



# Bylaws

## Ogimaawin Indigenous Education Council (OIEC)

Approved on May 25, 2020, effective July 1, 2020

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## Article 1 – Definitions

In these Bylaws, unless the context otherwise requires,

- a. “Board” means the Board of Governors of Lakehead University;
- b. “Bylaws” means these Bylaws of the Ogimaawin Indigenous Education Council of Lakehead University;
- c. “Elders Council” means the Elders Council of Lakehead University;
- d. “Ex officio” means by virtue of one’s office. Unless specifically defined as non-voting in these Bylaws, and/or in a committee’s Terms of Reference, ex officio members of the OIEC shall have all the privileges of other members of the OIEC, including the right to vote;
- e. “External Voting Member” means a voting member of the OIEC who is not an Internal Voting Member as described in paragraph 4.1.2 herein;
- f. “Indigenous”, acknowledging there is no one accepted definition for the term, is construed using the following principles:
  - criteria described by the United Nations Permanent Forum on Indigenous Issues described in the Factsheet “Who are Indigenous Peoples?”:
    - Self-identification as Indigenous peoples at the individual level and accepted by the community as their member;
    - Historical continuity with pre-colonial and/or pre-settler societies;
    - Distinct social, economic or political systems;
    - Distinct language, culture and beliefs;
    - Form non-dominant groups of society; and
    - Resolve to maintain and reproduce their ancestral environments and systems as distinctive peoples and communities;
  - the legal definition of “aboriginal peoples of Canada” which includes the “Indian, Inuit and Métis peoples of Canada” (status and non-status) as such terms are used in Section 35(2) of the Constitution Act 1982, and
  - recognizing the location of Lakehead University campuses, the distinct nature of the Canadian Indigenous population, Indigenous peoples in Northern and South-Central Ontario. As such, we officially recognize and privilege these groups of distinct Canadian Indigenous peoples.
- g. “Internal Voting Member” means a voting member of the OIEC who is an employee (including faculty, staff, and senior administration), Student, or member of the Board, unless otherwise determined by the OIEC;
- h. “Non-Voting Member” means a non-voting member of the OIEC as described in paragraphs 4.1.3 and 4.1.4 herein;
- i. “Ogimaawin” is an Anishinabeg word translated to “the one who leads or leadership”.
- j. “OIEC Member” means Internal Voting Members, External Voting Members, and Non-Voting Members;
- k. “OIEC Year” means July 1 to June 30.
- l. “President” means the President and Vice-Chancellor of Lakehead University;
- m. “Secretary” means the Secretary of the OIEC;

- n. “Senate” means the Senate of Lakehead University;
- o. “Student” means a student registered at Lakehead University and defined as a student by Enrolment Services;
- p. “University” means Lakehead University;
- q. “Honour and Integrity” means knowing that sound adherence to Indigenous principles and values are critical to the decisions that impact future generations;
- r. “Respect” means knowing that ancestral knowledge is an integral part of the decision-making process;
- s. “Responsibility” means knowing that full participation, communication and collective decision making promotes transparency and inclusivity among our Nations;
- t. “Humility” means knowing that self-evaluation and self-reflection promote commitment to effective individual performance and collective accountability;
- u. “Understanding” means knowing that collaborative relationships and the practice of due diligence promote peace, order, and good governance.

## Article 2 – Mission Statement

In alignment with the University’s Strategic and Academic Plans, the Ogimaawin Indigenous Education Council (OIEC), sharing the interests and concerns of the Indigenous communities, serves as an advisory council to the President and channel for communications between Indigenous peoples and the University respecting issues which affect Indigenous post-secondary education.

Lakehead University acknowledges the history that many nations hold in the areas around our campuses, and is committed to a relationship with First Nations, Métis, and Inuit Peoples based on the principles of mutual trust, respect, and collaboration in the spirit of reconciliation.

In the pursuit of its mission and mandate, the OIEC will be guided by principles related to honour, respect, responsibility, humility, and understanding.

## Article 3 – Mandate and Purpose

The mandate of the OIEC is multi-purpose, focused on quality Indigenous education and experiences at Lakehead University in alignment with the Strategic and Academic Plans. The OIEC’s purposes are to:

- a. Participate in consultation during the development of the University’s Strategic and Academic plans, including other related plans as appropriate.
- b. Guide and monitor the implementation of the University’s Strategic Plan as it pertains to the OIEC Mission Statement.
- c. Provide recommendations on updating and amending policy content and implementation strategies as they pertain to the OIEC Mission Statement.
- d. Make recommendations to the President on matters affecting Indigenous students and the Indigenous communities served by the University.
- e. Serve as a resource to the University on Indigenous post-secondary education and the relationship between the University and the communities it serves.

