



BY-LAWS AND STANDING RULES

BEING the rules governing the establishment and composition of the Board under the *Education Act of Ontario*, and regulations made thereunder, which rules shall apply to the structure and proceedings of the Board from 1 January 1998, unless or until amended by resolution of the Board.

INTERPRETATION

In these by-laws and standing rules:

Board means the Ottawa-Carleton District School Board (District School Board 25)

Chair means the Chairperson of the Board

Vice-Chair means the Vice-Chairperson of the Board

Member means an elected member of the District School Board including the Chair

Committee Chair means the Chairperson of a standing, Ad Hoc or other special purpose committee

Director means the Director of Education and Chief Executive Officer

Secretary means the Secretary of the Board, and may also mean an Assistant Secretary of the Board if the Director is also Secretary and delegates part of his or her duties as Secretary to an Assistant Secretary.

Treasurer means the Treasurer of the Board, and may also mean an Assistant Treasurer of the Board if the Director is also Treasurer and delegates part of his or her duties as Treasurer to an Assistant Treasurer.

Trustee means an elected member of the Board

48 hours' notice includes Saturday, Sunday, and statutory holidays

NAME

- 1.0 The official name of the corporation shall be The Ottawa-Carleton District School Board (as confirmed by Ontario Regulation 185/97 issued under the *Education Act*).

HEADQUARTERS

- 2.0 The headquarters of the Board shall be located at 133 Greenbank Rd., Ottawa, Ontario.

SEAL AND SYMBOL

- 3.0 The corporate seal and the official corporate logo shall be in such form as approved by the Board, provided that the seal shall bear the full official name of the corporation.

BOARD OF TRUSTEES

- 4.0 The affairs of the corporation shall be governed by an elected Board of Trustees consisting of twelve members elected in accordance with the *Municipal Elections Act* of Ontario or as may otherwise be prescribed in Ontario Regulations made under the *Education Act*.
- 4.1 Members of the Board shall include up to three student trustees who are elected each year by the student body, and who sit as non-voting members in accordance with Board Policy P.017.GOV: Pupil Representation.

OFFICERS

- 5.0 The officers of the corporation shall be:

The Chair
The Vice-Chair
The Director
The Secretary
The Treasurer

except that where the Director is also Secretary, the Assistant Secretary shall be an officer; and
where the Director is also Treasurer, the Assistant Treasurer shall be an officer.

- 6.0 The Chair shall:

- 6.1 in consultation with the Director and Secretary, prepare and approve the agenda for all regular, special or extraordinary meetings of the Board;
- 6.2 call the meetings of the Board to order having established that quorum is present, and preside thereat; and
- 6.3 sign such corporate documents as require the signature of the Chair.

- 7.0 The Vice-Chair shall:

- 7.1 fulfill the duties of Chair when the Chair is temporarily absent or otherwise unable to perform the duties of office; and
- 7.2 preside at meetings of the Board meeting as a Committee of the Whole.

- 8.0 The Director shall:

- 8.1 collaborate with the Chair in the preparation of agendas for meetings of the Board and ensure the preparation of timely and accurate staff reports as may be required;

- 8.2 render such advice and assistance to the Chair and members as may be required during meetings; and
 - 8.3 ensure that the decisions and the policies of the Board are implemented.
- 9.0 The Secretary shall:
- 9.1 be responsible for circulating notices, agendas and reports, and minutes of meetings to the Board and others who are entitled to receive such materials;
 - 9.2 ensure that accurate minutes are prepared of all Board meetings, and that the minutes, when confirmed, are signed by the Chair or presiding member and are safeguarded in a Book provided for that purpose; and
 - 9.3 produce the Minute Book at any reasonable time during normal business hours to anyone entitled to see the Minute Book.
- 10.0 The Treasurer shall:
- 10.1 receive and account for all money of the Board, and deposit all money received on account of the Board into a bank account or accounts opened in the name of the Board in such place of deposit as may be approved by the Board;
 - 10.2 disburse all money as directed by the Board in accordance with the annual budget plan or by other resolutions or directions;
 - 10.3 prepare and submit to the Board or a Committee or Committees of the Board such financial reports as the Board may direct by policy or by resolution; and
 - 10.4 produce, when required by the Board, the auditors, or other competent authority, all papers and money in the Treasurer's possession, power or control belonging to the Board.

SIGNING OFFICERS

- 11.0 The Board may, by resolution or in policy, appoint any officer, officers or other persons to sign contracts, documents or instruments in writing generally, or to sign any specific contract, document or instruments, or class thereof; may amend or repeal such signing authority from time to time by resolution; and attach such conditions to signing authority as it deems appropriate.

MEETINGS OF THE BOARD

12.0 General

The meetings of the Board shall be held at the headquarters of the Board, unless otherwise determined by resolution of the Board, or by the Chair of the Board with the consent in writing, by electronic means or by voice, of a majority of Board members.

