

AGENDA

Governance and Policy Committee Agenda

October 16, 2023

Item	Responsibility	Page
1 Call to Order – 3:00 p.m.	S. Binder	
2 Motion to Convene into a closed Governance and Policy Committee	nil	
3 Reconvene to Public Governance and Policy Committee	nil	
4 Acknowledgement of Traditional Lands	R. Prinzen	
5 Roll Call	S. Binder	
6 Approval of Agenda	S. Binder	
7 Declarations of Conflict of Interest	S. Binder	
8 Approval of Minutes from previous meetings: (a) September 18, 2023	S. Binder	2
9 Delegations	nil	
10 Reports from Staff		
(a) Second review By-law Revisions Recommendation	K. MacIver	5
(b) Second review draft Policy XX: Board Communications and Media Relations Recommendation	K. MacIver	66
(c) Second review draft Policy XX: Student Representation on Board Recommendation	K. MacIver	72
(d) First review draft Policy XX: Board Governance	K. MacIver	77
(e) First review draft Policy XX: Indemnification	K. MacIver	91
(f) Draft Agenda		
i) Regular Public Board Meeting October 23, 2023	S. Binder	93
11 Trustee Motions for Consideration (Introduced at a Previous Meeting)	nil	
12 Trustee Notices of Motion (Discussion for next meeting)	nil	
13 Correspondence		
(a) Consent Letter	S. Binder	95
(b) Consent Letter		97
14 Adjournment	S. Binder	

Next meeting is scheduled for November 21, 2023, at 3:00 p.m.

Members present: S. Binder, K. Hambly, S. Lewis, S. Maracle, R. Prinzen

Absent:

Student Trustee: A. Shah

Resources: K. Donnell, K. Maclver

Minutes: D. Lucas, Executive Assistant, Director's Office

1. Call to Order

Chair Binder called the meeting to order at 3:00 p.m.

2. Motion to Convene into a closed Governance and Policy Committee meeting - not required.

3. Reconvene to Public Governance and Policy Committee meeting - not required.

4. Acknowledgement of Traditional Lands

Trustee Hambly offered the Land Acknowledgement.

5. Roll Call

Chair Binder requested a roll call of committee members, all members present.

6. Approval of agenda

Moved: K. Hambly

Seconded: S. Maracle

That the agenda for September 18, 2023 be approved.

Carried

7. Declaration of Conflict of Interest - none declared

8. Approval of minutes

Moved: K. Hambly

Seconded: S. Lewis

That the minutes from the June 12, 2023 meeting be approved.

Carried

9. Delegations - none

10. Report from Staff

(a) Suggested By-Law Revisions September 2023

Director Maclver noted that it has been one year since the HPEDSB By-Laws were instituted and a few items require clarification and/or remedy. This is not meant to be a full review, nor change the By-Laws substantively, but to address a few items.

Recommendation:

Moved: K. Hambly

Seconded: S. Lewis

That the Governance and Policy Committee recommends to the Hastings and Prince Edward District School Board that public notice be given of revised HPEDSB By-Laws coming forward to the October 23, 2023, Regular Public Board meeting for review and approval

Secondary Motion:

Moved: R. Prinzen

Seconded:

That the recommendation be amended to bring forward the HPEDSB By-Law revisions to the next Governance and Policy Committee after Trustees have had more time to review the changes.

The secondary motion was not seconded.

Not Carried

The main recommendation was discussed and brought forward for approval.

Carried

(b) Policy XX: Board Communications and Media Relations

Director MacIver noted that a number of changes have been made to this policy. Trustees also suggested a few minor changes. Director MacIver noted that these suggestions will be incorporated into this draft and will be sent out to union leaders and posted on our website for public consultation. Director MacIver noted if no further revisions are required, a final recommendation will go forward to the Board in October once approved by the Governance and Policy Committee.

(c) Policy XX: Student Representation on Board

Director MacIver noted that this policy has been completely overhauled due to the number of changes. Director MacIver noted that this draft policy will be sent out to union leaders and posted on our website for public consultation. If there are no further revisions required, a final recommendation will go forward to the Board in October once approved by the Governance and Policy Committee.

(d) Trustee Professional Learning Sessions 2023-2024

Director MacIver noted that a draft schedule was shared at the May Governance and Policy Committee meeting, revisions have been finalized and a schedule has been put into place until the November 27, 2023 Regular Public Board Meeting.

(e) Draft Agenda

(i) Public Board Meeting September 25 2023 highlights:

- Public Notice for Suggested By-Law Revisions Recommendation
- Student Achievement Plan (SAP) Recommendation
- Amended Borrowing Resolution Recommendation
- Trustee Mileage Allocation Recommendation
- Enrolment Update
- Summer Learning and Mental Health Supports
- 2023 Ontario Scholars
- MYSP 2022-2023 Year End

11. Trustee Motions for Considerations – nil

12. Trustee Notices of Motion – nil

13. Correspondence - nil

14. Adjournment - the meeting adjourned at 4:09 p.m.

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Decision X Information

To: Governance and Policy Committee

From: Katherine MacIver, Director of Education

Re: **Second review - Suggested By-Laws Revisions**

Purpose

The purpose of this report is to approve the revisions made to the HPEDSB By-Laws and to bring forward to the October 23, 2023, Regular Public Board meeting for final approval.

Link to Strategic Plan

1.7 Advocate for public education and demonstrate sound decision making through good governance.

Background

The HPEDSB By-Laws were approved by the Board of Trustees in September 2022. By-Laws are in place to support a policy model of governance, prescribe the actions of Members and Student Trustees and advance democratic decision-making through fair and respectful dialogue and debate. A draft of suggested revisions of the HPEDSB By-Laws were reviewed at the September 18, 2023 Governance and Policy Committee and public notice was given at the September 25, 2023 Regular Public Board meeting. Legal counsel also reviewed the suggested HPEDSB By-Law revisions.

Current situation

The suggested revisions below have been incorporated into the HPEDSB By-Laws and a copy of the revised By-Laws are attached.

- Timing of Closed Committee of the Whole (reference 4.5.5, 5.17.2(b) and 5.3.2)
 - Suggestion to maintain consistent scheduling would be to strike 4.5.5 and move into Closed Committee of the Whole from the Public Board agenda. The exception would be a Special Closed Committee of the Whole.
- Timing of Board Meetings (reference 5.1.3 and 5.1.4)
 - Suggestion to begin Public Board meetings at 6 pm.
- Ex-officio Members (reference 1.6 and 4.6.4)
 - Suggestion to align the definition with 4.6.4 to clarify the Chair as the Ex-Officio Member
- Clarification of Chair of Committee of the Whole (reference 4.5.4)
 - Suggestion to clarify the Chair is the Chair of Committee of the Whole and the Vice Chair is the Presiding Officer
- Committee of the Whole Agenda (reference 5.19.2(f), 5.19.2(h) and 5.12)
 - Suggestion to include Consent Agenda in Regular Committee of the Whole Closed (Private) Session as occurs in Regular Board Meetings.
- Removal of Administrative Committees from Board Meeting Agenda (reference 5.17.2)
 - This is not a Board committee and as such should not be reported out at Board Meetings

Recommendation

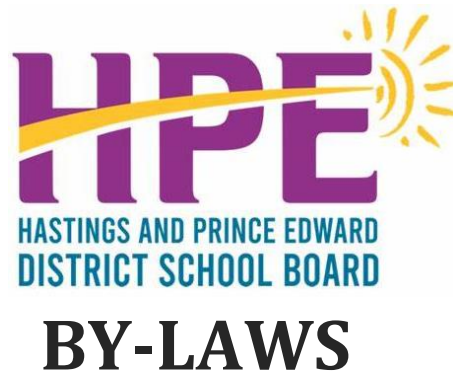
Moved:

Seconded:

The Governance and Policy Committee recommends the Hastings and Prince Edward District School Board approve the revisions to the HPEDSB By-Laws effective October 23, 2023.

Appendices

HPEDSB By-Laws



September 2022

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SECTION 1: GENERAL

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1.1 Purpose of By-Laws

- 1.1.1 These By-Laws are enacted and administered by the Board of Trustees with support from the Director of Education and designated staff.
- 1.1.2 The By-Laws are the fundamental rules that support a policy model of governance and together, with the Rules of Order, prescribe the actions of Members and Student Trustees in Board and Committee Meetings and advance democratic decision-making through fair and respectful dialogue and debate.
- 1.1.3 The By-Laws are based on the following principles of effective governance:
 - (a) The majority of Members have the right to decide on a matter;
 - (b) The minority of Members have a right to be heard; and
 - (c) All Members and Student Trustees have the right to:
 - (i) appropriate information to assist in decision-making, unless prohibited by law;
 - (ii) efficient, effective and professional meetings;
 - (iii) be treated with respect and courtesy, and
 - (iv) equal rights, privileges and obligations.

1.2 Application and Scope

- 1.2.1 The Board will make every effort to ensure that these By-Laws are consistent and up to date with the most current legislative requirements. In circumstances where the By-Laws are found to be inconsistent with or contradict any legislation or regulation, the legislation or regulation will prevail.

These By-Laws apply to all Members and to the following Committees comprised of Trustees only; Committee of the Whole, Standing Committee(s), and Ad Hoc Trustee Committee(s), as defined in Section 1.6.

Certain provisions apply to Student Trustees.

Statutory Committees, which include Trustees and the Educational Community members, are governed by applicable legislation.

Advisory Committees, which include Trustees and Educational Community members, will follow Governance Directives approved by the Board, in accordance with Section 1.5.

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1.2.2 The head office of the HPEDSB shall be the Education Centre located at 156 Ann Street, Belleville, Ontario.

1.2.3 The corporate seal and the official corporate logo are as approved by the Board and the seal shall bear the full official name of the Board.

1.3 Rules of Order

1.3.1 The rules contained in the current edition of Robert's Rules of Order shall govern the Board in all cases to which they are applicable and in which they are not inconsistent with these By-Laws, any special rules of order the Board may adopt or legislation.

1.4 Amendments to By-Laws

1.4.1 Review Cycle

These By-Laws will be amended (Robert's Rules of Order defines amend to include any change or substitution/revision of the By-Law) as required and reviewed at a minimum every four (4) years.

The Board's Governance and Policy Committee is authorized to consider and make recommendations to the Board regarding any amendments to the HPEDSB By-laws, including recommendations regarding amendments to the Governance Directives, and any Board special rules of order.

1.4.2 Advance Notice

Only the Governance and Policy Committee may give advance written notice of a By-Law amendment, including for Governance Directives and Board special rules of order. No individual Member or Student Trustee may give advance written notice of a By-Law, Governance Directive or Board special rules of order amendment.

Advance notice must be given at the previous regular Board Meeting for consideration to amend the By-Laws at a subsequent regular Board Meeting or Special Meeting.

1.4.3 Two-Thirds Vote Requirement

These By-Laws may be amended at any regular Board Meeting or Special Meeting by a Two-Thirds (2/3) Vote, provided that the amendment has been submitted in advance as described above.

1.4.4 Housekeeping Changes

The Director or Designate may make any of the following non-substantive changes to the By-Laws:

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- (a) Correction of spelling, punctuation or grammar and typographical errors;
- (b) Correction of format or layout of information to improve accessibility or electronic/print presentation;
- (c) Correction of cross-reference errors or discrepancy in the numbering of provisions; and
- (d) Updates to position or organizational titles.

1.4.5 Technical Errors and Omissions

A technical error or omission regarding the notice of a Meeting (and related Agenda) or the application of these By-Laws will not affect the validity of subsequent decisions undertaken by the Board or its Committees, unless the error or omission results in a violation of law.

1.5 Governance Directives for HPEDSB By-Laws

- 1.5.1 The Board may adopt Governance Directives to support good governance practices in alignment with the HPEDSB By-Laws.
- 1.5.2 Members and Student Trustees will abide by the provisions in the HPEDSB Governance Directives.
- 1.5.3 The Board's Governance and Policy Committee is authorized to consider and make recommendations to the Board regarding the amendment, repeal, replacement or addition of Governance Directives related to the HPEDSB By-Laws.
- 1.5.4 The provisions outlined in Section 1.5.3 require advance notice and a Two-Thirds Vote in accordance with 1.4.2 and 1.4.3.

1.6 Definitions

For the purpose of these By-Laws, the following definitions will apply:

"Abstain Due to a Conflict of Interest" means the act of not voting at a Board or Committee Meeting as a result of having declared a pecuniary conflict of interest in accordance with the *Municipal Conflict of Interest Act*. Members who declare a conflict of interest on a matter cannot vote on that matter. The number of Members required to pass a motion is subsequently reduced by the number of Members who declared a conflict of interest;

"Act" means the *Education Act*; the regulations thereunder, and any related Ministry of Education policies, directives, memoranda, etc.;

"Ad Hoc Trustee Committee" means a Committee of Trustees established by the Board to fulfil a specific task or objective, which is dissolved after the completion of its task. An Ad Hoc Trustee Committee typically reports to a Standing Committee or directly to the Board;

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“Adjourn” means to end a meeting;

“Advisory Committee” means an Advisory Committee approved by the Board which includes members of the Educational Community, in addition to Trustees, for the purpose of providing community advice and input on specified areas of the Board’s responsibilities. Special Education Advisory Committee and Parent Involvement Committee are Statutory Committees and not advisory committees within this definition;

“Agenda” means a list of items that form the Order of Business to be discussed at a Board or Committee Meeting;

“Amend” means a proposal to alter or modify a motion presented to the Board or Committee. An amendment cannot be contrary to, or change the intent of, the main motion;

“Annual Schedule of Meetings” means the official schedule of Board, Committee, and Advisory Committee Meetings approved by the Board, posted on the HPEDSB website, and that may be amended from time-to-time;

“Appeal Ruling of Presiding Officer” means to move a motion to appeal a ruling of the Presiding Officer regarding parliamentary procedure, including on a point of order, or applicability of these By-Laws, HPEDSB Governance Directives, HPEDSB policies or law;

“Board” or **“Board of Trustees”** means the collective governing body of the HPEDSB, constituted as a Board pursuant to the *Act*, including section 208(1) of the *Act*;

“Board Meeting” means a meeting of the “Board of Trustees”;

“Board Work Plan” means a plan developed by the Chair and Director of Education and used by the Governance and Policy Committee and HPEDSB senior staff to schedule and monitor the Board’s work at Board Committees;

“Call the (Previous) Question” means to end debate and vote on the motion that is before the Board or Committee; a motion to Call the (Previous) Question is not debatable and requires a Two-Thirds Vote;

“Chair” means the Chairperson of the Board;

“Closed Session”, which may be referred to as **“Private Session”**, means a Meeting or a portion of a Meeting of the Board or Committee, which is closed to the public in accordance with the *Act* and in accordance with Section 5.3.5 of these By-Laws;

“Code of Conduct” means the Board Members Code of Conduct for the Hastings and Prince Edward District School Board;

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“Committee” means the following Committees comprised of only Trustee Members, established pursuant to these By-Laws, Committee of the Whole, Standing Committee(s), and Ad Hoc Trustee Committee(s);

