

EDUCATION FACULTY COUNCIL

Terms of Reference / Policy & Procedures

1. AUTHORITY

Education Faculty Council is established as the governing body of the Faculty of Education under Section 28(1) of the *Post-Secondary Learning Act*. Faculty council powers and compositions are set out in Section 28(1) and 29(1) of the *Act*. Further authorization concerning faculty council powers, compositions and quorums is outlined in GFC Sections 55.1, 55.3 and 55.5.

2. COMPOSITION

Education Faculty Council meetings are open to members only. Guests shall be invited only through the Chair, and are not eligible to vote. Guests may be present for part or for all of the meeting. Education Faculty Council membership is as follows:

2.1 Statutory (*ex-officio*) Members (PSLA Section 28(2)) (EFC Jun 8 2010) (GFC Exec Nov 8 2010)

UofA President
Dean
Vice Dean
Associate Deans

All full time members of the academic staff of the faculty

At the University of Alberta, for the purpose of serving on Faculty Councils, “full-time academic staff” is interpreted to mean all continuing academic staff in Category A1.0). (GFC Section 55.1.4)

Category A1.0 Continuing

A1.1 (Faculty) (continuing) / Tenure-track; teaching, research; Board-AAS:UA (Faculty) Agreement

A1.2 Administration & Professional Officers (continuing) / Tenure-track; professional, managerial; Board AAS:UA (APO) Agreement

A1.3 Faculty Service Officers (continuing) / Tenure-track; professional, technical; Board AAS:UA (FSO) Agreement

A1.4 Librarians (continuing) / Tenure-track; professional, managerial; Board AAS:UA (Librarian) Agreement

A1.5 Soft-tenure Faculty (continuing) / Soft-tenure-track; research, teaching; Board AAS:UA Agreement (Faculty)

A1.6 Part-time (continuing) Counterparts to A1.1 – A1.5 / Tenure-track; appropriate Board AAS:UA Agreement (Half-time or greater FTE)

2.2 Statutory Members

2.2.1 Student Members (GFC Section 55.1)

Undergraduate students (2)

As selected by the Education Students’ Association using whatever method the Association deems suitable. Once selected, the names and contact information of these student representatives must be forwarded by the Education Students’ Association to the Faculty Office, and the Students’ Union. If the Association is unable to fill the required number of undergraduate students by September 30 of each year, then the Students’ Union will be responsible for the selection of the undergraduate representatives.

Graduate students from the Faculty of Education (2)

2.2.2 Registrar or delegate (GFC Section 55.1.3)

2.2.3 Alberta Education (PSLA Section 28(2)(d) (Subsection 4)) (EFC Oct 4 1994) (GFC Exec Apr 8 2002)

2.3 Appointed Members

Any other persons who are appointed to the faculty council by general faculties council on the recommendation of the faculty council (*PSLA* Section 28(e)). The Executive Committee of General Faculties Council is authorized to make appointments to Faculty and School Councils on their recommendation. (GFC Nov 25 1968)

Term of office for all appointed members will be one year. (EFC Jun 8 2010) (GFC Exec Nov 8 2010)

2.3.1 Appointed Members Internal

Sessional Instructors from the Faculty of Education (2) (EFC Oct 1 1996) (GFC Exec Oct 16 1996)

Non-Academic Staff from the Faculty of Education (2) (EFC Oct 1 1996) (GFC Exec Oct 16 1996)

2.3.2 Appointed Members External

2.3.2(i) and 2.3.2(ii) require a full time continuing academic member (according to Category A1.0).

