

Report of the Committee on Governance in Colleges and Institutes

Recommendations for Revised Governance Structures
May 1993

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May 31, 1993

Introduction and Background

The governance and internal decision-making processes of the institutions presently operating under the College and Institute Act, the Open Learning Agency Act and the Institute of Technology Act¹ are in need of revision. To this end, Minister of Advanced Education Training and Technology, Tom Perry, appointed a committee consisting of twenty two representatives of the college and institute² system to review and report on changes to legislation. Representative groups within the post secondary system have not been unanimous as to the best direction for

change to take³. The committee, nevertheless, has attempted to reach consensus on the principles inherent in the many suggestions for revision of college and institute governance and on major recommendations for change embodying those principles. The purpose of this report is to specify the committee's areas of agreement as to the nature of those revisions, and to provide a guide in the form of an option for governance structures that may be carried out through revised college and institute legislation.

Revisiting the Governance Structures

The committee is in agreement that revised structures of governance and revised processes of internal decision-making are required. These revisions need to respond to

¹The general principles outlined in this report, the committee believes, should apply to all of the institutions presently covered by the referenced acts. The committee recognizes that the unique structures of the Open Learning Agency and the institutes may require some adaptations of the specific recommendations but believes that the spirit of the principles can be maintained.

²The phrase 'college and institute' will be used throughout the report and appendices when referring to the four types of institutions under consideration - agency, college, university-college and institute.

³ Among the many reports and papers reviewed by the committee were recent proposals for revised governance legislation by the Advanced Education Council of B.C., The Canadian Federation of Students and the College-Institute Educators' Association of B.C. These reports differed significantly on the appointment, roles and authorities of the institution board and internal educational decision-making body.

the requirement to reaffirm the board's primary role in institutional policy-making, assessment and development, to the evolving mandates of these institutions, and to the requirement to broaden their governance structures in a manner that will recognize the internal and external community roles in decision-making. The institutions covered by college and institute legislation are taking an increasingly important role in British Columbia's advanced education system and they continue to develop unique social and educational mandates⁴. These evolving mandates are intended to fit within a rationalized province-wide system of post-secondary education. The system will become more cohesive and integrated if each piece of governing legislation embodies a number of common principles, such as shared governance and shared educational decision-making. At the same time the public interest must be supported and maintained through accountable governing bodies.

The college and institute mandates must continue to include responsiveness to local, sectoral and regional communities, as well as recognition of their role in the provincial network of post-secondary institutions. Any revisions must safeguard and make more effective the role of external communities in the functioning of

these institutions.

Broadening access to the internal decision-making structures of the colleges and institutes should be undertaken in the context of support for a strong institutional sense of mission. That support will come about through an increased sense of professional and individual involvement and participation by the college and institute community, both internal and external. The commitment to community service, as well as to profession, vocation and scholarly discipline or disciplines, underpinning institutional educational programming is critical to the credibility of all colleges and institutes, including the emerging degree granting university-colleges.

The report outlines the committee's recommendations through **fundamental elements** of governance revision that the committee has agreed should be central in developing revised legislation. These are based on **general principles** for which there was committee consensus.

Appendix 1 outlines the evolution of B.C. college and institute governance as a jumping off point for considering revision. Appendix 2 develops an option for college and institute governance and outlines the revised membership, term, and role and responsibilities of a **board of governors** and of an **education council**; role of an

⁴ See Appendix 1 for a brief outline of the development of the B.C. college and institute governance structures.

institution **president**; role of **community advisory bodies** to the institution; and role of the **Minister**. It must be noted that some members of the committee were not in agreement on some of the details of the option. The areas where agreement was not reached are flagged with marginal notes. Appendix 3 provides an outline of joint authority in operation by following the approval of a new program. Appendix 4 is the background provided by the Canadian Federation of Student's representative on the committee for addressing the status of student associations and the collection of association fees in legislation.

Fundamental Elements of Governance Revision

In the context of general principles outlined below, the committee has reached agreement on the central components of college and institute governance as follows:

1. the overall responsibility of the board of governors for the institution should be clearly spelled out in legislation.
2. the present composition of institutional boards should be altered legislatively to include a minority of internal institution members, i.e., students, administration, staff and

faculty.

