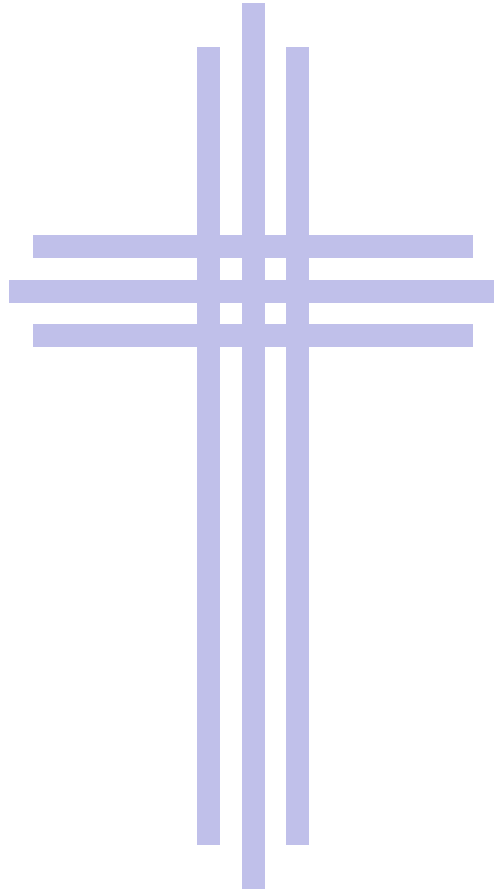


# PROCEDURE BY-LAW 98-1



## SUDBURY CATHOLIC DISTRICT SCHOOL BOARD

**Monitoring:**

Methods: Internal Report

Frequency:

---

**Approval Date:** November 7, 2000

**Effective Date:** March 5, 2002

**Last Review Date:** September 15, 2009

**Revised:** September 15, 2009

**Signature of Chairperson of the Board:** \_\_\_\_\_

**Signature of the Secretary of the Board:** \_\_\_\_\_

**Distribution:** Trustee and Director

# PROCEDURE BY-LAW 98-1

## TABLE OF CONTENTS

### 1. **INTERPRETATION**

1.01	Meaning of Terms . . . . .	p.	1
1.02	Standing Committees Named . . . . .	p.	1

### 2. **INAUGURAL MEETING**

2.01	Date of Inaugural Meeting . . . . .	p.	2
2.02	Procedure at Inaugural Meeting . . . . .	p.	2
2.03	Presiding Officer at Inaugural Meeting . . . . .	p.	2
2.04	Preliminary Proceedings . . . . .	p.	2
2.05	Election of Chairperson . . . . .	p.	2
2.06	Election of Other Officers . . . . .	p.	3
2.07	Further Business . . . . .	p.	3

### 3. **MEETINGS**

3.01	Seating at Meetings . . . . .	p.	3
3.02	Regular Meetings of the Board . . . . .	p.	4
3.03	Special Meetings . . . . .	p.	4
3.04	Notice of Regular Meetings . . . . .	p.	4
3.05	Notice of Special Meetings . . . . .	p.	4
3.06	Meetings of Special Committees and Subcommittees . . . . .	p.	4
3.07	Quorum for Meetings of all Trustees . . . . .	p.	4
3.08	Quorum for Meetings of Committees . . . . .	p.	4
3.09	Lack of Quorum . . . . .	p.	5
3.10	Quorum Lost . . . . .	p.	5
3.11	Attendance . . . . .	p.	5
3.12	Maximum Length of Meeting . . . . .	p.	5

### 4. **COMMITTEES**

4.01	Composition of the Committee of the Whole board . . . . .	p.	5
4.02	Establishment of Special Committees . . . . .	p.	5
4.03	Composition of Special Committees . . . . .	p.	5
4.04	Functions of Special Committees . . . . .	p.	5
4.05	Dissolution of Special Committees . . . . .	p.	5
4.06	Right of the Chairperson . . . . .	p.	6
4.07	Right of the Vice-Chairperson . . . . .	p.	6
4.08	Voting at Meetings of Committee . . . . .	p.	6
4.09	Resignation from Committee . . . . .	p.	6
4.10	Filling of Vacancies on Committee . . . . .	p.	6
4.11	Referral Power of the Board . . . . .	p.	6
4.12	Matters for Consideration by the Board . . . . .	p.	6

4.13	Committee of the Whole Board . . . . .	p.	7
4.14	Statutory Committees . . . . .	p.	7
4.15	Special Committees . . . . .	p.	8
4.16	Committee Procedures . . . . .	p.	8
4.17	Standing Committees . . . . .	p.	8

**5. COMMITTEE REPORTS**

5.01	Reporting After Each Meeting . . . . .	p.	9
5.02	Format of Committee Report . . . . .	p.	9

**6. RULES OF ORDER**

6.01	Board By-Laws . . . . .	p.	9
6.02	Robert’s Rules of Order . . . . .	p.	9

**7. PRESIDING OFFICER**

7.01	Presiding Officer and Inaugural Meeting . . . . .	p.	10
7.02	Chairperson to Preside . . . . .	p.	10
7.03	When Vice-Chairperson to Preside . . . . .	p.	10
7.04	When Other Trustee to Preside . . . . .	p.	10
7.05	Continuation in the Chair . . . . .	p.	10
7.06	Chairperson of the Committee of the Whole Board . . . . .	p.	10
7.07	Chairperson Permitted to Speak . . . . .	p.	10
7.08	Chairperson Pro Tem . . . . .	p.	10
7.09	Committee Chairperson . . . . .	p.	10

**8. AGENDAS AND ORDER PAPERS**

8.01	Delivery of Meeting Agendas to Trustees . . . . .	p.	11
8.02	Delivery of Draft Meeting Agendas to Non-Trustees . . . . .	p.	11
8.03	Items on Agenda . . . . .	p.	11
8.04	Placement Where Considered by Two or More Committees . . . . .	p.	11
8.05	Placing Matter on Committee Agenda . . . . .	p.	11
8.06	Notice of Motion for a Board Meeting . . . . .	p.	12
8.07	Notice of Matter for a Meeting of Committee . . . . .	p.	12
8.08	Agenda for Regular Meetings of the Board . . . . .	p.	12
8.09	Agenda for Special Meetings of the Board and Committees . . . . .	p.	13
8.10	Agenda for Meetings not open to the Public . . . . .	p.	13
8.11	Variation . . . . .	p.	13
8.12	Miscellaneous Matters for Board Meetings . . . . .	p.	13
8.13	Miscellaneous Matters for Committee Meetings . . . . .	p.	13
8.14	Reconsideration by the Board . . . . .	p.	14
8.15	Reconsideration by a Committee . . . . .	p.	14
8.16	Delegation . . . . .	p.	14

