

THE FANSHAWE COLLEGE OF APPLIED ARTS AND TECHNOLOGY

BY - LAW NO. 4

being a by-law regarding the advisory college council of The Fanshawe College of Applied Arts and Technology (hereinafter referred to as the "**College**")., pursuant to the Minister's Binding Policy Directive Governance and Accountability Framework made under the *Ontario Colleges of Applied Arts and Technology Act, 2002* (the "**OCAATA**")

BE IT ENACTED AND IT IS HEREBY ENACTED as a by-law of the College as follows:

Structure and Composition

1. The Structure and Committee Membership is contained in Appendix A Terms of Reference College Council.



Terms of Reference

2. The College shall establish an advisory college council.
3. The mandate of the advisory college council 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.
4. The advisory college council shall include a report in the College's annual report.

Meeting Procedures

5. The Meeting Procedures are contained in Appendix A Terms of Reference College Council.

Enacted by The Fanshawe College of Applied Arts and Technology and sealed with the Corporate Seal this 6th day of June, 2024


Chair
Secretary

APPENDIX A

TERMS OF REFERENCE COLLEGE COUNCIL

1. PURPOSE

In order to ensure commitment to and respect for the educational mission of the College, the goals of College Council are:

- To sustain collegiality and collaboration in academic policy-setting and policy-analysis;
- To further cooperation and information-sharing among all units of the College regarding academic and student related policies and procedures; and
- To encourage communication and reciprocity among all units of the College regarding academic policies and procedures.

College Council advises the President on the creation, rescission, modification and monitoring of academic and student related policies and procedures of the College, as well as other matters concerning the educational mission of the College. Such policies and procedures are recommended to the President for implementation. Approved policies and procedures are made available to the College community.

2. DEFINITIONS

Ex Officio: Arising out of one's office.

Ad Hoc: For a particular purpose.

Quorum: The minimum number of members whose presence is necessary to conduct Council business.

3. FUNCTION

3.1. Advisory Function

The Council and its Subcommittee(s), as appropriate, advise the President on the following:

- 3.1.1. Principles governing the establishment, composition and change of programs, courses of study, schools, faculties and departments;
- 3.1.2. Policies and procedures of admission to the College and continued registration therein;
- 3.1.3. College-wide scholarships, bursaries, medals, prizes and other marks of academic achievement;
- 3.1.4. Examinations, grading policies and all matters relating thereto;
- 3.1.5. Student appeals policies, standards of student conduct and discipline and policies concerning human rights and appropriate work/study placement behaviour;
- 3.1.6. Qualifications for diplomas, certificates, applied and collaborative degrees and other credentials of the College;
- 3.1.7. Principles governing the recruitment of students, delivery of cooperative education, and the placement of graduates;

-
- 3.1.8. Policies and procedures concerning students on non-traditional academic pathways.
 - 3.1.9. Principles governing the collection, storage and retrieval of academic data, and student grades;
 - 3.1.10. Convening and conducting graduation ceremonies;
 - 3.1.11. Principles governing evaluations of programs, student achievement and College services;
 - 3.1.12. Issues concerning teaching methodologies;
 - 3.1.13. Matters having an impact upon academic procedures, such as the use of academic facilities and scheduling, including the Academic Calendar;
 - 3.1.14. Principles governing the use of educational resources;
 - 3.1.15. Principles governing academic planning;
 - 3.1.16. Research, innovation and development;
 - 3.1.17. Any matter which affects the academic reputation or educational effectiveness of the College.

3.2. Excluded Matter

It is acknowledged that decisions arising from the aforesaid functions are not intended to and shall not supersede or vary any terms and conditions of employment as provided in any present or future contract of employment or collective agreement of any employee of Fanshawe College. Terms and conditions of employment are not within the purview of College Council and shall not be discussed at any College Council meeting. Discussion of excluded matter should be addressed with other established College groups as necessary.