3. legislation should require college and institute boards to establish an education council to have responsibility and joint authority⁵ with the board for specific educational decisions.
4. legislation should identify educational matters subject to joint authority between the institutional board and the education council.
5. legislation should require colleges and institutes boards to establish a representative, community-derived advisory body (or bodies, as the characteristics of region served require), i.e., a community council (or councils), to report to the board with advice on community needs.

General Principles⁶

The committee believes that the following general principles should be uppermost in designing new governance and decision-making structures common to the institutions:

⁵ For a policy or decision to be effective the approval of two decision-making bodies is required. The proposed governance structure envisages joint authority on certain educational matters shared by the board of governors and the educational council. See Appendix 3 for an example of joint authority in operation.

⁶ General terms used in their educational sense are defined in a glossary following the body of the report.

1. college and institute boards' responsibility to establish college purpose and goals and set institutional priorities in consultation with the community, institutional employees, and Ministry, and, within that context, their obligation to serve the community educational needs should be reaffirmed and should be embedded in legislation.
2. governance structures must broaden decision-making and must support partnerships among the parties – the institution, its employees and the representatives of the communities served. There needs to be a better balance among these partners in institutional decision-making, and the roles of the partners must be more clearly defined in legislation.
3. governance and decision-making structures must be consistent with the mandates of the institutions. Mandates must be developed for each category of institution in a manner similar to the process that produced the university-college mandate. These mandate statements should be referred to in the legislation.
4. educational decision-making structures must support interdependence and cooperation among all public post-secondary institutions in the province.
5. advanced education legislation should empower and enable local institutions in educational decision-making by providing for structures that will support flexible and innovative educational programming.
6. legislation must clearly outline the responsibilities and relationships of the board of governors, community and other advisory bodies, the president of the institution, an internal decision-making body, and the Minister of Advanced Education, Training and Technology.
7. joint authority between the board and an institutional educational decision-making body (education council) over specified educational matters must be outlined and ensured through legislation.
8. membership on governing boards should be drawn from the full range of constituencies represented in the institution, including those both internal and external to the institution.
9. legislation must outline the role of board member. All members of institutional boards and decision-

* making bodies should follow clear guidelines as to conflict-of-interest and accountability.

10. the educational decision-making bodies of the institution (education council and instructional departments) must be obligated to support the mandate of the institution; safeguard the integrity, quality and credibility of the instructional programs; support program flexibility; continue to support the comprehensive and diverse curriculum of institutions; reflect as its major priority the primacy of teaching and learning as supported by instructor currency and scholarship; assess and be responsive to community educational needs; and reflect the institutional and professional commitment to support of life-long learning.
11. a majority of the membership of the internal educational decision-making body should be instructional faculty. All broad areas of instructional expertise and curriculum should be represented as should student body, staff, non-instructional faculty, administration and the external community.
12. the relationship between student

associations and the institutions should be legislatively clarified outlining students' right to organize under the provincial Society Act; the obligation of the institution to collect association fees on their behalf; and the accountability⁷ of student organizations.

13. legislated changes in governance and educational decision-making bodies should be in place as soon as possible, and no later than at the time of the first expirations of the university-college partnerships with the provincial universities.

Conclusion

College and institute governance structures are a complex matter. Any decisions that are made regarding governance, on one hand, touch on institutional heritages that have links to the thirteenth century concepts of convocation and, on the other, touch on issues as current as today's debates concerning local community empowerment and involvement. Questions relating to revision of governance structures can open a long menu of issues. There are concerns expressed about the

⁷ Student organization accountabilities should be vested in the Society Act. See Appendix 4 for an analysis of the need.

need for increasing and enhancing educational programs and related supporting grants. There are concerns expressed about increasing the effectiveness, responsiveness and accountability of the colleges and institutes. The committee, while aware of these issues and many others, has centred its attention on the structures of institutional decision-making, trying to provide^{ice} an innovative model which avoids the polarization inherent in the models which advocate little or no change in the present structures except in so far as is necessary to meet mandates for the evolving university-colleges and those which would replace the present governance model with one which removes virtually all educational decision-making from the board of governors and places it in the hands of an senate or similar body.

