

# Lakehead

UNIVERSITY

## Ogimaawin-Aboriginal Governance Council

### BYLAWS

#### ARTICLE 1.0 MISSION STATEMENT

The Lakehead University Ogimaawin-Aboriginal\* Governance Council (hereinafter referred to as the O-AGC), representing the interests and concerns of the Aboriginal Community, serves as an official and formal decision-making body and channel for communications between Aboriginal peoples and Lakehead University respecting issues which affect Aboriginal post-secondary education. Furthermore, the O-AGC seeks the promotion, enhancement, pursuit, and availability and accessibility of Aboriginal post-secondary education, which is defined as:

- a) programs/courses that relate to Aboriginal issues;
- b) programs/courses designed for Aboriginal students;
- c) research relating to Aboriginal peoples and issues; and
- d) services that support Aboriginal students to succeed.

In the pursuit of its mission, the O-AGC will be guided by the principles of cultural integrity, cultural survival and enhancement, and Aboriginal self-determination.

#### ARTICLE 2.0 MANDATE

The mandate of the O-AGC is multi-purpose, focussed on Aboriginal education at Lakehead University. The O-AGC, representing the needs and concerns of the Aboriginal community, is established to:

- 2.1a** function, in conjunction with the Lakehead University Board of Governors and Lakehead University Senate, as a policy setting unit for Aboriginal programs and projects, with a seat on both the Lakehead University Board of Governors and the Lakehead University Senate;
- 2.1b** recognize the nature of academic institutions, which rests firmly on the principles of freedom of inquiry and teaching, and the desire of Aboriginal peoples to gain control and/or influence over the educational processes affecting their peoples:
  - (i) The O-AGC will work in an advisory capacity with the President, senior administrators—especially the Vice-Provost Aboriginal Initiatives—, governance councils and committees as appropriate to carry out the O-AGC's mandate.
  - (ii) The recommendations of the O-AGC requiring action by the Lakehead University Board of Governors and/or the Lakehead University Senate will be referred to the President. The President shall then convey such recommendations to the Lakehead University Board of Governors and the Lakehead University Senate. Those recommendations would be resolutions of O-AGC that would affect academic issues and/or policies of the University, or would be revisions to the Terms of Reference other than those related to the internal functioning of the O-AGC. Information regarding such changes would be made available to

both bodies but no action would be taken unless the Lakehead University Board of Governors or the Lakehead University Senate deemed it necessary.

- 2.1c** propose, promote, participate and ensure appropriate Aboriginal stakeholders are involved in the developmental and decision-making processes of all teaching programs/courses relating to Aboriginal peoples at Lakehead University specifically through the Joint Senate Academic Committee/O-AGC;
- 2.1d** develop an O-AGC Strategic Plan which will assure quality programs, courses and research in Aboriginal post-secondary education recognizing and contributing to Lakehead University's Academic Plan and Strategic Plan;
- 2.1e** publicize its criteria and processes for endorsement of programs, courses and research;
- 2.1f** assist in assuring accessibility and increased participation and completion rates for Aboriginal students;
- 2.1g** review admission, recruitment, retention and graduation data of Aboriginal students;
- 2.1h** make recommendations, as necessary, through the President to the Lakehead University Board of Governors and the Lakehead University Senate in order to assure a fair, equitable and productive partnership between the Aboriginal community and Lakehead University;
- 2.1i** review and make recommendations concerning expenditures and funds allocated for the implementation of Aboriginal programs, courses and services; and
- 2.1j** review and make recommendations on research initiatives undertaken by University researchers affecting Aboriginal peoples.

## **ARTICLE 3.0 MEMBERSHIP OF THE O-AGC**

### **3.1 Voting Members**

The O-AGC members shall reflect representation from both the Lakehead University community and the Aboriginal community. The O-AGC shall consist of the following voting members:

#### **3.1a from the Lakehead University community:**

- (i) Lakehead University President or designate;
- (ii) Lakehead University Board of Governors representative;
- (iii) Two (2) members of the Lakehead University Native Students Assoc. (LUNSA);
- (iv) Vice-Provost Aboriginal Initiatives;
- (v) One (1) Aboriginal faculty member; and
- (vi) One (1) member of the O-AGC Advisors Committee.