2.3.2(i) HT Coutts Library (1) (EFC Oct 4 1966)

2.3.2(ii) A representative from the faculties of:

Agricultural, Life and Environmental Sciences (1) (EFC Jan 4 1977)

Arts (1) (EFC 1945)

Augustana (1) (EFC Jun 8 2010) (GFC Exec Nov 8 2010)

Business (1) (EFC Jan 4 1977)

Campus Saint-Jean (1) (EFC Dec 7 1971)(EFC Jun 8 2010) (GFC Exec Nov 8 2010)

Extension (1) (EFC Jan 4 1977)

Native Studies (1)(EFC Jun 8 2010) (GFC Exec Nov 8 2010)

Nursing (1) (EFC Jan 4 1977)

Physical Education and Recreation (1) (EFC Jan 4 1977)

Rehabilitation Medicine (1) (EFC Jan 4 1977)

Science (1) (EFC Jan 4 1977)

2.3.2(iii) Alberta Teachers' Association (1) (EFC Dec 1 1966)

2.4 Non voting Members

2.3.2(iv) Contract administrative appointments as invited by the Dean (non-voting) (EFC Jun 8 2010) (GFC Exec Nov 8 2010)

3. **MEMBERSHIP POLICIES**

3.1 Alternates

The *PSLA* makes no provision for alternates to elected members.

Only the President and the Dean shall be permitted to send alternates to the meetings of EFC. They shall have full voting rights and the right to propose motions. Members who are elected or appointed to Education Faculty Council may not send alternates to meetings of EFC. (EFC Jun 8 2010)

3.2 Attendees at council/committee/board meetings

Voting members – may participate in discussions and may move, second and vote on motions. This includes ex officio, appointed and elected members as set out in the composition of the specific terms of reference. (EFC Jun 8 2010)

Non-voting members – members in regular attendance at committee meetings, who may participate in discussion, but cannot move, second or vote on motions. (EFC Jun 8 2010)

Guests – individuals invited to attend a particular meeting and to participate in discussion related to a specific

item they were invited to address. Guests cannot move, second or vote on motions. (EFC Jun 8 2010)

Visitors – individuals in attendance at a public meeting to observe committee proceedings, who may speak only if expressly invited to do so by the chair. Visitors who have permission to speak may speak only once. A visitor cannot move, second or vote on motions. (EFC Jun 8 2010)

Observers – in attendance at a public meeting as an observer only. An observer cannot participate in discussion and cannot move, second or vote on motions. (EFC Jun 8 2010)

4. MANDATE

Subject to Section 29(1) of the *Post-Secondary Learning Act (PSLA)* a faculty council is empowered to:

- 4.1 determine the programs of study for which the faculty is established;
- 4.2 appoint the examiners for examinations in the faculty, conduct the examinations and determine the results of them;
- 4.3 provide for the admission of students to the faculty, subject to the admission standards and policies determined by the general faculties council;
- 4.4 determine the conditions under which a student must withdraw from or may continue the student's program of studies in the faculty, and
- 4.5 authorize the granting of degrees, subject to any conditions or restrictions that are imposed by the general faculties council.

Subject to challenge by General Faculties Council, the GFC Executive Committee has accorded to faculty councils the authority to deal with special arrangements regarding final examinations. (GFC EXEC Feb 15 1967)

5. POWERS

A faculty council may delegate any of its powers, duties and functions under this Act as it sees fit and may prescribe conditions governing the exercise or performance of any delegated power, duty or function, including the power of subdelegation. (*PSLA* Section 29(3))

5.1 New Councils, Committees and Boards of EFC (EFC Feb 2, 2010)

EFC may establish new councils, committees or boards.

EFC or delegate body shall provide clear, explicit, and detailed terms of reference for approval by EFC.

5.2 Continuing Councils, Committees and Boards of EFC (EFC Feb 2, 2010)

Amendments to terms of reference for councils, committees and boards of EFC shall be brought to EFC for approval.

Only EFC has the authority to dissolve councils, committees and boards of EFC.

5.3 Ad Hoc Committees (EFC Feb 2, 2010)

EFC may strike ad hoc committees to study and make recommendations on specific issues.

When EFC establishes an ad hoc committee, EFC or delegate body shall create clear, explicit, and detailed terms of reference and set a reporting date, both to be approved by EFC.

Ad hoc committees shall be considered discharged once their reports are received or accepted by EFC, unless EFC requests that they continue.