The committee believes that the translation of the principles into legislation must be accomplished with both due regard for the balanced partnership among the 'shareholders', i.e., community, student, employee, and institutional leadership, and regard for the efficiency and effectiveness of the governance structures which are created. Questions as to whether the revised structures will work in practice and as to whether they are balanced, must be asked. The answers to both these questions are

central to the continued vitality of B.C.'s colleges and institutes.

One option for such a partnership with considerable committee support is outlined in Appendix 2.

Glossary

Academic	<p>Post-secondary or advanced education studies or programs which lead to a degree; or</p> <p>post-secondary studies or programs which are two to three years in duration and lead to a diploma, and post-secondary studies or programs which are four or more years in duration and lead to a degree.</p>
Advisory Body	<p>A body which provides advice to a college or institute, organizational unit of a college or institute, or to an employee of the institution, and which does not have the power to make and implement decisions.</p>
Community	<p>The residents and organizations of a college region form an external community.</p> <p>The residents and organizations of the province form an external community.</p> <p>The students, faculty and staff of a college or institute form an internal community.</p> <p>The educators and scholars associated with a vocation or discipline form a community that may extend beyond national boundaries.</p>
Community Council	<p>A body which provides advice to a college or institute board.</p>
Decision/Policy-making Bodies	<p>Bodies that have the power to make and enforce policy.</p>
Educational Council	<p>A body which decides on or offers advice on matters pertaining to the educational programs and services offered by a college, which operates in accordance with democratic procedures, and whose membership is composed of representatives drawn from the major constituencies in a college or institute: students, staff and administration. Bodies with similar responsibilities in universities or colleges in other jurisdictions are known as the Academic Council or Senate.</p>
Joint or shared authority	<p>For a policy or decision to be effective the approval of two decision-making bodies is required. The proposed governance structure envisages joint authority on certain educational matters shared by the board of governors and the educational council.</p>
Program	<p>Coherent courses of study directed towards a general education and/or a career for which a credential, such as a certificate, diploma or degree, is awarded.</p>

Appendix 1

The Evolution of College and Institute Governance in B.C.

The origins of British Columbia's colleges and institutes have influenced greatly their present patterns of governance. Many of these institutions started as combinations of adult learning centres, specialized remedial and training organizations and vocational schools. School districts with their elected boards were responsible for the policies and management of these individual adult programs and, initially, continued to be responsible for the emerging institutions. As the new colleges and institutes matured and broadened their curriculum and as school board funding gave way to direct provincial funding, school district board responsibility, in turn, gave way to provincially appointed college and institute board responsibility. Appointment, rather than election, of community members of the colleges and institutes boards was deemed to be more likely to create "balanced" boards with the skills necessary to effect the transition from school district to college-oriented community decision-making. The intent in creating individual boards for each institution was noted at the time as a step taken to ensure, for the colleges and institutes, autonomous community involvement in policy development. In foreshadowing the establishment of the colleges in 1963, John B. Macdonald, then president of UBC, wrote of the requirement for autonomy on the part of the future colleges as an important component in their striving for excellence.

Boards of Governors Appointed from the Institution's Community

Central, then, to the governance of the colleges and institutes has been this strong link through their boards to the community served; in the case of the institutes, the province; in the case of the colleges, the region. The province's mandate to build and manage a college and institute system was exercised in an increasingly proactive manner in the 1970s in response to the necessity to extend college service areas to the more remote sectors of the province and to rationalize program delivery sites. More recently, in order to manage response to growing financial constraints, tension has inevitably arisen between the goal of strong, representative input from the local community and provincial financial objectives. Nevertheless, the role of the local community in governance has not been lost from

sight. The need for representative community-based boards of governors articulating local community needs is still an overriding requirement for the colleges and institutes.

Professional Commitment to Service

As noted, British Columbia's colleges evolved from vocational training institutions, academic and "developmental" or remedial education departments. These three components are still the important elements of the colleges and the university-colleges today. Training for employment, remedial or developmental education, university transfer or academic diploma completion and, more recently, baccalaureate degree completion, are the primary components in their mandate. The province's institutes, with their somewhat different history, are equally seen to be evolving educational institutions with specialized occupational education and a growing concern for their students' general education as important elements in their mandate. Finally, the Open Learning agency has its unique provincial mandate which touches on all areas of advanced education credentials and curriculum in the context of open delivery. The individuals who teach and administer all of these institutions are professional with the professional's commitment to academic integrity and community service. The challenge of tapping the strengths of that internal community of professionals and others in the institution's decision-making processes, without diminishing the primary role of the board, must be met in redesigning governance for the colleges and institutes.

