



## Terms of Reference of the Loyalist College Council

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### 1. Introduction

In the Ministry Policy Binding Directive - Governance and Accountability Framework, under Advisory College Council, the Board of Governors is to ensure that an advisory college council is established, the purpose of which is to provide means for students and staff of the college to provide advice to the president on matters of importance to students and staff. The Board of Governors is to ensure that the structure, composition, terms of reference and procedures for the council are established in by-law. A report from this advisory council shall be included in each college's annual report.

By-Law 1, section article 16 states, "In accordance with the OCAAT Act and the "Governance and Accountability Framework" Policy Directive, the College hereby establishes the Loyalist College Council, the mandate, composition, membership and structure of which is established in Appendix 3 to this By-Law. The Loyalist College Council is not a committee of the Board."

### 2. Mandate

The mandate of Loyalist College Council is the purpose of which is to provide a means for students and staff of the college to provide advice to the President on matters of importance to students and staff.

### 3. Composition

The position of a Council member is recognized as important and beneficial to the growth and development of the College. The position is voluntary and members may not receive remuneration for their participation, although reasonable travel expenses will be reimbursed. Meetings will be scheduled to accommodate members' schedules to the extent possible.

- 3.1 the chair of the Council (the "Council Chair") who shall be elected in accordance with the procedures established in Appendix 3 By-Law 1 and, once elected, shall serve as an ex-officio non-voting member of the Council save and except for the right to exercise a casting vote;

- 3.2 the person who was Council Chair immediately prior to the current Council Chair (the “Past Council Chair”);
- 3.3 members of the College’s Executive Team (consisting of the following persons: the President; Senior Vice President, Academic and Chief Learning Officer; Senior Vice President, Corporate Services and Chief Financial Officer; Executive Director, College Advancement and External Relations; Executive Director, Human Resources and Student Success; and Executive Director, Student Life and Leadership) who shall be ex-officio non-voting members;
- 3.4 two (2) full time student representatives who are members of the Board of Directors of the Student Government and are appointed by that Board of Directors to be members of the Loyalist College Council;
- 3.5 one (1) part time student appointed by the Council Chair as recommended by the Senior Vice-President of Academic and Chief Learning Officer;
- 3.6 two (2) full time faculty representatives elected by faculty from each academic school as represented by a Member Dean where such two (2) representatives representing different academic schools;
- 3.7 one (1) part time faculty representative elected from amongst the part time faculty members by the part time faculty members;
- 3.8 four (4) full time support staff representatives elected from amongst all full time support staff by the full time support staff;
- 3.9 one (1) part time support staff representative elected from amongst the part time support staff by the part time support staff;
- 3.10 two (2) administrative staff appointed by the Council Chair based on the recommendation of the College’s Executive Team;
- 3.11 one (1) counselor appointed by the Council Chair based on the recommendation of the Senior Vice-President of Academic and Chief Learning Officer; and

#### **4. Election Process**

##### **4.1 Election Dates**

The Board shall establish dates for the election of Internal Governors (each a “**Council Election Day**”) which are to be no later than April 30th each year.

#### 4.2 Nominations

Nomination forms will be circulated by the Electoral Officer to all eligible voters by March 1st each year. Signed nomination forms will be received by the Electoral Officer up to March 15th each year (“Council Nomination Day”). The nomination form shall indicate the candidate’s willingness to stand for election and stipulate that, if elected, the nominee will act in a voluntary capacity for a period of two (2) years.

The list of nominees for each constituent group shall be posted on the College’s electronic voting site and forwarded electronically to all members of that constituent group.

In the event that no nominations are received by the Council Nomination Day, members may be appointed to the Council by the Council Chair from members of the respective constituent groups. Such appointments will be ratified by the Council.

#### 4.3 Canvassing

Canvassing shall only take place from Council Nomination Day up to and until 6:00 p.m. on the day immediately preceding Election Day. Canvassing shall not interfere with normal College schedules and responsibilities.

#### 4.4 Election Process Procedure

The election for each constituent group will be fully managed through a secure electronic voting service. The election period, to be determined each year, will run for a period of 3 days to allow voters sufficient time to vote.

Election results will be posted immediately after the polls close.

#### 4.5 Electoral Officer

The Electoral Officer for all elections of the Loyalist College Council will be the executive assistant to the President.