**3.1b from the Aboriginal community (not employed by Lakehead University):**

- (i) at least five (5) representatives of the Aboriginal nations in Ontario (the Métis, Anishinaabe, Cree and Iroquois) from the following organizations or their affiliates:
  - the Métis Nation of Ontario;
  - Nishnawbe Aski Nation;
  - Grand Council Treaty #3;
  - Anishinabek Nation;
  - Association of Iroquois and Allied Indians;
  - Unallied First Nations;
  - Ontario Native Women's Association;
  - Aboriginal service organizations with an interest in Aboriginal students and Aboriginal issues in post-secondary education (e.g. Thunder Bay Indian Friendship Centre, Aboriginal Employment Services);
- (ii) one (1) Aboriginal member-at-large; and
- (iii) one (1) Aboriginal member from the Orillia campus region; and
- (iv) one (1) Elder from the external community.

**3.2 Non-Voting Members**

**3.2a** The O-AGC Secretary, appointed by the President, will be a non-voting member of O-AGC.

**3.2b** Members of the O-AGC Advisors Committee (apart from the single voting member).

**3.3 Appointment to Other University Bodies and Committees**

The O-AGC shall appoint:

**3.3a** the Chair of the O-AGC to the Lakehead University Board of Governors;

**3.3b** a representative to the Lakehead University Senate;

**3.3c** representatives on the following Senate Committees:

- (i) the Joint Sub-Committee of the Senate Academic Committee and the O-AGC, and
- (ii) the Senate Undergraduate Scholarships and Bursaries Committee;

**3.3d** any other committee appointments, including Search Committees, shall evolve from within the O-AGC.

**3.4 Notice of Expiring Terms and Procedures for Re-Appointment**

The O-AGC shall be informed of the organizational and University appointees to the O-AGC in writing and such appointments will be ratified by O-AGC members during a scheduled meeting.

### **3.5 Membership Vacated**

**3.5a** The membership of a member of the O-AGC is vacated when:

- (i) such member resigns as a member of the O-AGC in writing; or
- (ii) the O-AGC declares such membership on the O-AGC vacant.

**3.5b** The O-AGC shall have the right in its sole and absolute discretion to declare a voting member's membership on the O-AGC vacant where:

- (i) a member of the O-AGC becomes incapable of acting as a member;
- (ii) a member of the O-AGC ceases to be eligible for appointment to the O-AGC;
- (iii) a member of the O-AGC has not acted honestly, in good faith, as a collective member or in the best interest of the University and the O-AGC or any part thereof; and/or
- (iv) a member of the O-AGC or their alternate fails to attend three (3) consecutive meetings without notification to the O-AGC of extenuating circumstances prior to or within a week of a missed meeting.

**3.5c** The O-AGC's declaration that a member's membership on the O-AGC is vacated shall be made by a resolution of the O-AGC passed by two-thirds (2/3) of the total voting members attending an O-AGC meeting, not less than thirty (30) days after written notice of the proposed declaration of the O-AGC, and the reasons therefore, have been sent by ordinary mail to the address of the member as it appears in the records of the O-AGC.

### **3.6 Additions to Membership**

**3.6a** The O-AGC may add members in order to fulfil the requirement of Article 3.1b of this Bylaw. Organizations may make application to the O-AGC or the O-AGC may solicit membership from appropriate organizations. A motion to add a member to the O-AGC must be carried by a two-thirds (2/3) vote of those attending the meeting at which the action takes place. All members must be notified in writing at least 14 days (two weeks) prior to such action on any pending motions to add a member.

**3.6b** Member-at-large: The O-AGC will call out through the Office of Communications to the Aboriginal community for the selection of the Member-at-Large position for a two-year renewable term. Appointment of the Member-at-Large will be approved by a vote of the O-AGC.

### **3.7 Vacancies**

Where a vacancy on the O-AGC occurs before the term of membership for which that person has been appointed has expired, if the vacancy is that of an appointed member, the vacancy may be filled by the same authority which appointed the person whose membership is vacant.

### **3.8 Alternate Members**

Each Aboriginal organization with membership on the O-AGC shall appoint a primary member, and in the absence of the primary member, an alternate shall be granted the privileges of a member.

### **3.9 Confidentiality**

The meetings of the O-AGC and the Advisors Committee are open to members and invited guests. All other individuals must make a request to attend through the Secretary.

Resolutions of the O-AGC and any of its subcommittees are considered confidential to the voting and non-voting members of the O-AGC and/or its committee(s). Normally, these resolutions become public knowledge once they are approved in an open session of the O-AGC and the minutes containing that approval are accepted by the O-AGC. Discussions within subcommittees remain confidential to the members of the committee. Decisions at O-AGC meetings should be treated with discretion, considering in each instance what the implication to the University might be should a particular item of information become public.