9. **MOTIONS**

9.01 When Must be Moved and Seconded . . . . . p. 14  
9.02 Debatable Motions to be in Writing . . . . . p. 14  
9.03 Deferral of Debate re: Notice of Motion . . . . . p. 15  
9.04 Precedence of Motion . . . . . p. 15

10. **PROTOCOL FOR DEBATE**

10.01 Member to Await Recognition . . . . . p. 15  
10.02 Conduct of Member in Debate . . . . . p. 15  
10.03 Interruption of Speaker . . . . . p. 15  
10.04 Point of Information . . . . . p. 16  
10.05 Motion May Be Read . . . . . p. 16  
10.06 Rules at Meetings of Committees . . . . . p. 16

11. **VOTING**

11.01 Voting Compulsory . . . . . p. 16  
11.02 Member Must be Present . . . . . p. 16  
11.03 Affirmative Vote Required . . . . . p. 16  
11.04 Minimum Number . . . . . p. 16  
11.05 Methods of Voting . . . . . p. 16  
11.06 Method to be Used . . . . . p. 17  
11.07 Vote Lost on Equality . . . . . p. 17  
11.08 Declaration of Result . . . . . p. 17  
11.09 Recording Member's Vote . . . . . p. 17

12. **OFFICERS AND OFFICIALS**

12.01 Officers Named . . . . . p. 17  
12.02 Duties of the Chairperson . . . . . p. 18  
12.03 Duties of the Vice-Chairperson . . . . . p. 18  
12.04 Duties of the Secretary . . . . . p. 18  
12.05 Duties of the Treasurer . . . . . p. 19  
12.06 Removal of Officers . . . . . p. 19  
12.07 Duties of other Board Officials . . . . . p. 19

13. **EXECUTION OF DOCUMENTS**

13.01 Board Seal . . . . . p. 19  
13.02 Seal Register . . . . . p. 19  
13.03 Signing Authorities . . . . . p. 19  
13.04 Minutes . . . . . p. 19  
13.05 By-Laws . . . . . p. 20  
13.06 Certification of Documents . . . . . p. 20  
13.07 Execution not under Seal . . . . . p. 20

14. **BANKING**

14.01	Bank Signing Officers . . . . .	p. 20
14.02	Endorsement for Deposit . . . . .	p. 20
14.03	Signatures by Reproduction . . . . .	p. 20

15. **STATUTORY COMMITTEES**

15.01	Application to Statutory Committees . . . . .	p. 20
15.02	Meeting Times of Statutory Committees . . . . .	p. 21

16. **AMENDMENTS TO BY-LAWS**

16.01	Amendment after Notice . . . . .	p. 21
16.02	Amendment without Notice . . . . .	p. 21

# SUDBURY CATHOLIC DISTRICT SCHOOL BOARD

## ***By-Law Number 98-1***

### **Relating Generally to the Conduct of its Affairs**

#### **1. INTERPRETATION**

##### **1.01 MEANING OF TERMS**

For this By-law and all other By-laws of the Board unless the context otherwise requires

1. the singular includes the plural
2. the masculine includes the feminine
3. "ACT" means the Education Act, Revised Statutes of Ontario 1990, chapter E.2, as amended
4. "BOARD" means the Sudbury Catholic District School Board
5. "Chairperson" means the Chairperson of the Board
6. "COMMITTEE" includes any Committee or Subcommittee established by the BOARD
7. "ADMINISTRATIVE COUNCIL" means the Director of Education and Secretary of the Board, the Associate Director - Corporate Services and Treasurer of the Board and, Superintendents of Education
8. "EXECUTIVE COMMITTEE" means the Chairperson of the Board; Vice-Chairperson of the Board; Director of Education and Secretary of the Board; and, the Superintendent of Business and Finance and Treasurer of the Board
9. "MEETING" includes a meeting of the BOARD and of COMMITTEES
10. "STANDING COMMITTEE" means a Committee described in §1.02
11. "STATUTORY COMMITTEE" means any committee that, by statute, the BOARD is required to appoint
12. "TRUSTEE" means a person elected, appointed or acclaimed to the office of trustee of the BOARD pursuant to the provisions of the Municipal Elections Act
13. "VICE-Chairperson" means the Vice-Chairperson of the BOARD
14. "YEAR" means, unless qualified, the period commencing on the first day of December, and ending on the last day of November next following

##### **1.02 STANDING COMMITTEES NAMED**

1. The STANDING COMMITTEES of the BOARD shall be known as:  
Policy and Regulation Committee

## **2. INAUGURAL MEETING**

### **2.01 DATE OF INAUGURAL MEETING**

Subject to any statutory requirement, the Inaugural Meeting of the BOARD shall be held in the Boardroom on the first "Tuesday" of the month of December at 8:00 p.m.

1. PROVIDED however that the Inaugural Meeting to be held in the calendar year in which all TRUSTEES are elected at the regular election or acclaimed under the Municipal Elections Act shall be held not later than the 8<sup>th</sup> day of December.

### **2.02 PROCEDURE AT INAUGURAL MEETING**

1. The Inaugural Meeting shall be preceded by a mass organized by the Secretary of the Board
2. The procedure at the Inaugural Meeting of the BOARD in each year shall be as set out in §2.03 through §2.07

### **2.03 PRESIDING OFFICER AT INAUGURAL MEETING**

The Presiding Officer at the Inaugural Meeting shall be:

1. the Secretary of the BOARD until the first of the persons below who is present is elected
2. the Chairperson upon election to office, if present
3. in the absence of the Chairperson, the VICE-Chairperson upon election to office, if present
4. in the absence of the Chairperson and the VICE-Chairperson, the TRUSTEE present who shall have been elected by the TRUSTEES present to be Chairperson of the Inaugural Meeting

### **2.04 PRELIMINARY PROCEEDINGS**

The Secretary of the Board shall,

1. read apologies
2. read the returns of any elections, following which the newly elected TRUSTEES shall take their places
3. attest that each TRUSTEE has taken a Declaration of Office and Oath of Allegiance
4. call the Roll
5. declare the BOARD legally constituted
6. name *two* (2) scrutineers, being supervisory officers

### **2.05 ELECTION OF CHAIRPERSON**

The Secretary of the Board shall then proceed with the election of the Chairperson

