

# Board By-laws

## Simcoe County District School Board

Revised October 25, 2018

### Contents

<b>ARTICLE I: DEFINITIONS</b> .....	3
<b>ARTICLE II: MEETINGS OF THE BOARD OF TRUSTEES</b> .....	4
MUNICIPAL ELECTION YEAR .....	4
INAUGURAL MEETING (IN ELECTION YEAR).....	5
FIRST MEETING (IN NON-ELECTION YEAR) .....	6
REGULAR BOARD MEETINGS.....	6
ORDER OF BUSINESS FOR REGULAR BOARD MEETINGS.....	7
SPECIAL BOARD MEETINGS .....	8
ACCOMMODATION REVIEW COMMITTEE - SPECIAL BOARD MEETINGS .....	9
COMMITTEE MEETINGS IN CLOSED SESSION.....	9
<b>ARTICLE III: BOARD CHAIRPERSON AND BOARD VICE-CHAIRPERSON</b> .....	11
<b>ARTICLE IV: BOARD OF TRUSTEES</b> .....	11
<b>ARTICLE V: STANDING COMMITTEES OF THE BOARD</b> .....	12
<b>ARTICLE VI: SPECIAL COMMITTEES</b> .....	13
<b>ARTICLE VII: BY-LAW COMMITTEE</b> .....	13
STANDING COMMITTEE, SPECIAL AND BY-LAW COMMITTEE, RULES AND PROCEDURES .....	13
<b>ARTICLE VIII: DELEGATIONS AND WRITTEN SUBMISSIONS TO THE BOARD AND COMMITTEES</b> .....	14
1. Board & Committee Delegations .....	14
2. Accommodation Review Committee (ARC) Delegations.....	15
3. Written Submissions.....	16
4. Correspondence To The Board .....	16
5. Petitions.....	16
<b>ARTICLE IV: AMENDMENT TO THE BY-LAWS</b> .....	17

<b>ARTICLE X: RULES OF ORDER AND PARLIAMENTARY AUTHORITY .....</b>	<b>17</b>
<b>APPENDIX A.....</b>	<b>18</b>
Election of Board Chairperson, Board Vice-chairperson .....	18
<b>APPENDIX B.....</b>	<b>20</b>
Rules of Procedure at the Board.....	20
Recognition to Speak.....	20
Debate.....	20
Decorum in Debate .....	20
Voting .....	20
Motions.....	21
Order of Precedence of Motions.....	21
Specific Rules related to Motions .....	22
Main Motion .....	22
Subsidiary Motions.....	22
Privileged Motions.....	23
Incidental Motions .....	23
Motions that Bring Back Business.....	24
Committee of the Whole.....	25
Committee Minutes and Reports .....	25
Electronic Meetings.....	25

**Revised Board By-laws – October 25, 2018**

---

**Section:** Board Operations

**Subject:** Board By-laws

**Authority:** School Board – Simcoe County District School Board

---

**BY-LAWS**

All actions of the Board of Trustees of Simcoe County District School Board (hereinafter called the “Board”) shall be in accordance with the requirements of the *Education Act* of Ontario, and all other related federal, provincial and municipal legislation.

**ARTICLE I: DEFINITIONS**

In these bylaws the following words and phrases shall have the meanings set out below:

- (a) “Call of a Meeting”, a written notice of the time and place, which is mailed or distributed to all members of the Board pursuant to the by-laws.
- (b) “Closed Session”, a meeting of a Committee of the Board, including a Committee of the Whole Board, which may be closed to the Public pursuant to the Education Act, the Young Offenders’ Act, the Municipal Freedom of Information and Protection of Privacy Act, or other relevant legislation.
- (c) “Director” means the Director of Education and Secretary of the Board.
- (d) “Education Act” means the Education Act of Ontario.
- (e) “Meeting” is a single official gathering of its members in one room or area to transact business for a length of time during which there is no cessation of proceedings and the members do not separate, unless for a recess.

- (f) "Member" means a person elected or acclaimed or appointed to the office of Trustee or member of the Board pursuant to the provisions of the Municipal Elections Act and the Education Act.
- (g) "Minutes" are a record of information and actions by the Board and Committees. Committee minutes are primarily intended for giving information, and should summarize important work done by the committee. Such minutes may contain recommendations. Minutes provide a brief record of how each motion is disposed of by the Board rather than verbatim recounting of the discussion.
- (h) "Officers of the Board" are the Chairperson, the Vice-chairperson and the Director of Education and Secretary of the Board.
- (i) "Open Session", a meeting of the Board or a Committee of the Board that is open to the Public.
- (j) "Prevailing side" means the affirmative if the motion passed and the negative if the motion failed. A person is said to have voted on the prevailing side if that member voted yes on a motion that passed or no on a motion that failed.
- (k) "Reports" provide information in either a written, verbal and/or visual format. Reports whether from a standing, statutory or an ad-hoc committee, are generally kept as brief as possible and may contain recommendation(s).
- (l) "Session", a single or series of connected meetings devoted to a single order of business, program, agenda, or announced purpose; one session may contain more than one meeting.
- (m) "Special Committee", a committee appointed, as the need arises, to carry out a specified task, at the completion of which, on presentation of its final report to the Board, it automatically ceases to exist; includes committees formerly referenced as ad-hoc and sub- committees.
- (n) "Student Trustees", although not members of the Board, are elected by students of the Board or by a student representative body in accordance with Section 55 of the Education Act Ontario Regulation 7/07 Student Trustees and SCDSB Policy 2140. Their one-year term of office runs from August 1 of the year they are elected to July 31 of the following year.
- (o) "Time Sensitive Item", an item where a decision is required that cannot wait to be dealt with at the appropriate regularly scheduled Standing Committee meeting.
- (p) "Treasurer" means Treasurer of the Board, the Board may assign to the person so appointed any of the duties of the treasurer and the supervisor of maintenance of school buildings.

## **ARTICLE II: MEETINGS OF BOARD OF TRUSTEES**

### **MUNICIPAL ELECTION YEAR**

Within six weeks of the opening of nominations the board will hold a trustee candidate event to explain the roles, responsibilities and rights of a SCDSB trustee.

