

<p align="center"><b>Strait Regional School Board</b> <i>Excellence in Lifelong Learning</i></p> <p align="center"><b><i>POLICIES - GUIDELINES - PROCEDURES</i></b></p>	<p align="right"><b>BOARD GOVERNANCE</b>      <b>II-A-1</b></p> <p><b>BY-LAWS</b> including <b>Rules of Order</b> and matters relating to <b>Board Governance</b></p>
	<p><b>Adopted:</b>            <b>October 1, 1997</b> <b>Revised:</b>            <b>October 3, 2001</b>                               <b>January 8, 2003</b>                               <b>April 5, 2006</b>                               <b>November 7, 2007</b>                               <b>October 1, 2008</b>                               <b>June 3, 2009</b>                               <b>February 1, 2012</b></p>

## BY-LAWS

of the

## STRAIT REGIONAL SCHOOL BOARD

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## PREFACE

The Strait Regional School Board is constituted as a body corporate under the *Education Act*, Statutes of Nova Scotia. As a regional school board, it is accountable to the Minister of Education for the control and management of the public schools within its jurisdiction. Its duties and responsibilities are as described in the *Education Act* and *Regulations Under the Education Act* (Consolidated August 2006), and in such other Statutes and regulations as may be applicable from time to time.

These By-laws are established by the Board for the government of its operations and to delineate the rights, privileges and duties of its members, and supplement the provisions of legislation and regulations. To determine what a regional school board can or must do, these By-laws must be read in conjunction with the applicable Statutes.

## 1. DEFINITIONS

In these By-laws, unless the context otherwise requires:

- (a) **Board** means the Strait Regional School Board.
- (b) **Board Secretary** means the staff person assigned to provide secretarial support to the School Board.
- (c) **By-laws** means these By-Laws.
- (d) **Chair** means the Chairperson of the Board.
- (e) **Vice-Chair** means the Vice-Chairperson of the Board, **who also acts as Chair of the Working Committee.**
- (f) **Superintendent** means the Superintendent of Schools of the Board and shall be understood to include **Secretary of the Board** pursuant to Ss. 61, 62 and 63 of the Education Act and **head of the public body** for the purposes of administering the Freedom of Information and Protection of Privacy (FOIPOP) Act.
- (g) **Director of Finance** means the Director of Finance of the Board and shall be understood to include **Treasurer** of the Board pursuant to S. 61 of the Education Act.
- (h) **Member** means a Member of the Board.

## 2. MEMBERS

### 2.1 Office and Oath of Office

A Member of a school board takes office after taking the oath of office pursuant to the *Municipal Elections Act* at the first meeting of the school board following the election at which the Member was elected, or within such time as the Board allows, and holds office for four years or until the next elected school board members take office. [*Education Act*, S. 50 (1)]

### 2.2 Conflict of Interest Authority

The Board shall be governed by the provisions of the *Municipal Conflict of Interest Act*.

### 2.3 Remuneration

For carrying out the duties of a Member of the Board, a Chair of the Board and a Vice- Chair of the Board, remuneration in the form of an annual stipend shall be in the amounts established pursuant to Article 54 of the *Education Act*.

### 2.4 Reimbursement of Expenses

Reimbursement for expenses incurred by Members of the Board shall be in accordance with the rates for a travel allowance and levels for overnight accommodation, meals and auxiliary expenses established pursuant to Article 54 of the *Education Act*. The Board shall put in place policies and procedures regulating the administration of such reimbursements.

### 2.5 Attendance

- (a) Given the importance of Board and Committee meetings, Board members will make every effort to attend when required.
- (b) At each Regular Meeting of the Board, the Board Secretary will keep a record of attendance of all Members. The Board Secretary will bring forward the excuse, if any, of each absent Member for consideration by the Board as to whether it is a reasonable excuse satisfactory to the Board. If the absent Member provides no excuse or one unacceptable to the Board, the Chair shall direct that a notation to that effect be made in the minutes and that the Board Secretary write to the absent Member advising him/her of the notation.
- (c) If a Member fails to attend three consecutive Regular Meetings of the Board without a reasonable excuse satisfactory to the Board, the Board Secretary shall

bring the matter to the attention of the Chair for action at its next Regular Meeting. The Board shall then declare the seat of that Member vacant and shall forthwith call an election to fill the Member's seat pursuant to the *Municipal Elections Act*. (*Education Act, Section 52*)

- (d) Given the importance of the Working Committee meetings, and the fact that the Board members agree to the schedule of these meetings, members who miss three meetings in an academic year (August to July), without a reasonable excuse satisfactory to the Board, will lose their privilege to attend for the remainder of that year.