1. PROVIDED however, that no TRUSTEE shall hold the office of Chairperson for more than four consecutive years
2. the secretary will receive nominations from TRUSTEES
3. nominated candidates will have the opportunity to withdraw from the nomination list
4. each nominee, in reverse order, will be given an opportunity to address the Board for up to

three (3) minutes

5. the election of the Chairperson shall be by secret ballot
6. the ballots shall be counted in the meeting room
7. should no member receive a majority of the votes cast, the name of the member receiving the least number of votes will be dropped and balloting shall continue
8. any candidate may, at the end of any ballot, announce to the Chairperson his withdrawal
9. in the case of an equality of votes with no one candidate receiving a majority after the third ballot, the remaining candidates shall draw lots to fill the position
10. in the case of a tie vote for the last position, the candidates with an equal number of votes shall draw lots to determine who shall be dropped from the next ballot
11. the scrutineers shall destroy all ballots used in the election of Chairperson and VICE-Chairperson

#### 2.06 **ELECTION OF OTHER OFFICERS**

The Chairperson shall proceed, according to the procedure set out in §2.5, with the election of:

1. the VICE-Chairperson
2. other officers of the BOARD, if and as required
3. PROVIDED however, that no TRUSTEE shall hold the office VICE-Chairperson for more than four consecutive YEARS

#### 2.07 **FURTHER BUSINESS**

The Chairperson shall then proceed with:

1. the passing of a resolution identifying the signing authorities
2. the passing of a resolution authorizing the Superintendent of Business and Finance and Treasurer of the Board and the Chairperson or VICE-Chairperson to borrow from time to time by way of promissory note, such sums as the BOARD considers necessary to meet current expenditures of the BOARD until the current revenue has been received
3. the presentation of the annual report of the Director of Education
4. any urgent business of the BOARD

At the next regular meeting of the Board, representatives to outside agencies, boards and commissions shall be appointed by resolution.

### **3. MEETINGS**

#### 3.01 **SEATING AT MEETINGS**

As far as practicable, at all MEETINGS, the Chairperson thereof shall be seated at the mid-point of the Boardroom table, with the Secretary of the Board to the immediate right, followed by the Recording Secretary and the remaining TRUSTEES shall be seated alphabetically by surname starting at the right corner from the Chairperson.

### 3.02 **REGULAR MEETINGS OF THE BOARD**

Unless otherwise ordered by special motion:

1. the regular meetings of the BOARD shall be held at the business office of the BOARD at 7:00 o'clock (local time) in the evening on the third "Tuesday" in each month from January to June and August to December.

### 3.03 **SPECIAL MEETINGS**

Special meetings of the BOARD shall be held:

1. at any time determined by resolution of the BOARD, at the date and time so determined
2. at the call of the Chairperson
3. at the date and time fixed by the Chairperson *within seven days of receipt* of the written request of three TRUSTEES

### 3.04 **NOTICE OF REGULAR MEETINGS**

No formal notice of regular MEETINGS of the BOARD shall be required, but a written reminder of each meeting shall be circulated to each TRUSTEE twenty-four (24) hours in advance of each meeting.

### 3.05 **NOTICE OF SPECIAL MEETINGS**

Written notice of every special meeting of the BOARD shall:

1. be given by delivery to each TRUSTEE at least twenty-four (24) hours prior to the time of the meeting
2. state all business to be transacted or considered thereat, and notwithstanding any other by-law, no other business shall be considered unless all TRUSTEES who are eligible to vote on the matter are present at the meeting and unanimously agree thereto.

### 3.06 **MEETINGS OF SPECIAL COMMITTEES AND SUBCOMMITTEES**

Special Committees and Subcommittees shall meet;

1. at the call of the Secretary, following consultation with the members of the COMMITTEE if a Chairperson has not been appointed
2. at the call of the Chairperson of the Committee
3. at times determined by resolution of the COMMITTEE

### 3.07 **QUORUM FOR MEETINGS OF ALL TRUSTEES**

Subject to the Municipal Conflict of Interest Act, a majority of the TRUSTEES of the BOARD shall constitute a quorum for meetings of the BOARD, of the COMMITTEE OF THE WHOLE BOARD, and of a COMMITTEE where a COMMITTEE is composed of all TRUSTEES.

### 3.08 **QUORUM FOR MEETINGS OF COMMITTEES**

Subject to the Municipal Conflict of Interest Act, a majority of TRUSTEES who are members of the COMMITTEE eligible to vote shall constitute a quorum for MEETINGS of a COMMITTEE.

### 3.09 **LACK OF QUORUM**

Should there be no quorum present within fifteen minutes after the time appointed for the meeting, the names of those members present shall be recorded and the Board shall forthwith stand adjourned until the next regular or special meeting. Such record of presence shall be appended to the next regular meeting agenda.

### 3.10 **QUORUM LOST**

Whenever a quorum is no longer present at a MEETING, the provisions of section 3.09 { Lack of Quorum} shall apply.

### 3.11 **ATTENDANCE**

Attendance of members at Board meetings shall be noted and recorded. It shall be the responsibility of each member to take notice of Section 228 and 229 of the Education Act.

### 3.12 **MAXIMUM LENGTH OF MEETING**

The Board shall not remain in session later than **11 p.m. unless** otherwise determined by a vote of a majority of the members present and, will not remain in session after 12:00 midnight unless by a unanimous vote of the members present.

## **4 COMMITTEES**

### 4.01 **COMPOSITION OF THE COMMITTEE OF THE WHOLE BOARD**

The COMMITTEE OF THE WHOLE BOARD shall be composed of all TRUSTEES.

### 4.02 **ESTABLISHMENT OF SPECIAL COMMITTEES**

4.02.01 Special Committees of the BOARD may be established by resolution of the BOARD; such resolution shall define in detail the terms of reference of such COMMITTEES

### 4.03 **COMPOSITION OF SPECIAL COMMITTEES**

Membership of Special Committees shall be a fixed number of TRUSTEES, as determined by the Board. Membership shall be through the election process,

4.03.01 PROVIDED further, that the term of office on a Special Committee shall expire at the end of the YEAR; and if thereafter the BOARD shall continue or reconstitute a Special Committee in accordance with the provisions of this §4.03.

### 4.04 **FUNCTIONS OF SPECIAL COMMITTEES**

Unless otherwise provided by resolution, where a Special Committee has been established; it shall report, as required, directly to the body which elected it.