13.0 Initial Meeting

- 13.1 The initial meeting of the Board each year shall be held on such date and at such time as agreed by a majority of Board members, or as may be prescribed in legislation or by regulation.
- 13.2 At the appointed hour, the Director shall call the meeting to order and, in the year following a municipal election, shall read into the record the official returns from the designated election officer or officers, whereupon the elected members shall take their places and subscribe to declarations of office and oaths of allegiance as prescribed in legislation. The Director shall preside until a Chair has been elected.
- 13.3 The Board shall proceed to elect the following in order and by separate elections:
- a) Chair of the Board;
 - b) Vice-Chair of the Board;
 - c) Chairs of Standing Committees, who shall be elected in the order shown in Annex 2 of these By-laws.
- 13.4 Nominations shall be received from the floor and shall be seconded. A member may move or second his or her own nomination. In the event a member nominated for office is not present, the nominator or nominators shall satisfy the presiding officer that the member's consent to nomination has been obtained. The vote shall take place by closed ballot. Election shall require majority of valid votes cast. If no member receives a clear majority, a second ballot shall be held. Should no member receive a clear majority on the second ballot, the name of the person receiving the fewest votes shall be dropped from the ballot and the members shall vote anew and so continue until a member receives a majority vote. The Director shall appoint such assistants to conduct the election as necessary, but no fewer than two. The Director shall announce the results of the vote for the election of the Chair, but shall not declare the count. The Chair shall announce the results of the votes for all subsequent offices, but shall not declare the count.
- 13.5 Where during an election a tie vote occurs, a second ballot shall be held between or amongst the members involved in the tie, to break the tie. If a vote results again in a tie, the members involved shall draw cards to determine the results, using Bridge Convention to determine ranking of cards.
- 13.6 The Board shall then proceed to elect or appoint members or other persons to such standing, special purpose or Ad Hoc committees as have been established, and its representatives to other organizations and agencies. Where it has been determined that selection to committee membership or as Board representative is by means of election, the procedure outlined in 13.4 shall be followed.

To ensure continuity of the work of an ad hoc committee, the trustee membership of any ad hoc committee that has not completed its mandate as of the date of the Board's annual organizational meeting shall remain the same until the mandate of the committee has been completed, with the proviso that trustee members shall be replaced at the time of the annual Board organizational meeting if (a) the basis for their membership in the ad hoc committee changes as a result of the election or appointment of the Chair or Vice-Chair of the Board and Chairs of Standing

Committees, thereby creating a vacancy among the non-*ex officio* trustee members or (b) they tender their resignations from the ad hoc committee as of the date of the annual Board organizational meeting.

Notwithstanding the principle of continuity noted herein, the appointment of members to an ad hoc committee must be confirmed by the newly elected board at the start of a new term of office.

13.7 By resolution of the Board, all ballots shall be destroyed after the elections have been completed and the results declared.

13.8 If a vacancy should arise in any of the above offices during the course of the term of office, the Board shall elect another member to fulfill the unexpired term in the manner set out above.

14.0 Regular meetings

14.1 Unless otherwise directed by resolution of the Board, the regular meetings of the Board shall normally be held on the second and fourth Tuesdays of each month, except for the months of July and August, commencing in Committee of the Whole, *in camera*, at 7:00 p.m. and in open public session at 8:00 p.m. Where a meeting would fall on a recognized statutory holiday, it shall normally be held on the following Thursday. During July and August, regular meetings of the Board shall be held at the call of the Chair as required, or as pre-determined by resolution of the Board.

14.2 The times and sequencing of Board meetings and meetings of the Board in Committee of the Whole may be varied in advance of the meeting by the Chair, provided always that each member shall be notified of such change 48 hours in advance of the meeting.

14.3 The Secretary shall notify each member of regular meetings of the Board, by written notice delivered to his or her official address as filed by the member with the Secretary, at least 48 hours in advance of the meeting, together with the agenda for such meeting and, insofar as is practicable, all reports and other written documentation to be considered thereat.

14.4 The agenda for the regular meetings of the Board shall be in the order set out in Annex 1. The Chair may alter the regular pattern of business as circumstances warrant, subject to confirmation by the Board under the item "Approval of Agenda".

15.0 Special Meetings

15.1 Special meetings of the Board shall be held at the call of the Chair, or on the written request of at least six members filed with the Secretary, subject to confirmation that a quorum will be present. The printed notice of every special meeting shall state all the business to be transacted or considered thereat, and no other business shall be considered unless all members of the Board are present and consent.

15.2 At least 48 hours' written notice of all special meetings shall be given to each member at his or her designated residence.

