



BC College of Teachers

## **Report and Recommendations from the Governance Sub-Committee January 27, 2010**

This report with recommendations is provided following the decisions of the Council at its public meeting of December 4, 2009. The recommendations follow advice sought from legal counsel.

In reviewing the matter with legal counsel, the College was advised that policy exists independently of both the *Teaching Profession Act* and College bylaws. Neither the TPA nor bylaws refer to policy and this means that the Council is able to implement policy outside the framework of the TPA and bylaws. Previously, policy was written to be consistent with bylaws. This mistaken understanding has restricted the scope of policy development and affected both the organization and coherence of the policy framework.

It is recommended that Council authorize a review of policies for the purpose of developing a policy manual with a framework that is unrelated to the bylaws.

## Recommendation 1

- a. That Council recommend to government that Section 5 of the *Teaching Profession Act*, RSBC 1999 c. 449 be amended by adding the following subsection:  
  
*(4) A person is not eligible to be elected or appointed to the council unless he/she complies with such conflict of interest rules as may be prescribed by regulation.*
- b. That Council request that government amend the Oath of Office for BC College of Teachers' Council members, regulation B.C. Reg 527/04, by adding the following:
  - *I will act in accordance with such conflict of interest rules as may be prescribed by regulation.*
- c. That Council request that government enact the following Conflict of Interest Rules by regulation:

### *Conflict of Interest Rules*

1. *All Candidates for election or appointment to the Council and all Council members:*
  - a. *must not hold a position as an officer or employee of any association, corporation or trade union that is engaged in advocacy for members of the College,*
  - b. *must not accept endorsement or financial support from any association, corporation or trade union that is engaged in advocacy for members of the College, and*
  - c. *must not act in a manner that might result in their responsibilities and duties to any other organization being incompatible with or in conflict with their duties as Council members.*

## Recommendation 2 – Changes to College Policy P1.I and Policy P1.G

That Council adopt the following amendments to policy.

### P1.I Communications and Access to College Information

#### P1.I.03 Communication with Members

*[Move current Policy P1.I.03.1 on conferences to Policy P1.I.04.]*

P1.I.03.1 Matters about which the College is legally required to give notice to members, such as fees, elections or notice of annual meeting, will be communicated on the College website, in the College magazine and may be communicated in other ways.

P1.I.03.2 *Council members shall communicate with members using only authorized written communications of the College or as otherwise approved by the Council or Registrar. There shall be no communication in the name of the College other than as authorized by Council or the Registrar and Chair of Council.*

P1.I.03.3 *Council members shall meet with representatives of partner groups only with the authorization of the Council or Registrar and Chair of Council.*

P1.I.03.4 *Policies P1.I.03.2 and P1.I.03.3 do not apply to activities of Council members related to elections for Council from the date of the call for nominations through the date by which ballots must be received by the College.*

#### P1.I.05 Spokesperson

[Delete current P1.I.05]

P1.I.05.1 *The Chair of Council and the Registrar, as spokespersons for the College, or any Council member designated by the Chair or Registrar to speak for Council, shall speak in a manner consistent with the Teaching Profession Act, College bylaws, policy and decisions of the Council.*

P1.I.05.2 *The Chair and members of the Council delegated to speak for the Council shall, where practicable, seek the assistance of the Registrar in preparing communications from the Chair in the name of the College.*

### P1.G Committees of the Council

P1.G.04 Discretionary Committees *[Delete current P1.G.04 and replace with:]*

*P1.G.04.1 Partner Liaison Committee*

- P1.G.04.1.1 The Partner Liaison Committee shall comprise the following: Members of the Council, and representatives from each of the following: ABCDE, BCCPAC, BCPVPA, BCSSA, BCSTA, BCTF, FISA, FNESEC, and FNSA.*
- P1.G.04.1.2 The Partner Liaison Committee is not a deliberative body. Following meetings of the Committee, the Council may deliberate matters arising from committee proceedings or may refer matters to other College committees.*
- P1.G.04.1.3 The Partner Liaison Committee shall meet at least twice each year and at additional dates as determined by the Council.*
- P1.G.04.1.4 The Vice-Chair of Council shall chair the Partner Liaison Committee.*
- P1.G.04.1.5 The Registrar will send a request for agenda items to partner groups prior to the meeting and will circulate an agenda at least one week prior to the meeting date.*

