

Ministry of Training,
Colleges and Universities

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TO: Chairs, Boards of Governors, Colleges of Applied Arts and Technology
Presidents, Colleges of Applied Arts and Technology

FROM: Nancy Naylor
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Postsecondary Education Division

DATE: October 12, 2010

SUBJECT: New Appointment Processes for Lieutenant Governor in Council-
appointed College Governors

As part of an ongoing commitment to keeping colleges informed and up-to-date with governance changes, I am writing now to communicate the new appointment processes for the government's share of college governors.

Background

As I indicated in an earlier memorandum, amendments to Ontario Regulation 34/03 were filed on May 14, 2010, including amendments to the governor appointment process. These amendments to the board appointment process provide that, effective October 1, 2010, one third of the external members are to be appointed by the Lieutenant Governor in Council (LGIC) and two thirds by each college board of governors. A further amendment to O. Reg. 34/03 was filed, also effective October 1, 2010, changing the requirement for quorum to "equal to the majority of the number of board members that is required under section 4 and under the board's by-laws, plus one."

The Ministry engaged the Institute on Governance (IOG) to assist in the implementation of the new board appointment process. IOG is an independent, Canadian, not-for-profit, charitable institution founded in 1990. IOG has extensive experience in exploring and developing approaches to responsible and responsive governance in Canada and abroad.

IOG consulted with the colleges via interviews and a web-based survey, and provided recommendations around the design of process for the recruitment and appointment of the government's share of appointees to college boards that efficiently addresses the needs of colleges and the government. IOG also made recommendations to enhance

board recruitment, orientation and evaluation based on their experience with non-profit boards and the feedback received from the consultations.

The new appointment process will see initial recruitment and nominations done by college boards themselves, as is the case now. Colleges will submit nominations to the Ministry, which will forward them to the Public Appointment Secretariat (PAS). The Minister will recommend candidates for appointment from among the nominees submitted.

This new appointment process:

- Recognizes that colleges are mature institutions capable of identifying and recruiting the best board members for their needs;
- Allows the Minister to exercise the authority to select and recommend candidates for appointment, in accordance with the government's responsibilities in this area; and
- Ensures that LGIC appointments align with the needs of the college board.

The recommended process that is described below is based on the recommendations in IOG's final report to the Ministry.

Nominees

Colleges are requested to forward to the Colleges Unit of the Ministry up to three nominees for each vacant position on the board to be filled by a LGIC appointee. These nominees should meet the college's matrix of needs (e.g., skills, diversity, gender representation). The nominees may be drawn from any source including advertising done by the college or information provided by the college web site. It is expected that college representatives will have interviewed prospective nominees beforehand to determine that they have the necessary skills and their willingness to serve. This interview should also inform prospective nominees of the expectations and responsibilities that a college governor accepts.

For accountability purposes the skills matrix used by your college must accompany the nomination package. The Ministry may use this skills matrix to ensure that PAS is able to identify those nominees from other, non-college sources, who best meet a particular college need.

Members of the public interested in serving on a college board may submit their names directly to the PAS for consideration. Their names will be considered by the PAS in accordance with their established procedures and applicants will be informed of the results of their application in due time.

Assessment

The Ministry will conduct a standardized review of the candidates using criteria such as those used previously by the College Appointments Council (CAC). The Minister may also add candidates for submission to the Public Appointments Secretariat. These

additional candidates must be shown to conform to the MTCU criteria and to fit with the college's own selection matrix for the vacant position.

Notification of Colleges

Once MTCU receives confirmation from PAS that their applicants have been accepted (or not) a senior Ministry official (delegated by the Minister) will provide advance, courtesy notice of the results to the college president. This advance notice will be given along with the request that the college president convey informal notice to the successful nominee, to accommodate prompt orientation, upcoming board or committee meetings, and briefings.

Notification of Applicants

The Minister will formally notify successful nominees of their appointment. Unsuccessful nominees will be contacted by their nominator (e.g., the college) and informed of the results.

Additional Documentation

Attached are some Qs & As that may assist you and your staff in understanding the new appointment process. Also attached is a process map which may assist in graphically understanding the new process. Further documentation, including a package of operational documents and a revised protocol for board nominations and appointments will be released in the near future.

Please contact Joanne Brown (joanne.brown@ontario.ca or 416-325-4081), Manager of the Colleges Unit, if you have specific questions.



Nancy Naylor
Assistant Deputy Minister

Cc: L. Franklin, Colleges Ontario

Recommended Process for the Appointment of the Government's Share of External College Board Members