## **INAUGURAL MEETING (IN ELECTION YEAR)**

1. The Inaugural meeting of a newly elected Board will be held on the first Monday in December at 7:00 p.m.
2. The procedure for the Inaugural meeting will be as follows:
  - 2.1 The Director will take the chair until the election of a Chairperson. If the Director is absent the members present will designate who will preside.
  - 2.2 The Director will call the meeting to order and:
    - 2.2.1 read the returns of the clerks of the municipalities certifying to the election of members;
    - 2.2.2 provide for the signing of the declaration of office and oath of allegiance and provide the opportunity to sign the SCDSB trustee Code of Conduct.
    - 2.2.3 declare the Board to be legally constituted when all the members present have taken the Declaration and Oath and constitute a majority of all of the members of the Board.
    - 2.2.4 in the event a member is absent from this meeting a member shall take the declaration of office in writing and the oath of allegiance on or before the day of the first meeting that person attends; this shall be noted at the next public meeting.
    - 2.2.5 the Board may make a decision as to whether the placement of a first nation trustee on the Board is permissive or mandatory as per the *Education Act*, Reg 462/97. It is the duty of the Director under the Education Act to advise the Board as to the status of first nation enrolment by October 31st.
    - 2.2.6 Student trustees will be placed on the Board according to Ontario Regulation 7/07 Student Trustees of the Education Act and SCDSB Policy 2130 Pupil Representation on the Board.
  - 2.3 The Director will conduct the election of a Chairperson of the Board according to the procedures in Appendix A.
  - 2.4 Upon election, the Chairperson will assume the chair and will conduct the elections for a Vice-chairperson and one board member to sit on the Selection Committee, according to the procedures in Appendix A.
  - 2.5 The Selection Committee, composed of three members - the incoming Chairperson, Vice-chairperson and one other member elected at the Inaugural meeting of the Board shall seek from board members their preferences regarding committee membership, and shall make its recommendations to the Board for approval at the regular Board meeting in December.
3. The order of business at the Inaugural Meeting will be as follows:
  - 3.1 Call to order
  - 3.2 Returns of the Clerks
  - 3.3 Declaration Oath and Trustee Code of Conduct
  - 3.4 Election of Chairperson
  - 3.5 Election of Vice-chairperson
  - 3.6 Election of the Selection Committee member
  - 3.7 Adjournment

## **FIRST MEETING (IN NON-ELECTION YEAR)**

1. On the first Monday an organizational board meeting will be held in December of each non-election year, the Board will meet at 7:00 p.m. to elect a member to the offices of Board Chairperson, Board Vice-chairperson and the third member on the Selection Committee.
2. Trustees will be provided the SCDSB Trustee Code of Conduct for their review and signature, as per Policy 2125, Trustee Code of Conduct.
3. The Director will conduct the election of a Chairperson of the Board according to the procedures in Appendix A.
4. Upon election, the Chairperson will assume the chair and will conduct the election for a Vice-chairperson and Selection Committee member according to the procedures in Appendix A.
5. The Selection Committee, comprised of three members - the incoming Chairperson, Vice-chairperson and one other member elected by the Board shall seek from board members their preferences regarding committee membership, and shall make its recommendations to the Board for approval at the regular Board meeting in December.

## **REGULAR BOARD MEETINGS**

1. Regular meetings of the Board will be held on the fourth Wednesday of each month unless otherwise determined by resolution of the Board except:
  - 1.1 to accommodate winter break, the meeting will be held on the third Wednesday in December;
  - 1.2 the January Board meeting will be scheduled on a Wednesday that does not coincide with the OPSBA Public Education Symposium;
  - 1.3 to accommodate commencement ceremonies in June, the meeting will be held on the third Wednesday in June.

Regular Board meetings will not be scheduled in July.

2. Public meetings will begin at 6.00 p.m. The Board will first move into committee of the whole in closed session, and then reconvene in public session at 7:00 p.m. Public meetings will adjourn at 10:00 p.m. unless extended by resolution of the Board to 10.30 pm, or thereafter at half hour intervals, by a majority vote of the members present.
3. A quorum of the Board will consist of a majority of all members of the Board. Should there be no quorum present 30 minutes after the time appointed for the meeting, the names of members present, absent and regrets will be recorded, and the meeting will not convene.
4. Notice of all regular meetings will be conveyed to each member at least 72 hours prior to the time of the meeting.
5. An agenda setting out reports and supporting materials to be considered at a Board meeting will be available to trustees electronically or by courier, as required at least 48 hours prior to the meeting. The agenda will contain notice of such matters as may come regularly before the Board and will set out in full all notices of motion.
  - 5.1 Additional items deemed time sensitive by statutory committees shall be added to the order of business for the regular board meeting.

- 5.2 Additional items may be added to the agenda at a meeting only with the unanimous approval of members present.
  - 5.3 Items that are time sensitive, as determined by the Board Chairperson, Vice-Chairperson and the Director, that normally would be dealt with by a standing committee may be dealt with at a Regular Board meeting.
  - 5.4 Tenders may go directly to the Board meeting.
- 6. All matters will be referred to the appropriate standing committee, without discussion by the Board, unless referenced to in item 5.3.
  - 7. Should any meeting of the Board be cancelled due to inclement weather or other circumstances, the meeting will be rescheduled as soon as possible, with 48 hours notice by the Chairperson.
  - 8. Within twelve months of its approval by the Board, a substantive main motion may:
    - 8.1 be brought back once, by means of a motion to *reconsider, amend something previously adopted, or rescind.*
    - 8.2 only be brought back a second time if, when first brought back, it was amended or rescinded.
 After twelve months of its approval by the Board, a substantive main motion may be brought back at any time by means of a motion to *amend something previously adopted, or rescind.*

**NOTICE OF MOTIONS**

- 1. A member must announce their intention to make a motion at the meeting immediately preceding the meeting at which the motion is going to be made.
- 2. A notice of motion presented at the current Board meeting does require a mover and a seconder.

**ORDER OF BUSINESS FOR REGULAR BOARD MEETINGS**

- 1. The Chairperson, Vice-chairperson and the Director shall meet monthly to determine all matters to be placed on the regular Board meeting agenda.
- 2. The order of business for each regular Board meeting will be as follows:
  - A.
    - (1) Land Acknowledgement of Traditional Territory
    - (2) Roll Call
    - (3) Approval of Agenda
    - (4) Approval of Minutes
    - (5) Declaration of Conflicts of Interest
  - B. Closed Session in Committee of the Whole
    - 1. Property Matters
    - 2. Personnel Matters
    - 3. Legal Matters

The above subject matters will be included on the public agenda if considered in closed session of the monthly Standing Committee meetings.