## Recommendation 3 – Changes to College Policy P7.G

### Option 1

That Policy P7.G.09 - Compensation Levels for Council Members be amended as follows:

#### P7.G Compensation and Reimbursement

##### P7.G.09 Compensation Levels for Council Members

- (a) Council members or their employers shall be compensated under one of the following categories:
  - (i) Leave of absence, where a school board or authority as an employer confirms that a Council member is employed under a full-time or part-time contract.
  - (ii) Other employment.
  - (iii) Receiving a pension or teaching-on-call
  - (iv) Not employed
- (b) Where a Council member is on a leave of absence, the College will reimburse the employer for costs incurred by the employer to cover the Council member's absence while conducting College business on a day-in-session for the employer.
- (c) Where a Council member is self-employed or employed by an entity other than a school board or authority and the Council member suffers a loss of income due to the conduct of Council business, the Council member shall receive a per diem that is the average per diem paid to persons on leave of absence from a school board or authority as per Policy P7.G.09 (b).
- (d) Any member of Council in receipt of a pension shall not be entitled to a per diem, except as per Policy P7.G.09 (e).*
- (e) Where a Council member is required to conduct Council business after June 30 and before Labour Day, the Council member shall be entitled to a per diem equal to the average per diem paid to Council members on leave of absence from a school board or authority as per Policy P6.G.09 (b).*
- (f) Council members will not be compensated for time spent preparing for committee or Council meetings.
- (g) Members of Council shall receive an annual honorarium of a maximum of \$1,500.00 in recognition of their service to the College. The honorarium will be paid according to the following guidelines:*

- (i) *All Council members are entitled to \$500 annually.*
- (ii) *Council members who are in receipt of a pension and/or employed as a teacher-on-call are entitled to an additional \$1,000 annually.*

(h) The College may compensate an employer or a Council member, in accordance with Policy P7.G.09 (b), (c), and (e) for:

- (i) Additional time required for the preparation of discipline or fitness hearing reports, as approved by the Registrar;
- (ii) Authorized presentations made to outside organizations at the request of Council. *(Delete second part of this policy which required organizations to pay 50% of costs.)*
- (iii) Traveling to conduct College business

Less than two hours	no compensation
2 to 4 hours	½ day compensation
Over 4 hours	1 day compensation

## Option 2

That Policy P7.G.09 – Compensation Levels for Council Members be amended as follows:

### P7.G.09 Compensation Levels for Council Members

- (a) Council members or their employers shall be compensated under one of the following categories:
  - (i) Leave of absence, where a school board or authority as an employer confirms that a Council member is employed under a full-time or part-time contract
  - (ii) Other employment
  - (iii) receiving a pension or teaching-on-call
  - (iv) not employed
- (b) Where a Council member is on leave of absence, the College will reimburse the employer for costs incurred by the employer to cover the Council member's absence while conducting College business on a day-in-session for the employer.
- (c) Where a Council is employed is self-employed or is employed by an entity other than a school board or authority and the Council member suffers a loss of salary due to the conduct of Council business, the Council member shall receive a per diem that is the average per diem paid to persons on leave of absence from a school board or authority as per Policy P7.G.09 (a)(i).