### 4.05 **DISSOLUTION OF SPECIAL COMMITTEES**

A Special Committee shall be dissolved:

1. upon delivery of its final report to the body which elected it
2. at any time upon a resolution of the body which elected it
3. in any event, at the end of the YEAR

PROVIDED however, that a succeeding BOARD, when constituted, may continue or reconstitute

any such Special Committee at or after the Inaugural Meeting.

#### **4.06 RIGHT OF THE CHAIRPERSON**

If eligible by law to vote on a matter, the Chairperson, when present, shall:

1. be counted in determining the quorum
2. have the right to vote at all COMMITTEE meetings.

#### **4.07 RIGHT OF THE VICE-CHAIRPERSON**

The VICE-Chairperson, when delegated by or in the absence of the Chairperson, shall have all powers of the Chairperson, including the right to vote if eligible by law to vote on a matter.

1. PROVIDED that whenever the VICE-Chairperson exercises any of the powers of the Chairperson, the absence of or the delegation by the Chairperson shall be presumed.

#### **4.08 VOTING AT MEETINGS OF COMMITTEES**

If eligible by law to vote on the matter, TRUSTEES vote at MEETINGS at which they are present, as follows:

1. in the case of the Chairperson and VICE-Chairperson, in accordance with what is provided in §4.06 { Right of the Chairperson } and §4.07 { Right of the VICE-Chairperson }
2. in the case of a TRUSTEE appointed or elected to a COMMITTEE, at all meetings of such COMMITTEE
3. only trustees who are eligible to vote may move and/or second motions

#### **4.09 RESIGNATION FROM COMMITTEE**

A member may resign from any COMMITTEE at any time by notice in writing to the Chairperson of the COMMITTEE.

#### **4.10 FILLING OF VACANCIES ON COMMITTEES**

A vacancy, however caused, shall be filled at the earliest practicable time but in any event not later than the second meeting after the vacancy occurs:

1. in the case of a vacancy on a COMMITTEE, by the body which elects committee members

#### **4.11 REFERRAL POWER OF THE BOARD**

Notwithstanding anything contained in the By-laws, the BOARD, upon the majority vote of all TRUSTEES eligible to vote on the matter, shall have the power to refer any matter to any COMMITTEE, regardless of the terms of reference of any COMMITTEE.

#### **4.12 MATTERS FOR CONSIDERATION BY THE BOARD**

The following matters need not be considered by a STANDING COMMITTEE before presentation to and consideration by the BOARD: matters pertaining to the general operation of the BOARD, including policies of the BOARD, the law, and relations with other legislative bodies and administrative organizations, and including but not limited to:

1. legislation affecting the BOARD, its TRUSTEES, staff, or its organization or operations
2. proposed or necessary amendments to the By-laws

3. establishing, instructing, monitoring and receiving reports from salary negotiating Subcommittees
  1. any matter involving litigation
  2. the budget
  3. any other matter for which no appropriate COMMITTEE exists.

#### 4.13 **COMMITTEE OF THE WHOLE BOARD**

Notwithstanding anything else contained in the By-laws, the BOARD:

1. shall resolve into the COMMITTEE OF THE WHOLE BOARD to consider any report of any other COMMITTEE with respect to any matter considered at a meeting of the latter from which the public has been excluded
2. shall resolve into the COMMITTEE OF THE WHOLE BOARD when dealing with matters defined in section 207 (2) of the Education Act
3. may, from time to time and at any time, resolve into the COMMITTEE OF THE WHOLE BOARD.

#### 4.14 **STATUTORY COMMITTEES**

##### 1. **Supervised Alternative Learning for Excused Pupils Committee**

The Committee previously called the Early School Leaving Committee is established under Ontario Regulation 532/83, made under the Education Act, R.S.O. 1990, c. E.2.

The responsibilities of the Committee are described in the said regulation.

The Committee consists of one Trustee.

The Committee reports to the Board.

##### 2. **Special Education Advisory Committee**

Each Committee is established under Ontario Regulation 464/97.

The responsibilities of the Committee are described under the said regulation.

The Committee consists of one Trustee and one other Trustee will be named as the alternate.

The Committee reports to the Board.

##### 3. **Expulsion Appeal Committee**

The Committee is established under Section 311 made under the Education Act, R.S.O. 1990, c. E2.

The responsibilities of the Committee are described in the said Section.

This Committee consists of 3 Trustees made up of the Chairperson and Vice-Chairperson of the Board plus one other Trustee. The remaining 3 Trustees shall be alternates.

The Committee reports to the Board.

4. Suspension Appeal Committee

The Committee is established under Section 308 made under the Education Act, R.S.O. 1990, c. E2.

The responsibilities of the Committee are described in the said Section.

The Committee consists of three Trustees made up of the Chairperson and Vice-Chairperson of the Board plus one other Trustee. The remaining three Trustees shall be alternates.

The Committee reports to the Board.

4.15 **SPECIAL COMMITTEES**

1. **Non-Unionized Salary Committee**

This Committee consists of three trustees made up of the Chairperson of the Board plus two other trustees.

The Committee will meet and receive requests from non-unionized employees pertaining to salary and benefits and make recommendations to the Board.

2. **Salary Negotiations Committees**

These committees consist of three trustees made up of the Chairperson of the Board plus two other trustees.

4.16 **COMMITTEE PROCEDURES**

Each COMMITTEE may:

1. subject to the approval of the BOARD, and subject to the other relevant provisions of the By-laws, establish procedures for the efficient operation of the COMMITTEE
2. request from the Secretary of the Board reports concerning matters within its terms of reference
3. receive reports from any officer of the BOARD concerning matters within its terms of reference
4. hear delegations concerning matters within its terms of reference
5. receive and consider communications and petitions addressed to the BOARD on any subject within the terms of reference of such COMMITTEE, without first being referred to the BOARD.

4.17 **STANDING COMMITTEES**

1. **Policy and Regulation Committee**

The Policy and Regulation Committee is to have standing authority to act for the Board on matters of policy and regulation.

MEETINGS:

The meetings of the Policy and Regulation Committee shall be held at the business office of

the BOARD a minimum of twice a year or as required.

**PURPOSE:**

Responsible for the review of:

- (a) Board policies
  - (b) Board regulations
  - (c) Procedure by-laws
- as referred by the Board or the Executive Committee

**COMPOSITION:**

- all 6 Trustees of the Board
- Director of Education
- Superintendent of Business and Finance

## **5 COMMITTEE REPORTS**

### **5.01 REPORTING AFTER EACH MEETING**

Every COMMITTEE shall report to the BOARD after each of its meetings.