## 2.6 Address of Member

Each Member of the Board shall notify the Board Secretary in writing of his or her address for the receipt of all notices or communications. Until another address is received by the Board Secretary, a notice of meeting or other communication delivered or mailed to the Member at his or her residence shall be sufficiently given.

## 3. MEETINGS

- 3.1 The first meeting of the Board after an election shall be held not less than fourteen days nor more than thirty days after the election. [*Education Act, S. 50(2)*]

### 3.2 Annual Organizational Meeting

#### 3.2.1 Election of Chair

- (a) The Annual Organizational Meeting shall be the first meeting of the Board in the month of November.
- (b) The Superintendent shall be the presiding officer at the Annual Organizational Meeting until the Chair of the Board is elected. The term of office of the Chair of the Board is one year.
- (c) The Superintendent shall appoint three scrutineers who shall be responsible for the distribution, collection and tabulation of ballots for the ensuing election processes.

- (d) The Superintendent shall conduct the election for Chair of the Board which shall be by nomination which is moved and seconded and a vote by secret ballot. The nominees must consent to their nomination in order for their names to stand for election.
- (e) The Member receiving the majority of the votes cast shall be declared elected. Should no Member receive the majority of votes cast, the name of the Member receiving the smallest number of votes shall be dropped and the Board shall proceed to vote anew, and so continue until the Chair is elected.
- (f) The presiding officer shall announce the result of the ballot by declaring the name of the member who has received a majority of the votes cast, and shall not declare the count.
- (g) In the event of a tie on any ballot, the Board shall vote again among the candidates who are tied. If the result of that ballot is also tied, the Superintendent shall so advise the Governor in Council.
- (h) The duly elected Chair shall assume the Chair and preside over the election of Vice Chair.

#### 3.2.2 **Election of Vice Chair**

Once the Chair is elected, the procedure outlined in 3.2.1 shall be followed to elect a Vice-Chair. In the event of a tie on any ballot, the Board shall vote again among candidates who are tied. If the result of that ballot is also tied, the names of the tied candidates will be placed in a “hat” and the first name drawn by the Superintendent will be elected the Vice-Chair.

3.2.3 The Chair shall conduct election(s) for such statutory and/or contractual committees as may be required from time to time.

3.2.4 The ballots shall, on motion, be destroyed.

### 3.3 **Regular Meetings**

The frequency, dates and time of Regular Board Meetings shall be determined at the Annual Organizational Meeting of the Board each year. (Education Act, S. 57)

### 3.4 **Working Committee Meetings**

All Bylaws, Rules of Order and Code of Ethics governing the Strait Regional School Board apply to the Working Committee meeting notwithstanding the exceptions found in Section 7, Standing Committees.

### 3.5 Special Meetings

The Chair may call a Special Meeting of the Board with a minimum of 24 hours' notice and shall call a Special Meeting upon receipt of the written request of a quorum of the Board. The request shall specify the reason for the meeting. In the absence of the Chair and Vice-Chair or in the event that the Chair and Vice-Chair refuse to call a meeting, the meeting shall be called by the Secretary of the Board.

### 3.6 Emergency Meetings

An Emergency Meeting may be called at the discretion of the Chair.

### 3.7 Notice of Meetings

3.7.1 The Board Secretary shall give each member at least forty-eight (48) hours' notice of **Annual, Regular and Working Committee** Meetings by mailing or delivering to them a copy of the proposed agenda for such meeting, together with such related materials as directed by the Chair and/or the Superintendent.

3.7.2 The Board Secretary shall use all expedient means to notify members of an **Emergency Meeting**.

3.7.3 Despite the foregoing notice requirements, if all the Members are present at a meeting and unanimously agree, notice of the time, place and purpose of that meeting may be waived.

3.7.4 The accidental omission to give notice to any of the Members or the non-receipt of any such notice by any of the Members shall not invalidate any resolution passed at any meeting.

3.7.5 The Board Secretary shall take such steps to make the public aware of meetings of the Board as the Board may from time to time direct.

### 3.8 Duration of Meetings

Meetings of the Board shall be of not more than three hours' duration, unless two-thirds of the members present agree to extend the meeting. The question is to be put within 15 minutes of the expiration of the three-hour limit.