“Committee Chair” means the chair of a Committee;

“Committee of the Whole” means a Committee with a membership composition that includes all Board Members with full participation and voting privileges, as outlined in the Act. A Committee of the Whole meeting may be held in Open (Public) or Closed (Private) Session;

“Committee Vice-Chair” means the vice-chair of a Committee;

“Conflict of Interest Registry” means the registry of Trustees’ conflict of interest declarations, established in accordance with the *Municipal Conflict of Interest Act*;

“Consent Agenda” means the portion of the Board Meeting with routine agenda items presented together and adopted at once without further debate. The Consent Agenda typically consists of matters that were discussed and voted on previously at a Committee and presented for approval by the Board and minutes of previous Board Meetings and Special Board Meetings;

“Delegate” means the individual who speaks or submits a written statement to a Standing Committee or Committee of the Whole as described in the Board’s Governance Directive, Delegations and Community Engagement;

“Delegation” means the action of speaking or submitting a written statement by a Delegate to a Standing Committee, or Committee of the Whole Meeting as described in the Board’s Governance Directive, Delegations and Community Engagement;

“Designate” means the person authorized to carry out certain and specific tasks on behalf of the **“Director”**, as appropriate;

“Director” means the Director of Education, Secretary, Chief Education Officer, and Chief Executive Officer of the HPEDSB;

“Educational Community” means parents/guardians of students, students, staff members, volunteers, community organizations, and other individuals who reside in the community serviced by HPEDSB and have an interest in matters related to public education;

“Emergency Business” means a situation, or the threat of a situation, adversely affecting health, safety and/or well-being of a person(s), or resulting in significant legal risk or financial consequences to the Board, which by its nature and seriousness requires an immediate response;

“Ex-Officio Member” means a member of a Committee by virtue of holding the office of the Chair ~~or Vice-Chair~~ of the Board. An Ex-Officio member is not a regular member of a Committee and does not through their attendance at a Committee Meeting increase the size of the Committee for the purposes of calculating a simple majority for Quorum purposes (i.e. the minimum number

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of regular members of a Committee necessary to conduct a Committee Meeting). ~~An Ex-Officio Member's attendance does count towards reaching the minimum number of members necessary for a Quorum.~~ Ex-Officio Members have the same voting rights and privileges as a regular member of a Committee; The Chair is not an Ex-Officio member of any Statutory Committee;

"External Organization" means organizations external to the HPEDSB with Trustee representation by invitation;

"Governance Directive" means a set of rules for specific aspects of Board governance matters, including, but not limited to, the terms of reference for Committees, the Code of Conduct;

"HPEDSB" means the Hastings and Prince Edward District School Board;

"Inaugural Meeting" means the first annual Board Meeting at which the Board's Chair, Vice-Chair and members of the Governance and Policy Committee are elected;

"Lay a Motion on the Table" means to put aside the current business and consider it later in the meeting to deal with another matter. See also **"Take from the Table"**;

"Main Motion" means a proposal put forward by a Member, or as suggested by a Student Trustee, for the consideration of the Board or Committee;

"Majority Vote" means a voting threshold that requires the majority of the Members Present and voting (also stated as a majority of the votes cast) to pass a motion, unless otherwise prescribed in these By-Laws or Robert's Rules of Order;

"Meeting" means any meeting of the Board or its Committees (defined in Section 1.6);

"Member" means an elected, acclaimed or appointed Member of the Board of Trustees that may be referred to as a "Trustee" pursuant to the *Act*. A Student Trustee, although not an elected Member of the Board, has certain privileges and duties which are outlined in the *Act*;

"Minutes" means the minutes of a Board Meeting, once approved by the Board, or the minutes of a Committee, Statutory or Advisory Committee, approved by that committee, as applicable, which form a portion of the Board's Official Record. All Board motions are in effect upon adoption, unless the motion provides for some other adoption of effective date. Committee motions are not effective and do not bind the Board to any action until approved by the Board, unless otherwise permitted by law;

"Notice of Motion" means an advance notification, in writing, of a motion to be brought forward by a Member for consideration to a future Board or Standing Committee meeting, with the intent to inform other Trustees, staff and the community about an upcoming matter;

"Official Record" means the complete and official record of agendas, minutes, reports and delegation submissions (where applicable), that is required for all HPEDSB Public and Private

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Board, Committee, Statutory and Advisory Committee Meetings, maintained by the Director or Designate;

“Official Recording Secretary” means the staff member(s) assigned responsibility for producing the Official Record that is required for all Board, Committee, Statutory and Advisory Committee Meetings;

“Open Session”, which may be referred to as **“Public Session”**, means a Meeting or a portion of a Meeting of the Board or a Committee of the Board open to the public in accordance with the Act. Board and Committee Meetings will always begin and end in Open Session but may be closed in limited circumstances, as outlined in the Act;

“Order of Business” means the order that the items of business will be taken up on a Board or Committee Agenda;

“Organizational Meeting” means the first Board Meeting following the Inaugural Meeting at which Members are appointed to Committees (with the exception of the Governance and Policy Committee), Board Standing Committee Chair and Vice-Chair elections are held, Trustees are appointed to External Organizations and Statutory and Advisory Committee memberships are approved;

“Parliamentary Inquiry” is used when a Member wishes to ask the Presiding Officer a question about Parliamentary Procedure or the Rules of Order to understand the rationale for application in the current Meeting/context. The Presiding Officer’s response in this situation is an opinion, not a ruling, and therefore cannot be appealed. See also, *Point of Order and Appeal Ruling of Presiding Officer*;

“Point of Order” is used by a Member in a Board or Committee Meeting to address a perceived breach of law, parliamentary procedure, rules of order, or HPEDSB By-Laws, policies or Governance Directives;

“Postpone Indefinitely” means to postpone a motion under consideration, which, when postponed indefinitely, cannot be discussed or reintroduced at the same Meeting. The matter can only be brought up again at a later date in accordance with Section 5.34.4, *Failed Motion or Motion Previously Not Dealt With*;

“Present”, for the purpose of these By-Laws, means in attendance at a Board or Committee Meeting, either physically or by electronic means, in accordance with the Act;

“Presiding Officer” means the person who presides over a Board or Committee Meeting;

“Private Session” means **“Closed Session”**, as defined above;

“Public Session” means **“Open Session”**, as defined above;

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“Question of Privilege” means a request to the Presiding Officer to immediately consider and take action (despite any other pending business before the Board or Committee) to remedy a situation in which a Member believes the rights or privileges of the Board, any individual Member, or a Student Trustee, are being affected (such as concerns re excessive noise or temperature or a correction that is required to the Official Record);

“Quorum” means the minimum number of Members necessary to conduct a Meeting, which represents a simple majority of Members on the Board, Committee, or Advisory Committee, as applicable. Ex Officio Members may count towards Quorum when they are Present. The presence of an Ex-Officio Member does not increase the total number of Members required to constitute a quorum;

“Receive” means to receive information and to include it in the Official Record of a Board or Committee Meeting;

“Recess” refers to a short intermission, at the call of the Presiding Officer, or by a Member (through a motion), which does not end the Meeting, and after which business will be resumed at exactly the point where it was stopped;

“Recorded Vote” means a written record of the name and vote of Members and Student Trustees relating to a motion at a Board, Special Board or Committee of the Whole Meetings (Public or Private Session). Student Trustee votes are non-binding. Recorded votes are not taken at other Committee Meetings;

“Refer” means to refer a matter for consideration to another body under the jurisdiction of the HPEDSB (e.g., the Board, a Committee, Statutory or Advisory Committee(s), or the Director of Education);

“Rise and Report” means to move a motion in a Committee of the Whole (Private Session) to report to the Board of Trustees in a Public Board or Special Meeting of the Board a recommendation from a Private Committee Meeting;

“Robert’s Rules of Order” means the current version of Robert’s Rules of Order *Newly Revised*, which is the internationally recognized manual on parliamentary procedure used as the guide for conducting efficient, effective and fair meetings;

“Secunder” means a Member who is interested in discussing a motion, proposed by another Member at a Board or Committee Meeting. Seconding a motion does not necessarily indicate that the seconder favors the motion. “To Second” means to support the introduction of a motion for discussion and debate;

“Signing Officers” means those individuals with signing authority for the HPEDSB. See 2.8.1 ;

“Special Meeting” means a Meeting that is called to deal with time-sensitive matters (including matters that may require extensive time to consider) or Emergency Business, in accordance with Section 5.7 of these By-Laws;

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“Standing Committee” means a committee, generally of a permanent nature, established by the Board in accordance with its responsibilities, as outlined in the *Act*. The current Standing Committees are: (1) Physical Planning, Finance and Building Committee, (2) Governance and Policy Committee, and (3) Student Learning, Well-Being and Equity Committee;

“Statutory Committee” means any committee that the Hastings and Prince Edward District School Board is required to establish by law. The current Statutory Committees are: (1) Audit Committee, (2) Parent Involvement Committee (3) Special Education Advisory Committee, (4) Supervised Alternative Learning Committee, and (5) Student Discipline Committee;

“Student Trustees” means those students elected by their peers to represent their interests, in accordance with the *Act*;

“Take from the Table” is to resume consideration of a Motion that has been tabled or put aside earlier at the same Meeting. See also **“Lay a Motion on the Table”**;

“Temporary Absence” means the Chair is unable to carry out their duties of the position of Chair for up to one month after which the Chair is deemed to vacate the position of Chair and a new Chair will be elected in accordance with the *Education Act*.

“Term of Office” means the period of time during which Trustees have been elected or appointed to serve, pursuant to the *Municipal Elections Act* and the *Act*;

“Trustee” means **“Member”**, as defined above;

“Two-Thirds Vote” means a voting threshold that requires at least two-thirds (2/3) of the Members of the Board or Committee Present and voting;

“Vice-Chair” means the vice-chair of the Board, who may be authorized to act on behalf of the Board Chair in their absence, in accordance with the *Act*;

“Year” means calendar year, unless otherwise indicated.

1.7 Borrowing By-Laws

- 1.7.1 From time to time the Ministry of Education requires school boards to establish long-term financing arrangements through the Ontario Financing Authority for multi-stage projects. The Ministry of Education funds the interest costs associated with this borrowing and requires that school boards authorize the long term financing through borrowing bylaws.

SECTION 2: ROLES AND RESPONSIBILITIES

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2.1 Board of Trustees

- 2.1.1 The Board of Trustees is the collective governing body of the Hastings and Prince Edward District School Board. Its decision-making authority rests with the entire Board of Trustees and not with individual Trustees.

As outlined in the *Act*, the Board of Trustees is expected to govern in a manner that is responsive to the needs of all students in the Board. Individual Trustees must balance their role as representatives of the constituents who elected them with their responsibilities as Members of the Board of Trustees as a whole.

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SECTION 2: ROLES AND RESPONSIBILITIES

2.1.2 In broad terms, the Board of Trustees is required to:

- (a) Promote student achievement and well-being [and comply with Minister of Education policies and guidelines respecting provincial priorities in education in the area of student achievement prescribed by the Ontario government](#);
- (b) Promote a positive school climate that is inclusive and accepting of all pupils;
- (c) Promote the prevention of bullying;
- (d) Ensure the effective stewardship of the HPEDSB's resources;
- (e) Deliver effective and appropriate education programs to its pupils;
- (f) Develop and maintain policies and organizational structures that promote the goals in (a) to (e) above and encourage pupils to pursue their educational goals;
- (g) Monitor and evaluate the effectiveness of policies developed by the HPEDSB under (f) above in achieving its goals and the efficiency of the implementation of those policies;
- (h) Develop a multi-year strategic plan aimed at achieving the goals referred to in (a) to (e) above;
- (i) Annually review the multi-year strategic plan with the Director; and
- (j) Monitor and evaluate the performance of the Director.

2.1.3 The Hastings and Prince Edward District School Board is committed to building learning and working environments that are free from any form of bias, racism and/or discrimination. The Board strives at all times to create a climate of understanding and mutual respect and to provide all students with optimal and inclusive learning opportunities, regardless of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or disability and any other grounds protected under the *Ontario Human Rights Code* and related policies.

2.2 Trustees

2.2.1 Individual Trustees are required to do the following;

- (a) Make and file with the Secretary of the Board the Declaration of Office;
- (b) Sign the Code of Conduct acknowledgement and undertaking each year on or before the date of the Organizational Meeting;
- (c) Attend and participate in Meetings of the Board and Committees, including Statutory and Advisory Committees of which they are a member;
- [\(d\) Carry out their responsibilities in a manner that assists the Board in fulfilling its duties under the Act](#)
- ~~(e)~~(e) Bring the concerns of parents/guardians, students and the HPEDSB's supporters to the attention of the Board (using Board-approved methods);
- ~~(e)~~(f) Uphold the implementation of any Board resolution after it is passed by the Board;

SECTION 2: ROLES AND RESPONSIBILITIES

- ~~(f)~~(g) Entrust the day-to-day management of the HPEDSB to its staff through the Director;
- ~~(g)~~(h) Maintain a focus on student achievement and well-being;
- ~~(h)~~(i) Consult with parents/guardians, students and the HPEDSB's stakeholders on the Board's Multi-Year Strategic Plan [in the manner prescribed the Minister of Education and the Act](#);
- ~~(i)~~(j) Comply with the Code of Conduct;
- ~~(j)~~(k) [Comply with the Minister of Education policies and guidelines for training](#);
- ~~(k)~~(l) Declare any pecuniary interest, whether direct, indirect, or deemed, in accordance with the *Municipal Conflict of Interest Act* at Board and Committee Meetings, including Statutory and Advisory committee meetings;
- ~~(l)~~(m) Not be Present at a Closed Session for matters where they have declared a conflict of interest; and
- ~~(m)~~(n) Maintain confidentiality by not disclosing to anyone confidential information acquired by virtue of their office or during Closed Sessions.

2.3 Board Chair and Vice-Chair

- 2.3.1 The Board, in electing one of their peers to be Chair, confer on the Chair a leadership role. The Chair, as an individual Member, has no greater voting rights than any other Member of the Board.
- 2.3.2 The Vice-Chair shall perform the duties of the Chair during a Temporary Absence of the Chair [\(except to be an Ex-Officio member of Standing Committees or otherwise a member of a committee of the Board or HPEDSB\) \(See 4.6.4 and 4.4.3\)](#) and act as liaison to the student voice and the Student Trustees.
- 2.3.3 The Board Chair;
 - (a) Presides over Meetings of the Board;
 - (b) Must be physically present in the meeting room for Board and Committee of the Whole Meetings, unless all schools of the HPEDSB are closed, as described in s. 7 of Regulation 463/97;
 - (c) Notwithstanding Section 2.3.3(b), is permitted to participate by electronic means in accordance with Section 5.12, "*Electronic Participation*", or if their designate is the Presiding Officer of the Board or Committee of the Whole Meeting;
 - (d) Establishes Agendas for Board Meetings, in consultation with the Board's Director or Designate and the Governance and Policy Committee;
 - (e) Conducts Meetings in accordance with these Board By-Laws;
 - (f) Ensures that Members and Student Trustees have the information needed for informed discussion of the Agenda items;
 - (g) Acts as spokesperson to the public on behalf of the Board of Trustees, unless otherwise decided by the Board;

SECTION 2: ROLES AND RESPONSIBILITIES

- (h) Conveys the decisions of the Board to the Director;
- (i) Provides leadership to the Board in maintaining the Board's focus on the Multi-Year Strategic Plan established under the Act;
- (j) Provides leadership to the Board in maintaining the Board's focus on the HPEDSB's mission and vision; and
- (k) Assumes such other responsibilities as may be specified by the Board.