Appendix 2

A Model for Revised College and Institute Governance

This appendix is an option for satisfying the principles and recommendations in the report. It outlines the membership, term, and role and responsibilities of a college and institute **board of governors** and of an **education council**; the role of an institution **president**; the role of **community advisory bodies** and their relationship to the institutional board; and the role of the **Minister**.

As sometimes the case, the committee did not reach consensus on a number of the details in this model of revised governance. Those details where consensus was not reached are flagged in marginal notes.

Board of Governors

The board of governors should have overall responsibility for the institution. In general, the board must be responsible for overall policy including the development of a statement of mission and institutional strategic plan, conducting institutional performance review and renewal, and ensuring that the institution is responsive and accessible to the community or communities served. It must be held accountable for the financial operations of the institution. The board should establish structures which ensure active and regular consultation with its internal and external "partners" and act in accordance with, and be sensitive to, provincial policy concerning advanced education.

By way of support for the boards' operation with partners, it is recommended that the institutional board share authority over educational matters with an institutional education council and consult an advisory community council on strategic issues. All institutional policy matters must require board approval, but on issues of education as specified below there must be conjoint or mutual control, where approval by both bodies (board and council) is required before the decision is implemented.

Board Membership

Two thirds* of the members should represent the external community or communities. It also recommends that the internal

**The committee was not in agreement as to the percentage of external board members. Members suggested from 55 to 75%.*

constituencies – faculty, administration, staff and students – should make up a significant proportion of each board and that the institution's president, responsible for providing institutional leadership, directing the work of and reporting the state of the institution, should be an ex-officio board member*.

faculty, staff
(students)

Boards of the colleges, university-colleges and institutes may vary in size depending on the requirements and complexity of the region or constituency served.

*Committee members did not come to agreement as to whether the ~~the~~ president should be a voting member of the board.

With the exception of the president whose membership is by virtue of office, internal board members should be elected by and from the constituencies represented in the institution (faculty, administration, staff and students).

An open nomination process should be developed by which the names of potential external members of the board could be forwarded to the minister for consideration for appointment*. Criteria for ministerial appointment of external board members should be made public, and should include (i) a commitment by the potential appointee to develop a working knowledge of the institution and familiarity with advanced education, (ii) an understanding of the community, communities or constituencies served by the institution, (iii) a commitment by the minister to strive for representation on boards by minority and disadvantaged groups, and (iv) a commitment to sex equity. At least one external board member should be a graduate of one of the programs of the institution.

*The question of appointment and/or election of external board members was discussed. The committee members could not reach consensus.

The board chair should be elected by all board members from among the external board members.

Length of Term for Board Members

The length of term for external board members should be for a three-year period, with an opportunity to serve two terms. The length of term for internal board members (excluding the ex-officio president) should be for a two year period, with an opportunity to serve three terms.

* Carter Cleo recommended board chair be elected from external/appointed members

The issue of continuity should be addressed in the initial appointments and elections of board members, to ensure some carry over of experienced board members as terms of office expire.

All board members should be appointed by the Minister in

All board members to be appointed including those elected - Ministers

order to promote a perspective that the board members represent the whole institution, not just the constituency groups behind their selection or appointment. The Minister shall have the authority to remove all appointed or elected board members; therefore, membership is at the pleasure of the Minister.

Responsibilities of the Board of Governors

As noted, the powers of the board should be clearly stated in legislation (with care given to the relative powers of the board, the education council, the president and the Minister). Even though all institutional policy decisions must ultimately secure the approval of the board, in the area of educational policy matters, the powers, responsibilities and authority are shared* with an education council (See the section "Education Council" below for a list of areas of joint authority for which approval is required by both the council and the board.).