16.0 Extraordinary Meetings

- 16.1 Provided a resolution has been previously adopted by the Board authorizing the calling of extraordinary meetings and stating the nature of the business to be transacted thereat, the Chair may call extraordinary meetings without the normal 48 hours' written notice, but with no less than six hours' notice by telephone, facsimile transmission or electronic mail to all Board members.
- 16.2 Notwithstanding the provision of an enabling resolution, the Chair may convene an Extraordinary meeting of the Board following the minimum six (6) hours' notice as required under 16.1 to cover emergency situations for which no pre-authorization was possible, provided that the first item of business at such meeting will be to confirm a resolution enabling the meeting and stating the business to be transacted, with the approval of a two-thirds majority of all Board members.
- 16.3 Recognizing that it may not be possible to contact all trustees by telephone, records of all telephone calls shall be kept, including date and time of call, name of caller, and whether or not the caller spoke with the Board member, left a message, or was unable to reach the Board member. Records shall similarly be kept of e-mail or facsimile transmissions, together with Board members' acknowledgement thereof.
- 16.4 A quorum being present, all business transacted at such meeting which is within the scope of the authorizing Board resolution, shall be binding on the Board, its officers and employees.

17.0 Adjournment

- 17.1 At 10:30 p.m., the Chair shall interrupt any item under discussion for trustees to vote on whether to continue the meeting. The meeting will adjourn unless two thirds of those present for the vote cast a vote in favour of continuing the meeting.
- At 11:00 p.m., the Chair shall interrupt any item under discussion for board members to vote on whether to continue the meeting past 11:00 p.m. Board members will vote on a motion to continue the meeting, which may limit the continuation to the item under discussion, or may specify additional agenda items, or a time for adjournment. The meeting will adjourn unless there is unanimous consent from those present to continue.
- 17.2 The Chair shall declare a meeting adjourned when:
- a) there is no other business to be transacted;
 - b) the Chair observes lack of quorum; or
 - c) a motion to adjourn has been adopted by the Board.
- 17.3 During the course of a meeting, the Chair may declare one or more recesses of up to fifteen minutes, as circumstances warrant, which shall not be construed as adjourning the meeting.

COMMITTEES

- 18.0 The Board may establish by resolution such Standing, Special Purpose and *Ad Hoc* Committees as it deems appropriate or as required under legislation or through contractual obligations, and subject to any relevant legislation or contract:
- 18.1 determine their composition and the manner of selecting Chairs and members;
 - 18.2 fix their terms of reference, reporting relationships and expected date of completion of mandate;
 - 18.3 alter their composition, terms of reference, reporting relationships and expected date of completion of mandate, as it may deem appropriate from time to time;
 - 18.4 dissolve committees.

A schedule of authorized committees shall be appended to these By-laws and Standing Rules as Annex 2.

DELEGATIONS

- 19.0 Delegations may make submissions to the Board or a Committee of the Board, in accordance with the rules set out in Annex 3. The Chair of the Board may direct that a delegation requesting a hearing before the Board be heard instead by an appropriate Committee of the Board.

PUBLIC QUESTION PERIOD

- 20.0 Provision shall be made at an appropriate place in the agenda of Board and any Standing Committee meetings for questions from the general public, in accordance with the rules set out in Annex 4.

RULES OF ORDER

- 21.1 The rules of order for the conduct of meetings of the Board and any Committees of the Board shall be as set out in Annex 5.
- 21.2 In any situation for which there is no specific provision in these rules of order, or for matters of interpretation, the Board shall adopt as its parliamentary authority the latest edition of *Procedures for Meetings and Organizations* by M. K. Kerr and H. W. King, Carswell Legal Publications, Toronto. As a secondary source, reference may be made to the latest edition of *Roberts Rules of Order, Newly Revised*.

AMENDMENTS TO BY-LAWS AND STANDING RULES

- 22.1 These By-laws and Standing Rules may be amended only by approval of two-thirds of all members present and voting, at a regular or special meeting of the Board, provided that at least two weeks' notice in writing has been given to all Board members.

APPROVED BY THE BOARD: 17 December 1997
LAST REVISED: 09 June 2009



BY-LAWS AND STANDING RULES

ANNEX 1

ORDER OF BUSINESS AT REGULAR MEETINGS OF THE BOARD

1. Call to order
2. Resolve into Committee of the Whole (*in camera*) as required
3. Report from Committee of the Whole
4. Approval of Public Agenda
5. Confirmation of Minutes of Previous Meeting
6. Business Arising out of the Minutes
7. Announcements by the Chair or Director
8. Public Question Period
9. Delegations
10. Unfinished business from previous meetings
11. Reports from Standing Committees
12. Reports from Special Purpose and *Ad Hoc* Committees
13. Reports from the Director of Education on which action is required
14. Motions by Board members of which notice has previously been given
15. New Business/questions from Board members/notices of motion by Board members for consideration at a future meeting
16. Information Reports
17. Adjournment

Note : At the discretion of the Chair, the regular order of business may be altered in advance of the meeting as circumstances warrant, subject to confirmation by the Board under 4. above (see 14.4, By-laws and Standing Rules). When the public agenda is moved for approval at the meeting, any member may request changes to the proposed order of business prior to the vote to approve the agenda.