### **3.10 Officers**

The Officers of the O-AGC shall be a Chair and Vice-Chair from the Aboriginal community and a Secretary appointed by the President. Two voting external Aboriginal members from within the O-AGC will be elected to fill the Chair and Vice-Chair positions. Nominations for the Chair and Vice-Chair shall be held at the first O-AGC meeting following the start of a new academic year in September. If there is more than one candidate standing to fill either of these positions, a secret ballot will be cast.

### **3.11 Duties of Officers**

Officers of the O-AGC shall perform the duties prescribed in these Bylaws. Where possible, the O-AGC will strive to maintain a cultural balance within its operational procedures. The Chair shall try to achieve consensus. In the absence of consensus, the O-AGC will operate according to parliamentary authority (Roberts Rules of Order, 11<sup>th</sup> Edition, 2011).

#### **3.11a Chair**

The Chair of the O-AGC shall perform the duties prescribed in these Bylaws, including, but not limited to:

- representing the O-AGC at the Lakehead University Board of Governors;
- presiding over regular and special meetings of the O-AGC;
- acting as a signing authority for the O-AGC;
- representing the O-AGC at formal and other functions held on and/or off campus;
- acting as a member of the O-AGC Strategic Plan Monitoring Committee;
- acting as a member of the O-AGC By-law Review Committee; and
- other duties as may from time-to-time be required by the O-AGC.

#### **3.11b Vice-Chair**

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

- presiding over regular or special meetings of the O-AGC in the absence of the Chair;
- representing the O-AGC at formal and other functions held on and/or off campus;
- acting as a member of the Strategic Plan Monitoring Committee and
- other duties as may from time-to-time be required by the O-AGC.

#### **3.11c Duties of the Secretary**

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

- in consultation with the Chair of the O-AGC, preparing the agenda;
- preparing and distributing meeting materials and supporting documentation;
- organizing, coordinating and planning meetings and other relevant assemblies;
- maintaining and distributing O-AGC-related records; and
- preparing follow up correspondence from O-AGC meetings.

## **ARTICLE 4.0 MEETINGS OF THE O-AGC**

### **4.1 Number of Meetings**

Regular meetings of the O-AGC shall be held as needed, but not less than four (4) times in each year.

### **4.2 Notice of Meetings**

Notice in writing of the time and place of each regular meeting shall be sent to each member of the O-AGC via email, facsimile and/or mail to the last known address which appears in the records of the Secretariat, at least seven (7) days before the time appointed for holding such a meeting. Such notice shall specify in reasonable detail the matters, other than those of a routine nature, which are to be considered at the meeting. Notice shall include the telephone number and passcode for those participating by teleconference or videoconference.

### **4.3 Special Meetings**

At the request of the Chair or Vice-Chair, or any five (5) members of the O-AGC, special meetings may be convened.

### **4.4 Notice of Special Meetings**

Notice of a special meeting shall be given to each member not less than three (3) days before the meeting is to take place, provided always that special meetings of the O-AGC may be held at any time without formal notice if all the members are present or those absent have waived notice or have signified their consent in writing, either before or after, to the meeting being held in their absence. Notice of any meeting or any irregularity in the notice thereof may be waived by any member.

### **4.5 Conflict of Interest**

An O-AGC 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 O-AGC that is not substantially the same as all other members. The member with a conflict of interest shall:

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

#### **4.6 Quorum**

Quorum for O-AGC meetings shall be six (6) voting members, consisting of at least three (3) members from the Lakehead University community and at least three (3) members from the Aboriginal community as per Article 3.1a and 3.1b.

#### **4.7 Majority Vote**

Matters arising at any meeting of the O-AGC, except those stated in this Bylaw that require a 2/3 majority, shall be decided by a majority of votes. All votes at such meetings shall be taken by any primary member present or by teleconference, and shall be taken in the usual way of a show of hands (or verbally by teleconference). A declaration by the Chair that a resolution has been carried, or has been defeated, will be entered in the minutes. In the absence of the Chair, such duties may be performed by the Vice-Chair or, in the absence of these, by such other member of the O-AGC as the O-AGC may appoint for the purpose.

#### **4.8 Proxy and Alternate Voting**

No member or their designated alternate may be represented by proxy, and in the event that both a primary and alternate member are present for an O-AGC vote, only one vote by the primary shall be the privilege.