This statement notwithstanding, the legislation should outline the exclusive board responsibility for

1. setting policy concerning the property, revenue, expenditure, business, management and other affairs of the institution;
2. developing and approving a consensual statement of mission for the institution;
3. establishing policies and procedures for periodic institutional review and renewal;
4. setting fees and charges to be paid by students (representative student groups should continue to be consulted concerning student fees and charges);
5. Undertaking collection of student society fees on behalf of the society or societies;
6. appointment and removal of all employees of the institution. (Procedures for selection, evaluation and dismissal employees shall be in accordance with approved agreements, contracts or collective agreements with appropriate employee groups.);
7. fixing compensation, salaries and other working conditions of employees in accordance with relevant provincial legislation and approved contracts or agreements with employees or employee groups;
8. establishing such standing and ad hoc committees as are

**One or more committee members did not support the resolution mechanism recommended (i.e., referral to joint committee for resolution) for shared or joint authority over selected educational decisions.*

required for the support of its responsibilities and the appropriate interaction with the institution's internal and external communities;

9. establishing and submitting to the Minister the number of students that may be enrolled in the institution's programs of study. (The education council shall have the right to debate the enrolment, within the council, prior to final approval and submission, and shall transmit the results of such debate directly to the board for its consideration.); and
10. final approval of the operating and capital budgets for the institution, and submission of these budgets to the Minister. (The education council shall have the right to debate these budgets, within the council, prior to final approval and submission, and shall transmit the results of such debate directly to the board for its consideration.).

Education Council

The need to formally involve and legislatively empower members of the internal community of each agency, college, institute, and university-college to participate in educational decision-making has emerged as a committee priority. Faculty, students, and support staff must have the responsibility to participate formally and meaningfully in educational decision-making. Further, the committee supports the concept that judgment of faculty, as educational professionals, should be central and authoritative in such decision-making.

Revised legislation should mandate the establishment of an education council for each institution. This council must play a primary role in establishing and maintaining the quality and integrity of the institution's educational programs, and should have responsibility and authority over specified educational matters in concert with the responsibilities and authority of the board.

The education council, an internal and broadly representative body, should be comprised of a majority* of instructional faculty members representing the diverse educational programs in the

**At least one committee member disagreed with the concept of a majority of instructional faculty making up the education council.*

institution. Other members would be representatives of students, staff, administration and the board of governors. This membership and the responsibilities and authority of such a council should be detailed in revised legislation.

Joint and Subject Authorities and Responsibilities of the Education Council and the Board of Governors¹

The powers and authorities of the education council shall not extend beyond those of the board of governors. However, on certain educational issues those powers and authorities of the council shall be shared equally with those of the board, requiring joint approval before the issue or decision can be implemented. Again, legislation should clearly outline the role, relationships and relative powers and authorities of the council, board, president and the Minister.

The education council shall have two groups of responsibilities – those in which authority is shared with the board and those which are subject to board authority. The joint authorities should be entered into legislation and maintained by the council and the board.

Joint Authorities:

1. approval of new educational courses and programs of instruction that lead to certificates, diplomas, degrees or the equivalent which will be offered by the institution; and approval of substantial changes to programs of instruction.
2. approval of qualifications for admission, continuance of instruction of a student, and of diplomas, certificates and degrees to be awarded by the institution on completion of programs of study.
3. determination of procedures for the selection and evaluation of instructional employees of the institution where no such procedures exist and procedures for the selection and evaluation of the president.
4. the determination of the terms of affiliation(s) with other institutions of learning and modifications to or termination of those terms.
5. the inter-institutional coordination and articulation of educational courses and programs.

¹ See appendix 3 for an example of the joint authority in operation.

6. the nature of the general educational policy of the institution, including the mission and/or values statement of the institution.

Subject authorities:

The responsibilities of the education council which follow should be included in legislation. However, all are to be subject to the board's authority. They shall include

1. advising the board on the educational consequences of planned cancellation of courses and programs.
2. debating, within council, future enrolments of the institution; the results of such debate to be forwarded directly to the board.
3. debating, within council, the operating and capital budgets of the institution; the results of such debate to be forwarded directly to the board.
4. informing and consulting with the community and occupational advisory groups concerning the institution's present and proposed educational programs.
5. establishing subcommittees, standing or other, to attend to educational matters such as curriculum development and curriculum review, on-going program evaluation, instructional policies, library/resource centre policies, admissions and standards, individual course approval, and those matters referred by the board of governors.
6. adjudicating appealed matters of student discipline.