### 3.9 Openness of Meetings

3.9.1 All meetings of the Board shall be open to the public.

- 3.9.2 Despite 3.9.1, a meeting, or part of a meeting, of the Board may be held in private for the purpose of considering issues involving individual students, personnel matters, or other confidential information as determined by a majority of the members of the Board present at the meeting. [See Education Act S. 59 (3)]

### 3.10 Electronic Meetings

- 3.10.1 The preferred method of participating in meetings of the Strait Regional School Board is for board members and members of the administration to be physically present.
- 3.10.2 If the means of participating via electronic means is a telephone, only telephones on regular land lines can be used to ensure security, reliable connectivity and sound quality. In cases where a resource person(s) is required to participate in the meeting, and with the approval of the Board, they may join the meeting via another form of electronic means.
- 3.10.3 Electronic attendance at meetings applies only to meetings held in the Regional Office Board Room or the Mulgrave Professional Development Centre.
- 3.10.4 A Board Member may participate by electronic means in a meeting of the Board, including Regular, Special, Standing, Committee of the Whole, Emergency and Ad Hoc.
- 3.10.5 Electronic participation is not an option for the following meetings:
- The Board's Annual Organizational meeting;
  - Special meetings called to deal with teacher termination; and
  - Meetings not held in the Regional Office Board Room or the Mulgrave Professional Development Centre.
- 3.10.6 A Board Member who requests to participate in a meeting of the Board, including Regular, Special, Standing, Committee of the Whole, Emergency and Ad Hoc, by electronic means and participates by such means in accordance with Board policy for the use of electronic means shall be deemed to be present at the meeting and shall be counted as part of the quorum and shall be entitled to vote on any matter on which he/she is eligible to vote.
- 3.10.7 The Chair of the Board or designate, the Superintendent of Schools or designate and one other Board Member shall be physically present at all open and in-camera sessions of the Board.

- 3.10.8 A board member wishing to attend a meeting via electronic means must inform the Board Secretary at least 48 hours in advance to ensure set-up and distribution of materials. Exceptions to this deadline can be made at the discretion of the Chair.
- 3.10.9 A board member wishing to attend a meeting via electronic means must have all meeting materials available to other board members in order to participate.
- 3.10.10 A board member wishing to attend a meeting via electronic means must ensure that no one else is with him/her during in-camera meetings.
- 3.10.11 When a vote is being taken, it shall be done verbally, one member at a time, with the board member(s) participating via electronic means being asked to give his/her vote in the same way as members physically present.

#### 4. QUORUM

- 4.1 The quorum of the Board shall be a simple majority of its members ( i.e. 50% plus one).
- 4.2 No business shall be conducted at any meeting of the Board unless a quorum is present.
- 4.3 If there is no quorum present within one-half hour after the time appointed for the commencement of the meeting, and in the absence of a definite extension agreeable to all Members present, the meeting shall not be convened and the Board Secretary shall record the names of the members then present.
- 4.4 In the event that a member has declared a conflict of interest in a matter under discussion, the quorum provisions of the *Municipal Conflict of Interest Act* shall apply.
- 4.5 No member shall depart a meeting, during the course of a meeting, without either having informed the Chair or Board Secretary prior to the commencement of the meeting of a planned early departure or having obtained the permission of the Chair or the resolution of the Board during the course of the meeting. Such a departure will be considered an absence without reasonable excuse for the entire Board meeting and shall be an absence pursuant to Section 52 of the *Education Act*.
- 4.6 If a quorum is lost during the course of a meeting, the Chair shall direct that the Board stand in recess for 15 minutes.
- 4.7 After 15 minutes of recess, the Chair shall call the meeting to order and the Board Secretary shall record the names of any members who fail to return to the meeting,

without either having informed the Chair or the Board Secretary prior to the commencement of the meeting of a planned early departure or having obtained permission of the Chair or the resolution of the Board.

- 4.8 Members who have left the meeting without permission or as directed by the Chair, pursuant to By-law 6.22 shall not be counted in the number of eligible voters for determining quorum to address the approved agenda items for the remainder of the meeting.
- 4.9 If under other circumstances, a quorum cannot be re-established within 15 minutes of the Board recessing due to a loss in quorum, the Chair shall adjourn the meeting.

## 5. **AGENDA and ORDER OF BUSINESS**

- 5.1 It shall be the responsibility of the Chair, in consultation with the Superintendent to establish the agenda for all Regular, Special, Emergency and Working Committee Meetings. A document outlining the items to be dealt with under the appropriate headings in the suggested order of business shall constitute the Agenda.
- 5.1.1 (a) When a Member wishes to have an item considered for inclusion on the agenda of a meeting, the member must provide the Superintendent and the Board Chair with the substance of the matter no later than five (5) calendar days prior to the meeting at which the matter may be dealt with.
- 5.1.1 (b) The Board Chair or designate will advise the respective Board Member as to the status of his/her agenda item request prior to the distribution of the Agenda.
- 5.1.2 The proposed agenda shall be delivered to Members not later than forty-eight (48) hours prior to the meeting to which it pertains. [See also Article 3.7.1]

### 5.2 Order of Business - Regular Meetings

The following order of business shall serve as a guide in the preparation of agendas for Regular Meetings of the Board:

- (a) Call to order
- (b) Record of attendance
- (c) Reading of Mission Statement
- (d) Additions to Agenda
- (e) Approval of Agenda
- (f) Acknowledgements
- (g) Adoption of Board Minutes
- (h) Business arising from Minutes

- (i) Committee reports
- (j) Staff reports
- (k) Report of Regional Education Officer, Department of Education
- (l) Reports, correspondence, communications
- (m) Future meetings
- (n) Other business
- (o) Public question period
- (p) Adjournment

#### 5.2.1 Introduction of New Matter

(a) When a member wishes to have new items considered as an addition to the agenda at all meetings of the Board and Working Committees, that member may do so with the unanimous permission of the members present providing that in the opinion of the Chair the item is of a time sensitive and/or an urgent nature.

(b) Where an item is added to the agenda in accordance with this section, it shall be dealt with in the “Other business” portion of the meeting in the order in which they are received by the meeting. A total of one-half hour (i.e. 30 minutes) shall be allotted to “Other Business,” such time to be equally divided among the topics being considered. Matters not completed during this 30-minute period shall be referred to the next Working Committee meeting.

5.3 The only business to be considered at a Special meeting or at an Emergency meeting shall be the business set forth in the notice calling the meeting unless all Members of the Board are present and all Members of the Board consent to the consideration of other business.

## 6. **RULES OF ORDER**

### A. **Motions**

#### 6.1 Motions

- (a) No business or matter shall be debated or voted upon, unless a motion in respect thereof has been moved and seconded.
- (b) The Chair may require that any motion be reduced to writing by the mover and seconder before being debated.
- (c) Any Member may require the division of any motion when, in the opinion of the Chair, or on an appeal thereof to the Board, it is reasonable to do so.

6.2 Motions in Possession of Board

After a motion has been duly moved and seconded, it shall be deemed to be in the possession of the Board, but may be withdrawn at any time, before decision or amendment, with the permission of the Board.

6.3 Motions During Debate

When a motion is under debate, no motion shall be received except the following, which motions shall have precedence in the order below:

- (a) to adjourn the meeting (not debatable)
- (b) that the main question be put to vote (not debatable)
- (c) to postpone the motion indefinitely (not debatable)
- (d) to postpone the debate to a specific time (debatable but only with respect to the propriety of the postponement)
- (e) to refer the matter to Committee or staff (debatable but only with respect to the propriety of the referral)
- (f) to amend (debatable)
- (g) to go into Committee of the Whole (debatable but only with respect to the propriety of going into Committee of the Whole)

6.4 Motion to Adjourn

A motion to adjourn is always in order and takes precedence over all other motions, but such a motion must not be entertained while a Member is speaking or while a vote is in progress.

6.5 Motion to Refer Precludes Amendment

A motion to refer, until it is decided, shall preclude all amendments of the main motion.

6.6 Motion to Postpone Indefinitely

When a motion to postpone indefinitely is carried, the motion to which it applies, together with all amendments or proposed amendments thereto, shall be removed from the agenda, and shall be placed again before the Board only after due notice to that effect has been given.

6.7 Amendments

- (a) All amendments to a motion shall be dealt with before the motion and in the reverse order in which they were moved;
- (b) An amendment shall be directly relevant to the main motion and shall propose some change in form or substance of the main motion, but shall not change the nature thereof by the introduction of new substantive matter.
- (c) An amendment to an amendment shall be directly relevant to the main motion and amendment and shall propose some change in the form or substance of the amendment, but shall not change the nature thereof.
- (d) An amendment may propose:
  - (i) to add certain words
  - (ii) to leave out certain words
  - (iii) to leave out words in order to insert other words
- (e) A motion to amend should always include one of the following three expressions:
  - (i) "...that the main motion [or amendment] be amended by inserting the words..."
  - (ii) "...that the main motion [or amendment] be amended by deleting the words..."
  - (iii) "...that the main motion [or amendment] be amended by substituting the words..."
- (f) An amendment which is contrary to the main motion shall be declared out of order by the Chair.
- (g) There is no limit on the number of times which a main motion may be amended before it is put to a vote.
- (h) Only one amendment shall be allowed to an amendment at a particular meeting.
- (i) As soon as one amendment has been voted upon, whether it is adopted, defeated, or referred, another amendment may be introduced.

6.8 Motions with Distinct Propositions

When the motion under consideration contains distinct propositions, the vote upon each proposition shall be taken separately if so directed by the Chair or requested by a Member.

6.9 Recommendations in Report

Except for Committee of the Whole reports, every recommendation in a report presented to the Board may be considered separately. Upon the request of any Member a vote shall be taken separately upon each or any of the recommendations contained in the report. Recommendations of standing, ad hoc and special committees may be amended by the Board before adoption.