BY-LAWS AND STANDING RULES

ANNEX 2

STANDING, SPECIAL PURPOSE AND AD HOC COMMITTEES

1.0 Standing Committees

The Board shall establish the following Standing Committees:

- 1.1 Education Committee
- 1.2 Business Services Committee
- 1.3 Human Resources Committee
- 1.4 Strategic Planning and Priorities Committee

with the following terms of reference:

1.1 Education Committee

Policy development and evaluation in areas of programs and educational services for students; student and program evaluation; curriculum development and implementation; continuing education; special student services; liaison with students, staff and community groups, and the business community, with respect to educational programs and services; school year calendar; information technology support for students and school programs; and matters referred by the Board.

1.2 Business Services Committee

Policy development and evaluation in areas of central support services to the organization and the schools including finances, facilities and sites, equipment and supplies, student transportation, insurance and inventory control; tuition fees; community use of school facilities; demographic planning; capital construction programs; budgeting; audit reports; safety and security; and matters referred by the Board.

1.2.1 For the purpose of annual budget deliberations, the Business Services Committee shall be constituted as the Budget Committee and shall:

- a) include all members of the Board;
- b) have a quorum of seven;
- c) be chaired by a trustee elected by the Board at the annual organizational meeting immediately following the election of the Chairs of Standing Committees.

1.3 Human Resources Committee

Policy development and evaluation in areas of human resources management including compensation, benefits programs, vacation and other leave entitlements, and working conditions generally; staff training and development; evaluation and performance management systems; collective bargaining; the hearing of grievances as may be required under collective agreements or policy; and matters referred by the Board.

1.4 Strategic Planning and Priorities Committee

Policy development and management system, and policies related to corporate governance; strategic planning and corporate goal-setting; communications; overall planning and priorities of Board activities; co-ordination of work amongst the Board and Committees; evaluation of Director; liaison with external organizations, agencies and governments; the *Municipal Freedom of Information and Protection of Privacy Act*, and information management in general; and matters referred by the Board.

2.0 Composition of Standing Committees

2.1 Standing Committees will be composed of:

Education	four members
Business Services	three members
Human Resources	three members
Strategic Planning and Priorities	five members

2.2 Trustees will be appointed to Standing Committees by the Board each year, at the initial meeting, by election or resolution. Each member shall sit on one of the above Standing Committees. In addition, the Chair and Vice-Chair of the Board shall be members *ex officio* of all Standing Committees other than the Strategic Planning and Priorities Committee.

2.3 The Strategic Planning and Priorities Committee shall be composed of the Chair and Vice-Chair of the Board and the Chairs of the other Standing Committees.

2.4 A quorum for a Standing Committee is a majority of its appointed members as set out in 2.1 above, and excluding *ex officio* members. For the purpose of determining whether a quorum is present at a meeting, however, *ex officio* members may also be counted.

2.5 All members of the Board shall be entitled to attend meetings of all Standing Committees, to receive all materials circulated to the Committees, and to participate fully in debates, including the making of motions and voting.

3.0 Statutory and Special Purpose Committees

3.1 The Board shall establish the following Statutory Committees:

3.1.1 Special Education Advisory Committee (in accordance with Ontario Regulation 464/97, and as per Board Policy P.019.GOV);

- 3.1.2 Supervised Alternative Learning for Excused Pupils Committee (SALEP) (in accordance with Ontario Regulation 308, R.R.O. 1990, and as per Board Policy P.044.GOV).
- 3.2 The Board shall establish the following Special Purpose Committees:
 - 3.2.1 Ottawa-Carleton Coordinating Committee for the Education of Pupils with Developmental Disabilities (as per memorandum of agreement with the Ottawa-Carleton Catholic District School Board);
 - 3.2.2 Community Council for Ethnocultural Equity (as per Board policy P.008.GOV);
 - 3.2.3 Audit Committee (as per Board policy P.016.GOV);
 - 3.2.4 Budget Committee (as per Annex 2, Section 1.2.1 of By-laws and Standing Rules);
 - 3.2.5 Appeals Hearing Panels (in accordance with the *Education Act* and as per Board policy P.022.SCO);
 - 3.2.6 Expulsion Hearing Panels (in accordance with the *Education Act* and as per Board policy P.023.SCO);
 - 3.2.7 Advisory Committees to the Board (as per Board policy P.065.GOV); and
 - 3.2.8 such other Special Purpose Committees as the Board may from time to time determine by resolution or policy.
- 4.0 Ad Hoc Committees: as determined by the Board from time to time.
 - 4.1 The Chair of the Board shall be, ex officio, a member of all Ad Hoc Committees of the Board with full privileges of Committee membership.
 - 4.2 The membership of an ad hoc Committee shall include one or more trustees in addition to the Chair of the Board, and may include such members of staff and/or members who are neither trustees nor staff, as determined by the Board at the time of establishing the ad hoc Committee.
 - 4.3 An ad hoc Committee shall be expected to complete its mandate by a date specified by the Board at the time of establishing the ad hoc Committee.
 - 4.4 An ad hoc Committee shall automatically be stood down when the Board determines it has completed its assigned task in accordance with its terms of reference.
- 5.0 Committees General
 - 5.1 The Director of Education shall assign appropriate staff and other resources to support the work of Standing, Special Purpose and Ad Hoc Committees of the Board in accordance with Board policy where applicable.