- C.
  - (1) Report from Student Trustees
  - (2) Presentations/Delegations

- D. Recommendations for Action
  - (1) Report from the Closed Session of the Board in Committee of the Whole
  - (2) Matters Arising from Previous Meeting:
    - a) Unfinished business
    - b) Motion(s) for which notice was given at previous regular Board meeting
  - (3) Notice of Time Sensitive Motions from Statutory Committees
  - (4) Committee Minutes/Reports – Items for Decision
  - (5) Staff Reports – Items for Decision
  - (6) Committee Minutes/Reports – Items for Information
  - (7) Staff Reports – Items for Information
  
- E. Other Matters
  - (1) Reports from Liaison Members
  - (2) Questions and Proposals from Trustees
  - (3) Notices of Motion for next meeting
  - (4) Professional Development seminars attendance
  - (5) Reports/Updates from Staff
  - (6) Correspondence
  
- F. Future meetings of the Board, Standing Committees and Advisory Committees
  
- G. Adjournment
  
- 3. Any variation in the regular order of business must be approved by a majority of members present and voting.

### **SPECIAL BOARD MEETINGS**

- 1. Special Board meetings of the Board will be held:
  - 1.1 at the call of the Chairperson, in which case notice will be conveyed to all members at least 24 hours prior to the time set for the meeting.
  - 1.2 on the written request of five members to the Chairperson, who will call the meeting to be held within five days of the receipt of the written request. Notice will be conveyed to all members at least 24 hours prior to the time set for the meeting.
  
- 2. Special meetings will be open to the public, unless it is necessary for the Board to move into committee of the whole Board in closed session.
  
- 3. The notice of a special meeting will state all business to be considered. No other business will be considered unless all members of the Board are present and agree unanimously.
  
- 4. Order of Business for Special Meetings of the Board
  - A.
    - (1) Land Acknowledgement of Traditional Territory
    - (2) Roll Call
    - (3) Approval of Agenda
    - (4) Declaration of Conflicts of Interest
  
  - B. Closed Session in Committee of the Whole
    - 1. Property Matters
    - 2. Personnel Matters

3. Legal Matters
- C. (4) Items for discussion
- D. (5) Adjournment

### **ACCOMMODATION REVIEW COMMITTEE - SPECIAL BOARD MEETINGS**

1. Within five school days from the date the director of education receives the Accommodation Review Report from the ARC, the Board Chairperson shall call the following ARC Special Board Meetings:
  - a) The first ARC Special Board Meeting will receive the final Accommodation Review Report and the staff report. The agenda will include the Accommodation Review Report and staff report. There will be no decisions or delegations. This meeting shall be held within 21 days from when the director receives the Accommodation Review Report.
  - b) The next ARC Special Board Meeting(s) will receive delegations from community members to make their views known to the Board before any decision(s) are made by the Board. This meeting shall be held within 30 days from the ARC Special Board Meeting. No decisions will be made. There will be no less than 21 days notice to the public of the ARC Special Board Meeting held to receive delegations.
  - c) The final ARC Special Board Meeting will be the meeting at which trustees will make a decision(s) and vote. The meeting date shall be held within 90 days from the ARC Special Board Meeting. No delegations will be heard. There will be no less than 60 days notice to the public of the final ARC Special Board Meeting.
2. In order to delegate at the ARC Special Board Meeting(s), individuals must forward their written outline to the Director's Office at least 7 days prior to the meeting date. Delegations will be heard as per the Board's by-laws: Accommodation Review Committee Delegations as per Article VIII Section 2.

### **COMMITTEE MEETINGS IN CLOSED SESSION**

1. All meetings of committees of the Board will be open to the public unless closed under conditions required by the Education Act or other relevant legislation.
2. Pursuant to Section 207 (2) of the Education Act and the Municipal Freedom of Information and Protection of Privacy Act, a meeting of any committee of the Board, including a committee of the whole Board, may be closed to the public when the subject matter under consideration involves:
  - 2.1 the security of the property of the Board;
  - 2.2 the disclosure of intimate, personal or financial information in respect of any individual including a member of the Board or committee, an employee or prospective employee of the Board, a student or a person responsible for the care and custody of the student or a member of the public;
  - 2.3 the acquisition or disposal of a school site;
  - 2.4 decisions in respect of negotiations with employees of the Board;
  - 2.5 litigation affecting the Board;
  - 2.6 sensitive commercial, financial or labour relations information belonging to a private corporation with which the Board conducts business if the disclosure or information might result in undue loss or gain to any party.

3. Closing of Meetings Re: Certain Investigations
  - 3.1 A meeting of a Board or of a Committee of a Board, including a Committee of the Whole Board, shall be closed to the public when the subject-matter under consideration involves an ongoing investigation under the Ombudsman Act respecting the board.
  
4. Subject matter which includes personal information protected under the Municipal Freedom of Information and Protection of Privacy legislation shall be considered only in a closed meeting.
  
5. The *Education Act* Section 55 (5), provides that student trustees may attend and participate in closed meetings of the Board, with the exception of meetings that require 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. 207 (2) (b). 2006, c.10, s 6.
  
6. Order of business in Closed Session:
  - A.
    - (1) Approval of Agenda
    - (2) Approval of Minutes
    - (3) Declaration of Conflicts of Interest
    - (4) Presentations/Delegations
  
  - B.
    - (1) Committee Minutes/Reports – Items for Decision
    - (2) Staff Reports – Items for Decision
    - (3) Committee Minutes/Reports – Items for Information
    - (4) Staff Reports – Items for Information
    - (5) Director/Staff Update (VERBAL)
  
  - C. Other Matters:
    - (1) Reports from Liaison Members
    - (2) Correspondence
    - (3) Notices of Motion for next meeting
    - (4) Questions and Proposals from Trustees
  
  - D. Future Business
  
  - E. Rise and Report
  
7. A committee of the Board may meet in closed session only with the approval of a majority of members of the committee present and voting.
  - 7.1 That the closed session standing committees rise and report to the next closed committee of the whole/Board meeting.
  