6.10 Motion to Suspend a Rule of Order

A motion to suspend a Rule of Order shall take precedence over all motions, except a motion to adjourn. No Rule of Order shall be suspended, except upon unanimous vote of the Members present.

**B. Debates**

6.12 Orderly Conduct in Debate

Every Member of the Board shall respectfully address the Chair when speaking. The Member shall confine him/herself to the motion under debate and shall not refer to any Member except in a respectful manner.

6.13 Chair Decides Right to Speak

Any Member desiring to speak shall raise his or her hand or use another appropriate signal and address the chair. The Chair shall call the Member by name and such Member may then, but not before, proceed to speak.

6.14 Number and Length of Speeches

- (a) Each Member may speak twice on all motions, other than those classed as non-debatable. Except with leave of the Board, no Member shall speak longer than five (5) minutes in the first instance and two (2) minutes in the second instance on the same motion.

- (b) No Member shall speak more than twice upon any motion, other than to obtain an explanation or to demand a recorded vote, except the member who introduced the motion who shall have the privilege of closing the debate thereon.

6.15 Interruption of Speaker

No Member, while speaking, shall be interrupted by another Member, except upon a point of order or question of privilege. The Member so interrupting shall confine himself/herself strictly to stating the point of order or the question of privilege.

6.16 Resolution to be Read

Any Member may require the resolution under discussion to be read for his or her information at any time, but not so as to interrupt a Member when speaking.

6.17 Point of Order

- (a) The Chair may call any Member to order at any time, and any Member may raise a point of order.
- (b) Whenever the Chair is of the opinion that a motion is contrary to the rules and privileges of the Board, he shall apprise the Members immediately thereof, and shall cite the rule or authority applicable to the case without argument or comment.
- (c) When the Chair is called upon to decide a point of order or practice, he/she shall state the rule applicable to the case without comment and render his or her decision.

6.18 Member Called to Order

If a Member is called to order while speaking, he/she shall immediately stop speaking unless permitted to explain.

6.19 Leave to Explain

Any Member may, with the permission of the Chair, have leave to explain, but remarks so made shall be strictly confined to the explanation.

6.20 Opinion of Solicitor on Rules of Order

- (a) The Chair may consult the Board's solicitors at any time as an aid in formulating his/her ruling on any point of order or procedure.

(b) An opinion of a solicitor on a matter of procedure or order shall only be obtained by the Board after adoption of a motion to that effect.

6.21 Chair to Decide Points of Order

- (a) A ruling of the Board Chair to address inappropriate action of a school board member, which is in breach of the Code of Conduct and/or Bylaws of the Strait Regional School Board, is final, subject only to an appeal to the Board, without debate.
- (b) If any Member challenges the ruling of the chair, the Chair must then state his or her reasons for the ruling.
- (c) The Vice-Chair will then conduct a vote without debate on the question of whether the decision of the Chair shall be sustained.
- (d) A two-thirds majority vote is required to overturn the decision of the Chair.

6.22 Violations of Order and Decorum

- (a) The Chair/Vice Chair of the Strait Regional School Board has the authority to conduct all school board meetings in an orderly and respectful manner.
- (b) If any Member uses insulting or improper language to the Chair or any Member, and refuses to apologize when so directed by the Chair, or wilfully obstructs the conduct of business, and refuses to desist when called upon to do so by the Chair, he/she shall be ordered by the Chair to retire from the Board for that meeting. Any Member so removed must apologize to the Chair and to any Member insulted by him/her before returning to any subsequent meeting of the Board. The apology shall be given to the Chair and to the member in the venue where the incident originally occurred.
- (c) Any person interfering with the business of the Board, or acting in a disorderly manner may, upon the order of the Chair, be requested to be removed from the meeting by a police officer or other peace officer.

6.23 Questions and Replies

All questions asked and replies given to Members shall be made through the Chair.

6.24 Visitors

No visitors shall be allowed to address the Board without special permission from the Board.

6.25 Members not to Leave without Permission

No Member shall depart a meeting during the course of the meeting without either having informed the Chair or Board Secretary prior to the commencement of the meeting of a planned early departure or having obtained the permission of the Chair or resolution of the Board during the course of the meeting. Such departure shall be considered an absence without excuse for the entire Board meeting and shall be an absence pursuant to Section 52 of the *Education Act*.

C. **Voting**

6.26 Putting Motion to Vote

Before putting any motion to vote, the Chair shall state the motion clearly and ask the Board if it is ready to vote on the motion. In any matter on which there has been no discussion, the Chair may ask if there is any objection to such motion, and if none is made, declare the motion carried.