- (d) *Where a Council member is in receipt of a pension and/or employed as a teacher-on-call, the Council member is eligible to receive a per diem of \$150.*
- (e) *Where a Council member is required to conduct Council business after June 30 and before Labour Day, the Council member shall be entitled to a per diem equal to the average per diem paid to persons on leave of absence from a school board or authority as per Policy P7.G.09 (a)(i).*
- (f) Council members will not be compensated for time spent preparing for committee or Council meetings.
- (g) *Members of Council shall receive an annual honorarium of \$500.00 in recognition of their service to the College.*
- (h) The College may compensate an employer or a Council member, in accordance with Policy P7.G.09 (b), (c), and (d) for:
  - (i) Additional time required for the preparation of discipline or fitness hearing reports, as approved by the Registrar;
  - (ii) Authorized presentations made to outside organizations. *(Delete second part of this policy which required organizations to pay 50% of costs.)*
  - (iii) Traveling to conduct College business
    - 1. Less than two hours no compensation
    - 2. 2 to 4 hours ½ day compensation
    - 3. over 4 hours 1 day compensation

### Option 3

That no changes be made to Policy P7.G.09 - Compensation Levels for Council Members.



## Proposed Amendments to Policy P1 – The College and the Council

Notice of Motion: TBA  
to Education Partners: TBA  
Council Consideration (& Approval): TBA

**NOTICE GIVEN BY:** Governance Sub-Committee (*Recommendation 2: Changes to College Policy P1.I*)

**RATIONALE:**

CURRENT POLICY	PROPOSED CHANGES
<p>P1.I Communications and Access to College Information</p> <p>P1.I.03 <u>Communication with Members</u> Matters about which the college is legally required to give notice to members, such as fees, elections or notice of the annual meeting, will be communicated on the college website, in the college magazine and may be communicated in other ways.</p> <p>P1.I.03.1 The college may hold conferences related to its mandate. A college conference or conferences will normally be held in Vancouver.</p>	<p>P1.I Communications and Access to College Information</p> <p>P1.I.03 <u>Communication with Members</u> Matters about which the college is legally required to give notice to members, such as fees, elections or notice of the annual meeting, will be communicated on the college website, in the college magazine and may be communicated in other ways.</p> <p><del>P1.I.03.1 The college may hold conferences related to its mandate. A college conference or conferences will normally be held in Vancouver.</del></p> <p><b>P1.I.03.1 Council members shall communicate with members using only authorized written communications of the College or as otherwise approved by the Council or Registrar. There shall be no communication in the name of the College other than as authorized by Council or the Registrar and Chair of Council.</b></p> <p><b>P1.I.03.2 Council members shall meet with representatives of partner groups only with the authorization of the Council or Registrar and Chair of Council.</b></p> <p><b>P1.I.03.3 Policies P1.I.03.2 and P1.I.03.3 do not apply to activities of Council members related to elections for Council from the date of the call for nominations through the date by which ballots must be received by the College.</b></p>





## Proposed Amendments to Policy P1 – The College and the Council

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Council Consideration (& Approval): TBA

**NOTICE GIVEN BY:** Governance Sub-Committee (*Recommendation 2: Changes to College Policy P1.I*)

**RATIONALE:**

CURRENT POLICY	PROPOSED CHANGES
<p>P1.I Communications and Access to College Information</p> <p>P1.I.05 <u>Spokesperson</u> A council member may, on approval of the council, act as spokesperson for the college at a conference or meeting in BC that is related to the mandate of the college.</p>	<p>P1.I Communications and Access to College Information</p> <p>P1.I.05 <u>Spokesperson</u> <del>A council member may, on approval of the council, act as spokesperson for the college at a conference or meeting in BC that is related to the mandate of the college.</del> <b>The Chair of Council and the Registrar, as spokespersons for the College, or any Council member designated by the Chair or Registrar to speak for Council, shall speak in a manner consistent with the Teaching Profession Act, College bylaws, policy and decisions of the Council.</b></p> <p><b>P1.I.05.01</b> <b>The Chair and members of the Council delegated to speak for the Council shall, where practicable, seek the assistance of the Registrar in preparing communications from the Chair in the name of the College.</b></p>



## Proposed Amendments to Policy P1 – The College and the Council

Notice of Motion: TBA  
to Education Partners: TBA  
Council Consideration (& Approval): TBA

