ALGONQUIN COLLEGE

Board Governance Policy

BG I-01 Responsibilities of the Board of Governors

Policy Category :	Board Process		
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PURPOSE

This policy outlines the responsibilities of the Algonquin College Board of Governors (the Board) in fulfilling its mandate as set out in the Ontario Colleges of Applied Arts and Technology (OCAAT) Act; the Ontario Regulation 34/03; the Minister's Binding Policy Directives and the OCAAT Guidance on Appointments and Effective Governance.

POLICY

Each board of governors of a college of applied arts and technology is responsible for the governance of the college and, as such, is accountable to the students, employers, and communities the college serves for ensuring that it is effectively and appropriately managed to achieve its established mandate and to provide needed services (Reference: Governance p. 2).

The Board shall perform the responsibilities of the Board identified in the Minister's Binding Policy Directives. These include:

1. The Board shall establish governance structures to enable the achievement of expected institutional outcomes with clear lines of communication and internal accountability (Governance p. 3).

2. The Board shall set the College mission, vision, strategic directions, and overall goals and outcomes within the context of the appropriate laws, government policy, and local need (Governance p. 3). Working with the Management of the College, the Board shall develop a strategic plan in support of that mission statement and ensure that mechanisms are in place to monitor the College performance against the strategic plan. (Appendix B p. 14).

3. The Board shall be responsible for hiring the President, delegating to the President the accountability for the operations of the College then evaluating the President's performance (Governance p. 3) on the attainment of corporate goals and outcomes. The Board shall assess annually the attainment by the President of corporate goals and outcomes (Board – President Relations p. 2).

4. The Board shall review, amend, and approve the College's annual business plan, budget, and annual report that support the strategic plan (Governance p. 3).

5. The Board shall assess periodically the effectiveness of the Board with respect to governance, accountability and the attainment of College mission and strategic plan. (Governance p. 3)

6. The Board shall take corrective action, as necessary, where expected outcomes or quality of performance are not achieved (Governance p. 3).

7. The Board shall approve all programs of instruction that a college will offer, suspend or cancel (Program Suspension, p. 6). The Board shall ensure that programs of instruction are developed and implemented consistent with provincial standards where they exist (Credentials Framework, protocols for grading, advancement, and dispute resolution, quality assurance policy, College Advertising and Marketing Guidelines) (Programs of Instruction p. 7).

8. The Board shall approve the creation of a wholly owned subsidiary corporation, including a college foundation, if required (Entrepreneurial Activities p. 2).

The Board may perform best practices including the following suggested by the OCAAT Guidance on Appointments and Effective Governance.

1. The Board should ensure that proven methods for program development and review occur, involving stakeholders in an effective and meaningful way (Appendix B p. 14).

2. The Board should ensure that appropriate practices are implemented to identify and manage risk including appropriate monitoring and reporting (Appendix B p. 15).

3. The Board should ensure that regular reports on the operational and financial situation of the College are done, including reports on the progress the College is making towards meeting the strategic plan and on performance measures against benchmarks. The Board should also ensure that necessary audit systems are in place (Appendix B p. 20).

4. The board should use an established process for recruitment, delegation of accountability for College operations, performance review and compensation of the President (Appendix B p. 16).

5. The Board should ensure that the College's communications with students, business, community stakeholders, and the Ministry is ongoing and effective (Appendix B p. 17).

6. The Board should ensure that the college operates in accordance with legal and regulatory requirements (Board-President Relations p. 2). Colleges are Crown agencies and, therefore, subject to provincial legislation such as those listed in Appendix A.

7. The Board should ensure that ongoing review and development of academic programs uses proven methods that involve stakeholders in an effective and meaningful way (Appendix B p 14).

8. The Board should ensure the College's commitment to quality education and service excellence including continuous improvement (Appendix B p 14).

9. The Board should ensure that the College's applied research activities have appropriate accountability for research funds and appropriate processes for research outcomes, including commercialization (Appendix B p. 14).

MONITORING

The Governance Committee shall report on Board compliance with all Board Responsibilities by reporting to the Board any deficiencies on an annual basis.

PROCEDURE

The President shall inform the Governance Committee of any changes in the OCAAT Act; the Regulation or Minister's Binding Policy Directives which impact the Board responsibilities. If there is a new Minister's Binding Policy Directive, the Governance Committee shall determine its impact on the College and implement strategies to achieve compliance.

The Governance Committee will present a report card on the Board's fulfilment of its responsibilities, targeting the June meeting.

This report card on the Board's fulfilment of its responsibilities will be part of orientation package for new governors.

RELATED MATERIALS

Ontario Colleges of Applied Arts and Technology Act
The Act establishes the authority to create colleges of applied arts and technology in Ontario. Each college is a corporation without share capital and consists of members of its board of governors.

Ontario Regulation 34/03
Ontario Regulation 34/03, Section 8 and 9, outline the responsibilities of the Board of each college for the strategic plan, business plan, annual report; and the annual approval and submission of a balanced budget.

Algonquin College By-law #1, Section 5- Powers of the Boards
The powers of the Algonquin College Board are outlined in the Algonquin College by-law #1, Section 5 .

MTCU Minister's Binding Policy Directive – Governance and Accountability Framework (Governance)
This binding directive defines the minimum expectations for governance and accountability of the colleges.

MTCU Minister's Binding Policy Directive – Framework for Programs of Instruction (Programs of Instruction)
This binding directive defines the expectations for all programs of instruction offered by the colleges regardless of funding source.

MTCU Minister's Binding Policy Directive Program Suspension and Cancellation: Operating Procedure (Program Suspension)

Ministry of Training, Colleges and Universities Colleges of Applied Arts and Technology, Minister's Binding Policy Directive, Entrepreneurial Activities, 2003 (Entrepreneurial Activities)

*MTCU Ontario Colleges of Applied Arts and Technology OCAAT Governance and Accountability Policy Framework - Protocol for Board Nominations and Appointments, Appendix B Guidance on Appointments and Effective Governance (*Appendix B)
This appendix provides examples of Board practices that are in place and used in some Ontario colleges and elsewhere in dealing with the strategic plan, quality education and excellence, budget approval, internal controls, risk management, human resources strategy, capital asset management, stakeholder communications, new member nomination, Board evaluation, new member orientation and public reporting.

Ministry of Training, Colleges and Universities Colleges of Applied Arts and Technology, Policy Framework, Board – President Relations, 2003 (Board – President Relations)

APPENDIX A

The Corporations Act governs the operation of the college except where limited by the Ontario Colleges of Applied Arts and Technology Act, 2002, and its regulations. Colleges are Crown agencies and, therefore, subject to provincial legislation such as, but not limited to:

- Accessibility for Ontarians with Disabilities Act, 2005, SO 2005, c 11,
- Broader PubicSector accountability, BPS Perquisites Directive (Aug 2011)
- Building Code
- CPP
- Colleges Collective Bargaining Act (unique),
- Construction Lien
- Corporations Act (Ontario)
- Dangerous Goods Transpotation
- Employer Health Tax
- employment standards
- environment protection,
- Financial Administration Act,
- Fire Protection and Prevention
- Freedom of Information and Protection of Privacy Act
- Income Tax
- Not For Profit Corporations Act (Ontario) – in force late 2012
- Occupational health and safety,
- Ombudsman Act
- Ontario Water Resources
- Pesticides
- Protection of Privacy Act.