6. MEETINGS

6.1 A meeting of a faculty council must be held at any time on the summons of the dean of the faculty. (PSLA Section 29(2))

6.2 Education Faculty Council shall normally meet once a month, usually on the first Tuesday of the month. The schedule of meetings will be distributed at the beginning of each academic year. Any change of date will be announced at least one month in advance. Cancellation notices will be distributed as needed. (EFC Feb 2, 2010)

6.3 Regular meetings of the EFC which are still in session after the scheduled end time may be continued for a specified period of time through a motion from the floor. If such a motion is not approved, the item of business under discussion and items remaining on the agenda shall be deferred to the next regular meeting or to an additional meeting at the discretion of the Chair. (EFC Feb 2, 2010)

7. QUORUM

A quorum is the minimum number of members who must be present for business to be transacted legally. Quorum at EFC will be represented by those members present at the meeting. (EFC May 4, 2004) (GFC Exec Dec 6 2004)

8. PROCEDURES

The Education Faculty Council (EFC) procedures are based on those established by General Faculties Council (GFC). GFC voted against adopting Robert's Rules of Order (1974). GFC is governed, instead, by precedent and, in situations not covered by precedent GFC is guided by the Chair, whose rulings are subject to challenge. Education Faculty Council follows the same model. (EFC Feb 2 2010)

8.1 Chair

The Dean or Designate of the Faculty of Education shall chair Education Faculty Council. (EFC Feb 2 2010)

8.2 Agenda Approval

The authority to decide which items are to be placed on an EFC agenda resides with the Chair. New items cannot be introduced at a Council meeting except by a two-thirds vote of those present. In cases where the Chair has been informed in advance of a request to add a new item, the proposal shall be circulated, time permitting, to Council members. When the Agenda is being approved, the Chair will entertain a request to change the order, for specified reasons. (EFC Feb 2 2010)

8.3 Minutes

The record of discussion shall reflect fully the basis of decisions. EFC agendas, minutes and memberships shall be made available to the public. (EFC Feb 2 2010)

Minutes of the previous EFC shall be approved as submitted or approved as amended by a motion. Once approved by EFC, minutes will be posted on the Faculty of Education Governance website. Original agendas and supporting material are bound and filed in the Dean of Education's office for historical reference. (EFC Feb 2 2010)

Minutes from EFC Councils (Graduate Academic Affairs Council and Undergraduate Academic Affairs Council) shall be presented to EFC following approval by the respective Council. These minutes are for information only. At the stage of the motion to receive these minutes by the EFC, any member of the EFC may question or challenge an action of GAAC or UAAC. A majority vote at EFC is required in order to bring the question or challenge to the next EFC meeting for consideration. Approved minutes of GAAC and UAAC will be posted on the Faculty of Education Governance website. Original agendas and supporting material are bound and filed in the Dean of Education's office for historical reference. (EFC Feb 2 2010)

8.4 Reports

Councils, committees and boards of EFC (Appendix A), and Centres within the Faculty of Education, will submit an annual report to EFC each Fall or as requested by the Chair. A motion to receive these reports is required. Annual reports of EFC Councils and Committees will be posted on the Faculty of Education Governance website. (EFC Feb 2 2010)

8.5 Motions

A motion is a formal proposal that the assembly take certain action. To make a motion, a member must obtain the floor, that is, the member must be recognized by the Chair. (In the interest of clarity, it is advisable to write out a motion in advance; giving a copy to the Secretary usually expedites business.) The person making a motion will be invited by the Chair to speak first in any ensuing debate. (EFC Feb 2 2010)

A motion must be *seconded*. A second merely implies that the seconder agrees that the motion should be debated and not that the seconder necessarily favours the motion. If no seconder is found, the motion is dead and the meeting moves on to other business. (EFC Feb 2 2010)

8.5.1 Notice of Motion

A Notice of Motion is a method of informing the membership in advance of the intention to make a specific motion. When Notice of Motion has first been given at an EFC meeting, the Chair will decide whether it is appropriate that such a motion be placed on the Agenda of the next EFC meeting. (EFC Feb 2 2010)

8.5.2 Amendment to a Motion

An amendment is a subsidiary motion. It is used to modify the wording - and within certain limits the meaning - of a pending motion before the pending motion itself is voted upon. Its adoption does not adopt the motion thereby amended, and its rejection leaves the pending motion unaltered. (EFC Feb 2 2010)