### **5.02 FORMAT OF COMMITTEE REPORT**

Every COMMITTEE report shall contain the following information:

1. the name of the COMMITTEE or Subcommittee
2. the date of the meeting
3. whether the meeting was a regular or special meeting
4. the names of the TRUSTEES, staff and consultants who were present, those who arrive late and those who leave early
5. under the heading "Disclosure of Interest"
  1. the names of each TRUSTEE who disclosed an interest in any matter on the Agenda of such COMMITTEE meeting
  2. an identification of the matter in which the TRUSTEE disclosed the interest
  3. if the public was not excluded from the MEETING, the general nature of the interest so disclosed.
6. business and recommendations of the committee.

## **6 RULES OF ORDER**

### **6.01 BOARD BY-LAWS**

The rules of order to be observed at MEETINGS shall be in accordance with the provisions of these By-laws.

### **6.02 ROBERT'S RULES OF ORDER**

In all cases for which no specific provision is made in these By-laws, the rules and practice of Robert's Rules of Order, 10<sup>th</sup> Edition (Perseus Publishing, 2000) shall govern so far as applicable.

## **7 PRESIDING OFFICER**

### **7.01 PRESIDING OFFICER AND INAUGURAL MEETING**

Notwithstanding anything set out in this Section 7, the Presiding Officer at the Inaugural Meeting shall be determined in accordance with what is set out in Section 2.

### **7.02 CHAIRPERSON TO PRESIDE**

The Chairperson shall preside at all MEETINGS at which the Chairperson is present.

### **7.03 WHEN VICE-CHAIRPERSON TO PRESIDE**

The Vice-Chairperson shall preside in the absence of the Chairperson. When the Vice-Chairperson presides, the absence of the Chairperson shall be presumed.

### **7.04 WHEN OTHER TRUSTEE TO PRESIDE**

If at any meeting the Chairperson and Vice-Chairperson are absent, the TRUSTEES present may elect one of themselves to be Chairperson for that meeting; when such TRUSTEE presides, the absence of the Chairperson and Vice-Chairperson shall be presumed.

### **7.05 CONTINUATION IN THE CHAIR**

The Vice-Chairperson (or the TRUSTEE referred to in §7.04) shall act as Chairperson of the meeting for the duration of the MEETING or until the arrival of the Chairperson (or Vice-Chairperson, as the case requires) and the disposition of the main motion then being debated.

### **7.06 CHAIRPERSON OF THE COMMITTEE OF THE WHOLE BOARD**

When the BOARD shall determine to go into COMMITTEE OF THE WHOLE BOARD, the VICE-Chairperson shall preside.

### **7.07 CHAIRPERSON PERMITTED TO SPEAK**

The Chairperson may express an opinion on any main or subsidiary motion on the floor, but in such case the Chairperson shall leave the chair until the disposition of the main motion.

### **7.08 CHAIRPERSON PRO TEM**

If the Chairperson of a MEETING elects to vacate the chair for any reason, the Chairperson shall call upon a member who is not the mover or seconder of any motion or subsidiary motion on the table (and preferable though not necessarily a member who has not spoken) to fill the place of the Chairperson until the main motion is disposed of, in the following sequence:

1. Vice-Chairperson
2. another member present.

### **7.09 COMMITTEE CHAIRPERSON**

If the Chairperson of the Board (as per section 7.02) so delegates, another Trustee may be elected or appointed to be the Chairperson of a Committee.

## **8 AGENDAS AND ORDER PAPERS**

### **8.01 DELIVERY OF MEETING AGENDAS TO TRUSTEES**

The Agenda for every MEETING, together with notice or reminder of such meeting (as the case may be), shall be delivered to each TRUSTEE 24 hours in advance of such meeting.

#### **8.02 DELIVERY OF DRAFT MEETING AGENDAS TO NON TRUSTEES**

Where a COMMITTEE includes persons who are not TRUSTEES, the Agenda for every MEETING that is not closed to the public, and every meeting of the COMMITTEE of which the person is a member, together with notice or reminder of such meeting (as the case may be), shall be delivered to each such person 24 hours in advance of such meeting.

#### **8.03 ITEMS ON AGENDA**

Agenda items will be established and reviewed by the Executive Committee at least one day in the week prior to the meetings of the Board.

No matter shall be placed on the Agenda of a meeting of the BOARD:

1. unless it is a matter that is referred to in §4.12 { Matters for Consideration by the BOARD}
2. unless the STANDING COMMITTEE having cognizance of the matter has delivered its report as prescribed in Section 5, and a written copy thereof has been delivered to each TRUSTEE not less than 24 hours before the meeting
3. unless, the COMMITTEE OF THE WHOLE BOARD has delivered its report as prescribed in Section 5
4. unless it is a Notice of Motion as prescribed in §8.06
5. unless the matter is one for which Notice of Motion has been given at a prior meeting of the BOARD
6. unless it is a presentation given with the approval of the BOARD which approval shall be determined without debate
7. unless it is a communication for receipt, referral, or both receipt and referral
8. unless it is a miscellaneous item as prescribed in §8.13
9. unless with the majority affirmative vote of all TRUSTEES eligible to vote on the matter
10. unless it is a matter that, in the opinion of the Secretary of the Board, requires action by the BOARD as a matter of urgency.

#### **8.04 PLACEMENT WHERE CONSIDERED BY TWO OR MORE COMMITTEES**

Whenever the same matter has been considered by two or more COMMITTEES, the motions (including lost, tabled and referred motions) relating thereto shall be placed on the Agenda so that all COMMITTEE reports on the matter may be considered at the same time.

#### **8.05 PLACING MATTER ON COMMITTEE AGENDA**

No matter shall be placed on the Agenda of a meeting of a COMMITTEE unless the matter is within the terms of reference of the COMMITTEE, and unless

1. it is a report of its Subcommittee, or Board officials, or the Director, or BOARD representatives
2. or it is a notice of matter as prescribed in §8.07 and
  1. the person giving the notice, if not a TRUSTEE, is a member of the COMMITTEE; or

2. the person giving the notice, being a TRUSTEE, has the right to vote at a meeting of the BOARD with respect to such matter
3. or it is a presentation made with the approval of the COMMITTEE, which approval shall be determined without debate
4. or it is a communication for receipt, referral, or both receipt and referral
5. or it is a miscellaneous item as prescribed in §8.13
6. or it is placed on the Agenda upon the affirmative vote of a majority of all members of the COMMITTEE eligible to vote on the matter.