8. Decisions reached in a closed session of the committee of the whole Board will be reported to the Board in open session as follows:
  - 8.1 at a time set in the agenda of the Board on the same day as the closed meeting; or
  - 8.2 at a later date determined by a resolution of a majority of members present and voting specifying that a decision be kept private for a specific period, or until a certain action is completed.
  
9. No trustee shall discuss publicly the substance of debate carried out in closed session other than the decision that has been made and reported in open session unless a specific motion permitting such discussion is made and is supported by a majority of members present and voting.

### **ARTICLE III: BOARD CHAIRPERSON AND BOARD VICE-CHAIRPERSON**

1. All members of the board are eligible to be nominated for the position of Chairperson and Vice-chairperson at the Organizational Board meeting in December.
2. If a vacancy occurs in the office of the Chairperson or Vice-chairperson, the Board shall elect a new Chairperson or Vice-chairperson at the first Board meeting following the vacancy in accordance with Appendix A.
3. The Chairperson shall preside at all regular and special meetings of the Board and ARC special Board meetings in accordance with the rules and procedures described in Appendix B.  
In the event the Chairperson is absent, or declines to assume the chair, the Vice- Chairperson shall preside. In the event both of these officers are absent or decline to assume the chair, the members shall elect another member to preside pro tem, and may elect a further member to assist.
4. The official spokesperson for the Board on all matters within the jurisdiction of the Board is the Chairperson of the Board or designate.
5. The Vice-chairperson will preside at the meetings of the Board when resolved into a committee of the whole Board in accordance with the rules and procedures described in Appendix B.
6. The Vice-chairperson will Chair the By-law Committees.
7. The Chairperson shall be considered as ex-officio member of all committees except the Audit Committee.

### **ARTICLE IV: BOARD OF TRUSTEES**

1. Members of the Board are encouraged to attend other committee meetings as detailed in the Board approved Selection Committee report but are non-voting members. A member of the board shall attend meetings of the board, including meetings of board committees of which he or she is a member.
2. Reports of all standing committees and meetings of the Board will be printed with the names of members present, absent and regrets. In accordance with Ontario Regulation 463/97 Electronic Meetings, a member of the Board who participates through electronic means shall be deemed present.
3. Repeated absenteeism and/or vacancy by a member from meetings of the Board, and vacancies caused by the resignation, death, or incapacitation of a member before the end of a term, will be handled in accordance with Section 219 – Section 229, Part VII – Board Members – Qualifications, Resignations and Vacancies of the Education Act.
4. All trustees and student trustees shall review annually the Trustee Code of Conduct and will be provided the opportunity to sign a copy of it confirming that they have received a copy of the code of Conduct, read it, and agree to abide by it.

## **ARTICLE V: STANDING COMMITTEES OF THE BOARD**

1. The standing committees of the Board are:
  1. Business and Facilities (first Wednesday of the month at 6:00 p.m.)
  2. Program Standing (second Wednesday of the month at 6:00 p.m.)
  3. Human Resources (second Wednesday of the month following Program Standing)

Standing Committee meetings will adjourn at 10:00 p.m. unless extended by resolution of the Board to 10.30 p.m. or thereafter at half hour intervals, by a majority vote of the members present.

Standing Committee meetings will not take place in December during an election year.

2. The order of business for public standing committee meeting will be as follows:
  1. Land Acknowledgement of Traditional Territory
  2. Approval of Agenda
  3. Declaration of Conflicts of Interest
  4. Presentations/Delegations

Closed Session;

1. Property Matters
2. Personnel Matters
3. Legal Matters

The above subject matters will be included on the public agenda if considered in closed session of the monthly Standing Committee meetings.

4. Items for Decision
5. Items for Information
6. Correspondence
7. Other Matters
8. Notices of Motion for next meeting

3. The order of business for closed standing committee meetings will be as follows:
  1. Approval of Agenda
  2. Declaration of conflicts of Interest
  3. Presentations/Delegations
  4. Items for Decision
  5. Items for Information
  6. Correspondence
  7. Other Matters
  8. Notices of Motion for next meeting
  9. Rise and Report to Committee of the Whole Board

4. All members of the Board will be members of all standing committees of the Board. The quorum of a standing committee shall be six members of the committee.
  - 4.1 Should there be no quorum present 30 minutes after the time appointed for the meeting, the names of members present and absent will be recorded, and the meeting will not convene.
  - 4.2 Should any committee meeting be cancelled due to inclement weather or other

circumstances, the meeting will be re-scheduled at the discretion of the Chairperson of the committee and provide a minimum of 48 hours notice.

- 4.3 Additional standing committee meetings shall be called by the Committee Chairperson with a minimum of five business days in advance.
5. Additional business shall only be considered at a meeting under “other matters”.
6. Items brought forward under “other matters” will be for discussion only.
7. In the event of a continuance meeting of a Standing Committee, the report of the first session will be presented at the next regular Board meeting.

#### **ARTICLE VI: SPECIAL COMMITTEES**

1. The Board will establish and appoint members to special committees as are required by law or deemed necessary by the Board.
  - 1.1 The Director’s Office will call the first meeting of a special committee within 30 days.
  - 1.2 The special committee will elect the Chairperson and Vice-chairperson at their first meeting.
  - 1.3 Members of the committee will be appointed by the Board at the meeting in which the Special Committee is formed.
2. Special committees of the Board require quorum.

#### **ARTICLE VII: BY-LAW COMMITTEE**

1. The Selection Committee shall make recommendations to the Board for approval at the Regular Board meeting in December regarding the membership on the By-law Committee. Membership on the By-Laws Committee will consist of four trustees and the Vice-chairperson of the Board.
2. The Vice-chairperson of the Board will chair the Committee.
3. The By-law Committee requires quorum.
4. The Chairperson of the By-law Committee shall be allowed to speak to pending matters during meetings without vacating the chair.
5. An agenda setting out reports and supporting materials to be considered at a By-law meeting will be delivered to each committee member at least 48 hours prior to the meeting.
6. The Committee shall meet monthly or as determined by the Chairperson of the Committee.

