request that the conflict be declared. If the other Council Member refuses to declare the conflict, the reporting Member will immediately bring their concern to the attention of the Education Council Chair by providing a description of the potential conflict of interest along with any evidence related to the concern to the Chair.

Students and Employees

- 3.6 Any student or employee of the College may bring a concern that a Council Member is in a conflict of interest to the attention of the Chair by providing a description of the potential conflict of interest along with any evidence related to the concern to the Chair.
- 3.7 If a student or employee has a concern that the Chair has a conflict then the matter will be referred to the Vice Chair and the Vice Chair will make a determination of whether a conflict exists acting, for that purpose, as the Chair.

4. Procedures for Evaluating Potential Conflicts of Interest

- 4.1 These procedures are intended as guidance for Council Members in evaluating whether they may have a potential, real or perceived conflict of interest and how the Chair may make a determination on that conflict.
- 4.2 The following examples of potential conflicts are not considered to be exhaustive, and may include Council Members who could be perceived to have their impartiality in evaluating a proposal influenced by any of the following:
 - a) The Council Member is involved in the promotion or implementation of the proposal;
 - b) The Council Member is related to, or has a close, or personal relationship with the proposer;
 - c) The Council Member has directly contributed to a proposal.
- 4.3 Should a Council Member have a real, potential, or perceived conflict of interest related to a proposal, the Council Member will declare the conflict to the Chair preferably in advance of the relevant meeting, or at the meeting under the agenda item: *Declaration of Conflict of Interest*.
- 4.4 At the time of disclosure, the Chair will make a determination on the Council Member's participation in the proposal discussion and voting by:
 - a) Requesting that the Council Member withdraw from the discussion and abstain from voting leading to recommendations on the proposal. This may be the determination of the Chair when a Council Member is making a proposal.
 - b) Determining that the Council Member may participate in the discussion; however, ask that the Council Member abstain at the time of voting. This may be the determination of the Chair when a Council Member is from the same teaching department as the proposer.
 - c) Determining that the member may participate in the discussion and in the voting. This may be the determination of the Chair when a Council Member is from the same portfolio as the proposer, and provided no other potential, perceived, or real conflict of interest exists.

5. Procedures for Determining if a Conflict of Interest Exists

Responsibilities of the Chair

- 5.1 When the Chair receives information that a Council Member may be in a conflict of interest from the voluntary disclosure of the member or a written or verbal description from another Council Member, or a student or employee of the College, the following provisions and processes will apply:
- a) The Chair may seek advice from the Provost regarding any matter or issue the Chair wishes to consider;
 - b) The Chair will ensure all information provided to the Chair is kept private;
 - c) In the case of a voluntary disclosure, the Chair may request any information from the disclosing Council Member that the Chair considers necessary to decide whether a conflict exists and the disclosing Council Member will provide that information to the Chair on a confidential basis;
 - d) If the Chair receives a written or verbal description of a potential conflict then the Chair will give a copy of that description, along with any documents the Chair may have received, to the Council Member who is alleged to be in a conflict of interest and the Chair will allow the Council Member to provide the Chair with a written response along with any documents related to the matter, all on a confidential basis;
 - e) After receiving the response from the Council Member, the Chair may request any further information from the Council Member that the Chair considers necessary to decide whether a conflict exists and the Council Member will provide that information to the Chair on a confidential basis;
 - f) After obtaining all the information and advice the Chair may require, the Chair will decide if a conflict of interest exists;
- 5.2 In the case of a voluntary disclosure the Chair will meet with the Council Member on a confidential basis to discuss if the conflict of interest can be removed or resolved.
- 5.3 If the conflict of interest is removed or resolved to the satisfaction of the Chair then no further action is required and the Council Member may fully participate in Education Council meetings.
- 5.4 If the conflict of interest is not removed or resolved to the satisfaction of the Chair then a note related to the nature of the conflict will be made in the minutes of Education Council at the next Regular meeting of the Council and Section 5.5 of these Procedures will apply to the member who is in a conflict of interest.

Awaiting a Determination of Conflict

- 5.5 After a potential conflict has been communicated to the Chair and while awaiting a decision from the Chair or if the Chair determines a conflict exists, the Council Member:
- a) May attend Education Council meetings;
 - b) May remain in the room but will not take part in the discussion of the matter unless invited to do so by the Chair;
 - c) Will not vote on any questions in respect of the matter and will leave the room prior to any vote on the matter giving rise to the conflict (although the Council Member may be counted in the quorum present at the Education Council meeting).

6. Records

- 6.1 The Council Secretary will record any disclosures of conflict and related abstentions from voting in the Council's official minutes.

7. Related Acts and Regulations

College and Institute Act

8. Supporting References, Policies, Procedures and Forms

Bylaws of the Education Council

History / Revisions

Date	Action
2025-xx-xx	New procedure approved by Education Council: <i>Procedures for Disclosure by Okanagan College Education Council Members</i>