#### **8.06 NOTICE OF MOTION FOR A BOARD MEETING**

A TRUSTEE may place a Notice of Motion, regarding any matter with respect to which the TRUSTEE has a right to vote, upon the Agenda of a meeting of the BOARD; such Notice of Motion:

1. shall be wholly in writing
2. may be accompanied by an explanatory notice
3. shall be delivered to the Secretary of the BOARD 96 hours before the BOARD meeting
4. shall, after its appearance on the Agenda, be taken as read unless any TRUSTEE request that it be read in full
5. may be referred by resolution of the BOARD to the appropriate STANDING COMMITTEE
6. shall not be the subject of any debate or comment at the meeting at which it is introduced.

#### **8.07 NOTICE OF MATTER FOR A MEETING OF COMMITTEE**

A TRUSTEE may place on the Draft Agenda of a meeting of a COMMITTEE any matter within the terms of reference of such COMMITTEE, and with respect to which the TRUSTEE has a right to vote; notice of such matter:

1. shall be wholly in writing
2. may be accompanied by an explanatory notice
3. shall be delivered to the Secretary of the BOARD 96 hours before the COMMITTEE meeting.

#### **8.08 AGENDA FOR REGULAR MEETINGS OF THE BOARD**

The order of business for regular meetings of the BOARD that are open to the public shall be as follows:

1. Opening Prayer
2. Roll Call
3. Approval of Agenda
4. Notices of Motion
5. Declaration of Conflicts of Interest
6. Presentations
7. Delegations
8. Approval of Minutes
9. Business Arising from the Minutes
10. Business
  - 10.1 Director's Report (first meeting of the month)
  - 10.2 Chair's Report (first meeting of the month)

11. Reports
12. Correspondence
13. Inquiries
14. Committee of the Whole Board
15. Report of the Committee of the Whole Board
16. Closing Prayer
17. Adjournment

**8.09 AGENDA FOR SPECIAL MEETINGS OF THE BOARD AND COMMITTEES**

The provisions of §8.08 apply, with necessary variations, to special meetings of the BOARD and of COMMITTEES

**8.10 AGENDA FOR MEETINGS NOT OPEN TO THE PUBLIC**

The provisions of §8.08 apply, with necessary variations, to the order of business for meetings of COMMITTEES that are not open to the public.

**8.11 VARIATION**

Variations in the order of business prescribed in §8.08, §8.09 and §8.10 shall be permitted with the consent of the majority of TRUSTEES, or members of the COMMITTEE, as the case may be, who are present and eligible to vote, and such consent shall be ascertained without debate.

**8.12 MISCELLANEOUS MATTERS FOR BOARD MEETINGS**

TRUSTEES may require that a miscellaneous matter be placed on the Agenda of a BOARD Meeting at the appropriate place provided that:

1. the request is made to the Chairperson before the Agenda for the meeting is approved
2. the matter is identified in sufficient detail to enable the BOARD to determine whether the matter is one of urgency and one with which the BOARD itself must deal

and either:

1. the matter is one of sufficient urgency that a delay in consideration may prejudice the interests of the BOARD, and the matter is one with which the BOARD itself must deal; or
2. information is sought to be obtained for immediate or later reply.

**8.13 MISCELLANEOUS MATTERS FOR COMMITTEE MEETINGS**

TRUSTEES may require that a miscellaneous matter be placed on the Agenda of a COMMITTEE at the appropriate place, provided that:

1. the matter is within the terms of reference of the COMMITTEE
2. the request is made to the Chairperson before the Agenda for the meeting is approved
3. the matter is identified in sufficient detail to enable the COMMITTEE to determine whether the matter is one of urgency and one with which the COMMITTEE itself must deal

and either:

1. the matter is one of sufficient urgency that a delay in consideration may prejudice the interests of the BOARD and one with which the COMMITTEE itself must deal; or
2. information is sought to be obtained for immediate or later reply.

**8.14 RECONSIDERATION BY THE BOARD**

Any decision of the Board shall not be placed on the agenda of the BOARD for reconsideration for a period of three months from the date of the decision of the BOARD unless otherwise decided by an affirmative vote of the majority of ALL TRUSTEES OF THE BOARD entitled to vote thereon, but this shall not preclude the placing on the agenda of:

1. a matter to which the provisions of §8.15 { Reconsideration by a COMMITTEE } apply
2. a Notice of Motion pursuant to §8.06

#### **8.15 RECONSIDERATION BY A COMMITTEE**

Notwithstanding that the BOARD has not taken the action contemplated in §8.14, a matter that is within the terms of reference of a COMMITTEE and which has been decided upon by the BOARD, may be reconsidered by the appropriate COMMITTEE during the same calendar year upon an affirmative vote to that effect by the majority of members of the COMMITTEE entitled to vote thereon.

#### **8.16 DELEGATION**

A delegation, having been heard, shall not be entitled to be received again by the BOARD on substantially the same topic for a period of three months from the date of the last appearance before the BOARD, but this shall not preclude the placing of the delegation on the agenda of the BOARD by an affirmative vote of the majority of ALL TRUSTEES of the BOARD entitled to vote thereon.

### **9. MOTIONS**

#### **9.01 WHEN MUST BE MOVED AND SECONDED**

Although all motions at MEETINGS must be moved before being accepted by the Chairperson, seconding of motions:

1. shall be required at meetings of the BOARD and meetings composed of all TRUSTEES eligible by law to vote (including the COMMITTEE OF THE WHOLE BOARD)
2. shall not be required at other MEETINGS

#### **9.02 DEBATABLE MOTIONS TO BE IN WRITING**

All debatable motions must be in writing except:

1. where a date, time, single figure or single word is to be added
2. where one or more words are to be deleted but without substitution
3. motions to
  1. fix the time of adjournment
  2. limit or extend limits of debate
  3. a simple referral without instructions

#### **9.03 DEFERRAL OF DEBATE RE: NOTICE OF MOTION**

A motion to defer consideration to a subsequent meeting may not be applied to a matter in respect of which Notice of Motion has been previously given except with the consent of the TRUSTEE who gave such Notice of Motion.

#### 9.04 **PRECEDENCE OF MOTION**

1. A motion to resolve into COMMITTEE OF THE WHOLE BOARD shall be an undebatable motion having a priority lower than other undebatable motions but higher than all debatable motions.
2. An undebatable motion is a motion
  1. to adjourn
  2. to lay on the table
  3. to put the question

### **10. PROTOCOL FOR DEBATE**

#### 10.01 **MEMBER TO AWAIT RECOGNITION**

When, at a MEETING, any member wishes to speak in debate, the member shall raise a hand and await recognition by the Chairperson.