Council Membership

Membership on the education council shall consist of faculty, students, staff, administration and the board representation*. Legislation should outline the basic ratios of representation on the education council. Instructional faculty should be a majority of council. Other groups within the institution should be represented in sufficient numbers to provide a flow of information to and from the council and to support necessary and adequate participation in educational decision-making. The institution's board shall be represented on the council for liaison purposes. Those within the institution with relevant expertise or in whose responsibility area a decision may impact should be consulted prior to a decision. The size

** Consensus was not reached by the committee on the relative balances of constituency representation on the education council.*

of the council should be such that it is effective in operation.

Faculty. The instructional faculty membership should be a majority of the council and, proportionally, representative of the program groupings of the agency, institute, college, or university-college. Faculty members should be elected to the council by their appropriate program areas or educational division through an open and fair democratic process. Non-instructional faculty should be represented on the council.

Students. Student membership should also reflect the comprehensive or specific mandate of the institution and, in the instance of the university-colleges, should include students enrolled in shorter-term diploma and certificate programs as well as baccalaureate programs. Students should be elected by the student body enrolled at the institution. The student members should have seats in such numbers as to effect good communication with and from the broad program areas and sites of operation.

Staff. Staff membership on council should be determined through a democratic process of election by the staff employed at the institution. The number of staff council members shall be representative of the major locations of operation and variety of staff groupings in order to effect good internal communication.

Administration. Administrator membership on the council should occur in two ways. The president and representative senior instructional administrators, i.e., those responsible for instructional administration institution-wide or in the broadest of program areas, should be members by virtue of the their office (ex-officio members). These ex-officio members shall be directly involved in instructional administration. In addition to this group, other representative educational administrators (Vice-Presidents, Deans, Directors or their equivalents), responsible for educational, student services and financial administration, shall attend and participate in the council as required by the decisions at hand. The total number of ex-officio administration council members (including the president) should not exceed the student and staff representation.

Board. The board of governors should select a board member and alternate to serve on the education council. These members of the council should come from the appointed or elected

board members external to the institution and provide liaison between the council and board.

Thus, a council in a smaller college might be made up of 12 instructional faculty, one non-instructional faculty, three instructional administrators, three students, three staff and one board member. A large institution's council might consist of 15 instructional faculty, two non-instructional faculty, four instructional administrators, three students, three staff and one board member.

The chair of the council should be elected from among the faculty members by the entire council. Appropriate time release* and other support for the council chair should be provided.

Length of Term for Education Council Members

Multiple consecutive terms should be limited for all but the ex-officio members of the education council. Terms for students should reflect their shorter or longer programs. All students enrolled in an institution's certificate, diploma or degree programs should be eligible to serve on the council. Nevertheless, the length of term for council members should be two years, with an opportunity to serve three terms.

The issue of continuity should be addressed in the initial elections of council members, to ensure some carry over of experienced council members as terms expire.

The President

The board of the institution shall appoint a president who shall provide institutional leadership and supervise and direct the work of the institution. The president should play an important role in communicating with the external community on behalf of the institution and providing a focus for community input concerning the institution. The president is responsible for submitting to the board and education council recommendations concerning institutional strategic plans, future enrolment and annual operating and capital budget estimates. Upon approval by the board the president shall submit the future plans, enrolment and operating and capital budgets to the Minister.

The president shall report periodically and at least annually on

**One or more members questioned the need for time release for the chair, especially in the smallest institutions.*

the state of the institution and make recommendations for institutional renewal and future directions to the board and the education council.

The president shall have the power to recommend to the board the appointment and removal of employees of the institution; to suspend employees and the responsibility to report immediately the action to the board; to suspend a student and deal with matters of student discipline and, again, to report such actions immediately to the board and the education council.

The president is an ex-officio member of the board and the education council and shall attend their regular meetings. He/she is a member of all standing committees and the education council.