3.3. Educational Equality

- 3.3.1. Council promotes the accessibility of College programs within a changing social and demographic environment.
- 3.3.2. Education equity focuses on groups who are recognized as traditionally having faced barriers to accessibility and/or completing studies within the provincial education system.
- 3.3.3. Measures to ensure equitable access include:
 - 3.3.3.1. The review of policies and procedures to remove bias and barriers towards particular groups, and
 - 3.3.3.2. The implementation of pro-active initiatives.

4. MEMBERSHIP AND TERM OF OFFICE

4.1. Composition of College Council

The membership of College Council is determined in accordance with the principles set out below. The specific membership at any time is set out in Appendix A of this TOR and may vary in accordance with College organizational structure. Any application of the following principles to the determination of specific representation from a department of the College is determined by College Council itself.

4.1.1. Principles for Membership of College Council:

- Consistent with the nature of College Council as the body that recommends academic policy and procedure, all areas of the College that have direct involvement in the academic process will have representation on Council. Areas to be represented include all teaching departments and most student services departments.
- Faculty and administration will be equally represented on Council with each teaching department having one faculty representative. A teaching department is a department that functions as a relatively independent departmental entity headed by an academic administrator. If a specific teaching department is small, in order to prevent disproportionate representation of its members and thus an overlarge membership on Council, consideration by Council is given to grouping any such department with another. Faculty are elected in accordance with section 4.5 of this TOR. Administrators are appointed by the President in accordance with section 4.5.
- Senior management of the College who are involved in academic processes (the President will be Chair) are members.
- Support staff will have three representatives at large. Support staff are elected in accordance with section 4.5 of this TOR.
- Students will have six representatives appointed by the Student Union.
- The Alumni will have one representative appointed by the Alumni Association.

4.1.2. There shall be appropriate representation from the five component groups, namely, Administration, Faculty, Students, Support Staff, and Alumni, from London and Regional Campuses, including non-full-time constituents who are employed throughout their term of office. (Refer to 4.1.8.)

4.1.3. Since academic policies and procedures are the main items for Council consideration, voting members of Council are principally from the academic schools and campuses of the College and from other areas of the College where the function is chiefly academic and research and innovation-related.

4.1.4. Membership of Council is reviewed from time to time to ensure that the principles of membership continue to be applied (e.g., constituent group representation, diversity of membership).

4.1.5. The term of office for elected members is two years.

4.1.6. Consideration is given to students to enable and encourage student participation.

4.1.7. Candidates must be part of, and continue to be part of, the constituent group that they are representing. If elected members have a change in status (e.g., move from one constituent group to another), their seat becomes vacant. If an elected member of a particular constituent group has a change of status due to an academic break (e.g., not teaching for a semester) or they are no longer employed by the College, their seat becomes vacant.

4.1.8. Service on Council and its subcommittees/Working Groups is recognized as work for employees.

4.1.9. Some members of College Council have voting rights while others do not in accordance with the following principles:

- The Chair, Vice-Chair, Senior Vice-President, Academic, and Ombuds are non-voting members.
- Students, faculty, support staff, administration, and the alumni representatives are voting members.

4.2. Chair

4.2.1. The President of the College is ex-officio Chair of College Council

4.2.2. The duties of the Chair are:

- 4.2.2.1. To open the meeting;
- 4.2.2.2. To announce and conduct the business of Council;
- 4.2.2.3. To state and put the question, and to announce the result of the vote;
- 4.2.2.4. To enforce rules of order;
- 4.2.2.5. To call the Vice-Chair to the Chair for meetings which the Chair cannot attend;
- 4.2.2.6. To conduct the biennial election of the Vice-Chair (Chair and Secretary);
- 4.2.2.7. To arrange for a replacement for the Secretary in the event of the absence of the Secretary; and
- 4.2.2.8. In the case of the absence of the Chair and the Vice-Chair, to designate a Chair prior to the meeting.

4.3. Vice-Chair

4.3.1. At its first regular March meeting in every second academic year, Council elects from amongst its members, a Vice-Chair whose term of office is two years, until the first regular meeting of the academic year, two years following. If the elected Vice-Chair is an elected voting representative, their constituency elects a replacement representative. Vice-Chairs are normally limited to two consecutive terms. Council members who have served as Vice-Chair for two consecutive terms may be considered for Vice-Chair again after a period of two years.