- 5.2 The rules of the Board with respect to the delivery of notices, agendas and supporting documentation shall apply, *mutatis mutandis*, to Standing, Special Purpose and Ad Hoc Committees.
- 5.3 With the Board's approval, Standing and Special Purpose Committees may establish sub-committees, determine their composition which may include Board members and non-Board members, and fix their terms of reference.
- 5.4 Staff resources will not normally be assigned to support sub-committees but may be authorized by the Board.
- 5.5 Sub-committees shall provide written reports to the committee that established them and shall be stood down at the conclusion of their work.



BY-LAWS AND STANDING RULES

ANNEX 3

DELEGATIONS TO BOARD AND COMMITTEES OF THE BOARD

1. Any citizen or group within the Board's area of jurisdiction served by the Board may appear as a delegation before the Board or a Committee of the Board to express concerns or views on any matter within the mandate of the Board or Committee, as the case may be.
2. At the beginning of each Board meeting, a maximum of 20 minutes will be allotted for delegations, each of which will be limited to two minutes, and a maximum of 15 minutes will be allotted for questions from the public. Up to 35 minutes will be allotted at Committee meetings for delegations and public question period as outlined below.
3. A maximum of five delegations will be heard at any regular Committee meeting. A delegation which has appeared previously at Committee on a particular topic will be provided with a further opportunity of up to two minutes to address the Board when the report comes forward for a Board decision. Substantial repetition of the previous presentation will be ruled out of order.
4. A written statement of the delegation's concerns or views and any remedies sought from the Board must be submitted to the Secretary of the Board at least one full working day in advance of the distribution of the agenda to members, for inclusion in the printed agenda for the meeting.
5. Delegations may appoint up to two spokespersons to address the Committee. The delegation will have a time allocation of four minutes the first time appearing on an issue, two minutes the second time but only with new information. The Chair will have discretion, in exceptional circumstances, to limit the number of presenters and/or the time for the presentation. Extra requests beyond the approved limit will be accommodated at the next appropriate meeting, or by exception decided by the Board. Following the presentation, a maximum of three questions for clarification only will be permitted. Trustees will not enter into debate or discussion. The Secretary of the Board will respond in writing in a timely fashion to questions and delegations.
6. Notwithstanding the requirement for notice, the Board or a Committee, as the case may be, may, by motion or in the adoption of the order of business, agree to receive a delegation without notice where circumstances warrant.
7. Delegations regarding issues which must be heard *in camera* will be heard in Committee of the Whole. Meetings of the Board and its Committees shall be open to the public except when the subject matter under consideration involves the security of the property of the Board; the disclosure of intimate, personal or financial information in respect of a member of the Board or Committee, an employee or prospective employee of the Board or a pupil or his or her parent or guardian; the acquisition or disposal of a school site; decisions in respect of negotiations with employees of the Board; or litigation affecting

- the Board. In accordance with the *Education Act*, where such issues are to be discussed, the Board or Committee shall meet *in camera*.
8. Once the Board has made a policy decision on a matter raised by a delegation or delegations, the Board will not entertain a further delegation on substantially the same issue within the ensuing six-month period unless the Chair is of the opinion there is sufficient new information to warrant a review or unless the Board has agreed to re-open the matter.
 9. Delegations will be provided with a copy of these rules before the meeting at which they are to appear.
 10. If a motion or staff report comes directly to board, without going to committee, then the committee rules for delegations, on the topic of the motion or staff report will apply, as outlined in Annex 3, of the By-laws and Standing Rules.



BY-LAWS AND STANDING RULES

ANNEX 4

PUBLIC QUESTION PERIOD AT BOARD AND STANDING COMMITTEE MEETINGS

1. A public question period will be provided at an appropriate place in the agenda for public regular meetings of the Board and its Standing Committees to provide an opportunity for individual members of the Board's public to ask questions relevant to Board and school programs, services, and operations in general.
2. The Chair will allow a total of up to fifteen minutes for public question period. A questioner may use up to two minutes of this time allocation.
3. A sign-up sheet will be provided for questioners to register for the public question period.
4. To ensure that questioners on various topics can be heard, the Chair will allow no more than three questions on the same topic at any one meeting and will, where there are more questioners than can be accommodated within the total time, give priority to questions on different topics.
5. If possible, the Chair will respond immediately to the question. Where a response cannot be given at the meeting, the questioner's name and address will be recorded, and a written response provided as soon as possible, but normally within two weeks.
6. Questions concerning the performance or character of identifiable individuals will not be allowed in public meetings. (Other avenues to deal with personal issues will be suggested if possible.) If inappropriate remarks are made about other Trustees or staff, the Chair will immediately rule the remarks "out of order" and will request a retraction. If a retraction is not forthcoming and the inappropriate behavior continues, the Chair may expel this person/s from the meeting.