Community Council and Advisory Bodies

For reasons concerning the provision of equitable access to educational opportunities and the significant role to be played by institutions in community development, the links between the institution and the community or communities it serves must be enhanced. The sense of community "ownership" needs to be underlined. One existing, strong link, of course, is through the external members of the board of governors who will represent the community in all matters. Another link is through the practice of establishing occupational advisory committees at the institutional level. This latter practice should be continued and be spelled out more clearly in legislation. However, since this institutional practice of seeking advice is largely directed toward the occupational sector, there are many programs and potential program areas for which advice is not consistently sought.

To further this aim, the legislation should require that the board of governors create a community advisory body or bodies*.

(Geographically extensive or socially diverse regions may require appointment of more than a single community advisory body.) It is recommended that the body be called a "Community Council". The community council should report to the institution's board and be clearly designated as advisory. The community council should have representatives of the geographic area served and of key community

** The question of community councils for the provincial institutions – Open Learning Agency and the institutes – was not explored. The utility of such a body for these institutions requires further investigation.*

agencies, ethnic groups, occupations, businesses and other levels of education. Through the chairs of the board and education council and through the president it should be regularly informed of and consulted on institutional educational initiatives; should provide advice on community needs, priorities for programs and services, and regional coordination; and should provide liaison with the local social agencies, labour force and business groups.

The Minister

A need to review the role of the minister as defined by the present College and Institute Act was identified. The present array of powers and duties (obligatory and discretionary) includes some responsibilities better delegated through revised legislation to the institutions. The basic obligatory powers (the ability to make grants to the institutions; to require budgets, financial and educational activity information; to approve programs to be offered; to require the institutions to account for themselves periodically; and the necessity of the Minister to report to the Legislative Assembly) should remain. In order to reflect better the growing maturity of the college and institute system* and in order to provide for that system a more complete sense of responsibility for institutional decision-making, other powers and duties presently assigned to the Minister should be reviewed with the objective of shifting them, wherever possible and without disturbing the status of the institutions as agents of the Crown, to the colleges or institutes.

** One area of governance not addressed by the committee is system coordination especially as it relates to curriculum, transfer and other educational matters.*