**NOTICE GIVEN BY:** Governance Sub-Committee (*Recommendation 2: Changes to College Policy P1.G*)

**RATIONALE:**

CURRENT POLICY	PROPOSED CHANGES
P1.G Committees of the Council  P1.G.01 No policies.  P1.G.02 No policies.  P1.G.03 No policies.	P1.G Committees of the Council  P1.G.01 No policies.  P1.G.02 No policies.  P1.G.03 No policies.
P1.G.04 No policies.	<p>P1.G.04     <b><u>Discretionary Committees</u></b> <del>No policies.</del></p> <p><b>P1.G.04     <u>Partner Liaison Committee</u></b></p> <p><b>The Partner Liaison Committee shall comprise the following: Members of the Council, and representatives from each of the following: ABCDE, BCCPAC, BCPVPA, BCSSA, BCSTA, BCTF, FISA, FNESC, and FNSA.</b></p> <p><b>P1.G.04.1</b> <b>The Partner Liaison Committee is not a deliberative body. Following meetings of the Committee, the Council may deliberate matters arising from committee proceedings or may refer matters to other College committees.</b></p> <p><b>P1.G.04.2</b> <b>The Partner Liaison Committee shall meet at least twice each year and at additional dates as determined by the Council.</b></p> <p><b>P1.G.04.3</b> <b>The Vice-Chair of Council shall chair the Partner Liaison Committee.</b></p>



## Proposed Amendments to Policy P1 – The College and the Council

Notice of Motion: TBA  
to Education Partners: TBA  
Council Consideration (& Approval): TBA

<p>P1.G.05 No policies.</p> <p>P1.G.06 No policies.</p>	<p><b>P1.G.04.4</b> <b>The Registrar will send a request for agenda items to partner groups prior to the meeting and will circulate an agenda at least one week prior to the meeting date.</b></p> <p>P1.G.05 No policies.</p> <p>P1.G.06 No policies.</p>
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## Proposed Amendments to Policy P7 – Finance

Notice of Motion: TBA  
to Education Partners: TBA  
Council Consideration (& Approval): TBA

**NOTICE GIVEN BY:** Governance Sub-Committee (*Recommendation 3: Changes to College Policy P7.G – Option 1*)

### RATIONALE:

CURRENT POLICY	PROPOSED CHANGES
<p><i>P7.G Compensation and Reimbursement</i></p> <p><i>P7.G.09 Compensation Levels for Council Members</i></p> <p>(a) Council members or their employers shall be compensated under one of the following categories:</p> <p>(i) Leave of absence, where a school board or authority as an employer confirms that a Council member is employed under a full- or part-time contract.</p> <p>(ii) Not employed by a school board or authority.</p> <p>(b) Where a Council member is on a leave of absence, the College will compensate the employer for costs incurred by the employer to cover the Council member's absence while conducting College business on a day in-session for the employer.</p> <p>(c) Where a Council member is not eligible for compensation under P7.G.09(a), he or she shall be eligible to claim a per diem equivalent to 1/189 of Category 6 maximum paid in School District #39 (Vancouver).</p>	<p><i>P7.G Compensation and Reimbursement</i></p> <p><i>P7.G.09 Compensation Levels for Council Members</i></p> <p>(a) Council members or their employers shall be compensated under one of the following categories:</p> <p>(i) Leave of absence, where a school board or authority as an employer confirms that a Council member is employed under a full-time or part-time contract.</p> <p><b>(ii) Receiving a pension or teaching-on-call</b></p> <p><b>(iii) Other employment</b></p> <p>(iv) Not employed by a school board or authority.</p> <p>(b) Where a Council member is on a leave of absence, the College will reimburse the employer for costs incurred by the employer to cover the Council member's absence while conducting College business on a day-in-session for the employer.</p> <p>(c) <del>Where a Council member is not eligible for compensation under P7.G.09(a), he or she shall be eligible to claim a per diem equivalent to 1/189 of Category 6 maximum paid in School District #39 (Vancouver).</del>  <b>Where a Council member is self-employed or employed by an entity other than a school board or authority and the Council member suffers a loss of income due to the conduct of Council business, the Council member shall receive a per diem that is the average per diem paid to persons on leave of absence from a school board or authority as per Policy P7.G.09 (a)(i)</b></p> <p>(d) <b>Any member of Council in receipt of a pension shall not be entitled to a per diem, except as per Policy P7.G.09 (e).</b></p> <p>(e) <b>Where a Council member is required to conduct Council business</b></p>