#### **STANDING, SPECIAL, BY-LAW COMMITTEE RULES AND PROCEDURES**

1. Committees take their instructions exclusively from the Board. Committees are not empowered to direct that any action be taken by the Board or any of its employees, except to request further clarification or give minor administrative direction on any matter of business under consideration, and are limited to making recommendations to the Board.
2. The mandate for each committee will be determined by the Board and a committee will not consider matters outside its mandate.

- 2.1 The Chairperson and Vice-chairperson of the Board will be members of all committees of the Board, but will not chair a standing committee.
- 2.2 All members of the Board may attend a meeting of other committees and take part in the discussion; however, only committee members will vote on a matter before a committee. The relevant supporting materials for other committees will be provided to non-committee members on request.
3. The Chairperson and Vice-chairperson shall be elected annually by the members of the committee.
  - 3.1 In the absence of the Chairperson, the Vice-chairperson of the committee shall preside.
  - 3.2 In the absence of the Chairperson and Vice-chairperson of a committee, a member of the committee will be elected to preside.
  - 3.3 The process for the election of the Chairperson and Vice-chairperson of a Board committee shall be the same as described in Appendix A for the Board Chairperson and Board Vice-chairperson, the Selection Committee member, OPSBA Director and Alternate Director.
4. All meetings of a committee of the Board will be open to the public unless closed under the conditions established by the Education Act or other relevant legislation.
5. The Board's rules of debate as described in Appendix B will be observed in a committee except that:
  - 5.1 members may speak more than twice to the same question at the discretion of the Chairperson;
  - 5.2 motions will require a second at Standing Committee meetings and shall be in writing, in accordance with the parliamentary authority, unless otherwise stated.
  - 5.3 a recorded vote may be requested.
6. Reports of all committees will be printed before being presented to the Board, and contain the names of the members of the committee and other persons at the meeting.
7. In a non-election year, committees will continue to function until their successor committees are appointed.
8. Members on the mandatory, continuing and external/joint committees will be appointed by the Board following the recommendations of the Selection Committee.
9. Should there be no quorum present 30 minutes after the time appointed for the meeting, the names of members present and absent will be recorded, and the meeting will not convene.

## **ARTICLE VIII: DELEGATIONS AND WRITTEN SUBMISSIONS TO THE BOARD AND COMMITTEES**

### **1. DELEGATIONS**

- 1.1 Subject to the approval of the Board and the rules which appear in this section, delegations may appear before the Board or a committee thereof, provided the subject matter is within the jurisdiction of the Board or a committee of the Board. A regular meeting of the Board or a committee will hear up to six delegations at one meeting; no more than four of those delegations shall be heard on any one matter. A special meeting of the Board may hear any number of delegations as determined by a majority of members present and voting.

- 1.2 Requests by delegations for public input on matters which are deemed by the Board to be of a confidential nature pursuant to the Education Act or the Municipal Freedom of Information and Protection of Privacy Act will be considered in a closed meeting of the committee of the whole Board.
- 1.3 Requests to make a delegation to the Board or to a committee of the Board shall be arranged through the Director. The Director shall refer the delegation's request to the Board or appropriate committee. Where appropriate, the procedures governing delegations to Board meetings will apply in committees.
- 1.4 Requests to appear as a delegation must be submitted along with a written copy of the presentation and/or an outline by 1 p.m. a week before the meeting.
- 1.5 In the event that a Standing/Advisory Committee meeting takes place during the week prior to the week of the Board meeting; a request from a member of the public is made to make a delegation regarding a decision or information item from that Standing/Advisory Committee meeting; the delegate wishing to delegate, must submit their delegation request along with a written copy of the presentation and/or an outline within 72 hours of when the Standing/Advisory Committee meeting was held.
- 1.6. The Board shall decline to hear a delegation if:
  - 1.6.1 the delegation has addressed the Board or one of its committees on the same matter within the previous twelve months, and shall instead request a written submission that will be distributed to all trustees.
  - 1.6.2 notwithstanding 1.6.1, the Board may by motion authorize a further presentation by the same delegation on the same matter.
  - 1.6.3 the subject matter is not within the jurisdiction of the Board.
- 1.7 Delegations will be granted up to ten minutes for their presentation and trustees will have up to 10 minutes for questions of clarification. Any extension of this time limit will be granted only by the permission of the Chairperson.
- 1.8 A delegation may designate not more than two persons as speakers and no other members of the delegation will address the Board.
- 1.9 Delegations will be made aware of the availability of a written guideline for presentations. Presentations to the Board or a committee of the Board shall be free of statements or material which are contrary to the Ontario Human Rights code and other laws of Ontario and Canada. Delegations will be informed that normal courteous behaviour and decorum are expected in addressing the Board or committee, and that all comments must be addressed to the Chairperson.
- 1.10 No motions will be in order on the matter addressed by the delegation unless the item was included on the previously distributed agenda for consideration at the same meeting.
- 1.11 Trustees may ask questions of clarification, without comment pro or con with respect to the issue in general, within the ten minutes allowed for the delegation, unless any extension of this time limit is granted by permission of the Chairperson.
- 1.12 For submissions made to the Board, the Chairperson may:
  - 1.12.1 Receive the submission as information;
  - 1.12.2 Refer the matter to the Director of Education for review and appropriate action;
  - 1.12.3 Refer the matter to a standing committee for review and a report.

## **2. ACCOMMODATION REVIEW COMMITTEE (ARC) DELEGATIONS**

- 2.1 Subject to the approval of the Board and the rules which appear in this section, delegations regarding ARCs will be heard only at an ARC Special Board meeting called to receive delegations. These rules supercede Article VIII (1) for Accommodation Review Committee Delegations only.
- 2.2 An ARC Special Board meeting will hear up to twenty (20) delegations at one meeting.