#### **4.9 Electronic Voting**

Under special circumstances, or if business itemized on an O-AGC agenda is not dealt with within the prescribed time of the meeting, an electronic vote may be conducted. Full information on the issue being voted on will be provided via email to all eligible voting members. A quorum of votes of the total voting membership must be received to pass the motion. The vote will be counted as per Articles 4.7 and 4.8.

#### **4.10 Minutes of O-AGC Meetings**

Minutes will be taken by the O-AGC Secretary and approved at a subsequent O-AGC meeting. Approved O-AGC minutes will be posted on the Aboriginal Initiatives website.

### **ARTICLE 5.0 O-AGC COMMITTEES**

There are two types of O-AGC committees:

- (i) ad hoc committees struck on an as-needed basis by resolution of the O-AGC, and
- (ii) standing committees which include:
  - the Advisors Committee;
  - the O-AGC Strategic Plan Monitoring Committee; and
  - the Bylaw Review Committee.

## **5.1 Ad hoc Committees**

From time to time the O-AGC may require the focused activities of an ad-hoc committee. With the approval by resolution of the O-AGC, an ad-hoc committee may be formed. A proposal to form a committee will include terms of reference, its membership, and its length of duty. At the completion of an ad-hoc committee's task, the O-AGC will dissolve the committee by resolution.

## **5.2 The Advisors Committee**

### **5.2a Purpose**

The Advisors Committee is established to serve as a vehicle for inter-departmental communication and liaison with the O-AGC on matters affecting Aboriginal post-secondary education.

### **5.2b Updating Advisors Committee Membership List**

The membership list of the Advisors Committee shall be updated annually.

### **5.2c Terms of Reference**

The Terms of Reference, composition, and administration of the Advisors Committee (Appendix A) are approved and amended by the O-AGC.

## **5.3 O-AGC Strategic Plan Monitoring Committee**

### **5.3a Purpose**

The Strategic Plan Monitoring Committee will review, monitor the implementation of and update the O-AGC Strategic Plan in conjunction with the planning cycle for the Lakehead University Strategic Plan, ensuring timely input of recommendations for Aboriginal issues to the LU Strategic Plan. The committee will work with the Vice-Provost Aboriginal Initiatives to implement the O-AGC Strategic Plan and make recommendations to the O-AGC on matters pertaining to the O-AGC Strategic Plan.

### **5.3b Composition of the Strategic Plan Monitoring Committee**

The Strategic Plan Monitoring Committee members are:

- Chair of the O-AGC;
- Vice-Chair of the O-AGC;
- one external member of the O-AGC;
- Vice-Provost Aboriginal Initiatives;
- One Aboriginal faculty member; and
- One staff person from Aboriginal Cultural & Support Services.

### **5.3c Reporting**

The Strategic Plan Monitoring Committee will report annually to the O-AGC on the implementation of the O-AGC Strategic Plan and as needed on recommendations to be brought forward pertaining to the Lakehead University Strategic Plan.

## **5.4 The Bylaw Review Committee**



#### **5.4a Purpose**

The Bylaw Review Committee will provide input to the O-AGC on revisions to the Bylaws ensuring that the Bylaws are updated and reflective of the practices of the O-AGC.

#### **5.4b Composition of the Bylaw Review Committee**

The Bylaw Review Committee members are:

- Chair of the O-AGC;
- one external member;
- Chair of the Advisors Committee; and
- Secretary of the O-AGC.

#### **5.4c Reporting**

The Bylaw Review Committee shall review bi-annually the O-AGC Bylaws and report any recommended revisions to the O-AGC.

### **ARTICLE 6.0     ALTERATION OF EXISTING BYLAWS**

Any bylaw which purports to amend or alter any existing bylaw shall be effective only if enacted:

- 6.0a** at a meeting of the O-AGC at which at least two-thirds (2/3) of the voting members are present and, if due notice of such amendment, alteration or repeal shall have been given in writing at an O-AGC meeting or in writing at least thirty (30) days in advance; or
- 6.0b** by electronic resolution, submitted by two-thirds (2/3) of the voting members of the O-AGC, following notice as outlined in 7.0a.
- 6.0c** Any amendment or alteration of the bylaws shall be effective as of the date of approval, unless otherwise stated.
- 6.0d** Any bylaws previously passed are repealed. Any bylaws previously passed insofar as they are inconsistent with these Bylaws, are repealed, but such repeal does not affect anything done under a previous bylaw, or any right acquired under a previous bylaw, or revive any bylaw repealed by a previous bylaw.