## Proposed Amendments to Policy P7 – Finance

Notice of Motion: TBA  
to Education Partners: TBA  
Council Consideration (& Approval): TBA

		after June 30 and before Labour Day, the Council member shall be entitled to a per diem equal to the average per diem paid to Council members on leave of absence from a school board or authority as per Policy P6.G.09 (b).	
(d)	Council members will not be compensated for time spent preparing for committee or Council meetings.	(f)	Council members will not be compensated for time spent preparing for committee or Council meetings.
		(g)	<b>Members of Council shall receive an annual honorarium of a maximum of \$1,500.00 in recognition of their service to the College. The honorarium will be paid according to the following guidelines:</b>
		(i)	<b>All Council members are entitled to \$500 annually.</b>
		(ii)	<b>Council members who are in receipt of a pension and/or employed as a teacher-on-call are entitled to an additional \$1,000 annually.</b>
(e)	The College may compensate an employer or a Council member, in accordance with Policy P7.G.09(b), (c) and (d), for:	(h)	The College may compensate an employer or a Council member, in accordance with Policy P7.G.09 (b), (c), and (e) for:
(i)	Additional time required for the preparation of discipline or fitness hearing reports, as approved by the Registrar.	(i)	Additional time required for the preparation of discipline or fitness hearing reports, as approved by the Registrar;
(ii)	Presentations made to outside organizations at the request of the Council. Council members requested by outside organizations to make presentations on behalf of the College that are not at the request of Council may, with approval of the Registrar, be granted expenses on a 50% cost share basis with the organization making the request.	(ii)	<b>Authorized</b> presentations made to outside organizations at the request of Council. <del>Council members requested by outside organizations to make presentations on behalf of the College that are not at the request of Council may, with approval of the Registrar, be granted expenses on a 50% cost share basis with the organization making the request.</del>
(iii)	Traveling to conduct College business:	(iii)	Traveling to conduct College business
	Less than 2 hours      no compensation		Less than 2 hours      no compensation
	2 to 4 hours          ½ day compensation		2 to 4 hours          ½ day compensation
	4 to 8 hours          1 day compensation		<del>4 to 8 hours</del> <b>Over 4 hours</b> 1 day compensation



## Proposed Amendments to Policy P7 – Finance

Notice of Motion: TBA  
to Education Partners: TBA  
Council Consideration (& Approval): TBA