- 2.3 No ARC related delegation will be heard at a Regular Meeting of the Board or a Committee of the Board or a Special Board meeting.
- 2.4 Requests to make a delegation shall be arranged through the Director and are reviewed in the order they are received and will appear on the agenda as a “first come, first served” basis, received by the Director’s office, in writing by e-mail or fax.
- 2.5 Requests to appear as a delegation must be submitted together with a written copy of the presentation and/or an outline by 1 p.m. a week (seven days) before the meeting. No extension of this limit will be granted.
- 2.6 Each individual that requests a delegation must contact the Director’s office directly.
- 2.7 Delegations will be granted up to ten minutes for their presentation, inclusive of questions for clarification. No extension of this time limit will be granted.
- 2.8 A delegation may designate not more than two persons as speakers and no other members of the delegation will address the Board.
- 2.9 Delegations will be made aware of the availability of a written guideline for ARC presentations. ARC presentations to the Board shall be free of statements or material which are contrary to the Ontario Human Rights code and other laws of Ontario and Canada.  
Delegations will be informed that normal courteous behaviour and decorum are expected in addressing the Board, and that all comments must be addressed to the Chairperson.
- 2.10 No motions will be in order on the matter addressed by the delegation at the current meeting.
- 2.11 Trustees may ask questions of clarification, without comment pro or con with respect to the issue in general, within the ten minutes allowed for the delegation.
- 2.12 Delegations made to the Board will be received as information.

### **3. WRITTEN SUBMISSIONS**

- 3.1 Written submissions shall be received by the Director and copies shall be distributed to all trustees.
- 3.2 The submitter will be advised by the Director of any decisions made by the Board or its committee.

### **4. CORRESPONDENCE TO THE BOARD**

1. Correspondence provided directly to the Board Chairperson that is pertinent to Board business will be copied to all trustees. Items related to the agenda for discussion or decision will be included on the Board agenda. Additional items may be added at the discretion of the Chairperson.
2. Correspondence addressed to the Secretary of the Board, including correspondence sent to the Director of Education in his or her capacity as Secretary of the Board, must be shared with the board.

### **5. PETITIONS**

Petitions on any subject within the purview of the Board will be received by the Board. The petitioner may:

1. Request to delegate at either appropriate standing committee or regular Board meeting as determined by the Director.
2. Request to include the petition as correspondence on the regular board meeting agenda.

#### **ARTICLE IV: AMENDMENT TO THE BY-LAWS**

These by-laws may be amended provided that notice be given at a previous regular Board meeting for the next regularly scheduled meeting, and such notice shall set out fully all proposed amendments. Within five days of such notice being given at a regular Board meeting, the same notice shall be sent to all members by electronic mail. Adoption of an amendment to the by-laws shall require a majority vote of the members present (i.e. abstentions count on the negative side).

#### **ARTICLE X: RULES OF ORDER AND PARLIAMENTARY AUTHORITY**

1. The rules of order to be observed at the meetings of the Board will be in accordance with the provisions of these By-laws, the Education Act and other relevant legislation. In all cases not provided for by these Bylaws and their appendices, the rules and practices of Robert's Rules of Order Newly Revised, will govern insofar as they are applicable. Where these Bylaws and Robert's Rules of Order differ, these Bylaws shall prevail.
2. Appendices A, B are attached to these Bylaws are an integral part of the Bylaws, and the rules contained therein shall apply to all meetings of the Board and its committees.

## **APPENDIX A**

### ***Election of Board Chairperson, Board Vice-chairperson, Committee Chairperson and Committee Vice-chairperson, third member of the Selection Committee and OPSBA Director/Alternate Director.***

The procedure to elect the Board Chairperson, Board Vice-chairperson, Committee Chairperson and Committee Vice-chairperson, third member of the Selection Committee and OPSBA Director and Alternate Director shall be as follows:

1. The Director of Education will designate two members of Administration to act as tellers and to count the ballots.
2. The Director of Education shall call for nominations and the nominee(s) shall indicate whether they elect to stand or decline to stand.
3. The Director of Education will ask the nominator to speak to their nomination.
4. If only one person is nominated and elects to stand, that member shall be declared elected by acclamation.
5. A candidate may have an opportunity to speak, following nominations.
6. The Director of Education will invite each nominee to appoint a scrutineer to observe the counting of ballots.
7. Where more than one nominee stands for election, a vote will be taken by ballot and the member receiving a majority of the votes cast shall be declared elected.
8. If no nominee receives a majority of the votes cast, the name of the member receiving the fewest votes shall be dropped from the ballot, provided at least two nominees shall remain on the ballot.
9. If no nominee receives a majority and two or more nominees are tied respecting the fewest votes, those nominees shall draw lots to determine which name shall be dropped from the ballot.
10. In the event of an equality of votes with two nominees remaining, a student trustee or designate of the Director of Education shall draw lots.
11. The tellers shall complete the following form and present it to the Director/Chairperson of the meeting who shall read the report and declare the result.

### ***Election of Chair and/or Vice-chair on a Pro Tem Basis - Board and Standing Committee Meetings***

The above procedure does not apply to appointing a Chair and/or Vice-chair on a pro tem basis. Appointments on a pro tem basis can be done by a simple motion.

**Teller's Report**

Number of Votes Cast <sup>1</sup>	_____
Necessary for Election <sup>2</sup>	_____
Candidate A	_____
Candidate B	_____
Candidate C	_____
<i>Illegal votes cast (Ineligible)</i>	_____

<sup>1</sup> Note: Blank ballots cast are counted in computing the number of votes cast.

<sup>2</sup> Note: A majority of the Votes Cast is required for election.

12. The Board, by motion, may order the destruction of the ballots cast in the election.

## **APPENDIX B**

### **Rules of Procedure at the Board**

#### ***Recognition to Speak***

1. Members wishing to speak must seek recognition from the Chairperson before speaking.
2. The member moving the motion has first right to speak to the motion.
3. The Chairperson shall maintain a list of speakers and determine the order of recognition to speak.
4. A member may only interrupt another speaker to raise a point of order or a question of privilege affecting the assembly or affecting the member personally. After being recognized by the Chairperson the member will succinctly state the point of order or the question of privilege.

#### ***Debate***

5. A member may speak twice to a question.
6. The Chairperson will vacate the chair during the appeal/challenge process, and then complies with the decision of the members.
7. When all members wishing to and entitled to speak have had an opportunity to do so, the Chairperson shall close debate and put the pending question to a vote.

#### ***Decorum in Debate***

8. All speakers making points in debate, requests for information or clarification, must direct their remarks through the Chairperson. It is improper to speak directly to another member of the assembly during debate.
9. In debate, speakers shall avoid attacking other members and shall avoid personal remarks. The measure of the motion, not the person making the proposal, is the subject of debate.
10. Courtesy and respect must be given to all speakers. During debate it is improper to show dissent, and likewise support, while a member is speaking. Support or dissent of a speaker's remarks may only be given during further debate.
11. In debate, all speakers must confine their remarks to the merits of the pending question.