4.3.2. The duties of the Vice-Chair are:

- 4.3.2.1. When the Chair is unable to attend a meeting, to act as and have all powers of the Chair;
 - 4.3.2.2. To consult with individuals who may wish to bring business before Council and to assist, if requested, with the drafting of items for the Agenda and motions for Council (Vice-Chair and Secretary);
 - 4.3.2.3. To have ongoing communication with the Secretary of Council, and to consult with the Secretary ten (10) business days prior to the next meeting in order to review Agenda and Minutes;
 - 4.3.2.4. To meet with the Chair and Secretary prior to meetings to review agenda;
-

-
- 4.3.2.5. To ensure that all undertakings by members to conduct business for Council are completed and that the business of Council proceeds in an orderly manner (Vice-Chair and Secretary);
 - 4.3.2.6. To monitor the terms related to membership and elections outlined in this document to ensure that the guiding principles of membership are upheld (Vice-Chair and Secretary);
 - 4.3.2.7. To initiate, in consultation with the Secretary, the nomination and election process (Vice-Chair and Secretary);
 - 4.3.2.8. To initiate new members by informing them of the role of Council and the duties of members. To conduct with the Secretary, an annual orientation session for newly elected Council members (Vice-Chair and Secretary);
 - 4.3.2.9. To introduce a new member to Council;
 - 4.3.2.10. To make procedural recommendations in the form of motions to Council concerning the most efficient method of conducting business (Vice-Chair and Secretary);
 - 4.3.2.11. On a four-year cycle, to initiate and participate in the review of the Terms of Reference of College Council (Vice-Chair and Secretary).

4.4. Secretary

- 4.4.1. The President of the College appoints a permanent Secretary of Council.
- 4.4.2. The duties of the Secretary are:
 - 4.4.2.1. To prepare and issue the Agenda for all meetings of Council, one week in advance of such meetings;
 - 4.4.2.2. To consult with individuals who may wish to bring business before Council and to assist, if requested, with the drafting of items for the Agenda and motions for Council (Secretary and Vice-Chair);
 - 4.4.2.3. To prepare and issue to all members, Minutes and accompanying documentation of every meeting of Council;
 - 4.4.2.4. To have ongoing communication with the Vice-Chair of Council, and to consult with the Vice-Chair ten (10) business days prior to the next meeting in order to review Agenda and Minutes;
 - 4.4.2.5. To meet with the Chair and Vice-Chair prior to meetings to review the Agenda and proposed Agenda items;
 - 4.4.2.6. To ensure that all undertakings by members to conduct business for Council are completed and that the business of Council proceeds in an orderly manner (Secretary and Vice-Chair);
 - 4.4.2.7. To prepare for distribution at the first meeting in September, an Annual Report outlining the business of Council conducted during the prior year and a list of outstanding business to be addressed;

COLLEGE COMMITTEES

- 4.4.2.8. Place announcements such as calls for nominations on the employee portal. Place College Council Minutes and Agenda items on the portal as necessary;
- 4.4.2.9. To initiate and participate in the quadrennial review of the Terms of Reference (Secretary and Vice-Chair). Such review to be conducted in 2023, 2027, 2031, etc.;
- 4.4.2.10. To monitor the Terms related to membership and elections outlined in this document to ensure that the guiding principles of membership are upheld (Secretary and Vice-Chair);
- 4.4.2.11. To maintain a list of members of Council and its Subcommittee and to ensure that the list is distributed to all members of Council by the second meeting of each session, and that amendments to it are distributed as membership changes at any time;
- 4.4.2.12. To initiate, in consultation with the Vice-Chair, the nomination and election process (Secretary and Vice-Chair) and to act as Chief Returning Officer;
- 4.4.2.13. To initiate new members by informing them of the role of Council and the duties of members, and by giving them a copy of the Terms of Reference of College Council, and other pertinent information. To conduct with the Vice-Chair, an annual orientation session for newly elected Council members (Secretary and Vice-Chair);
- 4.4.2.14. To assist the Vice-Chair with making procedural recommendations in the form of motions to Council concerning the most efficient method of conducting business;
- 4.4.2.15. To conduct, in consultation with the Chair, the biennial election of the Vice-Chair (Secretary and Chair);
- 4.4.2.16. To ensure that all policies and procedures that emanate from College Council are maintained in the Manual of Fanshawe College Policies and Procedures;
- 4.4.2.17. To have charge of all books and records of Council;
- 4.4.2.18. To conduct correspondence in the name of Council, as directed by Council; and
- 4.4.2.19. To notify the Chair in the event of illness or absence of the Secretary