- f. Bring forward Indigenous communities' interests, opportunities, goals, and concerns.
- g. Promote and encourage access, support, outreach, and success within a welcoming environment for all Indigenous students.
- h. Review the admission, recruitment, retention, and graduation rates for Indigenous students, and make recommendations where necessary.
- i. Review University initiatives, considering programs, courses and/or services that affect Indigenous post-secondary education at the University and make recommendations where necessary.

## Article 4 - Composition, Terms and Vacancies

### 4.1 Composition

The OIEC shall reflect membership from both the University community and Indigenous communities. The OIEC shall consist of the following members:

#### 4.1.1 Internal Voting Members from the University community:

- a. Provost and Vice-President, Academic (ex officio);
- b. Board member recommended by the Board;
- c. two Indigenous students recommended by the Lakehead University Student Union in collaboration with official Indigenous student groups (e.g. Lakehead University Native Student Association). Preferably there will be one student from each campus, and wherever possible one of the student members shall be an undergraduate student and the other shall be a graduate student;
- d. Vice-Provost, Aboriginal Initiatives (ex officio), or designate;
- e. one Indigenous faculty member recommended by the Senate;
- f. the Chair of the OIEC Advisors Committee (ex officio), or another member of the OIEC Advisors Committee recommended by the Advisors Committee Chair;
- g. the Principal, Orillia Campus (ex officio) or designate

#### 4.1.2 External Voting Members from the Indigenous community:

- a. at least six individuals from the following organizations:
  - Métis Nation of Ontario;
  - Nishnawbe Aski Nation;
  - Grand Council Treaty #3;
  - Anishinabek Nation;
  - Association of Iroquois and Allied Indians;
  - North Superior Chiefs Groups;
  - Fort William First Nation;
  - Chippewas of Rama First Nation;
  - Ontario Native Women's Association;
  - Thunder Bay Indigenous Friendship Centre;
  - Indigenous employment services,

and such other organizations whose mission and mandate intersect with the OIEC's Mission Statement and Mandate and Purpose, including Indigenous service organizations with an interest in Indigenous students and Indigenous issues in post-secondary education as are approved by the OIEC;

- b. four Indigenous members-at-large approved by the OIEC. Such members-at-large may but need not be from organizations set out in paragraph a above;

From those members set out in paragraphs 4.1.2 a-b, preferably at least one shall be from Northwestern Ontario and one shall be from Simcoe County.

#### 4.1.3 Elders

Acknowledging the importance of the Elder's role in decision making there shall be one Elder appointed as a Non-Voting Member by the Elders Council whose wisdom, advice and knowledge shall be integral to the OIEC in their decision making, and held in very high regard.

#### 4.1.4 Non-Voting Members

- a. President (ex officio), or delegate; and
- b. The Secretary and Recorder, whom shall be appointed by the President.

## 4.2 Terms

- a. OIEC member terms begin July 1 and end June 30, unless otherwise determined. Terms shall be up to three years
- b. OIEC Members listed in subparagraphs 4.1.1 a, d, f and g, and 4.1.4 a, are ex officio members of the OIEC and shall serve on the OIEC for as long as they hold the listed position.
- c. All other voting OIEC Members may not serve more than nine consecutive years on the OIEC, unless otherwise determined on a case by case basis by the OIEC.
- d. The Elder's term shall be determined by the Elders Council and there shall be no term limitations.
- e. The President shall determine the length of the term of the Secretary and Recorder.

## 4.3 Vacancies

An individual ceases to be an OIEC Member when:

- a. the OIEC Member's term expires;
- b. the OIEC Member resigns;
- c. the OIEC declares such membership on the OIEC vacant. This may occur when:
  - a member of the OIEC ceases to be eligible for appointment
  - a member of the OIEC has not acted honestly, in good faith as a collective member, or in the best interests of the University and the OIEC or any part thereof; and/or
  - a member of the OIEC fails to attend three OIEC meetings in an OIEC Year without notification to the OIEC Chair of extenuating circumstances.

Persons elected or appointed to fill a vacancy as the result of b. or c. shall hold membership for the remainder of the vacated term. Any such partial term shall have no effect on limiting subsequent elected or appointed terms.

Vacancies declared as a result of paragraph 4.3c. shall require at least two-thirds of the voting OIEC Members present, with two-thirds of those present voting in favour, provided due notice of such vacancy shall have been given at the previous meeting of the OIEC.