BY-LAWS AND STANDING RULES

ANNEX 5

RULES OF ORDER FOR BOARD AND COMMITTEE MEETINGS

INTERPRETATION

In these rules of order:

Point of Order means a question by a member on any matter then before the Board as to whether the matter is in order.

Point of Personal Privilege means an appeal by a member during a meeting with respect to comments made by the previous speaker on the rights and reputation of the Board collectively, or which reflect on the position and conduct of individual members in their representative character.

Appeal for an Improvement to the Physical Environment means an appeal on a matter raised by a member during a meeting with respect to physical conditions which are interfering with the efficient conduct of the meeting or the member's ability to participate in the meeting, for example seating, hearing, lighting, heating, etc. [ref. K&K p. 214, § 187]

Property of the Board means buildings and sites, moveable property including furniture and equipment, documents, financial assets, and information resources.

1. Call to Order and Presiding Officer

1.1 At the appointed hour, the Chair shall call the meeting to order, a quorum of a majority of Board members being present, and shall preside at the meeting. In the absence of the Chair, the Vice-Chair shall preside. In the absence of both the Chair and Vice-Chair, the Director or Acting Director shall call the meeting to order and the Board shall, by resolution, appoint another member to preside at the meeting.

1.2 If a quorum is not present after one-half hour beyond the appointed time for the meeting, the Chair shall order the Secretary to record the names of those members present, and may determine a time at which to convene the meeting again.

2. Committee of the Whole

2.1 A motion "That the Board resolve into Committee of the Whole" shall be in order at any time. The motion shall be put without debate. If resolved in the affirmative, the Board shall immediately resolve into Committee of the Whole,

with the Vice-Chair presiding. Normal Board rules of debate shall be replaced in Committee of the Whole by the rules for Committees (Section 7 below).

2.2 Committee of the Whole (*in camera*)

The Committee of the Whole shall meet *in camera* to deal with the following matters in accordance with the *Education Act*:

- a) the security of the property of the Board;
- b) the disclosure of intimate, personal or financial information in respect of a member of the Board or Committee, an employee or prospective employee of the Board or a pupil or his or her parent or guardian;
- c) the acquisition or disposal of a school site;
- d) decisions in respect of negotiations with employees of the Board; or
- e) litigation affecting the Board.

2.3 At the conclusion of debate, the Committee shall rise and report with the proviso that, with the consent of the majority of members present, a recommendation from Committee of the Whole may be withheld for presentation to the Board at either of its next two meetings.

2.4 The Board shall have two student trustees, elected annually by the student body, who shall share in attending public Board meetings to represent students in a non-voting capacity, in accordance with Board Policy P.017.GOV: Student Trustees and Student Representatives on Standing Committees.

3. Motions

3.1 Every substantive issue shall be decided by motion, moved and seconded by members of the Board.

3.2 A substantive motion, once read to the meeting by the Chair and then recorded in the minutes as duly moved and seconded, belongs to the meeting, and its movers can only withdraw it by making a procedural motion to withdraw (see 4.11 below).

3.3 Substantive issues may only be moved at a meeting arising from reports circulated with the agenda as action items, or by way of notice from individual Board members filed with the Secretary at least one full working day before the agenda is to be circulated to members, or by notice of motion filed by a member at a previous meeting. These provisions may be suspended, and an urgent substantive item added to the approved agenda during the course of a meeting because a matter of extreme urgency has arisen, only with the unanimous consent of all members present. [ref. K&K p.203, § 170]

Note: The Special Education Advisory Committee and the Board's other Advisory Committees are exempted from the above noted section of the By-laws.

Note: Such a proposed addition to an agenda during the course of a Special Meeting of the Board is not permitted unless all members of the Board are present and consent (see 15.1, By-laws and Standing Rules).

3.4 Notices of Motion from Trustees and staff reports will normally be considered at the appropriate Committee meeting. Motions and staff reports that are time sensitive, as determined by the Chair of the Board in consultation with the Director, may be dealt with at Board meetings. For the purpose of this by-law, time sensitive is defined as a matter which can not be completed if not dealt with at a Board meeting prior to the next scheduled meeting of the appropriate committee. If a motion or staff report comes directly to board, without going to committee, the committee rules for delegations, on the topic of the motion or staff report will apply, as outlined in Annex 3, of the By-laws and Standing Rules.