#### 10.02 **CONDUCT OF MEMBER IN DEBATE**

After recognition by the Chairperson, a member shall at all times during debate:

1. maintain a courteous tone
2. avoid personalities
3. avoid allusion to motives of other members
4. address all debate, remarks, questions and the like to the Chairperson
5. confine all remarks, questions and the like to the motion which is the subject of debate.

#### 10.03 **INTERRUPTION OF SPEAKER**

No member who does not have the floor shall interrupt a member who does have the floor except:

1. on a point of order
2. on a question of privilege
3. to request permission to withdraw a motion
4. to appeal ruling of the Chairperson
5. on a motion to extend the time limit

and in the event that a member interrupts a speaker pursuant to the authority given in this section, the member shall confine all remarks to the particular point.

#### 10.04 **POINT OF INFORMATION**

A member may rise on a point of information, that is, a request for information relevant to the matter on the floor but not related to preliminary procedure, only if the member then speaking consents to the interruption, in which case the time consumed in responding to the point of information will be included as part of the speaker's allotted time.

#### **10.05 MOTION MAY BE READ**

Any member of the BOARD may require a question under discussion to be read at any time in the debate, but not so as to interrupt any member while speaking.

#### **10.06 RULES AT MEETINGS OF COMMITTEES**

As far as practical, the rules of the BOARD shall be observed at MEETINGS of all COMMITTEES.

### **11. VOTING**

#### **11.01 VOTING COMPULSORY**

Every member present, including the Chairperson, but excluding those that have declared an interest as required by the Municipal Conflict of Interest Act, shall vote on all questions on which the member is entitled to vote. Members present who refuse to vote shall be recorded in the minutes.

#### **11.02 MEMBER MUST BE PRESENT**

Only members present at the meeting when a vote is taken shall have the right to vote.

#### **11.03 AFFIRMATIVE VOTE REQUIRED**

Except as otherwise provided in these By-laws, an affirmative vote shall require a majority of the votes of the members present and entitled to vote.

#### **11.04 MINIMUM NUMBER**

Any matter on which there are less than two members eligible to vote at a COMMITTEE meeting shall stand referred to the BOARD.

#### **11.05 METHODS OF VOTING**

Subject to §11.06, every matter considered by the BOARD or a COMMITTEE shall be disposed of by a vote of all those eligible to vote on the matter, in one of the following ways (preference being given in the following sequence) :

1. by general (or unanimous) consent, in which the Chairperson, exercising discretion, states that the motion will be adopted in the absence of objections
2. by show of hands, in which each person eligible to vote raises the person's hand in response to the requests of the Chairperson for the votes, in the affirmative and in the negative, as the case may be, until the votes are counted
3. by rising, in which each person eligible to vote stands in response to the requests of the Chairperson for the votes, in the affirmative and in the negative, as the case may be, until the votes are counted
4. by recorded vote, in which each person eligible to vote stands in place in response to the requests of the Chairperson for the votes in the affirmative and in the negative, as the case may be, until the Chairperson has called the name of each person as voting, respectively, in the affirmative, or in the negative
5. by ballot, in which each person eligible to vote shall mark on a paper provided by the Secretary, the person's choice from among the available alternatives, the papers being collected and counted immediately thereafter

#### **11.06 METHOD TO BE USED**

Although the method requested by any person eligible to vote should be used to the extent practicable, the particular method of voting to be used to dispose of any matter shall be governed by the following rules :

1. determination by general (or unanimous) consent shall be used only when no person eligible to vote objects or requests another method
2. notwithstanding that a show of hands vote has been called for and has been taken, on the request of any person eligible to vote (including the Chairperson), a rising vote shall be taken whenever there is any doubt as to the accuracy of the count on the show of hands
3. a recorded vote may be used at any meeting of the BOARD upon the request of any TRUSTEE entitled to vote on the matter, provided that the request is made before the vote is called
4. voting by ballot shall be used for, and only for, the purposes of the elections as provided in Section 2

#### **11.07 VOTE LOST ON EQUALITY**

Any motion on which there is an equality of votes is lost.

#### **11.08 DECLARATION OF RESULT**

The Chairperson shall declare the result of all votes.

#### **11.09 RECORDING MEMBER'S VOTE**

The vote of a member on any question may be recorded upon the request of the person immediately following the declaration of the result of the vote.

## **12. OFFICERS AND OFFICIALS**

#### **12.01 OFFICERS NAMED**

The officers of the BOARD shall be :

1. the Chairperson
2. the VICE-Chairperson
3. the Secretary
4. the Treasurer

the Director of Education shall hold the office of Secretary, and, when exercising such office, shall be known as the Secretary;

the Superintendent of Business and Finance and Treasurer of the Board shall hold the office of Treasurer, and, when exercising such office, shall be known as the Treasurer.

#### **12.02 DUTIES OF THE CHAIRPERSON**

The Chairperson, in addition to those duties assigned under provincial legislation and these By-laws shall :

1. preside at all meetings of the BOARD and conduct them according to the By-laws
2. be a signing officer of the BOARD as prescribed in the By-laws

3. approve the draft agenda of BOARD meetings

and may :

1. call special meetings of the BOARD
2. issue statements to the public media on behalf of the BOARD.

#### **12.03 DUTIES OF THE VICE-CHAIRPERSON**

The VICE-Chairperson, in addition to those duties assigned under provincial legislation and the By-laws, shall :

1. in the absence of the Chairperson, or in the event of the inability of the Chairperson to act, assume any or all of the duties of the Chairperson, except those which are precluded by law, by-law or regulation
2. be a signing officer of the BOARD as prescribed in the by-laws

#### **12.04 DUTIES OF THE SECRETARY**

The Secretary, in addition to those duties assigned under the provincial legislation and the by-laws, shall :

1. attend in person all meetings of the BOARD and, in person or by delegated representative, meetings of all COMMITTEES
2. prepare minutes of all MEETINGS
3. keep records as required by law and subject to the directions of the BOARD
4. conduct the official correspondence of the BOARD
5. receive and pass on to the BOARD or the relevant COMMITTEE all correspondence, petitions and reports of other officials
6. prepare, in consultation with the appropriate Chairperson, the draft agenda of all BOARD and COMMITTEE meetings
7. maintain an up-to-date policy register
8. have charge of all correspondence, reports and other documents
9. promulgate all orders, policies and other directions of the BOARD and other matters in accordance with requirements of the law
10. bring to the attention of the BOARD any matter in respect of which, in the opinion of the Secretary, it may be necessary or useful for the BOARD to be aware.