2.3.4 A Chair and Vice-Chair will be elected each year at the Inaugural meeting in accordance with the election process in Section 3.4. The term of office of the Chair and Vice-Chair shall be for one (1) year or until their successors are elected and will commence upon the date of their election.

2.3.5 There is no limit to the number of terms a Chair or Vice-Chair may serve.

2.3.6 If a vacancy occurs in the office of the Chair or Vice-Chair, at the first meeting of the Board after a vacancy occurs, the Board shall elect one of themselves to be Chair or Vice-Chair, as the case may be, and the newly elected person will hold the office from the date of their election until the election of a Chair or Vice-Chair at the next Inaugural Meeting or until their successor is elected. Any election will be conducted in accordance with the election process in Section 3.4.

2.4 Committee Chair or Vice-Chair

2.4.1 The Committee Chair or Vice-Chair (in the Chair's absence):

- (a) Presides over Meetings of the Committee;
- (b) Establishes Agendas for Committee Meetings, in accordance with Section 5.16;
- (c) Conducts Committee Meetings in accordance with these Board By-Laws;
- (d) Ensures that members of the Committee have the information needed for informed discussion of the Agenda items; and
- (e) With the assistance of assigned staff, puts forward minutes and recommendations to the Board on behalf of the Committee.

2.4.2 A Standing Committee chair and vice-chair will be elected each year at the Inaugural Meeting or Organizational Meeting, as the case may be, in accordance with the election process in Section 3.4. The term of office of the Standing Committee chair and vice-chair shall be for one (1) year or until their successors are elected and will commence upon the date of their election. There is no limit to the number of terms a Standing Committee chair or vice-Chair may serve.

SECTION 2: ROLES AND RESPONSIBILITIES

- 2.4.3 If a vacancy occurs in the office of the Standing Committee chair or vice-chair, at the first meeting of the Board after a vacancy occurs, the Board shall elect one of themselves to be chair or vice-chair, as the case may be, and the newly elected person will hold the office from the date of their election until the election of a chair or vice-chair for Standing Committees at the next Inaugural Meeting or Organizational Meeting, as the case may be, or until their successor is elected. Any election will be conducted in accordance with the election process in Section 3.4.
- 2.4.4 In the case of an Ad Hoc Trustee Committee, the terms of reference will specify when the chair and vice-chair of the committee will be elected, their term of office, and the process for filling a vacancy in those offices; and may specify that the committee chair and vice-chair may serve a term that coincides with the length of mandate of the Ad Hoc Trustee Committee or until their successors are elected.
- 2.5 Student Trustees
- 2.5.1 Student Trustees are not municipally elected members of the Board but play an important role in representing the interests of students of the HPEDSB in the last two years of the intermediate division and in the senior division through their participation in Board and Committee Meetings. As outlined in the *Act* and Ministry of Education Directives, Student Trustees:
- (a) Have the same opportunities to participate at Meetings of the Board and Committees, including Advisory and Statutory Committees, as Members of the Board, except as restricted by the *Act*;
 - (b) May request that a matter before the Board be put to a Recorded Vote;
 - (c) Must disclose any conflict of interest in the same manner as a Member on a matter before the Board or one of its Committees on which the Student Trustee sits;
 - (d) May not move or second a motion but are entitled to cast a non-binding vote on a matter before the Board or one of its Committees on which the Student Trustee sits, (subject to clause 2.5.1(c));
 - (e) May suggest a motion on a matter before the Board or one of its Committees on which the Student Trustee sits which, if not moved by a Member, will be shown in the Minutes;
 - (f) May attend Closed Session, except when declaring a conflict of interest or when matters under consideration include the disclosure of intimate, personal or financial information with respect to a Member, a member of a Statutory or Advisory Committee, an employee or prospective employee of the HPEDSB, and/or a pupil or their parent or guardian;
 - (g) Must not disclose to anyone, confidential or personal information acquired during their term as Student Trustee or during Closed Session(s);
 - (h) Must comply with the Code of Conduct for Board Members;

SECTION 2: ROLES AND RESPONSIBILITIES

- (i) Have the same access to HPEDSB resources and opportunities for training as a Member;
- (j) Are entitled to receive an honorarium from HPEDSB, and to be reimbursed for out-of-pocket expenses as if they were Members, in accordance with the Act; and
- (k) Must resign from their position if they are absent from three (3) consecutive regular meetings of Board without being authorized by a resolution of the Board.

2.6 Director of Education

- 2.6.1 The Director of Education is appointed by the Board, responsible for the day-to-day management and administration of all schools and departments and, within policies established by the Board, the development and maintenance of an effective organization and the programs required to implement such policies. The Director has the additional duties prescribed in s.283.1 of the Act.
- 2.6.2 The Director serves as the Chief Education Officer, Chief Executive Officer and Secretary to the Board.
- 2.6.3 The Director presides at the Inaugural Meeting until the Chair is elected.
- 2.6.4 As Secretary to the Board, the Director or Designate will:
 - (a) Determine the times and location for the Meetings of the Board and Committees in conjunction with the Board of Trustees;
 - (b) Keep a full and correct set of Minutes of every Board Meeting (including Special Meetings of the Board), and ensure that the Minutes are approved by the Board and signed by the Chair or Presiding Officer for the HPEDSB's Official Record;
 - (c) Maintain the Board's complete Official Record, which includes minutes, agendas, reports and delegation submissions (where applicable) for all HPEDSB Public and Private Board, Special Board, Committee, Statutory and Advisory Committee meetings;
 - (d) Provide copies of any reports requested by the Ministry of Education;
 - (e) Give notice of all Meetings of the Board and Committees, including Statutory (where applicable) and Advisory Committees, to each of the Members and Student Trustees; and
 - (f) Call a Special Board Meeting on the request, in writing, of a majority of the Members.
- 2.6.5 The Director may delegate their authority in writing to staff of the HPEDSB to carry out duties and responsibilities as defined by these By-Laws.

2.7 Treasurer

SECTION 2: ROLES AND RESPONSIBILITIES

2.7.1 The superintendent of business for the HPEDSB shall be the chief financial officer and the treasurer of the HPEDSB and perform all the duties described in the Act and as assigned by the Board through policy or by the Director (the "Superintendent of Business").

2.8 Signing Officers

2.8.1 The Signing Officers of the HPEDSB for official purposes shall be one of the Chair or the Vice-Chair and one of the Director or Designate.

2.8.2 For current accounts, digital signatures of the Signing Officers may be substituted for the actual signatures of the Signing Officers.

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SECTION 3: INAUGURAL AND ORGANIZATIONAL MEETINGS

SECTION 3: INAUGURAL AND ORGANIZATIONAL MEETINGS

3.1 Scheduling of Inaugural Meeting

- 3.1.1 In an election year of the whole Board, the Inaugural Meeting will be held no later than seven days after the day on which the Term of Office of the Board commences. In each year thereafter, the Inaugural Meeting will be held on or after the anniversary of the date the term of office of the Board began.

3.2 Purpose of Inaugural Meeting

- 3.2.1 The purpose of the Inaugural Meeting will be:
- (a) In an election year, after the Director reads into the record the official returns from the designated election officer or officers, to make and subscribe the Declaration for Members, as outlined in Section 209(1) of the Act;
 - (b) In an election year, as outlined in Section 209 (3) to provide members with an option to take and subscribe the Oath or Affirmation of Allegiance;
 - (c) To receive nominations and conduct the election for the Chair and Vice-Chair of the Board;
 - (d) Subject to Section 3.2.1(c), to confirm the automatic appointment of the newly elected Chair as a member of the Governance and Policy Committee and its chair;
 - (e) Subject to Section 3.2.1(d), to receive nominations and conduct the election of a vice-chair of the Governance and Policy Committee and three (3) additional members of the Governance and Policy Committee; and
 - (f) To provide the newly elected Chair with an opportunity to deliver an inaugural address.

3.3 The Director as Presiding Officer

- 3.3.1 The Director will call the Inaugural Meeting to order and preside until the Chair of the Board is elected. In their absence, the Board shall designate the Presiding Officer, in accordance with the Act.

3.4 Election Process

- 3.4.1 The election process will be used to select a Member for each of the following positions of responsibility during the Inaugural and Organizational Meetings of the HPEDSB:
- (a) Chair and Vice-Chair of the Board (Inaugural Meeting);
 - (b) Three Members of the Governance and Policy Committee, subject to Sections 3.2.1(d) and 3.2.1(e) (Inaugural Meeting); and
 - (c) Chair and Vice-Chair of two remaining Board Standing Committees (Organizational Meeting).

SECTION 3: INAUGURAL AND ORGANIZATIONAL MEETINGS

3.4.2 The election process for the HPEDSB will be as follows:

- (a) Voting will be by secret ballot;
- (b) A ballot vote may be taken by paper, electronic means (including fax, email, text, survey software to permit voting on-line or telephone) provided the means ensures the Member only voted once and can indicate a Member's choice without revealing how the individual Member voted, except to the scrutineer;
- (c) Members participating in a meeting to elect candidates must be Present during the discussion leading up to any vote;
- (d) Proxy voting is not permitted;
- (e) The Director shall appoint scrutineers to conduct the election as necessary, but no fewer than two scrutineers shall be appointed;
- (f) The scrutineers will be responsible for distributing, collecting, counting and confirming voting results to the Presiding Officer, without disclosing the count, nor the order of the results;
- (g) The Presiding Officer will call for nominations from Members for positions of responsibility described in Section 3.4.1;
- (h) All nominations require a mover and a seconder;
- (i) Candidates may nominate themselves;
- (j) After each nominee is nominated, the Presiding Officer will ask nominees whether they accept the nomination;
- (k) Following a final call for nominations, the Presiding Officer will call for a motion to close nominations. The motion to close nominations requires a mover, a seconder and a Majority Vote;
- (l) Where only one nomination is received for a position described in Section 3.4.1, the Presiding Officer will declare that Member acclaimed to the position;
- (m) Where more than one nomination for any position is received and accepted, the election process will be conducted by secret ballot;
- (n) Following the motion to close nominations, the Presiding Officer will ask nominees who accepted the nomination to speak, in the order of nomination, for up to two minutes regarding their candidacy;
- (o) In the event a Member nominated for office is not Present, the nominator or nominators shall satisfy the Presiding Officer that the Member's consent to nomination has been obtained;
- (p) Nominees who have not already declared otherwise, may also decline a nomination at this time;
- (q) The scrutineers will distribute ballots to the Members present in the Board room, and collect the ballots when completed by the Members;

SECTION 3: INAUGURAL AND ORGANIZATIONAL MEETINGS

- (r) Members shall record one name of a valid candidate of their choice on the ballot
- (s) The scrutineers will withdraw from the meeting room to count the ballots or verify the votes if cast electronically, and will share the name of the successful candidate with the Presiding Officer, who shall announce the name of the successful candidate to the Members;
- (t) To be declared elected to any position, the winning candidate must receive a Majority Vote of ballots cast by Members;
- (u) If no Member receives a clear majority, a second ballot shall be held. The names of the candidates shall be announced in order of the number of votes cast, beginning with the highest;
- (v) Where a simple majority cannot be determined on the second ballot, and there are more than two candidates, the candidate with the least number of votes will be dropped from the ballot and voting will continue with the remaining candidates until a simple majority can be determined. The scrutineers will share the name only of the candidate with the least votes with the Presiding Officer who shall announce the name before a new vote continues;
- (w) In the case of multiple candidates and a two-way tie vote for last place, a drawing of lots will take place among the candidates who are tied after the Presiding Officer is advised of the names by the scrutineers and the Presiding Officer announces those names. The name drawn is an affirmative vote in favour of the candidate and the candidate whose name is drawn will result in the candidate remaining on the ballot for the next vote.
- (x) A Member who is participating remotely or is not Present and is a candidate who is part of a tie may appoint another Member or Board staff to draw lots on their behalf;
- (y) In the case of a three or four way tie, each name drawn will result in the candidate remaining on the ballot for the next vote;
- (z) In the case of a tie vote with only two candidates remaining on the final ballot, one additional vote will be conducted before the drawing of lots by the candidates, as outlined in the Act (or in the case of the candidate participating electronically or not Present, as drawn by an appointed Member or Board staff); and
- (aa) The Presiding Officer will announce the name of the newly elected Board Chair following the final ballot or drawing of lots.

- 3.4.3 Following the election result for Board Chair, the newly elected Chair will preside at the Inaugural Meeting. The Board Chair will conduct the elections for Vice-Chair of the Board and for members of the Governance and Policy Committee, in accordance with the HPEDSB election process.

SECTION 3: INAUGURAL AND ORGANIZATIONAL MEETINGS

- 3.4.4 The Board Chair will conduct the elections for the chair and vice-chair of Board Standing Committees during the Board's Organizational Meeting, in accordance with the HPEDSB election process.
- 3.4.5 In accordance with the *Education Act*, the Board Chair may cast a vote for all elected positions.
- 3.4.6 At the conclusion of the Inaugural and Organizational Meeting(s) the scrutineers will destroy all ballots.
- 3.5 Scheduling of Organizational Meeting**
- 3.5.1 The Organizational Meeting will be held no later than seven days after the date of the Board's Inaugural Meeting, annually.
- 3.6 Purpose of Organizational Meeting**
- 3.6.1 The purpose of the Organizational Meeting will be:
- (a) To consider and approve the appointment of Members to Committees (defined in Section 1.6), Advisory Committees and Statutory Committees, as recommended by the Governance and By-Law Committee;
 - (b) To receive nominations and elect Members to the position(s) of chair and vice-chair of the Board's Standing Committees: Student Learning, Well-Being and Equity Committee, and Physical Planning, Finance and Building Committees;
 - (c) To consider and approve Statutory and Advisory Committees' memberships (where applicable); and
 - (d) To consider and approve the appointment of Members to represent the Board on External Organizations, including the Ontario Public School Boards' Association.
- 3.6.2 The election or appointment of a chair and/or vice-chair of Ad Hoc Trustee Committees, Statutory Committees, or other Advisory Committees will be as described in its Governance Directive or applicable legislation.