### **5. Term of Office**

5.1 Terms will be two years in length beginning September 1 and ending August 31.

5.2 A council member may serve a maximum of two, two-year terms

5.3 The Council membership will be structured so that 50% of the Council will be refreshed annually.

5.4 Following a hiatus of one two-year term, a former member may run for election be appointed for another two-year term.

- 5.5 If a Council member ceases to be a student or a member of the constituent group from which he or she is elected or appointed, such person ceases to be a member of the Loyalist College Council, provided that a student who graduates prior the expiration of the student's term may remain a member of the Loyalist College Council until August 31st in the year of his/her graduation.
- 5.6 Vacancies, however caused, shall be filled at the next election or at a time determined by the Council.

## **6. Responsibilities of Members**

- 6.1 Except for ex-officio members of Council, participation on the Council shall be on a voluntary basis. All reasonable arrangements will be made to make participation on the Council as accessible as practicable.
- 6.2 Council members shall participate fully in all meetings of the Council.
- 6.3 Council members shall make themselves available to their constituent groups and will keep their peers informed of major issues before the Council.
- 6.4 Every member of the Council in discharging his or her duties shall:
- work with the College staff and committees as required;
  - encourage and maintain student/client focus;
  - strive for effective communications, fiscal responsibility, continuous improvement, accountability and teamwork; and
  - act honestly and in good faith with a view to the best interests of the College.

## **7. Structure of the Council**

### The Council Chair

- 7.1 The Council Chair will be elected by members of the Council at the first meeting of the Council in September. The Council Chair is elected by ballot for a two-year term.

Nominations for the Council Chair may be made from the floor by at least two (2) members of the Council.

- 7.2 No individual may stand for election as Council Chair unless such individual has been a member of the Council for at least one (1) year. No member of the Council may serve as Council Chair for longer than two (2) consecutive terms.

The Council Chair shall:

- preside over and conduct all meetings according to conventional rules of order;
- liaise with the President to determine the agenda and call the meetings;

- prepare material and reports for the Council;
- collaborate with the President and the College Executive Team on Council matters;
- oversee the distinction awards process;
- address attendance issues with members;
- prepare the annual report of activities for inclusion in the College's annual report; and
- perform such other duties as may from time to time be determined by the Council

7.3 In the absence of the Council Chair, the Past Council Chair will preside over the Council and perform the duties of the Council Chair.

7.4 The Past Council Chair of the College Council shall act as an advisor to the Council Chair.

7.5 Secretary

A Secretary of the Council shall be appointed by the President. The Secretary of the Council shall not be a member of the Council and shall not vote at meetings of the Council.

The Secretary of the Council shall:

- attend meetings of the Council;
- ensure that a record of the minutes of all the Council meetings are kept; and
- perform such other duties as the Council may direct, subject to the President's approval.

## 8. Meetings

The Council shall meet at least twice each fall and winter term, with the agenda, time and location to be posted at least ten days in advance of any such meeting.

- All meetings shall be open to the College community.
- Fifty percent (50%) of the members of Council plus one (1), excluding vacancies, shall constitute a quorum.
- In the event that the Council Chair or another member of the Council believes that a meeting should be cancelled or re-scheduled, such change in schedule will only take place after approval by a majority of the members of Council, which may be determined by a telephone or e-mail poll.
- The Council may appoint special Council committees as deemed necessary by the membership. The mandate of such special Council committees shall expire with the completion of the tasks assigned.
- If a specific matter arises that is not addressed in the By-Laws, the policies of the Board or other applicable law, practice shall be determined by reference to a current edition of the Robert's Rules of Order.

## 9. Voting

- 9.1 Business arising at any meeting of the Council or any Council committee shall be decided by a majority of votes cast unless otherwise required by applicable law, provided that:
- each member of a Council committee shall be entitled to one vote at any meeting of the Council committee; and
  - no member of the Council or of a Council committee shall be entitled to vote by proxy at any meeting of the Council or of a Council committee.
- 9.2 Except as otherwise provided in Appendix 3, all Council members must attend each meeting of the Council in person in order to be eligible to vote.
- 9.3 Votes shall be taken in the usual way, by show of hands among all members of the Council or Council committee members, as applicable, present and, in the event of a tie, the chair of the meeting shall be entitled to a casting vote.
- 9.4 Any question of procedure at or for any meeting of the Council or of any Council committee which has not been provided for in Appendix 3 shall be determined by the Council Chair in accordance with the By-Laws, Board policies and applicable law.

*Approved by the Board of Governors November 20, 2019*