#### **12.05 DUTIES OF THE TREASURER**

The Treasurer, in addition to those duties assigned under provincial legislation and the by-laws, shall:

1. submit to the BOARD annually a statement of estimated revenue and expenditures
2. have prepared for submission to the BOARD the annual financial statements and the auditor's report
3. report annually to the BOARD particulars of existing insurance and fidelity bonds expiring during such year with recommendations for renewal

4. report to the BOARD from time to time and as requested by the BOARD on all financial matters.

#### **12.06 REMOVAL OF OFFICERS**

Subject to any requirements of law, the BOARD may at any time, upon a majority vote of all members of the BOARD, remove any officers of the BOARD.

#### **12.07 DUTIES OF OTHER BOARD OFFICIALS**

The officials of the BOARD and other persons employed or retained by it shall have such duties as may be assigned to them by law, contract, the by-laws of the BOARD.

### **13. EXECUTION OF DOCUMENTS**

#### **13.01 BOARD SEAL**

The Seal of the BOARD shall be in custody of the Secretary who shall be responsible for affixing it to such documents as may be required.

#### **13.02 SEAL REGISTER**

The Secretary shall keep a record in a special book of the date and the particulars of each use of the seal.

#### **13.03 SIGNING AUTHORITIES**

All deeds, conveyances, mortgages, bonds, debentures, agreements, documents, contracts approved by the BOARD shall be sealed with the seal of the BOARD and signed by one of:

1. the Chairperson
2. the VICE-Chairperson

together with one of :

1. the Secretary
2. Treasurer

#### **13.04 MINUTES**

The Chairperson or other presiding member and the Secretary shall sign the minutes of all BOARD meetings.

#### **13.05 BY-LAWS**

Every by-law, upon adoption, shall be signed by the Chairperson or the Chairperson of the meeting at which it is adopted, and by the Secretary.

#### **13.06 CERTIFICATION OF DOCUMENTS**

All certificates authenticating by-laws, resolutions or extracts of minutes shall be signed by the Chairperson and the Secretary, and the seal shall be affixed thereto.

#### **13.07 EXECUTION NOT UNDER SEAL**

Documents covering matters not required to be executed under the corporate seal of the

BOARD, may be signed by the Secretary of the BOARD.

## **14. BANKING**

### **14.01 BANK SIGNING OFFICERS**

The signatures of one of :

1. the Chairperson
2. the VICE-Chairperson

together with one of :

1. the Secretary
2. the Treasurer

are required when :

1. making, drawing, accepting, endorsing, negotiating, lodging, depositing or transferring all or any cheques, promissory notes, drafts, acceptances, bills of exchange, order for payment of money, contracts for letters of credit and forward exchange
2. issuing cheques, drafts or orders for payment drawn on the bank accounts of the BOARD.

### **14.02 ENDORSEMENT FOR DEPOSIT**

The Treasurer, by signature or by rubber stamp endorsement, may negotiate or deposit with or transfer to the bankers for the BOARD, but for the credit only of the account of the BOARD, all or any cheques, promissory notes, drafts, acceptances, bills of exchange and orders for the payment of money.

### **14.03 SIGNATURES BY REPRODUCTION**

Signatures of persons authorized to sign may be printed, lithographed or otherwise mechanically reproduced as provided by the regulations.

## **15. STATUTORY COMMITTEES**

### **15.01 APPLICATION TO STATUTORY COMMITTEES**

The provisions of the By-laws of the BOARD that apply to COMMITTEES shall apply with necessary modifications to STATUTORY COMMITTEES, including without limitation, the Special Education Advisory Committee.

### **15.02 MEETING TIMES OF STATUTORY COMMITTEES**

STATUTORY COMMITTEES shall not schedule regular or special meetings on dates or at times that will conflict with dates and times of meetings of any other COMMITTEE.

## **16. AMENDMENT TO BY-LAW 98-1**

### **16.01 AMENDMENT AFTER NOTICE**

By-laws of the BOARD may be amended from time to time at a meeting of the BOARD (such meeting hereinafter referred to as the "later meeting") upon the affirmative vote of the majority of all members of the BOARD provided:

1. written notice of motion proposing the amendment shall have been given at a regular meeting held prior to the later meeting
2. the text and a brief statement of intended purpose of the amendment shall have been included in the notice of motion
3. the text of the amendment as so enacted is substantially the same as either the text set out in the notice of motion.

#### 16.02 **AMENDMENT WITHOUT NOTICE**

At any time the By-Laws may be amended without notice upon the unanimous vote of all the members of the BOARD entitled to vote thereon.

\\cec-w2k3lyaskop\$\BOARD\GOVERNANCE\_POLICIES\BYLAWS\Proc bylaw 98 1 090915.wpd

## REVISION DATES OF BOARD PROCEDURE BY-LAW APPROVED IN 1969

1975-02-18	MOTION	75-48
1976-03-22	MOTION	
1978-11-30	MOTION	
1979-08-27	MOTION	79-166
1980-05-26	MOTION	80-112
1981-11-16	MOTION	81-190 / 81-191
1983-10-24	MOTION	83-172 / 83-173 / 83-175
1985-10-28	MOTION	85-237
1985-12-02	MOTION	86-01
1986-11-24	MOTION	86-232
1987-02-23	MOTION	87-31
1987-03-30	MOTION	87-45 / 87-46
1987-11-23	MOTION	87-200 / 87-201
1988-03-28	MOTION	88-55
1988-12-19	MOTION	89-5
1990-05-28	MOTION	90-94
1991-10-28	MOTION	91-B152
1991-11-25	MOTION	91-B169
1993-02-22	MOTION	93-B33
1993-09-27	MOTION	93-B137
1993-11-22	MOTION	93-B167
1995-05-23	MOTION	95-B91
1995-06-26	MOTION	95-B131
1996 02 26	MOTION	96-B17 / 96-B21
2002 03 05	MOTION	REG02-50
2002 09 03	MOTION	REG02-139
2003 02 04	MOTION	REG03-18
2003 09 16	MOTION	POL03-11
2004-03-23	MOTION	POL04-05
2005-12-20	MOTION	POL05-22
2006-12-01	MOTION	POL06-56
2008-02-19	MOTION	REG08-21
2008-06-10	MOTION	POL08-32
2008-09-16	MOTION	REG08-84
2009-01-13	MOTION	POL09-05/09-06