6.27 No Debate after Vote is Called

After any vote has been called for by the Chair on any question, no Member shall speak on the question, nor shall any motion be made until after the result is declared, and the decision of the Chair, as to whether the question has been finally called for, shall be conclusive.

6.28 Decision of Motion

Except for the election of the Chair and the Vice-Chair, motions shall be decided by a voice vote or a show of hands, unless the Chair directs or a Member requests a recorded vote, prior to the vote in which case the vote of each Member shall be taken by the Board Secretary and recorded in the Minutes, and the motion decided accordingly.

6.29 All Members Must Vote

- (a) Every Member who is present when any question is put to vote, shall vote on that question unless excused by the Board. No Member shall be excused unless excluded by interest, or unless he/she furnishes the Board with satisfactory reasons for being excused before the Chair proceeds to put the question. The right to be excused shall be decided by the Chair without debate.
- (b) A Member who abstains from voting without being excused, shall be deemed to have voted in the negative.

6.30 Chair and Vice-Chair Must Vote

Both the Chair and Vice-Chair must vote.

6.31 Tie vote

In the event of a tie vote, the question voted on shall be deemed to be determined in the negative.

**D. Post Vote Notices and Motions**

6.32 Notice of Motion to Rescind a Previous Motion

A motion to rescind a motion approved at a previous meeting may be moved at any subsequent meeting, *provided that a Member serves a notice of intention to do so at the Regular Meeting immediately preceding the Regular or Special Meeting at which the matter is to be dealt with.* The notice of motion shall be included with the circulated agenda, along with the text of the motion to which it refers. A motion to rescind is debatable, may not be amended, and requires a two-thirds majority vote to carry.

6.33 Notice of Motion to Amend a Previous Motion

A motion to amend a motion approved at a previous meeting may be moved at any subsequent meeting, *provided that a Member serves a notice of intention to do so at the Regular Meeting immediately preceding the Regular or Special Meeting at which the matter is to be dealt with.* The notice of motion shall be included with the circulated agenda, along with the text of the previous motion. A motion to amend a previous motion is debatable, may be amended, and requires a two-thirds majority vote to carry.

6.34 No Motion to Rescind or Amend shall be allowed in regard to:

- (a) approval of all or part of the annual budget of the Board;
- (b) motions authorizing legal proceedings in any court;
- (c) motions which would result in the signing of contractual agreements.

6.35 If Motions to Rescind or Amend are not made at the time so fixed, no other motion to rescind or amend such motions shall be made within one year.

## 7. COMMITTEES

### A. Committee of the Whole Board

7.1 Whenever the Board wishes to consider a matter involving,

- (a) the security of the property of the Board;
- (b) the disclosure of intimate, personal or financial information in respect of a member, an employee or prospective employee or a pupil or the parent or guardian of a pupil;
- (c) the acquisition or disposal of a school site;
- (d) decisions with respect to personnel and/or collective bargaining matters;
- (e) litigation respecting the Board or to receive or consider legal advice; or
- (f) wishes to permit in respect of any matter freer debate and more detailed consideration than the Rules of Order permit,

the Board may resolve itself into a Committee of the Whole or may schedule a meeting or an arrangement of meetings of the Committee of the Whole Board to discuss matters and formulate recommendations for consideration by the Board. [Education Act, S. 59 (3)]

7.2 Vice-Chair assumes Chair

When the Board resolves into Committee of the Whole, the Vice Chair shall assume the Chair, or in his or her absence, such other Member as the Committee shall select.

7.3 Meetings “In Camera”

When the matter before the Committee of the Whole is one involving a matter mentioned in items (a) to (f) of Article 7.1, the Committee may resolve to exclude from the meeting while that matter is under discussion all persons other than Members and other persons specifically authorized by the Committee to be present.

- (a) General Duty of Non-Disclosure: Unless required to disclose the information by a court, no Member shall disclose to any person, other than another member of the Board, the nature, substance or any detail of “in camera” proceedings of the Committee of the Whole relating to matters referred to in items (a) to (f) of Article 7.1.

- (b) A motion to go “in camera” shall include a statement of the purpose for going “in-camera” as it relates to matters referred to in items (a) to (f) of Article 7.1.
- (c) Upon completion of “in camera” deliberations, the meeting will resume in Committee of the Whole and the conclusions reached during the “in camera” session, if any, shall be formulated into a report or recommendation to be considered in a subsequent meeting of the Board. Recommendations in respect of deliberations while “in camera” shall contain no information that would divulge the nature of discussions.

#### 7.4 Reports to the Board from Committee of the Whole

Whenever a recommendation is reported to the Board from the Committee of the Whole Board, a motion to concur in the recommendation shall be put before the Board and decided without debate or amendment. A member or group of members opposed to the motion may make a minority report by submitting a written report to the Board Secretary within one week following the Committee of the Whole meeting, and such report will be included in the Minutes of the meeting of the Board at which the report of the Committee was dealt with.