4.5. Elections/Appointment of Representatives

- 4.5.1. Elections for faculty and support staff positions on Council are conducted in each department, school or other constituency by the Union locals normally no later than the end of March in each year for a term of office to begin the following September. All constituents, including non-full-time employees assigned to the constituency are eligible to vote. All reasonable steps are taken to ensure that each member in the constituency has a fair opportunity to cast a ballot. The Secretary of College Council acts as Chief Returning Officer and shall inform the Union locals of the available faculty/support staff positions on Council.
- 4.5.2. Mid-term vacancies are filled by an election called for this purpose.

-
- 4.5.3. The teaching or other schedule of assignments of Council representatives is arranged to permit attendance at regularly scheduled meetings of Council.
 - 4.5.4. Participation by representatives in the work of Council and its subcommittee or Working Groups shall not be construed as imputing any representative status to such members for the purposes of determining the position of the bargaining unit, or any part thereof, on any matter; neither shall the support or non-support of the recommendations of Council or its subcommittees or working groups by members be cited for the purpose of determining the position of the bargaining unit, or any part thereof, on any matter.
 - 4.5.5. Administrative Representatives are appointed by the President.

4.6. Terms of Membership

- 4.6.1. Members endeavour to attend all meetings or notify the Secretary of their anticipated absence when their absence is unavoidable.
- 4.6.2. Elected members make themselves available to their constituents and will keep their constituents informed of issues and developments of Council.
- 4.6.3. Elected members ensure that their constituents are consulted regularly on matters under consideration by Council and that their views are conveyed to Council. However, they may vote on issues without a referendum.
- 4.6.4. All Council members representing a School, Faculty or department share the responsibility for ensuring communication between Council and their constituency in accordance with guidelines established by their constituency (e.g., members are encouraged to provide updates and solicit feedback when appropriate at their constituency meetings).
- 4.6.5. If an elected Council member knows they will be absent for three or more consecutive meetings, the individual advises the Vice-Chair or Secretary and the Local elects a substitute until the return of the elected member. If that member does not return as planned, then the interim member serves the remainder of that academic year.
- 4.6.6. If a School is without any staff representation, the President ensures that representation for the School by appointment within the Administrative group.
- 4.6.7. Members inform the Secretary of Council of a change in their status that will affect their membership on Council. (For example, extended sick leave, professional development leave).
- 4.6.8. The Following ex-officio voting members may, as need requires, designate an alternate: the Student Union.
- 4.6.9. The following elected member may, as need requires, designate an alternate: the Alumni Association.

5. MEETINGS AND CONDUCT OF BUSINESS

5.1. Meetings

- 5.1.1. Visitors may attend College Council meetings. Visitors attending out of general interest are welcome but do not act as participants or take the floor. Those invited as guests of presenters are there for resource purposes only, and may participate in the discussion of the particular topic for which they came to assist.
- 5.1.2. Meetings are held in September, November, January, March, and May, usually on the fourth Wednesday of the month. In the months of October, December, February, April, and June, meeting times should be reserved by Council members but generally do not occur unless they are held at the call of the Chair. Any other additional meetings may be held at the call of the Chair.
- 5.1.3. The quorum for holding a meeting and for transacting business is a simple majority of the voting members of Council (i.e., 50% plus 1 of the filled voting positions).

