

BOARD POLICY

POLICY TYPE:	Governance Process
POLICY TITLE:	Reappointment of External Governors
EFFECTIVE DATE:	November 2017
RENEWAL DATE:	November 2020

1. Background

- 1.1. The Board of Governors oversees the direction and management of a college so that it carries out its mandate and objectives effectively. Under the Ontario Colleges of Applied Arts and Technology Act, the objects of the colleges are to offer a comprehensive program of career-oriented, postsecondary education and training to assist individuals in finding and keeping employment, to meet the needs of employers and the changing work environment, and to support the economic and social development of their local and diverse communities.
- 1.2. As established by the Ministry of Advanced Education and Skills Development, the Protocol for Board Nominations and Appointments provides a framework to support the Board of Governors in meeting its obligations to students and employers in Ontario and as specified under the Ontario Colleges of Applied Arts and Technology Act.
- 1.3. The composition of a College Board of Governors is governed by O. Reg. 34/03 under the Ontario Colleges of Applied Arts and Technology Act.
- 1.4. Durham College By-law No. 1 establishes the composition of the Durham College Board of Governors, being 12 directly-appointed members, 4 internal members (one student, one academic staff member, one administrative staff member and one support staff member) and the president of the College.

2. Policy statements

- 2.1. The single, overriding principle for nominations and appointments is that all Board appointments and nominees for appointment are merit based and only qualified and experienced individuals with the necessary skills and knowledge will be considered for nomination.
- 2.2. With merit as a precondition, candidates shall be assessed based on the protocol established by the Ministry of Advanced Education and Skills Development including merit, diversity, ability to support the strategic direction of the college, probity, openness and transparency.

- 2.3. Durham College is committed to a Board membership with diverse skills, experience and expertise and will strive for representation in the following sectors: culinary/hospitality/agriculture, arts/entertainment/recreation, business, community services, education, energy, government, health services, law, and science and technology.
- 2.4. The oversight of the reappointment process of external Governors is delegated to the Nominating Committee which shall be responsible for recommending to the Board of Governors the reappointment of directly-appointed external Governors, and nominations for Lieutenant Governor in Council appointments.
- 2.5. The reappointment of external Governors appointed by the Lieutenant Governor in Council shall be overseen directly by the Public Appointments Secretariat; however, these Governors will be required to participate in the Board's reappointment process as outlined in Section 3.
- 2.6. A member of the Board shall not participate in a vote of the Board relating to a renewal or extension of his or her appointment.
- 2.7. The Chair of the Nominating Committee is responsible for adherence to the reappointment process.

3. Process for Reappointment

- 3.1. Governors who were directly-appointed to the Board and who are eligible and wishing to seek reappointment will inform the Chair of the Nominating Committee of their intent to seek reappointment no later than October 31 of the third year of the three-year appointment.
- 3.2. The Chair of the Nominating Committee will initiate a confidential process to receive feedback from the full Board on the performance of the Governor seeking reappointment.
- 3.3. The feedback received concerning the performance of a Governor will be reviewed and assessed against the established protocol, and if appropriate, a recommendation on reappointment will be brought to the Nominating Committee.
- 3.4. As part of the feedback process, the Chair of the Nominating Committee may seek input and initiate discussions with the Chair of the Board and College President.
- 3.5. If the reappointment of a Governor is supported by the Nominating Committee, the recommendation to reappoint will be forwarded to the Board of Governors for consideration and approval.
- 3.6. If the Nominating Committee does not support the reappointment of a Governor, the Chair of the Nominating Committee will advise the Governor of this decision.

- 3.7. If requested by a Governor, feedback from the Chair of the Board regarding the areas of strengths and weakness will be provided in confidence to the Governor seeking reappointment.
- 3.8. If a Governor chooses to pursue reappointment in the absence of a recommendation by the Nominating Committee he or she may make written application to the Board of Governors through the Chair of the Board.
- 3.9. The Board will consider the written submission of the Governor at an in-camera session and hear a report from the Chair of the Nominating Committee. The Governor seeking reappointment shall not attend the in-camera session.
- 3.10. The Chair of the Board shall issue to the Governor in writing, a final decision of the Board regarding the reappointment.
- 3.11. There shall be no further right of appeal.

4. Monitoring

- 4.1. The monitoring of this policy is achieved through the oversight of the appointment process as delegated to the Nominating Committee and through the application of the Protocol for Board Nominations and Appointments.
- 4.2. Monitoring of Governor performance shall be achieved through the annual Board Effectiveness Survey.

5. Related legislation, Minister's Binding Policy Directives and other documents

- Policy on Recruitment of External Governors
- Durham College By-Law No. 1
- Ministry Binding Policy Directive: Protocol for Board Nominations and Appointments