### **B. Standing Committees**

- 7.5 There shall be three Standing Committees of the Board - Working, Policy and Attendance.
- 7.6 The frequency, dates and time of meetings of the Working Committee of the Board shall be as determined at the Annual Organizational Meeting or as required from time to time by the Board. (Education Act, S. 58 (1) a)
- 7.7 Meetings of the Working Committee of the Board shall be chaired by the Vice Chair or such other Member of the Committee as the Committee allows.
  - 7.7.1 During the Working Committee meeting, there will be no public question Period.
  - 7.7.2 In-camera issues will be dealt with at the beginning of the meeting. When possible, in camera issues which arise during the meeting will be tabled to the end of the meeting. If the matter is of an urgent nature, members of the public will be asked to leave the room while the Board is in "in camera" session.
  - 7.7.3 Rules of Order of the Board shall be observed in all meetings of the Working Committee meeting in so far as may be applicable, except that

no motions to record the vote, to limit the debate, or to adjourn the debate shall be in order. The number of times a Working Committee member may speak shall not be limited. The Chair shall retain control of the proceedings in a manner that preserves effective, efficient and orderly consideration of all matters brought before the Working Committee.

7.8 Policy and Attendance Standing Committee

7.8.1 The written terms of reference, membership, meeting schedules, guidelines for attendance and reporting requirements for the Policy and Attendance Standing Committee shall be decided at the time of the Committee's inception and shall be reviewed annually.

7.8.2 Members of the Board may attend meetings of the Policy and Attendance Standing Committee of which they are not members, but they shall not be counted in the quorum.

**C. Ad Hoc Committees**

7.8 The Board may from time to time by motion establish Ad Hoc committees as it determines to be necessary.

7.9 The written terms of reference, membership, meeting schedules, guidelines for attendance and reporting requirements of an Ad Hoc committee shall be decided at the time of the Committee's inception and shall be reviewed annually.

7.10 Unless otherwise decided by the Board, the Chair of Ad Hoc Committees shall be chosen by the members of such committee from among themselves.

7.11 Members of the Board may attend meetings of Ad Hoc or Standing committees of which they are not members, but they shall not be counted in the quorum.

**D. General Rules for Committees**

7.12 The Rules of Order of the Board shall be observed in all Committee meetings as far as they may be applicable.

7.13 A majority of Members shall constitute a quorum.

7.14 Recommendations of committee meetings shall be put in the form of a motion.

7.15 Although Members shall not be restricted with respect to the length and number of their contributions to the discussions in Committee meetings, the Chair shall exercise discretion in ensuring that **all** Members have an opportunity to participate.

7.16 The person who chaired the Committee meeting, or his/her designate, shall be responsible for presenting the report of a Committee to the Board.

7.17 Reports to the Board (Standing, Special and Ad Hoc Committees)

- (a) Standing, Special and Ad Hoc committees shall report to the Board as required by the Board and whenever the Committee deems necessary.
- (b) The report of a Committee presented to a Board Meeting and subsequently recorded as part of or appended to the approved minutes of that Board Meeting, shall constitute the official minutes of the meeting of that committee.
- (c) Minutes of Committee meetings shall not become part of the Board's official record until such time as the Minutes of the Board Meeting of which they are a part have been duly approved by the Board.
- (d) Upon the request of any Member, a vote may be taken separately upon each or any of the recommendations contained in a committee report. Recommendations may be amended by the Board before adoption, and are debatable. The adoption or approval of a report in its entirety gives effect to all of its recommendations, either in their original form or as amended.
- (e) A motion to *receive* a report does not imply approval of a report or any recommendations contained therein.
- (f) The Board Chair, or in the Chair's absence the Vice-Chair, shall be a member, ex officio, of Special and Ad Hoc committees of the Board. The Chair shall not be counted in determining the quorum. The Chair and Vice Chair may be a regular member of a committee and, as such, will be counted in determining the quorum.

## 8. PUBLIC PRESENTATIONS

8.1 Any person or group, except Board employees (who shall communicate with the Board through the channels provided for that purpose), may request an opportunity to appear before the Board to express concern and to make proposals on issues within the jurisdiction of the Board. All concerns, with the exception of labour negotiations, litigation respecting the Board, personnel and discipline matters, may be addressed at a public board meeting.

### 8.2 Advance Notice

8.2.1 Delegations shall inform the Board Secretary of their desire to appear before the Board, stating in writing the reason for the delegation and any remedy requested of the Board.

8.2.2 The delegation must deliver or send the written notice so that it reaches the Board Secretary at least ten (10) days before the date of the meeting at which the delegation wishes to appear.