5.2. Orderly and Effective Conduct of Council Business

- 5.2.1. Non-voting members may introduce items for inclusion on the Agenda, may propose draft motions (but may not formally move or second such motions), and may vote in the deliberations of subcommittees/working groups on which they serve.
- 5.2.2. Motions are carried by a simple majority of the votes cast provided that a quorum is present (except for those motions for which a two-thirds majority is required by parliamentary procedure). The Secretary records the number of votes cast for a motion, the number of votes against and the number of abstentions. A tie vote results in the defeat of the motion.
- 5.2.3. Chairs of subcommittees and working groups may vote on motions at their subcommittee or working group, except for non-voting ex-officio members.

5.2.4. Rules of Order

The Chair of each meeting conducts the proceedings in conformity with the rules and procedures enacted by the Council, and in all cases not so provided for, the practice of parliamentary procedure governs.

5.2.5. Subcommittee/Working Group Reports to Council

In general, motions of Council that would have the effect of amending reports/recommendations of subcommittees/working groups should be in keeping with the spirit of the reports/recommendations. Amendments of reports and/or recommendations are most effectively and efficiently accomplished with motions referring the required amendments back to subcommittees/working groups for further consideration. In the event that a subcommittee/working group is unable or unwilling to make amendments referred to it, then Council, by a two-thirds majority, may move to make its own amendments.

5.2.5.1. Reports Without Recommendations

Reports of subcommittees/working groups to Council that do not include recommendations are generally informational in nature and usually do not

COLLEGE COMMITTEES

require further action by Council. The Chair (or other voting member of Council appointed to make the report to Council) generally moves that the report be 'received,' now or at some other specified time.

5.2.5.2. Reports with Recommendations

Reports of subcommittees/working groups to Council which do include recommendations are formal in nature and generally do require some further action by Council. Notwithstanding Article 4.2, the Chair of subcommittee/working group making a report to Council may make motions with respect to the report. The Chair or other reporting member of the subcommittee/working group generally moves to 'adopt,' 'accept,' or 'agree' to the report and its recommendations. Any one of the aforementioned motions having been moved and seconded, the report is open to amendment, preferably by motion to 'refer back' to the subcommittee/working group, or, when necessary, by motion to amend by Council. Consideration by paragraph, clause or recommendation of the entire report is in order.

5.2.5.3. When a subcommittee/working group reports back to Council with amendments, the Chair or other reporting member of the subcommittee/working group reads only the amendments and moves their adoption. Amendments to the subcommittees/working groups are in order from the floor of Council.

5.3. Agenda and Minutes

5.3.1. The Secretary distributes an agenda and the minutes of the previous meeting to all members one week before the date of each scheduled meeting.
Any member of the Council may submit a standard Notice of Agenda Item Form to the Secretary at least ten (10) business days prior to a meeting.

5.3.2. The Secretary of Council posts Minutes of Council and other pertinent documents as decided by Council on the employee and student portals.

5.4. Recommendations of College Council

5.4.1. Recommendations of Council are in the form of motions, ratified by Council.

5.4.2. A recommendation, once ratified by Council, cannot be amended except by an affirmative vote of two-thirds of the voting members of Council present at a meeting, providing notice of intent to move reconsideration has been distributed with the Agenda of the meeting: A motion to reconsider must be moved by someone who was present when the original motion was approved.

5.4.2.1. In circumstances that the Chair of College Council deems to be extraordinary in nature, the Chair may ask Council to set aside the requirement in 5.4.2 that notice of intent to move reconsideration of a motion previously passed be distributed with the Agenda of the meeting. If no voting member of Council objects, then the requirement for notice of intent is set aside and reconsideration is in order.

-
- 5.4.3. Within a reasonable period, the President informs Council of the action to be taken on its recommendation. Such actions may include the implementation of a policy, the formation of a working group, or a report to Council outlining the reasons for not implementing the recommendations of Council.

5.5. Subcommittees

There shall be the following Subcommittee of College Council, with the membership and duties as their Terms of Reference define:

- 5.5.1. Scholarship Selection Committee that advises and makes recommendations to the President on matters pertaining to the recognition of students' achievement through awards and College/sector wide awards.

Every subcommittee is responsible for regularly reviewing its Terms of Reference and for forwarding proposed revisions to the Secretary of Council.