SECTION 4: COMMITTEE MEETING STRUCTURE AND COMPOSITION

SECTION 4: COMMITTEE MEETING STRUCTURE AND COMPOSITION

4.1 Establishment of Committees

- 4.1.1 The Board will consider and approve the Board's Committee Meeting schedule and composition on an annual basis, in accordance with Section 4.1.4 or at any other time, as required, subject to applicable legislation.
- 4.1.2 The Board may establish by resolution any committee it deems appropriate, including but not limited to Standing, Statutory, Ad Hoc Trustee Committees, or Advisory Committees, subject to applicable legislation.
- 4.1.3 The Board must approve terms of reference for all Committees (defined in Section 1.6), as well as Advisory Committees, which clearly outline the membership composition, including diversity of membership, where possible, reporting mechanisms and timelines, as well as renewal and dissolution provisions (where applicable).
- 4.1.4 Upon recommendation of the Governance and Policy Committee, the Board shall review annually, before the Inaugural Meeting, the terms of reference for all Committees and Advisory Committees and confirm, amend or repeal them. The advance notice and voting requirements applicable to the amendment of the By-Laws shall apply (Sections 1.4.2 and 1.4.3). If the recommendation is to confirm only a particular Committee, or Advisory Committee terms of reference advance notice and voting requirements do not apply.
- 4.1.5 The Board's Standing Committees, and the Committee of the Whole may recommend the striking of an Ad Hoc Trustee Committee or Advisory Committee to the Board for approval, subject to the provisions in Section 4.4.7.

4.2 Dissolution of Committees

- 4.2.1 The Board may dissolve any Committee (defined in Section 1.6), or Advisory Committee at the Inaugural or Organizational Meeting, or by resolution at any other time as required, subject to Section 4.1.3, and applicable legislation.

4.3 Role of Committees

- 4.3.1 Committees, including Advisory Committees (defined in Section 1.6), are not decision-making bodies and may only make recommendations to the Board for consideration and final approval. Recommendations will be provided in the form of a written report together with background information and rationale for the recommendation. A main motion to take a recommended action may be suggested by the Committee or Advisory Committee. A motion to adopt a Committee or Advisory Committee report is not in order unless that is the express intention of the Board.

SECTION 4: COMMITTEE MEETING STRUCTURE AND COMPOSITION

4.3.2 All Committees, including Advisory Committees, are required to produce Minutes, which will be included in the Board's Official Record.

4.3.3 Minutes or records of Statutory Committees will be kept in accordance with the legislation applicable to each committee, and will be included in the Board's Official Record.

4.4 Membership of Committees

4.4.1 Members may be elected or appointed to Committees, as well as Statutory and Advisory Committees, at the Inaugural or Organizational Meeting(s), as the case may be, or as may be appointed by the Board from time-to-time, or as vacancies arise.

4.4.2 Each November prior to the Inaugural Meeting, every Member shall provide to the Chair their written expression of interest to serve as Chair; Vice-Chair; member of a Standing Committee, Ad Hoc Committee, Advisory Committee, Statutory Committee (where applicable), and, in an election year, Ontario Public School Boards Association positions; and chair and vice-chair of the Standing Committees.

4.4.3 Each Trustee shall serve on at least one Standing Committee and one other of the following committees:

- (a) Accessibility Advisory Committee
- (b) Audit Committee
- (c) Equity and Inclusivity Advisory Committee
- (d) Indigenous Education Advisory Committee
- (e) Parent Involvement Committee
- (f) Special Education Advisory Committee
- (g) Supervised Alternative Learning Committee

4.4.4 All Trustees shall be members of the Student Discipline Committee and a minimum of three (3) Trustees shall serve on any hearing.

4.4.5 A Member whose term on a Committee, or Advisory Committee, has expired may be re-appointed to a subsequent term by the Board at the Inaugural/Organizational Meeting(s) each year.

4.4.6 Student Trustees may attend and participate in Committee Meetings in the same manner as Trustees (see 4.4.8), subject to provisions contained in the *Act*.

4.4.7 The membership of an Advisory Committee or Ad Hoc Trustee Committee will be a) determined by the Board, or b) approved by the Board upon recommendation from a Standing Committee, Committee of the Whole, or Governance and Policy Committee.

SECTION 4: COMMITTEE MEETING STRUCTURE AND COMPOSITION

- 4.4.8 A Trustee who is not a member or an Ex-Officio Member of a Committee cannot move a motion, vote or be counted towards Quorum, but may attend the Meeting and speak to a motion under consideration by the Committee but only after all members of a Committee have spoken and time permits (see 5.23.2).
- 4.4.9 The Board may appoint Trustees to serve on other agencies, boards and commissions, including those external to the HPEDSB, at the Organizational Meeting, or as it deems necessary or when requested, if supported by the Board and consistent with legislation.
- 4.4.10 Except in a municipal election year, the Ontario Public School Boards' Association Board of Directors' representative and alternate shall be elected at the May Board meeting. In a municipal election year, the incumbent Ontario Public School Boards' Association representative and alternate shall continue in the role until elections at Organizational Meeting.
- 4.5 Committee of the Whole
- 4.5.1 Committee of the Whole will be composed of all Members with full participation and voting privileges, as outlined in the Act. Student Trustees may also attend and participate, in accordance with legislation.
- 4.5.2 Quorum to hold a Committee of the Whole Meeting will be the presence of a simple majority of the Members as defined in Section 1.6.
- 4.5.3 The Board may convene a Committee of the Whole Meeting (Public or Private Session) to consider matters which require more informal and detailed discussion by all Members and Student Trustees:
- (a) at any time, in accordance with the notice provisions in Section 5.16;
 - (b) at any time during a regularly scheduled Board Meeting or a Special Meeting, upon a Majority Vote by the Members; or
 - (c) in accordance with the Governance Directive, Delegations.
- 4.5.4 ~~The Chair of the Board is the cChair for Committee of the Whole Meetings.~~ The Presiding Officer for Committee of the Whole Meetings (Public and Private Sessions) will be the Board Vice-Chair.
- ~~4.5.5 A Committee of the Whole Closed (Private) Session will be scheduled to proceed before each regular public Board Meeting when needed. The Closed (Private) Session will usually begin at 6 p.m. unless otherwise noted in the notice of meeting.~~
- 4.6 Standing Committees

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SECTION 4: COMMITTEE MEETING STRUCTURE AND COMPOSITION

- 4.6.1 In accordance with Sections 4.1 - 4.4 inclusive, the Board may establish Standing Committees to consider matters related to education, finance, policy, and property as cited in the *Act*.
- 4.6.2 The Board's Standing Committees are as follows:
- (a) Physical Planning, Finance and Building Committee;
 - (b) Governance and Policy; and
 - (c) Student Learning, Well-Being and Equity Committee.
- 4.6.3 Each Member will be appointed to at least one (1) Standing Committee, subject to the provisions in Section 4.6.4.
- 4.6.4 The Chair of the Board will be an Ex-Officio Member of each Standing Committee of which they are not a permanent member (as described in Section 4.6.3), with no voting privileges.
- 4.6.5 Governance and Policy Committee membership will include the Board Chair who shall serve as its Committee Chair.
- 4.6.6 Four (4) additional Trustees will also be elected to serve on the Governance and Policy Committee at the Inaugural Meeting, in accordance with the Board's election process, outlined in Section 3.4. During the term of the Board, best efforts will be made to have every Trustee serve on this committee at least once.
- 4.6.7 The terms of reference for the Board's Standing Committees are outlined in the Board's Governance Directives.
- 4.7 Statutory Committees**
- 4.7.1 Statutory Committees are governed by applicable legislation. General information about the Board's *Statutory Committees* can be found in the Board's *Governance Directives*.
- 4.7.2 The Board will establish the following Statutory Committees, as prescribed by the *Act*:
- (a) Audit Committee (Ontario Regulation 361/10);
 - (b) Parent Involvement Committee (Ontario Regulation 612/00);
 - (c) Special Education Advisory Committee (Ontario Regulation 464/97);
 - (d) Supervised Alternative Learning Committees (Ontario Regulation 374/10); and
 - (e) Board Student Discipline Committee (*Education Act*, s.309 (12), and s.311.3 (9)).
- 4.8 Ad Hoc Trustee Committees**

SECTION 4: COMMITTEE MEETING STRUCTURE AND COMPOSITION

- 4.8.1 In accordance with Sections 4.1 - 4.4 inclusive, the Board may establish an Ad Hoc Trustee Committee to undertake a specific task regarding any matter within the Board's jurisdiction under the Act that requires in-depth study on a specific issue.
- 4.8.2 The Board, when establishing an Ad Hoc Trustee Committee, will approve the terms of reference, membership composition, reporting mechanisms and timelines, as well as renewal and dissolution provisions (where applicable).
- 4.8.3 The Ad Hoc Trustee Committee will make recommendations regarding its responsibilities to the Board, or through a Standing Committee to the Board, for approval.
- 4.8.4 The term of an Ad Hoc Trustee Committee will expire upon completion of its mandate, via Board motion or when a new committee is constituted at the Organizational Meeting each year, unless otherwise decided by the Board.
- 4.9 Advisory Committees**
- 4.9.1 The Board may establish Advisory Committees to provide community advice on specified areas of HPEDSB policy, as well as on educational issues of community interest.
- 4.9.2 In accordance with Sections 4.1 - 4.4 inclusive, the establishment of an Advisory Committee will be approved by the Board and will prescribe the terms of reference, membership, composition, reporting mechanisms, as well as renewal and dissolution provisions (where applicable).
- 4.9.3 The current Advisory Committees are: Indigenous Education Advisory Council; Equity and Inclusivity; and Accessibility Advisory Committee.

SECTION 5: BOARD AND COMMITTEE MEETING RULES AND PARLIAMENTARY PROCEDURE

SECTION 5: BOARD AND COMMITTEE MEETING RULES AND PARLIAMENTARY PROCEDURE

Board and Committee Meeting Rules

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SECTION 5: BOARD AND COMMITTEE MEETING RULES AND PARLIAMENTARY PROCEDURE

5.1 Scheduling a Meeting

- 5.1.1 A Meeting of a Quorum of Members whether held electronically or in person to materially advance the business of the HPEDSB is prohibited, unless a proper notice and Agenda are given and published in accordance with these By-Laws. Meetings can never be held by email, text or other written medium.
- 5.1.2 The Annual Schedule of Meetings will be prepared by the Governance and Policy Committee in consultation with the Director and the Committee Chairs or Vice-Chairs (in the Chair's absence) and approved by the Board no later than the June Board Meeting.
- 5.1.3 Subject to Section 5.1.4, Regular Board Meetings (Open Session) will generally be held on the fourth Monday of the month, at the head office (Section 1.2.2) or as otherwise determined by the Board beginning at ~~6:00~~ ~~7:00~~ p.m., (except July and August), and except in June, when it will be held on the third Monday at ~~6:00~~ ~~7:00~~ p.m. (to permit Trustee attendance at school graduations), unless otherwise indicated in the Board's Annual Schedule of Meetings, or approved by a Two-Thirds Vote of the Board .
- 5.1.4 If the fourth Monday of the month is a HPEDSB recognized statutory holiday, the Regular Board Meeting (Open Session) will be held on the next following Tuesday at ~~6:00~~ ~~7:00~~ p.m. that is not a statutory holiday.
- 5.1.5 Subject to Section 5.1.3, Committee Meetings (Open Session) (except Ad Hoc Committees) will be held at a time when Board Meetings are not being held and as described in the Annual Schedule of Meetings, unless otherwise called by the Committee Chair in consultation with the Chair of the Board and the Director or Designate.
- 5.1.6 Special Meetings of the Board and its Committees may be scheduled from time-to-time, in accordance with Section 5.7 of these By-Laws.
- 5.1.7 Ad Hoc Trustee Committees and Advisory Committees will meet when required and at the call of the respective Committee Chair, in consultation with the Chair of the Board, the Director or designate and/or the Supervisory Officer assigned to support the committee.

5.2 Cancelling a Meeting

- 5.2.1 The Chair (or Vice-Chair in the Chair's absence) may cancel a Board or Committee Meeting in consultation with the Director or designate when there is:
- (a) insufficient business to be conducted;
 - (b) lack of Quorum;
 - (c) an unforeseen event; or

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- (d) if all the schools of the HPEDSB are closed in accordance with s. 7 (1) of Regulation 463/97.

5.3 Open (Public) Sessions

- 5.3.1 Unless all schools of the HPEDSB are closed pursuant the *Act*, in particular s. 7 of Regulation 463/97, members of the public are welcome to physically attend, as observers, any public Board or Committee Meetings, as well as Advisory and Statutory Committee meetings, as permitted in law and the Governance Directives (terms of reference).
- 5.3.2 The Board or Committee will pass a motion in order to convene into Closed (Private) Session (section 5.4).
- 5.3.3 No person will be excluded from a Meeting that is open to the public, except for: a) improper conduct in accordance with section 207(3) of the *Act*; b) as required pursuant to a sanction under the Code of Conduct; or c) as otherwise required by law.
- 5.3.4 No person will engage in conduct that is negative, critical, or derogatory towards any other person, or engage in any behaviour that is disruptive to the Meeting. Where a member of the public, a Trustee or a Student Trustee engages in such conduct, the Chair may advise the person to cease such behaviour, or the person may be required to leave the Meeting.
- 5.3.5 Recommendations made in any Board or Committee Meeting in Closed (Private) Session will not come into effect until approved at a Board Meeting (Open Session).

5.4 Closed (Private) Sessions

- 5.4.1 The Board will ensure the security and confidentiality of proceedings held during Closed (Private) Sessions, including when using electronic participation, in accordance with the *Act*.
- 5.4.2 At the appropriate time during a Board or Committee Meeting, a Member may move a motion to convene a portion of the meeting in Closed (Private) Session. The matter under consideration must be consistent with sections 207(2), 207(2.1), or 218.3(10) of the *Act* which permits Closed (Private) Sessions when the subject-matter involves:
 - (a) The security or property of the HPEDSB;
 - (b) The disclosure of intimate, personal or financial information in respect of a member of the Board of Trustees, or a member of a Statutory or Advisory Committee, a current or prospective employee, a student, parent or guardian of the student
 - (c) Acquisition or disposal of a school site;
 - (d) Decisions in respect of negotiations with employees of the HPEDSB;
 - (e) Litigation affecting the HPEDSB; or

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- (f) An ongoing investigation under the Ombudsman Act respecting the HPEDSB; or
- (g) As necessary to comply with the *Youth Criminal Justice Act* or the *Municipal Freedom of Information Act*, including solicitor and client privilege.

5.4.3 Any recommendations considered by the Members in a Closed (Private) Session, will be reported to the Board in an Open (Public) Session. A motion to Rise and Report will include the recommendations or, in some cases, a brief description of the nature of the recommendation(s) to be reported in Public Session. Discussion, opinions, and reports which are not specified in the Motion to Rise and Report will remain confidential.

5.4.4 The motion to Rise and Report will usually take place at a Public Board Meeting held on the same date as a Committee of the Whole Meeting in Closed (Private) Session. In exceptional circumstances, the motion to Rise and Report may occur at a Board Meeting held on a later date, pending the conclusion of a matter of business or other legal considerations.

5.4.5 The Director or Designate will maintain a complete set of Minutes during Closed (Private) Session(s), including recorded votes and declarations for the Board's Conflict of Interest Registry, where applicable.