8.2.3 The Chair shall decide which Board Meeting the delegation shall appear before and the Board Secretary shall inform the delegation as to the date of the meeting and the time during the meeting at which the delegation will be received.

8.2.4 Delegations must forward copies of their presentation to the Board Secretary for distribution to Board Members 48 hours prior to the meeting.

### 8.2.5 Spokespersons

Delegations may appoint up to two spokespersons and no other member of the delegation shall address the Board except with the permission of the Board. Presentations should be limited to 15 minutes. After the spokespersons have spoken, the Board Members shall have the opportunity to ask questions of clarification.

### 8.2.6 Board's Response to Delegation

Once the delegation has appeared before the Board, the Board Secretary shall provide, in writing, acknowledgement of the presentation and advice as to the intended date that a decision is to be made, or a staff report is to be considered, concerning the delegation's submission.

8.2.7 Re-Appearence

A delegation, once heard, shall not be received again by the Board on substantially the same information for a period of three (3) months from the date of the first hearing.

8.2.8 Waiver of Notice

Despite the foregoing, if a matter is determined by resolution of a two-thirds majority of the Board Members present at a meeting to be of a serious and urgent nature, some or all of these rules concerning delegations may be waived.

8.3 On resolution of the Board, a delegation may appear before a committee of the Board.

## 9. MINUTES AND RECORDS

9.1 Minutes

Minutes of proceedings of all meetings of the Board and of its Committees shall be taken and kept with the records of the Board.

9.2 Preservation of Board Records

The Board Secretary shall see to the preservation and safekeeping of all the records of the Board for at least six years after each item comes into existence. After such six year period, subject to the provisions of the *Education Act* and such other Acts of the Federal and Provincial Governments as may be applicable, records shall be destroyed.

## 10. COMMUNICATION

10.1 Correspondence Deposited with Board Secretary

The original of all correspondence addressed to the Board Chair in his or her capacity as Board Chair shall be deposited with the Board Secretary. If an individual board member receives correspondence that he/she believes the Board should consider, the board member shall provide it to the Board Secretary.

The Chair, in consultation with the Superintendent, will assess whether the communication raises an issue of substance and will be of value to the Board in the performance of its duties. The Chair, in consultation with the Superintendent, shall determine if the issue is appropriate for communication to the Board or whether it may more properly be dealt with by Board staff.

10.2 Response to Correspondence

Individual Board Members may not respond to correspondence on behalf of the Board, or make inquiries or commitments on behalf of the Board, without the express authorization of the Board.

10.3 The Chair (or the person designated by the Chair) shall be the spokesperson for the Board.

## 11. ATTENDANCE AT CONFERENCES

11.1 The Board shall put in place policies and procedures regulating the administration of funds and the granting of approvals enabling Board Members to participate in conferences and continuing education programs. Such policies and procedures shall be consistent with the provisions of Article 54 of the *Education Act*.

11.2 Any Member who attends a conference on behalf of the Board shall, at a subsequent Regular meeting, submit a written report to the Board with respect to the substance of the conference. **When more than one Board Member attends the same conference, one written report to the Board shall be required.**

## 12. PROFESSIONAL APPOINTMENTS

The Board shall annually appoint, by motion, legal counsel, financial institution, auditors and any other professional with whom it has dealings. [Education Act, Section 84 (1)]

## 13. OFFICERS OF THE BOARD

13.1 The Officers of the Board shall be the Chair, the Vice-Chair, the Secretary of the Board, and the Treasurer of the Board.

- 13.2 General Signing Authority: Deeds, transfers, contracts, and documents, for and on behalf of the Board, shall be signed by the Chair and/or Vice Chair **and** the Secretary of the Board and/or the Treasurer of the Board, as required, and these Officers shall be authorized to affix the Seal of the Board to such instruments, as required.
- 13.3 Specific Signing Authority: The Board may, by motion, appoint any person or persons on its behalf to sign specific contracts, documents or instruments in writing.

#### **14. REFERENCE AUTHORITY**

In all procedural matters provided for in these By-laws, the rules and practices of *Bourinot's Rules of Order* shall govern as far as they are applicable, and as a secondary reference the provisions of *Procedures for Meetings and Organizations* (Kerr and King) shall prevail.

#### **15. AMENDMENTS**

- 15.1 Any proposed amendment to these By-laws shall be
- (a) read as a Notice of Motion at a Regular Meeting of the Board
  - (b) placed on the Agenda for the subsequent Regular Meeting of the Board.
- 15.2 A written copy of proposed change or changes shall be mailed to all Members not less than one week prior to the meeting at which the matter will be considered.
- 15.3 Amendment to these By-laws requires a two-thirds majority vote of the Board.