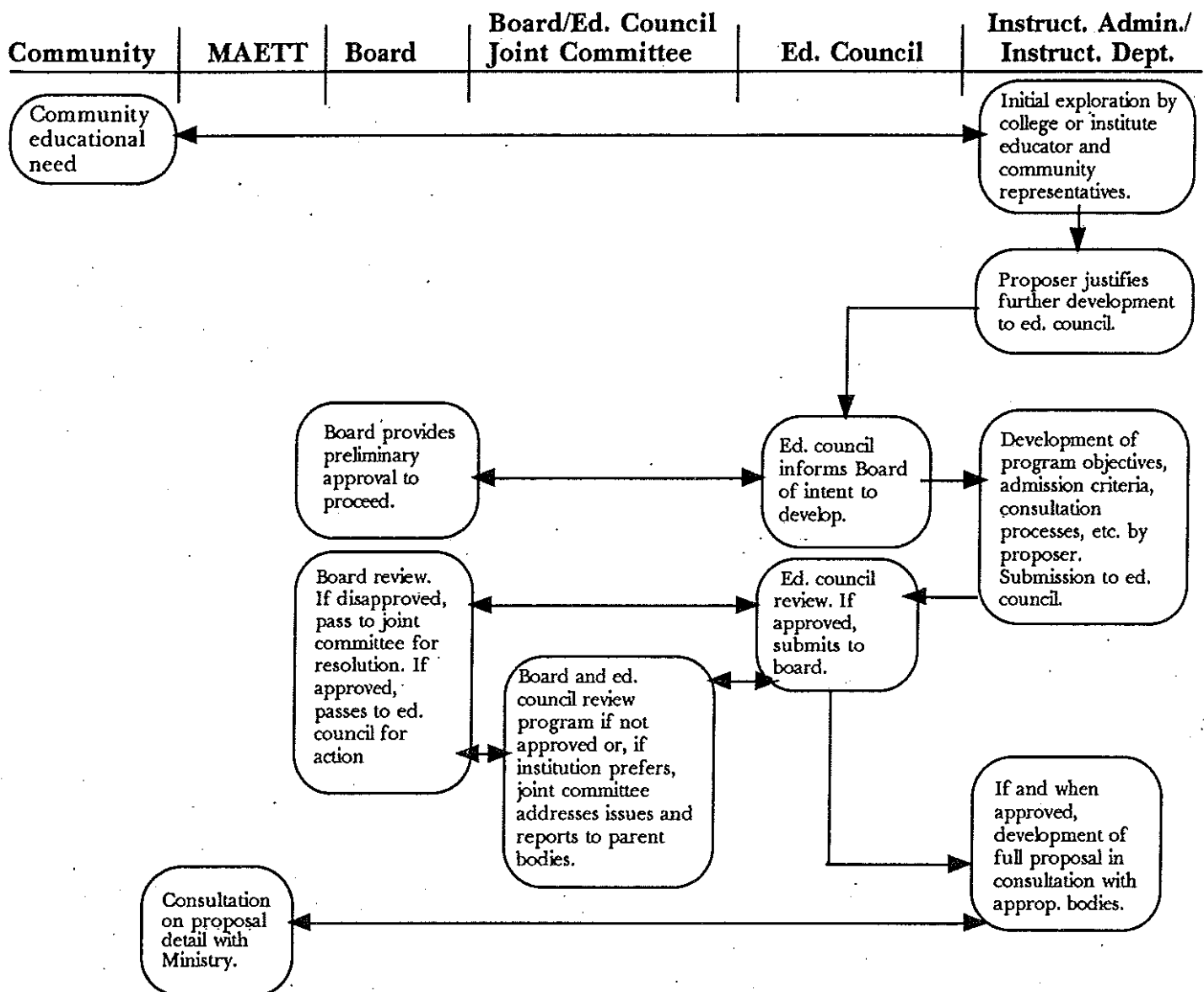
Appendix 3 Joint Authority in Operation

Educational decision-making subject to joint authority is centred on approval of new and substantially changed "credentialed" programs and courses and on the priorities to be considered in developing the array of offerings by the institution. That is, decisions are to be jointly made by the board and education council concerning those programs and courses which lead to certificates, diplomas or degrees or their equivalent. Issues of policy on educational matters and their impact on specific approvals will be resolved in a joint board and education council committee.

The continuing education, general and community interest offerings which, of necessity, are immediately responsive to community need and may be in the form of workshops, seminars or short courses are to be outside this process of decision-making.

Institutions would continue to be required to provide the information called for by the Ministry for educational and funding approval.

The following diagram outlines the institutional conception, development and approval processes and educational decision-making inherent in establishing a new program:



Appendix 4

Student Association Incorporation and Fee Collection

The relationship between student associations and college and institute boards with respect to the right of students to organize and the collection of student fees is not addressed within the *College and Institute Act* and must be clarified. Without clear guidelines delineating the right of students to organize and the responsibility of the board to collect fees, a student association faces a situation where it depends for its existence on a body, i.e., the board, with whom it may be in conflict concerning an issue. At the same time, without such guidelines, a college and institute board is faced with uncertainty as to its responsibility regarding the student association (or associations) and its affairs. Legislation must set out the rights of students to organize, the necessity for democratic decision-making, the avoidance of conflict of interest, and the requirement for accountability.

In order to clarify the relationship between institutions and student associations, a clear process for establishing the responsibility of institutions to collect student association fees must be delineated. Student associations must be incorporated under the Society Act and must file an annual report and audit with the Registrar of companies in order for the institution to collect fees. The institution may have access to the audit; however the judgment as to the right of the association to remain an incorporated body remains with the Registrar of Companies. In this way, the association has the obligation to remain accountable to its membership and to a public body; at the same time, the institutional board is not placed in a position of conflict in assessing the appropriateness of collecting student association fees. Any concerns regarding the association's conduct relative to its constitution and bylaws may be addressed through the channels available to those with responsibilities regarding registered societies.

The institutional board's role with respect to student association fees is to ascertain that the association is incorporated and is submitting annual audits to the Registrar of companies. Once this is established, the board shall collect association fees that have been set according to the provisions outlined in the association bylaws.

By clarifying the relationship in the *College and Institute Act*, the government will ensure that the current confusion regarding the collection of student association fees is eliminated, while minimizing the potential for conflict of interest, ensuring student associations' accountability to their membership and supporting the right of students to organize.

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