5.4.6 Minutes and reports from all Closed (Private) Sessions will be included in the Board's Official Record and remain confidential.

5.5 Attendees at a Closed (Private) Session

5.5.1 Members of the public will be required to leave the meeting room before a Closed (Private) Session commences.

5.5.2 A Trustee or Student Trustee who declares a conflict of interest must withdraw from the Closed (Private) Session and leave the meeting room or otherwise disconnect from electronic participation for the entire discussion of the matter about which they have declared a conflict.

5.5.3 Sessions closed to the public may have individuals in attendance other than Trustees (e.g., HPEDSB senior staff as determined by the Director or Designate, or Delegates who have permission from the Presiding Officer and the Director or Designate to speak on a matter as described under Section 5.3.5 of these By-Laws) in accordance with the Act.

5.5.4 Student Trustees may attend Closed (Private) Sessions, except when discussion of a matter gives rise to conflict of interest (declared by the Student Trustee) or when matters under consideration include the disclosure of intimate, personal or financial information with respect to a Member, a committee member, an employee or prospective employee of the Board, a student or their parent or guardian.

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5.5.5 The Director or Designate will be Present in all Closed (Private) Sessions, except when the topic is the recruitment, hiring, termination or performance review of the Director. In the absence of the Director or Designate or the Official Recording Secretary during a Closed (Private) Session, the Presiding Officer shall appoint any Member or other staff person to act as Secretary for that Meeting, in accordance with the *Act*.

5.6 Confidential Information

5.6.1 Matters discussed in Private Session must not be communicated to any person not Present at the Private Session, except to a HPEDSB Trustee or Student Trustee who otherwise would have been permitted to attend the Private Session, unless required by law or as necessary to seek legal advice. Deliberations may never be disclosed, even when the motion is made public.

5.6.2 Trustees and Student Trustees are required to maintain strict confidentiality around any issue that is dealt with in Closed (Private) Sessions even after they no longer hold the office, and are bound by the confidentiality and protection of privacy provisions under the *Act* and the *Municipal Freedom of Information and Protection of Privacy Act*.

5.7 Special Board and Committee Meetings

5.7.1 The Board may hold Special Meetings of the Board (as defined in Section 1.6) if called by the:

- (a) Board Chair (or Vice-Chair in the Chair's absence), in consultation with the Director or Designate; or
- (b) Director or Designate, at the written request of a majority of the Members of the Board.

5.7.2 Committee of the Whole and Committees may hold Special Meetings from time to time if called:

- (a) By the Committee Chair (or Committee Vice-Chair in their absence), in consultation with the Board Chair and the Director or Designate; or
- (b) By the Director at the written request of a majority of the Members of the Board.

5.8 Notice of Special Meeting and Agenda

5.8.1 The Director or Designate will notify all Members and Student Trustees, as applicable, in writing (or via e-mail communication) of a Special Meeting at least forty-eight (48) hours in advance of the Meeting, except if agenda item requires action sooner, and will include the Agenda for the Meeting with the notice.

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- 5.8.2 Notice of a Special Meeting and the Agenda will be published on the HPEDSB's public website.
- 5.8.3 The Agenda for a Special Meeting will include only the time-sensitive or Emergency Business item(s) for which it was called, including a brief statement of the item(s) to be considered at the Meeting, including related materials when available, and indicating whether any part of the Meeting should be held in Public or in Private Session.
- 5.8.4 A matter that is not included on the Special Meeting Agenda cannot be considered, unless it also qualifies as time sensitive or Emergency Business and a Two-Thirds Vote of the Members Present and voting at the Meeting wish to consider the matter.
- 5.8.5 If such a matter is added to the Agenda of a Special Meeting, in order for any action taken to become legal, any motion(s) must be ratified by the Board at the next regularly scheduled Board Meeting or, in extreme circumstances, at another Special Meeting of the Board, properly called for that purpose, in accordance with the notice provisions in the HPEDSB By-Laws.
- 5.9 Board and Committee Meeting Minutes**
- 5.9.1 The Director or Designate will maintain a complete set of Minutes (Open and Closed Session) for all Board Meetings, including Special Meetings of the Board, which includes the following information:
- (a) Trustee attendance, including specific notations when a Member enters a Meeting while in progress or permanently withdraws from a Meeting prior to adjournment;
 - (b) Amendments to the Agenda (if any), in accordance with Section 5.20.1;
 - (c) A brief summary of the discussion/rationale regarding Agenda Items (including oral and written reports) but will not be a verbatim transcript of the Meeting;
 - (d) Motions and related amendments;
 - (e) Recorded Votes; where applicable; and
 - (f) Declarations for inclusion in the Conflict of Interest Registry, (where applicable).
- 5.9.2 The Director or Designate will maintain a complete set of Minutes (Open and Closed Session) for all Committees, including Advisory Committees. Minutes or records of Statutory Committee meetings will be kept in accordance with the legislation applicable to each committee. The following information will be included:
- (a) Trustee Attendance;
 - (b) Attendance of other members of Statutory and Advisory Committees, where applicable;
 - (c) Amendments to the Agenda (if any);

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- (d) A brief summary of the discussion/rationale regarding Agenda Items but will not be a verbatim transcript of the Meeting;
- (e) Motions and related amendments, where applicable, for the Board's consideration; and
- (f) Declarations for inclusion in the Conflict of Interest Registry, (where applicable).

5.9.3 At each Board Meeting the Director or Designate will present:

- (a) Minutes of Board Meetings (including Special Meetings of the Board), for the Board's approval;
- (b) Committee, Statutory (as applicable) or Advisory Committee Minutes for information only; and
- (c) Where applicable, Committee, Statutory or Advisory Committee recommendations for the Board's consideration.

5.10 Board Meeting Attendance and Vacancies

5.10.1 In accordance with subsection 228 (1) of the *Act*, a Trustee vacates their seat if:

- (a) Subject to Section 5.10.1(b) below, the Trustee fails to be physically present in the meeting room of the HPEDSB for at least three (3) regular Board Meetings during each 12-month period beginning November 15, 2022;
 - 1.
- (b) The Trustee was elected or appointed to fill a vacancy on the Board and the Trustee fails to be physically present in the meeting room of the HPEDSB for at least one regular Board Meeting for each period of four full calendar months that occurs during the period beginning on the day the Trustee is elected or appointed and ending the following November 14; or
 - 2.
- (c) The Trustee is absent without being authorized by resolution of the Board entered in the Minutes, from three (3) consecutive regular Board Meetings. This requirement does not apply to a Trustee of the HPEDSB who is absent for twenty (20) consecutive weeks or less if the absence is a result of the Trustee's pregnancy, the birth of the Trustee's child or the adoption of a child by the Trustee.

5.10.2 Sections 5.10.1(a) and 5.10.1(b) do not apply for a period described therein if all schools of the HPEDSB are closed for a total of two or more months during those periods pursuant to an order made as described in Ontario Regulation 463/97 under the *Act*.

5.10.3 When a seat becomes vacant under the terms of section 228(1) of the *Act*, the provisions of the *Act* will apply with respect to filing such vacancy.

5.11 Committee Meeting Attendance and Vacancies

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- 5.11.1 At a Committee, with the exception of Committee of the Whole, a Trustee loses their Committee membership if they are absent, without authorization of the Committee, from three (3) consecutive regular Committee Meetings unless schools are closed as described in Section 5.10.2.
- 5.11.2 A Committee vacancy will be reported to the Board in the next Committee report.
- 5.11.3 The Board will appoint a Member, where possible, to fill a Committee vacancy that occurs for any reason.
- 5.12 Electronic Participation**
- 5.12.1 Except as provided below, HPEDSB will provide an opportunity to Members and Student Trustees when requested by any one of them to participate electronically in any Board and Committee Meetings in accordance with the provisions of the Act and, in particular, Ontario Regulation 463/97 – Electronic Meetings. The electronic means shall be provided in such a way that the rules governing conflict of interest of Members and Student Trustees are complied with. Except in emergency situations, the request to participate electronically in any Board or Committee Meetings must be made to the Chair or the Director at least twenty-four (24) hours before the commencement of the meeting.
- 5.12.2 The electronic means permitted shall permit the Member or Student Trustee to hear and be heard by all other participants in the meeting.
- 5.12.3 A Member, Student Trustee or Committee member shall have all the rights permitted to them as if participating in a meeting in person.
- 5.12.4 The Board may refuse to provide a Member or Student Trustee with electronic means of participation in Meetings, where to do so is necessary to ensure:
- (a) the security and confidentiality of proceedings that are closed to the public and/or Student Trustees, or
 - (b) compliance with the rules governing conflict of interest of Members and Student Trustees.
- 5.12.5 The Board will ensure the security and confidentiality of electronic participation in proceedings held during Closed Session, including that members of the public do not participate in any proceedings that are closed to the public and that Student Trustees do not participate in proceedings that are closed to the public under clause 2017 (2) (b) of the Act. The Member or Student Trustee participating by electronic means shall be in a private and/or secure location.
- 5.12.6 Members and Student Trustees attending the Meeting electronically must advise the Presiding Officer when joining a Meeting to be deemed present at a Meeting.

SECTION 5: BOARD AND COMMITTEE MEETING RULES AND PARLIAMENTARY PROCEDURE

- 5.12.7 Members and Student Trustees who leave a Meeting, whether temporarily or permanently, before the Meeting is declared adjourned by the Presiding Officer will advise the Presiding Officer and the Official Recording Secretary.
- 5.12.8 Subject to Section 5.12.10, and in accordance with Regulation 463/97, at every Board Meeting (including Special Meetings of the Board) or Committee of the Whole Meeting, the following persons must be physically present in the meeting room of the HPEDSB unless all schools of the HPEDSB are closed, as described in s. 7 of Regulation 463/97;
- (a) The Chair or designate;
 - (b) At least one additional Member of the Board; and
 - (c) The Director of Education or Designate.
- 5.12.9 Subject to Section 5.12.10, and in accordance with Regulation 463/97, at every Committee Meeting, except Committee of the Whole Meetings, the following persons must be physically present in the meeting room of the HPEDSB unless all schools of the HPEDSB are closed, as described in s. 7 of Regulation 463/97:
- (a) The Committee Chair or designate; unless the Committee Chair participates electronically pursuant to Section 5.12.10, then one additional member of the Committee must be present; and
 - (b) The Director of Education or Designate.
- 5.12.10 Notwithstanding Sections 5.12.8 and 5.12.9, the Chair, Committee Chair or their designates may preside over a Meeting by electronic means when:
- (a) weather conditions do not allow the Presiding Officer to travel to the meeting location safely; or
 - (b) the Presiding Officer cannot be physically present at the meeting for health reasons.
- 5.12.11 Notwithstanding Section 5.12.10, the Chair, or their designate must be physically present at a meeting for at least half of the regular Board Meetings in a twelve (12) month period beginning November 15th in each year, unless all schools of the HPEDSB are closed, as described in s. 7 of Regulation 463/97.
- 5.12.12 All Members or Student Trustees participating via electronic means who are not speaking must use the mute function on their device. Members and Student Trustees will make every effort to avoid disrupting a meeting by turning personal and electronic devices to a non-audible function, reducing all background noise and refraining from private conversations.

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5.12.13 The HPEDSB shall provide members of the public with electronic means as described on its public-facing website for participating in meetings of the Board and Committees that are open to the public. When a Delegate is participating in a Standing Committee or Committee of the Whole Meeting, the electronic means must permit members of the public to hear and be heard by all other participants in the meetings.

5.13 Presiding Officer

5.13.1 The Chair (or Vice-Chair in their absence) or Committee Chair- [\(except for Committee of the Whole Meetings as the Vice-Chair the Presiding Office for those meetings \(see 4.5.4\(or Committee Vice-Chair\)](#) will act as the Presiding Officer at a Meeting of the Board or Committee, as the case may be.

5.13.2 In the absence of a Presiding Officer, as prescribed in Section 5.13.1, the Board or Committee will elect another Member to preside in the interim.

5.13.3 No Member of the Board or a Committee will preside at a Meeting during the consideration of a motion when that Member has declared a conflict of interest.

5.13.4 A Presiding Officer pursuant to the Act (s.207 (3)) may expel or exclude from any meeting of the Board, Committee, or Advisory Committee any person (including a Member or Student Trustee) who has been guilty of improper conduct at the meeting. In the case where the person is participating electronically, the electronic means will be disconnected.

5.14 Quorum

5.14.1 There must be a Quorum throughout every Board and Committee Meeting in order for the Board to conduct business. Members who cannot attend Board and Committee Meetings shall advise the Director or Designate as early as possible if the Member is unable attend such meetings. If the non-attendance will cause the Board or Committee to not have Quorum at a Meeting, then the Director or Designate will notify the Chair and all Members and Student Trustees that the Meeting is cancelled.

5.14.2 Where a Member is participating electronically, their attendance will be included for Quorum as long as they remain Present and electronically connected to the Meeting.

5.14.3 If a Quorum is Present, a Meeting will commence within thirty (30) minutes of the Meeting start time as shown in the Agenda.

5.14.4 If a Quorum is not Present within thirty (30) minutes after the start time shown in the Meeting Agenda, the names of the Members Present will be recorded, and the Meeting will be cancelled.

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5.14.5 At a Board or Committee Meeting, if a Quorum is lost during the course of the Meeting, the Meeting will stand in recess. If Quorum cannot be re-established within fifteen (15) minutes of the recess due to a loss of Quorum, the Meeting will stand adjourned.

5.14.6 An Ex-Officio Member will be counted towards Quorum at a Committee Meeting.

5.15 Acknowledgement of Traditional Lands

5.15.1 All Board and Committee Meetings will include an acknowledgement of the Traditional Territories/Ancstral Lands of Aboriginal peoples recited by the Presiding Officer or a Trustee at Board Meetings or member of a Committee at Committee Meetings.

5.16 Board and Committee Meeting Agendas and Notice Requirements

5.16.1 The Agenda(s) for a Board Meeting, Special Meeting of the Board, [Special Meeting of the Committee of the Whole](#), and a Committee of the Whole Meeting (Public or Private Session) will be determined by the Board Chair in consultation with the Director or Designate and the Governance and Policy Committee.

5.16.2 The Agenda for a Standing Committee Meeting (Public or Private Session) will be determined in accordance with Section 5.18.2, by the Standing Committee Chair, in consultation with the Board Chair and the Supervisory Officer assigned to support the Committee's work.

5.16.3 The Agenda for Ad Hoc Trustee Committee Meetings (defined in Section 1.6), including Public or Private Session, will be determined by the Committee Chair, in conjunction with the Supervisory Officer (or designate) assigned to support the Committee's work.

5.16.4 The Director or Designate will provide by electronic mail or delivered to their home, Members and Student Trustees with notice of all Board and Committee Meetings (excluding Special Meetings (See S.5.8)), including the Agenda and related materials, 96 hours prior to the Meeting. Statutory holidays will not affect this requirement. All notices, information and materials delivered to the electronic mail address of Members and Student Trustees shall be deemed to have been received once sent.