4. Debate

4.1 A member wishing to speak shall raise his or her hand to be acknowledged by the Chair. Members shall normally be called on in the order of their requests to speak.

4.2 A member must wait until he or she is assigned the floor to begin debate, and shall not be interrupted except on a point of order, a point of personal privilege, or an appeal for an improvement to the physical environment.

4.3 The Chair shall rule immediately on points of order or procedure, or the admissibility or inadmissibility of motions, or the conduct of a member or members, without debate, having first stated the applicable rule or rules. The member who raised the point of order has the right to appeal against the ruling of the Chair. An appeal against the ruling of the Chair shall be decided immediately by vote of the members, without debate. The Chair is upheld on a tie or majority vote.

4.4 At Board meetings, members shall be entitled to speak once on each debatable motion, amendment or sub-amendment. Members may speak for up to five minutes to each main motion, three minutes to an amendment and two minutes to each sub-amendment unless the Board has established rules for an extended debate on an issue. The maker of the motion shall, additionally have the right to speak a second time to conclude debate.

4.5 When a motion is on the floor, no other motion shall be in order except, in reverse order of precedence:

- a) postpone indefinitely (4.6)
- b) amend (4.7)
- c) sub-amend (4.7)
- d) refer to Committee (4.8)
- e) postpone to a certain time (4.8)

- f) limit or extend debate (4.9)
- g) lay on the table (temporary postponement) (4.10)
- h) withdraw (4.11)
- i) adjourn (4.12)
- j) fix the time to which to adjourn (4.13)

4.6 A motion to postpone indefinitely is debatable, but not amendable. If carried, the motion to which it applies and any pending related motions shall be laid aside, and may only be reintroduced by way of notice of motion at some future meeting.

4.7 An amendment must be germane to the motion it seeks to amend. Such an amendment may be contrary to the intention of the main movers, that is, provide an alternative to part of the substantive motion before the meeting, but it must not convert this motion into its direct negative, that is, be directly hostile to the main motion*. If the proposed alternative alters the intention of the movers' motion to the extent that they wish to withdraw it, unanimous consent of the meeting is required to do so (see 4.11 below), as the motion belongs to the meeting not the movers, and all members have the right to propose changes to make it more generally acceptable before proceeding to a vote. [ref. K&K p. 115 § 95]. A sub-amendment shall likewise be germane to an amendment. Only one amendment and one sub-amendment may be on the floor at the same time.

An amendment may be accepted as friendly when it meets all of the following conditions: it clarifies the main motion but does not change its substance or intent; the mover and seconder of the main motion accept the amendment as friendly; and no other member objects to the amendment being accepted as friendly.

Otherwise, the amendment should be moved, seconded, debated and voted on as a formal amendment.

*Note: An amendment that is the direct negative of the main motion is not in order because this intention can be achieved directly by defeating the motion as it stands.

4.8 A motion to refer or to postpone to a certain time shall be debatable and amendable only with respect to the place and conditions of referral, or the time and conditions of postponement. Remarks about the substance of the motion to be referred or postponed will be ruled out of order.

4.9 A motion to limit or extend debate is a procedural motion. Since any limitation of the time of the debate on a particular motion may prevent some members from speaking, this motion requires a two-thirds majority vote which may be amended only with respect to the stated time or numbers of speakers, and is not debatable. [K&K §152]

4.10 A motion to lay on the table is not debatable. If carried, the motion to which it applies and all pending related motions shall be laid aside immediately, and may

be taken up again only by motion "To take from the Table" after some other business shall have intervened.

- 4.11 A procedural motion to withdraw a substantive motion is not debatable or amendable, can only be moved by the original movers, and requires the unanimous consent of the meeting. [ref. K&K p.194, § 159 and p. 103, § 86 d)].
 - 4.12 A motion to adjourn shall be in order at any time and shall be put without debate. If rejected, no second motion to adjourn may be made until another item of business on the agenda has been reached.
 - 4.13 A motion to adjourn the meeting to another time and/or date suspends the meeting to another stated day or to a later time on the same day. The proposed day must be such that there is no time to give notice for another regular meeting. If this motion is approved, the meeting takes an extended recess. No new items can be added to the agenda upon resumption because there was not time to give proper notice. Debate is restricted to amendments as to stated time and dates; approval is by majority of votes cast. [ref. K&K p. 209, §178]
 - 4.14 Debate on motions, including amendments and sub-amendments to substantive motions, shall address the issue or issues under debate, and no individual shall make speeches or comments which reflect on the character, reputation or integrity of other members, or of staff. If inappropriate remarks are made, the Chair will immediately rule the remarks "out of order" and will request a retraction.
 - 4.15 A member has the right to request that a motion be read clearly and completely before a vote is taken, but not so as to interrupt a speaker.
 - 4.16 A member has the right, for the purpose of voting, to have a multi-part motion divided into parts where the various parts of the motion can stand alone.
 - 4.17 Once a question has been put by the Chair, members may not speak to the motion or make another motion until the result is declared.
 - 4.18 Once a question has been decided by the Board, members shall not speak again to the issue or reflect on the decision of the Board, except to file a motion of reconsideration or rescission as provided in Section 6 below.
5. Voting
- 5.1 All motions shall be decided by majority vote, by show of hands of those members present and voting. A motion on which there is a tie vote is defeated, with the exception of the vote regarding an appeal against a ruling of the Chair.
 - 5.2 The Chair or presiding member of the Board may vote with the other members, but shall not have a casting or deciding vote after the other members have voted.
 - 5.3 When in doubt as to the outcome of a vote, the Chair or presiding member may immediately call for a second vote, without debate.