**Effective this date: January 21, 2013**

## **OGIMAAWIN-ABORIGINAL GOVERNANCE COUNCIL**

### **APPENDIX A**

#### **ADVISORS COMMITTEE TERMS OF REFERENCE**

##### **1. PURPOSE OF COMMITTEE**

The Advisors Committee is established to serve as a vehicle for inter-departmental communication and liaison with the Lakehead University Ogimaawin-Aboriginal Governance Council (O-AGC) on matters affecting Aboriginal post-secondary education.

##### **2. TERMS OF REFERENCE:**

- To provide a forum to discuss issues and formulate recommendations to the O-AGC related to Aboriginal education that both promote the objectives and mission of Lakehead University and represent the best interests of Aboriginal students, particularly those relating to the provision of high quality programs and services.
- To foster open and constructive dialogue on all issues, especially on those occasions where conflict may be perceived by some members between university objectives and the best interests of Aboriginal students.
- To review and/or advise on matters raised by the O-AGC, and/or as required by respective faculties and departmental units.
- To regularly report to Faculties and departmental units on O-AGC matters, preferably at formal Faculty Council/departamental meetings, by the Deans or their designates who are members of the Advisors Committee.
- To review and/or discuss proposal ideas for consideration by the O-AGC.
- These Terms of Reference and the functioning of the Advisors Committee will be subject to review by the O-AGC every second year, including self-assessment by the Advisors Committee, to ensure that it is operating effectively and fulfilling its functions.

##### **3. COMMITTEE COMPOSITION:**

Membership on the O-AGC Advisors Committee is based on the principle that following LU positions/groups should be members of the Committee:

- Each Aboriginal-specific program, department or position, including Aboriginal faculty (the 2003 list includes access programs, Native Language Instructors Program, Aboriginal Education Programs, Dept. of Indigenous Learning and Aboriginal Cultural and Support Services, plus the addition of new positions that have been approved, e.g., the Dept. of Aboriginal Education, Vice-Provost (Aboriginal Initiatives), Faculty of Education's Elder-in-Residence, Canada Research Chair in Indigenous Education, Aboriginal Community Liaison, plus any future positions as they are approved;
- Each faculty (the Dean or designate); and
- Key administrative positions (e.g., Vice-President Academic, Vice-Provost Student Affairs, Research Ethics Board).

The membership of the Advisors Committee as stipulated in Appendix A of the Ogimaawin-Aboriginal Council's Bylaws shall be updated annually.

#### **4. GOVERNANCE**

**FREQUENCY OF MEETINGS:** Meetings of the Advisors Committee should be held monthly prior to O-AGC meetings in time for advice to be added to the O-AGC agenda. Agenda items for Advisors Committee meetings will be solicited from all members prior to meetings.

**MINUTE-TAKING:** Minutes will also be distributed to Advisors Committee members and posted on Aboriginal Initiatives website before meetings so that O-AGC members can view them. Minutes will be taken by the Admin Assistant for Aboriginal Initiatives or an appointee of the Advisors Committee.

**CHAIR:** The Committee will choose its leadership every second year. The Chair or a designate will be the voting member to the O-AGC.

#### **5. DECISION-MAKING/VOTING PROCEDURES**

The Advisors Committee will operate by consensus.

#### **6. Ad-hoc Committees**

From time to time the Advisors Committee may require the focused activities of an ad-hoc committee. With the approval by resolution of the O-AGC Advisors Committee, an ad-hoc committee may be formed. A proposal to form a committee will include terms of reference, its membership, and its length of duty. Such an ad-hoc committee reports directly to the Advisors Committee. At the completion of its task the O-AGC Advisors Committee will dissolve the ad-hoc committee.

**MEANS TO COMMUNICATE MEETING DISCUSSIONS AND RECOMMENDATIONS TO THE O-AGC:** In addition to the Advisors Committee meeting minutes that will be submitted to the O-AGC, the voting member representing the Advisors Committee on the O-AGC will bring forward the Committee's recommendations. The Advisors

Committee voting representative will inform O-AGC of the range of opinion within the Advisors Committee on issues.

**ATTENDANCE AT MEETINGS:** Attendees at Advisors Committee meetings will be members and invited guests. Additionally, other individuals with a legitimate interest in Advisors Committee issues must contact the Secretary of the Ogimaawin-Aboriginal Governance Council for permission to attend Advisors Committee meetings.

# O-AGC situated in University structure