#### ***Voting***

12. In all cases, a majority vote in the affirmative means more than half of the members present and voting have cast their votes in the affirmative; in all cases, a two-thirds vote in the affirmative means at least two-thirds of the members present and voting have cast their vote in the affirmative.
13. Voting on motions will initially be taken by a show of hands unless a recorded vote is demanded by one member.
14. A recorded vote will be taken on the request of one member. No motion to this effect is required. The Director/designate will conduct the vote in the following manner:
  - 14.1 those for the motion will be asked to stand until their names are noted;
  - 14.2 those against the motion will be asked to stand until their names are noted;
  - 14.3 those abstaining will be asked to stand until their names are noted;
  - 14.4 the Director will announce the vote count and whether the motion has been carried or lost.

15. If the Chairperson is unsure of the result of the vote, or a member demands a standing vote, the Chairperson shall count the votes, announce the vote count and announce if the motion has been carried or lost.

### ***Motions***

16. No motion shall be accepted or discussed which is deemed to be outside of the Board's mandate or jurisdiction, subject to appeal.
17. Main motions shall be in writing and secondary motions, at the discretion of the Chairperson, shall be in writing.
18. A main motion is the only motion that may be reconsidered.
19. All Board and Standing Committee motions shall be seconded, in accordance with the parliamentary authority, unless otherwise stated.

### ***Order of Precedence of Motions***

The order of precedence of motions (highest to lowest), in accordance with the parliamentary authority is:

#### Privileged Motions

Fix the Time to Adjourn  
Adjourn  
Recess  
Raise a Question of Privilege  
Call for the Orders of the Day (set a continued meeting)

#### Main and Subsidiary motions

Lay on the Table  
Previous Question (Close Debate)  
Limit or Extend Limits of Debate  
Postpone to a Certain Time  
Refer to a Committee  
Amend the Main Motion  
Postpone Indefinitely  
Main Motions

Incidental motions are also in order and may be moved, if applicable, when the ranked motions, above, are pending. The following are the more common incidental motions:

### Incidental Motions

Point of Order  
Appeal/Challenge the Decision of the Chairperson  
Division of the Assembly  
Division of the Question  
Withdraw a Motion  
Suspend the Rules  
Parliamentary Inquiry  
Point of Information

### ***Specific Rules related to Motions***

The detailed rules of procedure are contained in the parliamentary authority. The synopsis below provides the essence of the motions.

### ***Main Motion***

1. Original Main Motion: Introduces a substantive matter to the assembly. May only be made when no other motion is pending. Requires a second, is amendable, is fully debatable, requires a majority vote to adopt, may not interrupt, and may be reconsidered.
2. Amendments: Amendments must be germane to the main motion and may not be contrary to the main motion.

### ***Subsidiary Motions***

3. Postpone Indefinitely: Used to kill a motion. May only be made when a main motion is pending. Requires a second, is not amendable, is fully debatable, requires a majority vote to adopt, and may not interrupt.
4. Amend: Used to change any motion with a variable in it. Requires a second, is amendable, is fully debatable, requires a majority vote to adopt, and may not interrupt.
5. Refer to a Committee: Used to send an item of business to a specific committee when the item requires extensive consideration. Requires a second, is amendable, is debatable as to sending it to a committee, requires a majority vote to adopt, and may not interrupt. (See *Committee of the Whole*, page 24)
6. Postpone to a Definite Time: Used to delay the consideration of a question. Requires a second, is amendable, debate is restricted as to the merits of postponing, requires a majority vote to adopt, and may not interrupt. One may postpone an item of business to a specific time and make the item a special order that interrupts business when the time arrives. A special order requires a two-thirds vote to adopt.
7. Limit or Extend Debate: Extend debate is used to permit members to speak more times or for a longer time. Limit debate is used to restrict the number of times members may speak or to reduce the length of speaking. May only be applied to debatable motions. Requires a second, is amendable, is not debatable, requires a two-thirds vote to adopt, and may not interrupt.
8. Previous Question (Close Debate): Used to close debate on a motion or a series of pending motions. Requires a second, is not amendable, is not debatable, requires a two-thirds vote to adopt, and may not interrupt.

9. Lay on the Table: Used to set an item of business aside temporarily. Requires a second, is not amendable, is not debatable, requires a majority vote to adopt, and may not interrupt, but the motion laid on the table may be “taken from the table” by majority vote, without debate.

### ***Privileged Motions***

10. Call for Orders of the Day: Used to bring to the attention of the Chairperson that the agenda is not being followed. This is made by one member and may interrupt proceedings. The Orders of the Day may not be called unless all members who wish to speak have done so as per Item #5 of Appendix B – Debate.
11. Raise a Question of Privilege: Used to bring to the attention of Chairperson that the privileges of the assembly or the privileges of an individual member are being infringed. The Chairperson has a duty to rule on whether there is a question of privilege, which ruling is subject to appeal. This may be made by one member and may interrupt proceedings.
12. Recess: Used to take a short break, where the members do not leave the vicinity and may be re-assembled quickly. Requires a second, is amendable (restricted), is not debatable, requires a majority vote to adopt, and may not interrupt.
13. Adjourn: Used to conclude the meeting. Requires a second, is not amendable, is not debatable, requires a majority vote to adopt, and may not interrupt.
14. Fix the Time to Which to Adjourn: Used to set the time and place for a continuation of the current meeting. Requires a second, is amendable, is not debatable, requires a majority vote to adopt, and may not interrupt.