The amendment must be germane; that is, it must be closely related to or have bearing on the subject of the motion. No new subject can be introduced under the pretext of being an amendment. (EFC Feb 2 2010)

An amendment must be seconded and is debatable. Such debate must be confined to the desirability of the amendment and must not extend to the merits of the motion to be amended, except as may be necessary to determine whether the amendment is advisable. (EFC Feb 2 2010)

An amendment can be amended, by a motion to amend the amendment. A majority vote is required. (EFC Feb 2 2010)

The mover with the consent of the seconder may incorporate a 'friendly' amendment into the main motion if the mover and seconder of the amendment are agreeable. The Chair has discretion to adjudicate challenges to the status of the friendly amendment. (EFC Feb 2 2010)

8.5.3 Motion to Table

A Motion to Table enables EFC to lay aside the pending question until some future time. A Motion to Table must be seconded, cannot be debated and requires a majority vote. The mover may make a brief statement on what information they believe would be necessary to lift an item from the table, followed by the proposer of the original item, who may make a brief comment to EFC on the impact of tabling the motion. (EFC Feb 2 2010)

8.5.4 Motion to Take From the Table

A Motion to Take from the Table is a motion to bring back before EFC the matter laid aside. Such a motion must be seconded, cannot be debated and requires a majority vote. (EFC Feb 2 2010)

8.5.5 Motion to Reconsider

A Motion to Reconsider enables EFC, within a limited time, to bring back for further consideration a motion that has already been voted on. The effect of a Motion to Reconsider is to restore proceedings to the point immediately prior to the vote to which it applies. (EFC Feb 2 2010)

A Motion to Reconsider must be brought forward at the same or next calendar month's meeting, after which Motion to Rescind procedures must be followed. (EFC Feb 2 2010)

A Notice of Motion to Reconsider must be provided with at least ten (10) working days' notice if the Motion to Reconsider does not take place at the same meeting. (EFC Feb 2 2010)

A Motion to Reconsider must be seconded and is amendable. (EFC Feb 2 2010)

A Motion to Reconsider is debatable, unless the motion to which it applies was not debatable. Debate may pertain to reasons for reconsideration only. (EFC Feb 2 2010)

A simple majority vote is required. (EFC Feb 2 2010)

An approved Motion to Reconsider suspends action on the original motion to which it applies until the original motion has been decided upon. (EFC Feb 2 2010)

A motion can be reconsidered only once. (EFC Feb 2 2010)

A motion which has already been acted upon cannot be reconsidered. (EFC Feb 2 2010)

8.5.6 Motion to Rescind

A Motion to Rescind is the motion by which a previous act or order can be cancelled or reversed. (EFC Feb 2 2010)

A Motion to Rescind is only used when a Motion to Reconsider is out of time. (EFC Feb 2 2010)

A Motion to Rescind must be seconded, and is amendable. (EFC Feb 2 2010)

A Motion to Rescind is debatable, unless the motion to which it applies was not debatable. Debate may pertain to reasons for reconsideration only. (EFC Feb 2 2010)

A Motion to Rescind requires a Notice of Motion provided to Council membership with at least ten (10) working days notice. A two thirds majority vote of those present is required. (EFC Feb 2 2010)

8.5.7 Motion to Adjourn

A motion to adjourn is a motion to close the meeting. It must be seconded, is not debatable or amendable and requires a majority vote. (EFC Feb 2 2010)

8.6 Debate Procedures

8.6.1 Interrupting a Speaker

A member who has the floor may not normally be interrupted. However, the Chair may interrupt a speaker if the speaker is out of order by using unacceptable language, is abusive of other members, or is not speaking to the motion. If the Chair does not do so, a member may raise this as a point of order. A speaker may not be interrupted because the listener does not agree with what is being said. (EFC Feb 2 2010)

8.6.2 Calling the Question

Calls of “Question!” by members from their seats are informal expressions of individual members’ desires to proceed to a vote on the matter under discussion. (Such calls are disorderly if made while another member is speaking.) Upon hearing such a call, the Chair will ask members if they are ready to vote on the motion being discussed. If there appears to be opposition to closing the debate, the Chair may ask for a motion to close debate. If seconded, eligible members will then vote on this motion and proceed accordingly. (EFC Feb 2 2010)