5.16.5 The electronic mail address described in Sections 5.8.1 and 5.16.4 is deemed to be the official HPEDSB electronic mail address provided to the Member or Student Trustee for the sole purpose of fulfilling their duties under the Act.

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5.16.6 Any official Board materials/information delivered to a Member's or Student Trustee's home shall be deemed to have been received when delivered to the address on the Member's Official Nomination Paper (until such time as a Member notifies the Secretary to the Board in writing of a new official home address). Student Trustees will provide the Director or Designate with an official home address upon their appointment to the position and will notify the Director or Designate, in writing, of any changes to their official home address.

5.16.7 Notice of Board and Committee Meetings and Agendas will be published on the HPEDSB's public website in accordance with the timelines prescribed in Section 5.16.4.

5.17 Regular Board Meeting – Order of Business

5.17.1 Matters will generally be considered in the order shown in the Agenda. The final Agenda will be approved at the meeting by a Majority Vote, subject to the provisions in Section 5.20.1.

5.17.2 At a regular Board meeting, the following is the typical Order of Business:

- (a) Call to Order
- (b) Motion to Convene into Committee of the Whole (Closed Session) if applicable
- (c) Acknowledgement of Traditional Lands
- (d) Roll Call
- (e) Approval of the Agenda
- (f) Declarations of conflict of interest
- (g) Consent Agenda (Matters to be Decided Without Discussion, including approval of Minutes from Previous Board and Special Board Meeting(s); receipt for information only of any committee minutes and new reports; any Committee recommendations, etc.)
- (h) Rise and Report from Committee of the Whole (Closed Session) if applicable
- (i) Reports from Trustees appointed to External Organizations, including OPSBA
- (j) Committee reports and consideration of any recommended motions (if not contained in Consent Agenda)
- (k) Statutory Committee reports and motion to refer any recommendations to appropriate Board Committee for consideration and recommendation to the Board
- (l) Advisory Committee reports
- (m) Ad Hoc Trustee Committee reports
- (n) Chair's report
- (o) Director's report and consideration of any recommended motions
- (p) Any HPEDSB staff reports and consideration of any recommended motions
- (q) Calendar of Events
- (r) Correspondence

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- (s) Unfinished business (means business that comes over from a previous regular Board Meeting as a result of that meeting having adjourned without completing its order of business and without scheduling an adjourned meeting to complete it)
- (t) Trustee Motions for Consideration (Introduced at a Previous Meeting)
- (u) Trustee Notices of Motion (Discussion for Next Meeting)
- (v) Adjournment

5.18 Regular Standing Committee Meeting - Order of Business

5.18.1 Matters will generally be considered in the order shown in the Agenda. The final Agenda will be approved at the meeting by a Majority Vote, subject to the provisions in Section 5.20.1.

5.18.2 At a regular Standing Committee Meeting, the following is the typical Order of Business:

- (a) Call to Order
- (b) Acknowledgement of Traditional Lands
- (c) Roll Call
- (d) Approval of the Agenda
- (e) Declarations of conflict of interest
- (f) Approval of Minutes from Previous Meeting
- (g) Delegations
- (h) Staff reports
- (i) Trustee Motions for Consideration (Introduced at a Previous Meeting)
- (j) Trustee Notices of Motion (Discussion for Next Meeting)
- (k) Adjournment

5.19 Regular Committee of the Whole Closed (Private) Session – Order of Business

5.19.1 Matters will generally be considered in the order shown in the Agenda. The final Agenda will be approved at the meeting by a Majority Vote, subject to the provisions in Section 5.20.1.

5.19.2 At a regular Committee of the Whole Closed (Private) Session Meeting, the following is the typical Order of Business:

- (a) Call to Order
- (b) Acknowledgement of Traditional Lands
- (c) Roll Call
- (d) Approval of the Agenda
- (e) Declarations of conflict of interest

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- (f) ~~Consent Agenda (Matters to be Decided Without Discussion, including approval of Minutes from Previous Committee of the Whole Closed (Private) and Special Committee of the Whole Closed (Private) Meeting(s); receipt for information only of any closed (private) committee minutes) Approval of Minutes from Previous Meeting~~
- (g) Delegations
- (h) ~~Receipt for information only minutes of Committee Closed (Private) Session Meetings~~
- (i) Committee reports from Committee Closed (Private) Session and consideration of any recommended motions
- (j) Staff reports
- (k) Trustee Motions for Consideration (Introduced at a Previous Meeting)
- (l) Trustee Notices of Motion (Discussion for Next Meeting)
- (m) Motion to rise and report to Board of Trustees in a Public Board or Special Meeting
- (n) Adjournment

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5.20 Agenda Amendments at Board and Committee Meetings

- 5.20.1 Agendas for a Board or Committee Meeting may not be amended at the Meeting, or after the notice of the Meeting and Agenda has been circulated to Members, unless the item qualifies as time sensitive or Emergency Business (defined in section 1.6) and the amendment to the Agenda is confirmed by a Two-Thirds Vote. This does not preclude a motion to amend the Order of Business on the Agenda, which requires a Majority Vote.
- 5.20.2 Agendas for a Board or Committee Meeting scheduled to be held in Closed (Private) Session may be amended to remove an Agenda item by a Majority Vote when a Member is of the opinion the item does not qualify to be discussed in Closed (Private) Session in accordance with Section 5.4.2.

5.21 Consent Agenda (Board Meeting Only)

- 5.21.1 The Consent Agenda consists of routine agenda items and may include items that were discussed and voted on previously at a Committee and are presented to the Board for approval and minutes of previous Board Meetings and Special Board Meetings. Routine agenda items may be presented together and adopted at once by the Members without further debate.
- 5.21.2 The Consent Agenda will be prepared for Board Meetings as part of Agenda development ([see 5.16](#)) by the Governance and Policy Committee.

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- 5.21.3 If a Member or Student Trustee requests a separate discussion on an action item or motion proposed in the Consent Agenda at the time of the Board Meeting, the matter will be removed from the Consent Agenda. Minutes of Committee Meetings shall not be removed from a Consent Agenda because they are being received for information only.

Board and Committee Meeting Parliamentary Procedure

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5.22 Debate

- 5.22.1 The Presiding Officer will maintain a list of Members and Student Trustees who wish to speak to a motion and will control who speaks and when, in accordance with these By-Laws and Rules of Order.
- 5.22.2 The Presiding Officer will recognize a Member or Student Trustee to speak by referring to them as Trustee [last name] or Student Trustee [last name] and indicating that the Member or Student Trustee has the floor. A Member or Student Trustee may not speak to a motion until recognized by the Presiding Officer.
- 5.22.3 Members, Student Trustees and any other participants in a Meeting will address their comments through the Presiding Officer.
- 5.22.4 Members and Student Trustees will confine their comments to the merits of the motion being considered.
- 5.22.5 The Presiding Officer may rule a question out of order if a Member or Student Trustee has already asked substantially the same question in another form.
- 5.22.6 The Presiding Officer is entitled to move or second a motion, but only once they have relinquished or passed the role of Presiding Officer to another Member. Should the Presiding Officer move a motion, having relinquished their role as Presiding Officer, they may not preside over the Meeting again until the motion has been dealt with.
- 5.22.7 At any time before a motion is put to a vote, a Member or Student Trustee may request that the motion be read aloud.
- 5.22.8 Once the Presiding Officer calls for the vote on the motion, there shall be no further discussion.

5.23 Speaking Time

- 5.23.1 At Board Meetings, a Member or Student Trustee may speak twice to each motion for up to two(2) minutes each time. No Member or Student Trustee make speak the second time until all Members or Student Trustees who wish to speak on the motion have done so. A Member or Student Trustee may speak longer than two (2) minutes only upon a Majority Vote permitting it. The mover of the motion has the option to speak first and last to it.
- 5.23.2 At Committee Meetings, a member of the Committee may speak an unlimited number of times to each motion for up to five (5) minutes each time. The mover of the motion has the option to speak first and last to it. Members and Student Trustees who are not members of the Committee may only speak after all members of the Committee have spoken and only if time permits.

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5.24 Ending Debate

- 5.24.1 At Board Meetings, a Member may request (or a Student Trustee may suggest) that debate be concluded by making a motion to Call the Previous Question. This is in order only after the Presiding Officer has confirmed that all Members and Student Trustees wishing to speak to the motion have had an opportunity to do so in accordance with 5.23.
- 5.24.2 No Member or Student Trustee will speak on a motion to Call the Previous Question.
- 5.24.3 A motion to Call the Previous Question will be decided by a Two-Thirds Vote.
- 5.24.4 If a motion to Call the Previous Question is supported by a Two-Thirds Vote, no further debate can take place and the Presiding Officer will immediately put the pending motion to a vote.
- 5.24.5 At Committee of the Whole and Standing Committee Meetings, a Member may request (or a Student Trustee may suggest) that debate be concluded by making a motion to Call the Previous Question, but only after all Members of the Committee and Student Trustees who are entitled to speak have had an opportunity to speak once.

5.25 Voting

- 5.25.1 A Member who is Present at a Meeting is entitled to vote once on each motion under consideration, unless disqualified from voting.
- 5.25.2 A Student Trustee who is Present at a Meeting is entitled to cast a non-binding vote once on each motion under consideration, unless disqualified from voting due to a conflict of interest.
- 5.25.3 Trustees who are not members of a Committee are not entitled to vote. Student Trustees who are not members of a Committee are not entitled to suggest a motion. Only Committee Members and Ex-Officio Members may vote at Committee Meetings.
- 5.25.4 If the motion contains related parts, a Member may move a motion to divide the motion, and if passed, a vote on a part or parts is done separately.
- 5.25.5 When a motion is put to a vote, the Presiding Officer will first call votes in favour of, votes against and, finally, any abstentions.
- 5.25.6 After a vote is taken, the Presiding Officer will declare whether the motion was carried or defeated.
- 5.25.7 A tie vote means the motion is defeated, except on a motion as to whether a ruling of the Presiding Officer is to be sustained.

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5.25.8 Except where otherwise provided in this By-Law or Robert's Rules of Order, the basic requirement for approval of an action is a Majority Vote.

5.26 Recorded Votes

5.26.1 At a Board Meeting, any Member or Student Trustee may request a recorded vote prior to the vote on a motion taking place. The Official Recording Secretary will record the binding vote of each Member and the non-binding vote of each Student Trustee(s) in the Minutes for inclusion in the Official Record. Recorded votes will not be taken at Committee Meetings.

5.27 Motions

5.27.1 A matter to be considered by the Members at a Meeting will be in the form of a motion directly related to an item on the Agenda and will require a mover and seconder.

5.27.2 Any Member (including an Ex-Officio Member) Present at a Meeting, may move or second a motion related to an item on the Agenda or Emergency Business, unless disqualified from participating due to a conflict of interest or otherwise disqualified from voting.

5.27.3 A motion that has been moved and seconded may, without permission of the Members of the Board or Committee, be withdrawn, or a minor amendment made by the mover of the motion, until the Presiding Officer states the motion prior to opening the floor to debate.

5.27.4 A Member who moved a motion may also withdraw it from consideration after the motion is stated and before the vote is taken on the motion, provided that the seconder or no other Member Present objects to the motion being withdrawn.

5.27.5 If a Member objects to a request to withdraw a motion, the Members in attendance at the Meeting will immediately decide whether to permit the motion to be withdrawn by a Majority Vote.

5.28 Notice of Motion

5.28.1 A Member may request that a Notice of Motion be included in the Agenda for a Board or Standing Committee meeting as advance notification of a matter to be considered at a subsequent meeting.

5.28.2 A Notice of Motion must first be submitted to the Governance and Policy Review Committee within timelines prescribed by the Director of Education for inclusion in the Agenda.

5.28.3 A Notice of Motion must be in writing and have a seconder.

SECTION 5: BOARD AND COMMITTEE MEETING RULES AND PARLIAMENTARY PROCEDURE

5.28.4 A Notice of Motion submitted in accordance with Section 5.28.1 will not be debated at the same meeting at which it is introduced.

5.28.5 The Notice of Motion will be:

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SECTION 5: BOARD AND COMMITTEE MEETING RULES AND PARLIAMENTARY PROCEDURE

- (a) considered at a subsequent regular Meeting as determined by the Governance and Policy Committee;
- (b) may be referred by the Governance and Policy Committee or by the Board to a more appropriate Committee; or
- (c) may be referred to the Director of Education or Designate for consideration or follow-up.

5.28.6 Any action taken under Section 5.28.5(b) must be in accordance with the terms of reference for Board Standing Committees, as outlined in Section 4.6;

5.28.7 A Notice of Motion may be withdrawn by the Member at any time before debate begins on the motion. This may occur after the motion has been moved, seconded and stated by the Presiding Officer.

5.29 Motions - Order of Precedence

5.29.1 A Main Motion is the starting point for the Board or a Committee to make a decision. This is also known as the main question. It must be disposed of before another Main Motion is introduced.

5.29.2 Any secondary motion (identified as privileged and subsidiary motions in Section 5.29.3) may be introduced by a Member (or suggested by a Student Trustee) during a Meeting and will be considered and disposed of in the order of precedence listed below and in the Parliamentary Procedure Chart appended to these By-Laws. As a result, there may be a few pending motions on the floor at one time but only one question can be disposed of at a time and in accordance with the order of precedence below.

5.29.3 The order of precedence of secondary motions is as follows:

Privileged Motions:

- (a) Fix the time to Adjourn
- (b) Adjourn
- (c) Recess
- (d) Question of Privilege
- (e) Orders of the Day

Subsidiary Motions:

SECTION 5: BOARD AND COMMITTEE MEETING RULES AND PARLIAMENTARY PROCEDURE

- (f) Lay on the Table
- (g) Previous question
- (h) Limit or Extend Debate
- (i) Postpone to a Certain Time
- (j) Refer to a Committee
- (k) Amend
- (l) Postpone Indefinitely

5.30 Ruling a Motion Out of Order

- 5.30.1 The Presiding Officer may rule a motion out of order if it is contrary to legislation, parliamentary procedure, or HPEDSB By-Laws, policies, or Governance Directives.
- 5.30.2 If a Presiding Officer rules a motion out of order, the Presiding Officer will state the reason and, where applicable, the legislation, parliamentary procedure, or HPEDSB By-Laws, policies, or Governance Directives.
- 5.30.3 The following motions are not in order at a Committee Meeting:
 - (a) Reconsider or rescind a previous decision of the Board; or
 - (b) Amend something previously adopted by the Board (unless the motion to reconsider, rescind or amend was explicitly referred to the Committee by the Board).

5.31 Amendments to a Motion

- 5.31.1 A Main Motion being considered by the Board or a Committee may be amended.
- 5.31.2 Motions commonly used that are not amendable include:
 - (a) Appeal the ruling of Chair or Presiding Officer;
 - (b) Question of Privilege;
 - (c) Postpone Consideration of a Motion Indefinitely (at Board);
 - (d) Lay a Motion on the Table;
 - (e) Order of Business;
 - (f) Point of Order;
 - (g) Previous Question;
 - (h) Reconsider;
 - (i) Rescind;
 - (j) Take a Motion from the Table; or
 - (k) Withdraw a Motion.
- 5.31.3 An amendment, to be in order, must:
 - (a) Directly relate to the motion it proposes to amend;
 - (b) Propose some change in the substance or form of the motion; and

SECTION 5: BOARD AND COMMITTEE MEETING RULES AND PARLIAMENTARY PROCEDURE

(c) Not be contrary to the main concept of the original motion it proposes to amend.