Whenever a vacancy on the OIEC occurs, unless otherwise determined by the OIEC, it shall be filled in the same manner that appointed or elected the person whose membership is vacant.

## Article 5 – Officers of the OIEC

### 5.1 Officers

The Officers of the OIEC shall be a Chair and Vice Chair chosen from the External Voting Members, and the Secretary. The Chair and Vice Chair shall be elected by the voting OIEC Members. Nominations for the Chair and Vice Chair shall be conducted no later than the final OIEC meeting of the OIEC Year. If there is more than one candidate standing to fill either of these positions, a secret ballot will be cast.

### 5.2 Duties of Officers

Officers of the OIEC shall perform the duties prescribed in these Bylaws. Where possible, the OIEC will strive to maintain a cultural balance within its operational procedures.

#### a. Chair

The duties of the Chair include, but are not limited to the following, and any of the duties may be delegated to the Vice Chair:

- acting as a liaison between the OIEC and the President;
- presiding over regular and special meetings of the OIEC;
- acting as a signing authority at such times that an official signature on behalf of the OIEC is required;
- representing the OIEC from time to time at formal and other functions on and off campus;
- in consultation with the Secretary, preparing the draft agenda; and
- other duties as may from time to time be required by the OIEC.

#### b. Vice Chair

The duties of the Vice Chair include, but are not limited to the following:

- presiding over regular or special meetings of the OIEC in the absence of the Chair; and
- other duties as may from time-to-time be required by the OIEC, or delegated by the Chair.

#### c. Secretary

The duties of the Secretary include, but are not limited to the following:

- in consultation with the Chair of the OIEC, preparing the draft agenda;

- providing procedural and other advice during and outside of OIEC meetings; and
- in collaboration with the Recorder:
  - preparing and distributing meeting materials and supporting documentation;
  - drafting minutes for the OIEC's approval;
  - coordinating any required follow up arising from OIEC meetings;
  - creating, maintaining, and archiving OIEC records; and
  - organizing, coordinating, and planning meetings and other relevant events.

## Article 6 – Meetings of the OIEC

### 6.1 Place of Meetings

OIEC meetings shall take place in an appropriate meeting space on the Lakehead University campus, unless otherwise determined by the OIEC. Participation by electronic means, such as teleconference or video conference is permitted for those unable to join in person.

### 6.2 Frequency and Approval of Meetings

Regular meetings of the OIEC shall be held as needed, but not less than four times per OIEC Year. An annual meeting schedule shall be drafted by the Secretary in consultation with the Chair and brought forward to the OIEC for approval no later than the final OIEC meeting each OIEC Year.

### 6.3 External Member Caucus

Prior to the commencement of each OIEC meeting, the External Voting Members shall be provided the opportunity to hold a non-decision-making meeting with the President where minutes are not taken. The purpose of such meeting shall be to provide External Voting Members the opportunity to meet informally with the President to further develop a collaborative, strong relationship, where each person feels comfortable sharing ideas, information, and concerns. The External Member Caucus shall determine which items, if any, to share with the OIEC.

### 6.4 Confidentiality

Meetings of the OIEC are only open to OIEC Members, and guests approved by the OIEC.

### 6.5 Notice of Regular Meetings

The Secretary shall ensure notice of regular meetings of the OIEC are circulated via email or other suitable means, to all members of the OIEC a minimum of five business days prior to each meeting. Notice shall include suitable access to the agenda and any associated supporting documentation.

The proceedings of a meeting, whether regular or special, will not be invalidated because of the accidental omission to give notice of that meeting to any OIEC Member, or because of any accidental irregularity in connection with giving such notice.

### 6.6 Special Meetings

A special meeting of the OIEC shall be called by the Secretary at the request of the Chair or Vice Chair, or any five voting OIEC Members. The Secretary shall call the meeting within ten business days of receiving such request. At least five business days-notice of any such special meeting shall be provided to OIEC Members, via email or other suitable means.



## Article 7 – Rules of Order

### 7.1 Quorum

Quorum for OIEC meetings shall be seven voting OIEC Members, consisting of at least three Internal Voting Members, and at least four External Voting Members.

### 7.2 Conflict of Interest

An OIEC Member has a conflict of interest when such member has an interest, directly or indirectly, in any proposed or existing matter under consideration by the OIEC that is not substantially the same as all other OIEC Members. The OIEC Member with a conflict of interest shall:

- a. declare the nature and extent of the interest as soon as possible and in advance of any discussion of the matter; and
- b. absent themselves from the discussion of and voting on the matter by leaving the meeting.