8.6.3 Challenging the Chair

The Chair may allow debate on a point of order before making a ruling. The Chair should state the basis on which such a ruling is made and no debate thereon is permitted. When the Chair rules on a question of procedure, any member may rise and state to the Chair, “I respectfully appeal to EFC from your ruling.” The Chair will respond by stating, “The Council has heard the ruling of the Chair. The question is: Shall the ruling of the Chair be sustained?” This issue is then put to a vote. (EFC Feb 2 2010)

8.6.4 Committee of the Whole

Debate should be either for or against a motion. However, an issue may arise which is not so clear-cut or for which the rules may seem to be a hindrance. In such a case, a motion that EFC resolve itself into a Committee of the Whole may be made. If carried, the visitors are asked to leave the Chamber, the Chair steps down and another Chair is appointed or elected for the duration of the meeting of the Committee of the Whole. Minutes are not taken and members may speak more freely and informally. (EFC Feb 2 2010)

A motion need not be seconded in order to be discussed. (EFC Feb 2 2010)

When the Committee of the Whole reaches agreement, a motion is made “that the Chair rise and report,” upon the adoption of which motion the Committee of the Whole is dissolved, the Chair of EFC resumes the Chair and the Chair of the Committee of the Whole reports to the Chair of EFC the action taken by the Committee of the Whole. (EFC Feb 2 2010)

8.6.5 In Camera

In camera may be used to describe a closed meeting (non-members not permitted), which covers information not reflected in the minutes and not available to the public. Such sessions may discuss personnel, financial or other sensitive decisions that must be kept secret (for example, a strategic change which the faculty does not yet want the public to know about). (EFC Feb 2 2010)

8.6.6 Special Debate

Special debate can be declared by the Chair in cases where there is very active debate that is monopolized by a few speakers, but multiple participants wish to speak. In a special debate, no member may speak for a second time until the Chair is satisfied that all those wishing to speak for the first time have done so. (EFC Feb 2 2010)

8.6.7 Point of Order

It is the right of every member who notices a breach of the rules of Council to insist on their enforcement. If the Chair fails to notice such a breach, any member may make the appropriate Point of Order, calling on the Chair for a ruling. If the Chair, being in doubt, refers the point of order to the judgement of Council, it thereby becomes debatable. (EFC Feb 2 2010)

A Point of Order is the only time when a member is allowed to interrupt a speaker who has the floor. (EFC Feb 2 2010)

A Point of Order does not require a seconder, it is not debatable (except in the circumstance noted above), it is not amendable, and cannot be reconsidered. (EFC Feb 2 2010)

A Point of Order should not be raised which has nothing to do with procedure and is merely a tactic to say something which would not normally be allowed. (EFC Feb 2 2010)

8.7 Voting Procedures

8.7.1 When the electronic voting system installed in the Council Chamber shows a difference of five or less in the votes counted for and against a motion, there shall be a second electronic vote. The second vote shall be the final result. If the electronic voting system is not available, a secret paper ballot shall be held at the discretion of the Chair. (EFC Feb 2 2010)

8.7.2 Voting shall be by majority vote except on a Motion to Rescind without previous notice, when a two-thirds vote of the total membership is required. (EFC Feb 2 2010)

8.7.3 The Chair shall vote only in the instance of a tie vote. When there is a tie vote, the motion is lost if the Chair abstains. The motion is adopted if the Chair votes in the affirmative and is defeated if the Chair votes in the negative. (EFC Feb 2 2010)

8.7.4 The results of all votes taken at EFC meetings shall be announced by the Secretary. The results of EFC votes shall not be recorded in the minutes. (EFC Feb 2 2010)

8.7.5 All members of EFC are charged with the responsibility of examining issues before Council and voting as they judge fit on such issues. No member of EFC, regardless of how that person gains membership on Council, is an instructed delegate. (EFC Feb 2 2010)

9. Impeachment

No member of EFC can be impeached. (EFC Feb 2 2010)