- 5.4 Votes on all substantive motions at board meetings shall be recorded.
- 5.5 Notwithstanding section 5.4, votes on substantive motions presented in the form of:

- (a) amendments;
 - (b) sub-amendments;
 - (c) approval of minutes;
 - (d) receipt of reports;
- and

procedural motions and regulatory motions shall be recorded only at the request of a member made before voting commences.

- 5.6 During a recorded vote, members shall vote at the same time when the chair calls for those in favour, those opposed and those abstaining. Members present in the room shall keep their hands raised, and members participating remotely shall vote by voice, until their names have been read by the Secretary or designate, who shall record them as being in support of or against the motion, or abstaining.

6. Reconsider, Rescind or Amend Something Previously Adopted

A motion to reconsider a previous vote, to rescind a motion previously adopted, or to amend something previously adopted, may be made under the following rules:

Reconsider

- 6.1 A motion to reconsider, duly moved and seconded, may be made:
- a) during the meeting at which the previous vote was taken;
 - b) at a subsequent meeting with due notice in writing. Such notice must include the rationale(s) for moving the motion to reconsider.

- 6.2 A motion to reconsider can be made with respect to a motion which was either adopted or defeated in the previous vote.

The purpose of a motion to reconsider is to allow second thoughts on a vote when a decision on an issue has been made in haste, or some further relevant information comes to light later in the same meeting. However, staff work towards implementation of an adopted motion will not be suspended by the Notice of Motion to reconsider. The procedural motion to reconsider is open to limited debate, in order to give its movers a chance to explain why they wish the meeting to re-examine the substantive issue. The motion is not amendable. A motion that has been reconsidered once during a meeting cannot be reconsidered again. [K&K p. 205 § 172]

- 6.3 This rule does not prevent a motion to reconsider a previously defeated motion at a subsequent meeting [ref. K&K p. 205 § 172]. However, such a subsequent motion to reconsider is not in order when the results of the previous vote have already been substantially put into effect.

- 6.4. Any member may introduce a motion to reconsider, regardless of which way he or she voted on the original motion.

- 6.5 If adopted, a motion to reconsider returns the original motion to the status it held immediately prior to the previous vote.
- 6.6 A motion to reconsider may only be made once in any six-month period.

Rescind

- 6.8 A motion to rescind something previously adopted may be made only with due notice in writing, which should set out new information or reasons in support of the motion. Such a motion enables repeal of a previously approved substantive motion if it has outworn its usefulness or is demonstrated not to achieve its intended purpose. [K&K p. 181 § 145]
- 6.9 A motion to rescind something previously adopted may not breach a contractual or other legal obligation entered into by or on behalf of the Board on the strength of the previous motion.

Amend Something Previously Adopted

- 6.10 A motion to amend something previously adopted may be made only with due notice in writing, which should set out new information or other reasons in support of the motion. A motion which does not accomplish precisely what was intended by its movers and supporters, to correct its weaknesses, may be moved a subsequent meeting provided proper notice has been given. A motion to amend a previously adopted motion cannot be made at the same meeting, because in this instance the correct procedure would be to move a motion for reconsideration (see 6.1 above) [K&K p. 181, § 144].
- 6.11 A motion to amend something previously adopted may not breach a contractual or other legal obligation entered into by or on behalf of the Board on the strength of the previous motion.

7. Rules in Committees

- 7.1 These rules shall be observed in meetings of Committees of the Board, insofar as they are applicable, except that:
- a) no motion made in Committee shall require a second;
 - b) members may speak more than once to an issue and for more than five minutes, subject to such reasonable limitations as the Chair of the Committee may determine in the interest of expediency and with due and fair consideration to the rights and privileges of all members;
 - c) votes shall not be recorded in Committee except by request of a trustee at Budget Committee.
- 7.2 Except as provided in the by-laws or by Board resolution, the members of a Committee shall elect one of their members as Chair of the Committee.

Reference:

Kerr & King (K&K): *Procedures for Meetings and Organizations, Third Edition*,
Carswell 1996

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