### 7.3 Voting

- a. The Chair shall endeavour to obtain consensus for all decisions made by the OIEC. In the absence of consensus, and where not otherwise provided for in these Bylaws or Robert's Rules of Order, matters shall be decided by a majority vote.
- b. Absentee and proxy voting are not permitted.
- c. An electronic vote is permitted when the majority of the voting OIEC Members support electronically voting on appointments to the OIEC and other bodies.

### 7.4 Minutes

Upon approval by the OIEC, the minutes shall be posted to the Lakehead University website. Prior to the minutes being approved, a summary of the meeting may be drafted, and upon approval of the Chair and Secretary, shared publicly including with the Board and the Senate at their upcoming meetings. Any items discussed in camera shall not be included in such reports.

### 7.5 In Camera Sessions

Since the minutes of OIEC meetings are made public following approval, the OIEC shall move in camera to discuss any sensitive, personal, or confidential business. When the OIEC declares a meeting or part of a meeting in camera, only OIEC Members or those approved by the OIEC Members may remain. In camera sessions shall be separately minuted. Only persons entitled to be present at an in camera session may be informed of the proceedings that transpire therein.

## Article 8 – OIEC Committees

### 8.1 OIEC Standing Committees

- a. The OIEC may create and delegate matters to OIEC standing committees through the approval of the terms of reference and through motions. Such Committees are accountable to the OIEC.
- b. The Advisors Committee is hereby established as a standing committee of the OIEC, whose Terms of Reference shall be as established by the OIEC.

## 8.2 Ad hoc Committees

The OIEC may create and delegate matters to OIEC ad-hoc committees through the approval of the terms of reference or through motions. Such Committees are accountable to the OIEC.

Ad hoc committees are those constituted by the OIEC in response to a short-term need. Such ad hoc committees shall be:

- as approved by the OIEC for specific duties of a non-recurring nature;
- accountable to the OIEC, and
- disbanded upon their final report to the OIEC.

## 8.3 General Procedures of OIEC Committees

- a. Committee chairs shall endeavor to obtain consensus for all decisions. In the absence of consensus, and where not otherwise provided for in these Bylaws or Robert's Rules of Order, matters shall be decided by a majority vote.
- b. The terms of reference, including the composition and administrative organization of each of the OIEC committees are as established by the OIEC and may be amended by the OIEC.
- c. Membership on OIEC committees shall be as determined by the OIEC, and may include OIEC Members, faculty, and other members of the University community, such as staff, students, and administrators.
- d. An electronic vote is permitted when the majority of a committee supports voting on appointment recommendations to the OIEC and other bodies and if the committee chair determines it is impossible or impractical to call a meeting.
- e. Five business days-notice shall be given for committee meetings except that a meeting may be held at any time without due notice if all members of the committee are able to be present and/or consent thereto. Notice shall include suitable access to the agenda and associated supporting documentation. The committee chair and/or committee secretary of each OIEC standing committee shall to the extent possible distribute to committee members a meeting schedule for the year.
- f. Meetings of committees of the OIEC are open only to invited guests approved by the committee members. When a committee moves in camera, only individuals approved by the committee, and committee members may remain in the meeting.
- g. Terms of newly appointed members on OIEC committees shall begin on July 1 unless otherwise determined. Committee members shall hold membership only so long as they retain the status under which their membership was approved by the OIEC.
- h. Committee members are expected to attend committee meetings and are to inform the committee chair or committee secretary of their inability to attend. A committee member who is absent from a scheduled committee meeting more than three times per OIEC Year will have their committee membership revoked unless otherwise determined by the committee chair.
- i. Standing committees may create sub-committees to deal with matters that are included in such standing committees' mandate. For further clarification, sub-committees of OIEC standing committees do not require approval of the OIEC.

## Article 9 – Amendment or Repeal of Bylaws

### 9.1 Amendment

Any proposal to amend or repeal these Bylaws or any portion thereof shall be effective only if enacted at a meeting of the OIEC at which at least two-thirds of the voting OIEC Members are present, with two-thirds of those present voting in favour, provided due notice of such amendment or repeal shall have been given at the previous meeting of the OIEC.

Any amendment or repeal of the Bylaws or any section thereof, shall be effective as of the date of the approval of the resolution to amend or repeal unless otherwise determined.

### 9.2 Repeal

Any other existing Bylaws that are inconsistent with these Bylaws are hereby repealed, however such repeal does not affect anything done (including without limitation any repealing of other Bylaws) under such previous Bylaw.

APPROVED by the OIEC this 25<sup>th</sup> day of May, 2020, and in effect, this 1st day of July, 2020.

Chair \_\_\_\_\_ Secretary \_\_\_\_\_