5.6. Membership of Subcommittees

- 5.6.1. Any member of the College community may stand for election for membership of any subcommittee. Nominations for election are received by the Secretary. The election is held on the floor of Council following the close of nominations.
- 5.6.2. The list submitted by the Secretary is subject to additions from the floor during the meeting at which it is received, or to additions by mail during a limited period set by motion from the floor during the meeting.
- 5.6.3. At the first meeting of all subcommittees for which an ex-officio Chair is not provided by the Terms of Reference of the subcommittee, a Chair is elected from among the subcommittee members.
- 5.6.4. The subcommittees report at least annually to Council. Copies of Minutes must be retained for review if requested by Council.

5.7. Membership of Working Groups

- 5.7.1. Working groups may be formed for limited terms by motions at Council meetings. The membership and terms of reference are approved by Council. A Chair is elected at the first meeting of a working group.
- 5.7.2. The anticipated completion time of the working group should be included in its terms of reference. In the event the work is not completed by the end of the academic year in which the working group was formed, an interim status report prepared by the working group's Chair should be filed with College Council at the last meeting of the academic year.

6. **AMENDMENT AND RESOLUTION**

6.1. Development and Review of Academic Policies Generally

Activity associated with development, review or rescission of academic policies is conducted in accordance with STD01: Standards for College Policies. Such activity may be at the request of Council or may be initiated by the Policy Sponsor. The result of this process is a proposal from the Policy Sponsor for Council consideration. Council then decides on a course of action to recommend to the President regarding disposition of the policy proposal.

6.2. Review of These Terms of Reference

This TOR is reviewed no less than every five years following the procedures in STD01: Standards for College Policies, except that the task force is a working group approved by Council. The make-up of the working group is the Vice-Chair, the Secretary of Council, and one member from each component group. Any recommendations to Council by the working group are in accordance with the Statement of Purpose outlined in this TOR.

College Council's Statement of Purpose, Functions and Terms of Membership may only be amended at any regular meeting of the Council by a two-thirds vote, provided the amendment was submitted in writing with notice of motion to amend at the previous regular meeting.

7. REFERENCES

None.

8. ADDENDA

Appendix A: COLLEGE COUNCIL MEMBERSHIP

COLLEGE COUNCIL MEMBERSHIP

1. PURPOSE

The purpose of this document is to specify the membership of College Council.

2. MEMBERSHIP BY TYPE

2.1. Ex-officio and non-voting:

- The President, who is the Chair
- The Senior Vice-President, Academic
- The Vice-Chair of Council
- Ombuds

2.2. Ex-officio and voting:

- The Executive Committee Council of the Student Union and Board of Directors, with the total not to exceed six

2.3. Administrative ex-officio and voting:

- 19 Administrative representatives selected by the President

2.4. Elected and voting representative of Alumni:

- One elected, voting external representative from the Alumni Association.

2.5. Elected and voting representatives of Faculty:

- One representative from School of Design
- One representative from Lawrence Kinlin School of Business
- One representative from Donald J Smith School of Building Technology
- One representative from School of Contemporary Media
- One representative from School of Health Sciences
- One representative from School of Human Services
- One representative from School of Information Technology
- One representative from School of Language and Liberal Studies
- One representative from School of Applied Science and Technology
- One representative from Norton Wolf School of Aviation Technology
- One representative from School of Nursing
- One representative from School of Public Safety

-
- One representative from the Downtown Campus
 - One representative from School of Transportation Technology
 - One representative for the Regional Campuses
 - One representative from Counselling and Accessibility Services
 - One representative from Library and Media Services
 - One representative from English Language Institute
 - One representative from the London South Campus

2.6. Elected and voting representatives of Support Staff:

- Three members at large

3. SUMMARY OF MEMBERSHIP

<u>Type</u>	<i>Non-</i>		
	<i>Voting</i>	<i>Voting</i>	<i>Totals</i>
Faculty, including Vice-Chair	19	1	20
Administration	19	3	22
Support Staff	3	0	3
Students	6	0	6
Alumni	1	0	1
<hr/>			
Totals:	48	4	52