### ***Incidental Motions***

15. Point of Order: Used to bring to the attention of the Chairperson that a rule is being broken. May be made by one member and may interrupt the proceedings. Is not amendable, is not debatable, is ruled on by the Chairperson, subject to appeal, and no vote is required.
16. Appeal/Challenge the Decision of the Chairperson: Used by a member when the member believes that the Chairperson has ruled incorrectly and wishes the assembly to decide. Requires a second, is not amendable, is not debatable, requires a majority vote to overturn the Chairperson’s ruling, and may interrupt.
  - 16.1 The Chairperson will ask the Vice-person to take the chair.
  - 16.2 The Vice-chairperson shall ask the challenger to state and cite the basis of the challenge.
  - 16.3 The Vice-chairperson shall ask the Chairperson to respond.
  - 16.4 The Vice-chairperson shall ask for a vote – those who support the challenge – those who support the Chairperson’s ruling.
  - 16.5 The Vice-chairperson will announce the vote results.
17. Suspend the Rules: Used when a rule of order is interfering with the conduct of business. Requires a second, is not amendable, is not debatable, requires a two thirds vote to adopt, and may not interrupt.
18. Division of the Question: Used when a member wishes to consider and vote on individual parts or resolve clauses in a motion. May be demanded by one member without debate or vote when the individual parts are clearly independent. Does not require a second when the individual parts are clearly independent otherwise a second is required, is amendable, is not debatable, requires a majority vote to adopt, and may not interrupt.

19. *Division of the Assembly*: Used when a member believes that the vote result is too close to call or that the Chairperson has incorrectly announced the result of a vote. Does not require a second and is a demand to take a standing vote on the call of one member, is not amendable, is not debatable, no vote is required, and may interrupt.
20. *Point of Information*: Used by a member to ask a question. Does not require a second, is not amendable, is not debatable, does not require a vote, and may interrupt.
21. *Parliamentary Inquiry*: Used by a member to ask a question regarding the rules of order. Does not require a second, is not amendable, is not debatable, does not require a vote, and may interrupt.
22. *Withdraw a Motion*: Used by a member to request that a motion the member moved be withdrawn from consideration. This is a request that is often granted by the Chairperson, without objection. If there is an objection any member may move the motion to *Withdraw*. When objected to it requires a second, is not amendable, is not debatable, require a majority vote to adopt, and may interrupt.
23. *Read from Paper*: Used by a member to request that the member be permitted to read from a paper. This request is usually granted by the Chairperson, without objection. If the request is objected to any member may move to grant the request. Requires a second, is not amendable, is not debatable, requires a majority vote to adopt, and may interrupt.

#### ***Motions that Bring Back Business***

24. *Take from the Table*: Used to remove an item of business from the table that has been set there through the motion to Lay on the Table. May only be made when no other motion is pending. Requires a second, is not amendable, is not debatable, and requires a majority vote to adopt.
25. *Reconsider a Vote*: May be used to change a vote on a motion that has been adopted or defeated at the current meeting. Is only applicable to main motions. May only be moved by a member who voted on the prevailing side. May only be made when no other motion is pending. Requires a second, is not amendable, is fully debatable and may go into the merits of the underlying motion, requires a majority vote to adopt, and may not interrupt.
26. *Rescind (Repeal or Annul)*: Used to completely remove (rescind) a motion previously adopted. May only be made by a member who voted on the prevailing side. May only be made when no other motion is pending. Requires a second, is amendable, is fully debatable, requires a majority vote to adopt with notice given at the previous regular meeting of the Board or in the call of the meeting, and may not interrupt.
27. *Amend Something Previously Adopted*: Used to change (amend) a motion previously adopted. The proposed change(s) is/are included in the wording of the motion. May only be made when no other motion is pending. Requires a second, is amendable, is fully debatable, requires a majority vote to adopt with notice given at the previous regular meeting of the Board or in the call of the meeting, and may not interrupt.

## ***Committee of the Whole***

When an assembly wants to take advantage of the less formal rules of a committee, but still wants to do the work itself, it refers the business or motion it is dealing with to a committee made up of all its members and carries out the discussion immediately by turning itself into a Committee of the Whole. Hence, a motion to move into a *Committee of the Whole* is only a special form of "refer to committee". As with any other committee, a Committee of the Whole must report back to the assembly that created it when it has determined its recommendations on the task it was given. In turn, the assembly, when it has received the recommendations from the Committee of the Whole, decides by motion what actions to take.

28. *Committee of the Whole* is chaired by the Vice-chairperson of the Board, members can make resolutions or amendments in the form of recommendations, move to "rise and report", raise points of order and appeal, but other motions are not permitted. Members may speak more than twice to the same question at the discretion of the Chairperson. When the members have finished the task, a motion is made to "rise and report". The proceedings are not recorded; only their outcome as contained in the report to the assembly is recorded in the minutes.

When used for a closed session, the motions are "to go into Committee of the Whole in closed session" and "to rise and report in open session".

29. *Informal Consideration* does not involve the formation of a committee. The motion is to "consider the question informally", and this only relates to there being no limit on the number of speeches on the main question or its amendments. All votes are formal, and all other rules of order apply. Proceedings are recorded. There is no need to rise and report when the main question has been disposed of, because that action automatically causes the informal consideration to cease.

## ***Committee Minutes and Reports***

30. Minutes are a record of information and actions by the Board and committees. Committee minutes are primarily intended for giving information, and should summarize important work done by the committee. Such minutes may contain recommendations. Minutes provide a brief record of how each motion is disposed of by the Board rather than a verbatim recounting of the discussion.
31. Reports provide information in either a written, verbal and/or visual format. Reports, whether from a standing, statutory or special committee, are generally kept as brief as possible and may contain recommendation(s).

## ***Electronic Meetings***

32. All Board and committee meetings will be conducted as required in compliance with Ontario Regulation 463/97 Electronic Meetings under the Education Act and SCDSB Policy 2140 Electronic Meetings.
33. All regular procedural rules such as notice of meeting, quorum and the requirements to maintain a record and minutes of the meeting shall be adhered to. A lack of notice of the meeting to all members and a lack of quorum shall render action taken at the meeting invalid.
34. The electronic meeting shall permit all members to hear and be heard by all other participants in the meeting simultaneously.
35. Members attending a teleconference meeting shall be deemed to be present at the meeting.

36. Since voice recognition cannot always be ascertained during a telephone meeting the Members always state their name before speaking.
  - At the Chairperson's discretion discussion takes place on a rotating basis
  - Votes are taken by roll call or by general consent
  - Members who are to leave the meeting prior to adjournment shall announce their leaving
37. Meetings where a group of members meet in one room and use a speaker-phone and other individual members of the group call in from other locations are permitted.
38. An attendee at a teleconference meeting may not electronically record a meeting without the permission of the meeting granted by majority vote.