5.31.4 Only two amendments to a Main Motion may be proposed at any point in time.

5.31.5 The vote on the motion, the amendment and any amendment to the amendment will be taken in the reverse order of that in which they were moved.

5.32 Motion to Refer

5.32.1 A matter may be referred to the following for specific action or follow-up:

- (a) The Board;
- (b) A Committee (defined in Section 1.6);
- (c) The Chair;
- (d) The Director of Education or Designate; or
- (e) A Statutory or Advisory Committee.

5.33 Motion to Reconsider

5.33.1 A motion to reconsider a decision passed at a Board Meeting may only be reconsidered at that same Meeting and therefore, does not require prior notice to do so and is not subject to the restriction in Section 5.34.1. The motion to reconsider is not the same as the motion that may be reconsidered. The motion to reconsider requires a separate Majority Vote to pass prior to the reconsideration and voting on the original motion.

5.33.2 The debate on the motion to reconsider is a discussion about whether to reconsider and not about the subject of the motion that may be reconsidered. Debate on the original motion will take place following the motion to reconsider, if it passes.

5.33.3 The motion to reconsider can only be made by a Member who voted for the prevailing side of the original motion. A Member who did not vote on the original motion cannot move the motion to reconsider. A motion to reconsider cannot be amended or reconsidered.

5.33.4 If the motion to reconsider passes, the original motion will be placed on the floor and dealt with like any other original or new motion and as if the original motion had not been voted on at all.

5.33.5 Notwithstanding this section, Robert's Rules of Order prescribes a higher voting threshold that must be followed for a motion to reconsider a By-Law Amendment, Section 1.4.3.

5.34 Motion to Rescind or Amend Something Previously Adopted

SECTION 5: BOARD AND COMMITTEE MEETING RULES AND PARLIAMENTARY PROCEDURE

- 5.34.1 A previous decision of the Board cannot be rescinded or amended if:
- (a) it has already been carried out or cannot be undone; or
 - (b) until at least twelve (12) months after the decision was made, or for the remainder of the current four-year term of the Board, whichever is the shorter time, unless a motion passes by a Two-Thirds Vote to do otherwise.
- 5.34.2 A decision of the Board made at a previous Board Meeting cannot be rescinded or amended unless the proposed rescission or amendment is included in an Agenda.
- 5.34.3 The amendment, repeal and/or replacing of these By-Laws will follow the process determined in Section 1.4 of these By-Laws and Robert's Rules of Order.
- 5.34.4 A failed motion, or a motion not previously dealt with because it was postponed indefinitely, (or similarly worded motion on the same topic) cannot be brought forward again for consideration at the same Meeting or for at least 12 months after the motion failed or was postponed.
- 5.35 Point of Order**
- 5.35.1 A Member may rise to a Point of Order when they believe any of the following have been breached or overlooked; the HPEDSB By-Laws, Rules of Order, Governance Directives, Board policies or legislation related to a motion.
- 5.35.2 A Member may interrupt a speaker who has the floor to raise a Point of Order. The Point of Order does not require a seconder and is not debatable. It cannot be amended or reconsidered.
- 5.35.3 The Point of Order must be clearly stated by the Member with reasons and, where applicable, with specific reference to the particular By-Law provision, Rule of Order, Governance Directive, policy or legislation.
- 5.35.4 The Presiding Officer rules on the Point of Order or may allow the Board of Trustees to decide the point.
- 5.35.5 The Presiding Officer may declare a recess in order to review the Point of Order before making a ruling.
- 5.36 Question of Privilege**
- 5.36.1 If a Member is of the opinion that a pressing situation is affecting the rights or privileges of the Board, or of an individual Member or Student Trustee, a Member can Raise a Question of Privilege, which permits them to interrupt the Meeting to state an urgent request or motion.
- 5.36.2 The Question of Privilege must be clearly stated by the Member with reasons.

SECTION 5: BOARD AND COMMITTEE MEETING RULES AND PARLIAMENTARY PROCEDURE

5.36.3 If the Presiding Officer is unable to address the question quickly and informally, the Chair may make a ruling on whether or not to permit the Question of Privilege.

5.37 Appeal the Ruling of the Presiding Officer

5.37.1 A Member may interrupt the Meeting to introduce a motion to appeal the ruling of the Presiding Officer, which requires a Majority Vote to overturn a decision of the Presiding Officer.

5.37.2 If the appeal from the decision of the Presiding Officer results in a tie vote, the Presiding Officer's decision on the Point of Order will be upheld.

5.37.3 The Presiding Officer may speak first and last on the motion to appeal and does not have to leave the chair to do so.

5.37.4 No appeal can be made to the Presiding Officer's response to a Parliamentary Inquiry or other question because a reply is an opinion given by the Presiding Officer and not a ruling on the question. A ruling (and an appeal of that ruling) could be made if a motion is put forward in response to the opinion given by the Presiding Officer.

5.38 Lay on the Table

5.38.1 A motion to lay on the table is used in a Meeting to temporarily set aside a pending motion in order to take up more pressing business at that particular time. If the intention is to postpone the motion indefinitely then that motion should be used. If the intention is to postpone a motion to a certain time, then that motion should be used. If the motion to lay on the table is made with improper intentions, the Presiding Officer will clarify the motion based on the mover's intent and, if in order at the time, puts the question not on *Lay on the Table*, but on *Postpone Indefinitely* or *Postpone to a Certain Time*, as the case warrants.

5.38.2 Once the pressing business is finished, a motion to take from table may be made or the Presiding Officer may assume the motion and with unanimous consent of the Members, resume with the motion.

5.38.3 If the motion is not taken from the table before the end of the Meeting, then it dies but can be renewed again because it was never dealt with.

5.39 Extending Meeting Time

5.39.1 No Board or Committee Meeting will continue beyond 11 p.m. unless approved by a Majority Vote. The motion to continue the Meeting beyond 11:00 p.m. may specify that the meeting only continue until the item under discussion is complete, or until certain additional agenda items are completed, or specify a time for the adjournment of the Meeting.

SECTION 6: GOVERNANCE AND ACCOUNTABILITY FRAMEWORK

SECTION 6: GOVERNANCE AND ACCOUNTABILITY FRAMEWORK

6.1 Public Participation in Board and Committee Meetings

- 6.1.1 The HPEDSB Annual Schedule of Meetings will be published on the HPEDSB's public website.
- 6.1.2 Members of the public are welcome to physically attend as observers any public Board or Committee Meetings, as well as Advisory and Statutory Committees, as permitted by law.
- 6.1.3 The HPEDSB shall provide members of the public with electronic means as described on its public-facing website for participating in meetings of the Board and Committees that are open to the public. When a Delegate is participating in a Standing Committee or Committee of the Whole Meeting, the electronic means must permit members of the public to hear and be heard by all other participants in the meetings.
- 6.1.4 When all schools of HPEDSB are closed as described in s. 7 of Regulation 463.97, the public will be provided with electronic access to any public meetings outlined in Section 6.1.1.

6.2 Delegations

- 6.2.1 Members of the public are welcome to request Delegate status to share their views with Trustees regarding subject matter that falls within the Board's governance responsibilities.
- 6.2.2 Individuals who wish to appear as a Delegate should consult the Board's Governance Directive, Delegations and Community Engagement, appended to these By-Laws. The Directive provides detailed information about submitting a *Delegation Request Form*, as well as specific responsibilities for trustees, staff and Delegates throughout the process.
- 6.2.3 Delegations from members of the public may be scheduled at a Board Standing Committee Meeting, Committee of the Whole Meeting, or as otherwise indicated in Section 6.2.5.
- 6.2.4 Delegation presentations will not be received:
 - (a) at Board Meetings (except by the Special Education Advisory Committee, as prescribed in Regulation 463/97);
 - (b) by individuals or commercial enterprises who wish to promote products or services to the Board;
 - (c) regarding personal issues related to the Delegate, a staff member or a student;

SECTION 6: GOVERNANCE AND ACCOUNTABILITY FRAMEWORK

- (d) regarding employment issues that are covered under HPEDSB collective agreements or other employment contracts;
- (e) about matters which are the subject of litigation with the Board, or where all rights to a hearing, appeal or review under the Education Act or its regulations have not been commenced or concluded;
- (f) prior to the Delegate pursuing any other Board processes that currently exist (including those outlined in Board Policy or Procedure to address their concern(s));
- (g) about matters that are currently the subject of a complaint to the Ontario Ombudsman or are under investigation or review by that Office, the HPEDSB pursuant to a HPEDSB policy or procedure or legislation, or the Code of Conduct;
- (h) regarding matters that are not within the jurisdiction of the HPEDSB;
- (i) twice within a 12-month period, unless the subject matter has changed substantially; or
- (j) regarding subjects for which there are other opportunities for the Delegate to provide input to the Board, such as School Accommodation Review Meetings, the Budget Development Process, the Board's Multi-Year Strategic Planning Process, etc.

6.2.5 The Governance and Policy Committee will consider all Delegation requests and is authorized to take any of the following actions:

- (a) schedule the Delegation for any future Board Standing Committee Meeting that has responsibility for the subject matter described in the Delegation Request Form;
- (b) refer the Delegation to staff, through the Director of Education, for follow-up;
- (c) for appropriate subject matter that is not included in the Terms of Reference for any Board Standing Committee, or which may apply to all Board Standing Committees, schedule the Delegation for a Committee of the Whole Meeting (such date to be determined by the Governance and Policy Committee, in consultation with the Delegate);
- (d) make the final determination regarding the scheduling of the Delegation in Open or Closed Session, in accordance with the confidentiality provisions contained in Sections 207(2), 207(2.1) and 218.3 (10) of the Education Act; or
- (e) deny any Delegation requests that do not meet the requirements prescribed in the HPEDSB Governance Directive, Delegations and Community Engagement.

6.3 Conflict of Interest Registry

SECTION 6: GOVERNANCE AND ACCOUNTABILITY FRAMEWORK

- 6.3.1 Members have a responsibility to disclose any pecuniary conflict of interest, whether direct, indirect or deemed in accordance with the *Municipal Conflict of Interest Act* at Board and committee Meetings by filing a written statement with the Director or Designate. In Closed (Private) Session, Members must withdraw from and not be Present in the meeting room or participate via electronic means when a matter about which they have declared a conflict is being discussed.

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SECTION 6: GOVERNANCE AND ACCOUNTABILITY FRAMEWORK

The Director of Education or Designate will:

- (a) File the written statement by the Member in the HPEDSB's Conflict of Interest Registry;
- (b) Record the conflict of interest in the Minutes of the public Board or committee Meeting;
- (c) Record the conflict of interest in the Minutes of a Closed or Private Session Meeting and also in the Minutes of the next Public Board Meeting; and
- (d) Make the HPEDSB's Conflict of Interest Registry available for public review.

6.4 Board Members' Code of Conduct

- 6.4.1 The Board will adopt a Code of Conduct and enforcement process for its Members and Student Trustees and review it after each Municipal Election, in accordance with the *Education Act* and Ontario Regulation 246/18 *Members of School Boards – Code of Conduct*.
- 6.4.2 The Code of Conduct, that support the Board's commitment to meeting high standards of conduct by Trustees and Student Trustees are provided in the Governance Directives appended to these By-Laws.

SECTION 7: GOVERNANCE DIRECTIVES

SECTION 7: GOVERNANCE DIRECTIVES

- 7.1 Board Members' Code of Conduct
- 7.2 Committees
 - 7.2.1 Advisory Committees
 - 7.2.2 Ad Hoc Trustee Committees
 - 7.2.3 Standing Committees
 - 7.2.4 Statutory Committees
- 7.3 Public Participation and Delegations

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SECTION 8: RESOURCE DOCUMENTATION

SECTION 8: RESOURCE DOCUMENTATION

8.1 Legislation

- [Education Act](#)
- [Municipal Conflict of Interest Act](#)
- [Municipal Elections Act](#)
- [Municipal Freedom of Information and Protection of Privacy Act](#)

8.2 Other Documents

- Robert's Rules of Order

8.3 Parliamentary Procedure Chart

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Decision X Information

To: Governance and Policy Committee

From: Katherine MacIver, Director of Education and Secretary to the Board

Re: **Second review – Policy XX: Board Communications and Media Relations**

Purpose

This revised policy was reviewed at the September 18, 2023, Governance and Policy Committee. Suggested changes were made to this draft policy and sent out for public consultation and union partners for feedback.

Link to Strategic Plan

1.7 Advocate for public education and demonstrate sound decision making through good governance.

Background

In January 2022, the Board of Trustees approved a policy review. As part of this review, the HPEDSB By-Laws were updated. As a result of the By-Law update and the review of existing policies, revisions are being made to existing policies as well as additional policies written.

Next Steps

Feedback from public consultation is in Appendix A for Governance and Policy consideration. Any revisions will be incorporated into this draft policy and brought forward to Board for final approval at the October Regular Public Board Meeting. Current Policy 3-D Board Communications and Media Relations will be revoked and replaced with this revised policy and renumbered Policy 08 Board Communications and Media Relations.

Recommendation:

Moved:

Seconded:

That the Governance and Policy Committee recommend the Hastings and Prince Edward District School Board approve Policy 08: Board Communications and Media Relations. With the approval of this revised policy, Policy 3-D will be revoked.

Appendix A: Public Consultation Feedback

Appendix B: Draft Policy XX: Board Communications and Media Relations

BOARD POLICY XX	
Adopted	November 28, 2000
Last Revised	
Review Date	

BOARD COMMUNICATIONS AND MEDIA RELATIONS

1) OBJECTIVE

The Hastings and Prince Edward District School Board (**the Board**) is committed to fostering positive relationships ~~and with effective communication~~ among ~~our~~ its diverse stakeholders ~~and the media~~ **through open and transparent communication**. All communications will support student achievement and well-being, and align with ~~the strategic plan~~ **the Public Confidence priority in the 2015-2020 Strategic Plan**.

2) DEFINITION

Stakeholders: Includes students, parents/guardians, employees, community and education partners, the broader public and the media.

3) COMMUNICATION GUIDELINES

- a) All communications between the Board and stakeholders will be clear and concise to ensure access to relevant information in a timely manner.
- b) The director of education or designate shall be responsible for maintaining effective and consistent channels of communication with all stakeholders.
- c) The Board shall provide ~~to stakeholders~~ information **to stakeholders** that:
 - i) reflects current trends in education; and
 - ii) builds a sense of pride in Hastings and Prince Edward District School Board.
- d) Legislative requirements for communications will be met.

4) COMMUNICATING WITH FAMILIES AND COMMUNITY MEMBERS

- a) Trustees consult with parents/guardians, students and stakeholders on the development and implementation of the board's strategic plan.
- b) Trustees address the concerns of parents/guardians, students and stakeholders through the process outlined in ~~Board Policy 9: Role of the Board Member~~ Procedure 108: Process for Addressing Public Concerns.