**NOTICE GIVEN BY:** Governance Sub-Committee (*Recommendation 3: Changes to College Policy P7.G – Option 2*)

### RATIONALE:

CURRENT POLICY	PROPOSED CHANGES
<p><i>P7.G Compensation and Reimbursement</i></p> <p><i>P7.G.09 Compensation Levels for Council Members</i></p> <p>(a) Council members or their employers shall be compensated under one of the following categories:</p> <p>(i) Leave of absence, where a school board or authority as an employer confirms that a Council member is employed under a full- or part-time contract.</p> <p>(ii) Not employed by a school board or authority.</p> <p>(b) Where a Council member is on a leave of absence, the College will compensate the employer for costs incurred by the employer to cover the Council member's absence while conducting College business on a day in-session for the employer.</p> <p>(c) Where a Council member is not eligible for compensation under P7.G.09(a), he or she shall be eligible to claim a per diem equivalent to 1/189 of Category 6 maximum paid in School District #39 (Vancouver).</p>	<p><i>P7.G Compensation and Reimbursement</i></p> <p><i>P7.G.09 Compensation Levels for Council Members</i></p> <p>(a) Council members or their employers shall be compensated under one of the following categories:</p> <p>(i) Leave of absence, where a school board or authority as an employer confirms that a Council member is employed under a full-<b>time</b> or part-time contract.</p> <p>(ii) <del>Not employed by a school board or authority.</del> <b>Other employment</b></p> <p><b>(iii) receiving a pension or teaching on call</b></p> <p><b>(v) Not employed</b></p> <p>(b) Where a Council member is on a leave of absence, the College will reimburse the employer for costs incurred by the employer to cover the Council member's absence while conducting College business on a day-in-session for the employer.</p> <p>(c) <del>Where a Council member is not eligible for compensation under P7.G.09(a), he or she shall be eligible to claim a per diem equivalent to 1/189 of Category 6 maximum paid in School District #39 (Vancouver).</del> <b>Where a Council is employed is self-employed or is employed by an entity other than a school board or authority and the Council member suffers a loss of salary due to the conduct of Council business, the Council member shall receive a per diem that is the average per diem paid to persons on leave of absence from a school board or authority as per Policy P7.G.09 (a)(i).</b></p>
	<p><b>(d) Where a Council member is in receipt of a pension and/or</b></p>



## Proposed Amendments to Policy P7 – Finance

Notice of Motion: TBA  
to Education Partners: TBA  
Council Consideration (& Approval): TBA

<p>(d) Council members will not be compensated for time spent preparing for committee or Council meetings.</p> <p>(e) The College may compensate an employer or a Council member, in accordance with Policy P7.G.09(b), (c) and (d), for:</p> <p>(i) Additional time required for the preparation of discipline or fitness hearing reports, as approved by the Registrar.</p> <p>(ii) Presentations made to outside organizations at the request of the Council. Council members requested by outside organizations to make presentations on behalf of the College that are not at the request of Council may, with approval of the Registrar, be granted expenses on a 50% cost share basis with the organization making the request.</p> <p>(iii) Traveling to conduct College business:</p> <table><tr><td>Less than 2 hours</td><td>no compensation</td></tr><tr><td>2 to 4 hours</td><td>½ day compensation</td></tr><tr><td>4 to 8 hours</td><td>1 day compensation</td></tr></table>	Less than 2 hours	no compensation	2 to 4 hours	½ day compensation	4 to 8 hours	1 day compensation	<p><b>employed as a teacher-on-call, the Council member is eligible to receive a per diem of \$150.</b></p> <p>(e) <b>Where a Council member is required to conduct Council business after June 30 and before Labour Day, the Council member shall be entitled to a per diem equal to the average per diem paid to persons on leave of absence from a school board or authority as per Policy P7.G.09 (a)(i).</b></p> <p>(f) Council members will not be compensated for time spent preparing for committee or Council meetings.</p> <p>(g) <b>Members of Council shall receive an annual honorarium of \$500.00 in recognition of their service to the College.</b></p> <p>(h) The College may compensate an employer or a Council member, in accordance with Policy P7.G.09 (b), (c), and (d) for:</p> <p>(i) Additional time required for the preparation of discipline or fitness hearing reports, as approved by the Registrar;</p> <p>(ii) <b>Authorized</b> presentations made to outside organizations. <del>at the request of Council. Council members requested by outside organizations to make presentations on behalf of the College that are not at the request of Council may, with the approval of the Registrar, be granted expenses at 50% cost share basis with the organization making the request.</del></p> <p>(iii) Traveling to conduct College business:</p> <table><tr><td>Less than 2 hours</td><td>no compensation</td></tr><tr><td>2 to 4 hours</td><td>½ day compensation</td></tr><tr><td><del>4 to 8 hours</del> <b>over 4 hours</b></td><td>1 day compensation</td></tr></table>	Less than 2 hours	no compensation	2 to 4 hours	½ day compensation	<del>4 to 8 hours</del> <b>over 4 hours</b>	1 day compensation
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