5) COMMUNICATING WITH THE MEDIA

- a) The Board recognizes the right and importance of the media to seek facts that are relevant to the media's work and will cooperate with the media in the release of such ~~facts so that facts that they do not violate~~ **to avoid violating** legislation, contractual obligations and/or Board ~~policy~~ **policies**.
- b) The chair of the Board and the director of education, or designate, are the Board's primary spokespersons in all situations where a system level comment or response is required.
- c) The chair, as the Board's elected representative, provides comments from the political and governance perspectives.
- d) The director of education, or designate, as the Board's chief executive officer and chief education officer, provides comments from the operational perspective.

6) USE OF SOCIAL MEDIA

- a) Trustees using social media will follow the ~~Social Media Guidelines~~ posted on the HPEDSB website and use these forums to advance the work of the Board of Trustees.
- b) All postings will uphold both ~~7.1~~ Governance Directive 7.1 - Board Members' Code of Conduct and the dignity of the office of trustee.
- c) Trustees will not provide private, confidential or other proprietary information and will not discuss sensitive or private matters publically.
- d) Trustees may use materials produced by HPEDSB in their communications and will not alter, modify or otherwise change the message or its intent.
- e) Trustees may amplify events in the school and community that advance the strategic and operational goals of the board and may direct viewers to further information where applicable.
- f) Postings should not interpret or take position on a matter unless it has been approved by the Board of Trustees.

7) ACCESS

- a) Agendas, reports and minutes of public Board and/or standing committee meetings shall be posted on the website ~~and also made available to stakeholders, if requested.~~
- b) News releases will be posted on the Board website and shared through the normal ~~social media~~ channels.

Legal references

- *Education Act*, section 207 Access to Meetings and Records
- *Education Act*, section 218 Conduct of Members of School Boards
- *Municipal Freedom of Information and Protection of Privacy Act*
- Charter of Rights and Freedoms

Board reference

- [Board Policy #1: Board Vision, Mission and Priorities](#)
- ~~Board Policy #2: Governance By Laws and Standing Rules~~
- Board Policy #4: Corporate Board Job Description
- Board Policy #5: Director of Education Job Description
- Board Policy #7: Board Policy Development and Review
- ~~Board Policy #9: Role of the Board Member~~
- [Governance Directive 7.1 - Board Members' Code of Conduct](#)
- [Social Media Guidelines](#)

To: Governance and Policy Committee

From: Katherine MacIver, Director of Education and Secretary to the Board

Re: Public Consultation Feedback – Board Communications and Media Relations

Feedback #1

I am in agreement with the reflected changes.

Feedback #2

Thank you for taking the necessary steps to update the Board Communications and Media Relations Policy to reflect today's social media realities and the power of influence Board Trustees have by using these platforms.

I support these changes as I have witnessed Trustees using their social media accounts to share their opinions on a matter that did not align with the Board's or the Strategic Plan. It is one thing to campaign and share your opinions, but once elected they do need to speak with one voice and follow procedures.

I do have concerns with the reference to Trustees using social media in accordance with the Social Media Guidelines posted on HPEDSB (which was challenging to locate without using the Search function). There is a section that is of particular concern as this does not align with how social media users view retweets, reposts and sharing:

Retweeting, reposting and sharing

HPEDSB will retweet, like and share information from other users or accounts that may be of value to school communities. Retweets, likes and shares should not be interpreted as an endorsement of the originator or of any organization.

I would exercise extreme caution with permitting this approach of sharing content "should not be interpreted as an endorsement of the originator or of any organization". That is the purpose of social media and sharing content from others. This should be reconsidered for both HPEDSB and Board Trustees as it is not best practice for social media usage and may lead to issues of "perceived conflict of interest" or worse, endorsement of institutions, organizations and/or individuals who do not align with HPESDB or its values.

I also would like to bring forward concerns about Trustees using their social accounts for Trustee information as well as personal, as it's challenge for the public to understand which "persona" this individual is portraying. For example, attending political events or government functions and sharing photo ops would demonstrate support from the Board as the Trustee is sharing the content under their Trustee labeled document and demonstrating support for the initiative/cause. This is misleading, even if unintended as many people can't decipher personal from professional and leads to a perceived conflict of interest.

Once elected and/or sit in a position of influence, one must be cautious about their messaging and actions as public scrutiny will always come up, for better or for worse.

Thank you for your time and consideration. Please don't hesitate to reach out if clarification is required. Again, I applaud the changes brought forward with this policy review.

Feedback #3

Section 4: Across the province we see trustees who are not chairs appear on local radio, being interviewed on radio, and participating in local discussions and town halls. I understand opening this door to this board may not be what's best for the kids and may mean more work for staff in damage control, but the fact is trustees are elected (or acclaimed) by their communities and need to be heard in local media when topics specific to that community are being discussed. It would be great to see some language included in Section 5 that allows space for the chair to delegate communications to the local trustee when appropriate.

Section 4: I would include trustees' communication via school council. It may also be worthwhile to include language to remind trustees that when they attend they are there as a trustee and not as a parent, and must act accordingly. Or this can be a reminder.

Regarding 6f. If a trustee is giving notice of a motion, and/or a trustee-led motion is moving forward to an agenda, sharing that to social media should be welcomed, even if it clearly communicates one's position on a matter. As a community member, I want to know what trustee-led motions are coming to the table, and while I find my information directly from the website, most of the public lean on trustees for communication.

Access: 7a. agenda and meeting information also needs to be posted to social media. Most folks have no idea when board meetings are scheduled nor know where to find agendas and minutes. When the agenda is posted to the website, this should trigger a posting to social media with a direct link to the agenda and meeting information. It also needs to be clear for every public meeting how the public can watch the meeting. When using the calendar function from the home page, some meetings include an email for access to the virtual link, others do not. There needs to be consistency and should be far easier to find. For comparison, see Special Student Learning, Well-being and Equity Committee Meeting for Sept 6 & Physical Planning, Finance and Building Committee Meeting Oct 10. One is very clear that the public is welcome to attend virtually and who they can contact, the other only has contact info.

Feedback #4

I have read the new draft policies that are being considered by the Board office in regards to the new communication guidelines and there are a few things that are concerning to me. In Section 6f, you are suggesting that a post made by anyone from the board should not interpret or take position on a matter unless it is approved by the Board of Trustees. This is concerning because you are stifling free speech from a democratic society. Our free speech allows us to hold authorities accountable, fosters an environment where knowledge can flourish, and offers different viewpoints to expand our understanding of the world. If it is stifled, it can erode trust in democratic institutions as we may begin to perceive censorship as an attempt to control the narrative. It can also breed resentment, sow division, and create distrust. During the election process, we are placing our trust in the elected official that they will be able to share their ideas and have a platform for doing so. Going through with Section 6f will be undermining our democracy and the freedom of speech that we hold dear.

Feedback #5

After reading the proposed policy draft to the Board Communications and Media Relations document, I wanted to voice my concerns around section 6 and Use of Social Media. My concern is particularly related to section c) regarding trustees not being able to discuss sensitive matters publicly and f) where trustees are not allowed to take a position that may not be board approved. Personally I value the personal opinions of my trustee (currently Rachel Prinzen) and my vote for

her was based upon her campaign platform and political views which represent many of the concerns I share about public education and the curriculum.

I would be concerned that these guidelines would impact the ability for any trustee, present and future, to be able to have open and honest conversations and engage parents on social media - a forum I use regularly to seek out these kinds of discussions.

Individual voices matter and "board approved" messaging sounds like these platforms where engagement is actually accessible between the public and their trustee will just become parroted versions of what's on the board website.

Feedback #6

It is my feeling that, re Section 5(f) that I would like Trustees to have the freedom, as elected (or acclaimed) public servants to share their views and opinions on their social media. For better or worse, these folks are in a position of trust in the community and the public should be able to know their thoughts on education matters.

I appreciate the process by which we can offer feedback on these important changes.

Decision X Information

To: Governance and Policy Committee

From: Katherine MacIver, Director of Education and Secretary to the Board

Re: Second review - Policy XX: Student Representation on the Board

Purpose

This revised policy was reviewed at the September 18, 2023, Governance and Policy Committee. Suggested changes were made to this draft policy and sent out for public consultation and union partners for feedback.

Link to Strategic Plan

1.7 Advocate for public education and demonstrate sound decision making through good governance.

Background

In January 2022, the Board of Trustees approved a policy review. As part of this review, the HPEDSB By-Laws were updated. As a result of the By-Law update and the review of existing policies, revisions are being made to existing policies as well as additional policies written.

Next Steps

Feedback from public consultation is in Appendix A for Governance and Policy consideration. Any revisions will be incorporated into this draft policy and brought forward to Board for final approval at the October Regular Public Board Meeting. Current Policy 3-C Student Representation on the Board will be revoked and replaced with this revised policy and renumbered Policy 09 Student Representation on the Board.

Recommendation:

Moved:

Seconded:

That the Governance and Policy Committee recommend the Hastings and Prince Edward District School Board approve Policy 09: Student Representation on the Board. With the approval of this revised policy, Policy 3-C will be revoked.

Appendix A: Public Consultation Feedback

Appendix B: Draft Policy XX: Student Representation on Board

To: Governance and Policy Committee

From: Katherine MacIver, Director of Education and Secretary to the Board

Re: Public Consultation Feedback – Student Representation on the Board

Feedback #1

I am concerned regarding the following: -

(9) Community Involvement Hours and Cooperative Education Credit, it indicates that the student may have hours recognized toward the community involvement requirement of the Ontario Secondary School Diploma. My understanding is that students could not be numerated for hours used for community involvement.

Feedback #2

2a. People should be capitalized. Indigenous People

4a. Student trustees should be encouraged to participate in all board votes, even though they are non-binding. This should be stated in the policy.

6a. An Indigenous Leader should be included as a mentor to the Student Trustees. With staff or the Indigenous trustee. They should also be at orientation.

BOARD POLICY XX	
Adopted	November 28, 2000
Last Revised	
Review Date	

STUDENT REPRESENTATION ON THE BOARD

1) PURPOSE

Hastings and Prince Edward District School Board is committed to involving students in the educational decision-making process and supports student trustees as representatives of the interest of pupils within Hastings and Prince Edward District School Board (HPEDSB). HPEDSB recognizes the benefits which accrue when students are involved in the educational decision-making process.

HPEDSB expects that students who serve as student trustees shall bring perspectives to Board discussions; will develop as student leaders; will bring to the Board an increased awareness of issues of concern to students; will assist the Board in determining student issues and student opinion; and will foster effective communication between the board and students.

2) DEFINITION

- a) **Indigenous Student Trustee:** an individual who self-identifies as a member of Indigenous people.
- b) **Student Trustee:** means those students elected by their peers to represent their interests, in accordance with the Act.
- c) **Student Trustee Term of Office:** one year beginning August 1 through to July 31st of the following year.
- d) **Student Voice:** a student group consisting of up to three student representatives from each secondary school.

3) STUDENT TRUSTEE

- a) HPEDSB shall provide for the appointment of up to three student trustees to the Board. This representation shall be within the following parameters:
 - i) representation shall be in accordance with the Education Act and attendant regulations;
 - ii) representatives shall be students in Grade 11 or 12, enrolled in a secondary school within the jurisdiction of the board for the period of representation;
 - iii) one of the three representatives will be an Indigenous student;
 - iv) students must be sixteen years of age or older and entering or enrolled in Grade 11 or 12 as a full time student at a secondary school or an exceptional pupil in a special education program for whom the board has reduced the length of the instructions program on each school day under subsection 3(3) of Regulation 298 of the Revised Regulations of Ontario, 1990 (operation of Schools "General) made under the Act, so long as the pupil would be a full time pupil if the program had not been reduced;
 - v) student trustees serve for the term of August 1 through to July 31 the following year;
 - vi) student trustees shall occupy the position for a one-year term;
 - vii) a student trustee can submit an expression of interest for an additional one-year term providing they continue to meet all qualifying requirements. This provides guidance and mentorship to new incoming student trustees.

STUDENT REPRESENTATION ON THE BOARD

- viii) the Director of Education or designate shall ensure that student trustees receive and review regular copies of the public session of the Board and Board committee agenda packages in accordance with Board policy and procedures.

4) STUDENT TRUSTEE RESPONSIBILITIES

- a) Student trustees must be willing to commit the necessary time to attend meetings and perform duties and responsibilities as follows:
 - i) to regularly attend all Public Board meetings as per HPEDSB By-Laws;
 - ii) to be knowledgeable about and be willing to comply with the *Education Act*, Board policies and procedures;
 - iii) to respect the provisions in the Board's Trustee Code of Conduct and understand the consequences of becoming disqualified;
 - iv) to attend and participate in standing committees whenever possible;
 - v) to serve as the student liaison representatives to Student Voice;
 - vi) to consult with and to keep Student Voice informed about Board issues of interest and concern to students;
 - vii) to bring forward system views and represent the greater student body when participating in board discussions;
 - viii) to demonstrate confidentiality and discretion at all times;
 - ix) to undertake a mentoring role with the incoming Student Voice;
 - x) to participate fully in meetings of the Board or committees of the Board as granted by the *Education Act*;
 - xi) to notify the Director of Education or designate if attendance at a meeting is not possible.

5) ELECTION OF STUDENT TRUSTEES THROUGH STUDENT VOICE

- a) Student Voice will be established on a yearly basis with support from board staff.
- b) Student Trustees will co-chair the Student Voice during their term as Student Trustee.
- c) During the school year, the Student Voice shall assist the student trustees in determining student issues, gathering student opinion and communicating with students.
- d) Each secondary school will have representation of up to three students.
- e) A minimum of one of the three representatives will be an Indigenous student.
- f) School representatives for the Student Voice committee will be elected/selected by a method decided upon by each secondary school's student council and/or principal by April 1 of each year in preparation for the next school year.
- g) Current Student Trustees will support schools in the selection of Student Voice representatives.
- h) Current and Incoming Student Voice representatives will elect/select student trustees for vacant positions from the Student Voice membership on or by April 30 each year.
- i) Election results will be shared at the May regular meeting of the Board.

6) STUDENT TRUSTEE MENTOR/ADVISOR

- a) Student Trustees can access Board Trustees for mentorship throughout the year.
- b) Orientation for the newly-elected/appointed selected student trustees shall be provided by the Chair, Vice-chair of the Board and the Director of Education prior to the regular meeting of the Board in September.
- c) During their term, student trustees may request additional information or assistance, as required.
- d) A staff advisor will be appointed by the Director of Education to support student trustees and Student Voice.

7) VACANCIES

- a) In the event that one or more of the student trustees is not able to complete the term of the office, Student Voice will determine the suitable replacement(s) for the student trustee who is not able to complete their term of office.

STUDENT REPRESENTATION ON THE BOARD

- b) Student Trustees(s) selected to fill a vacancy will be brought forward for Board information and swearing in at the next regularly scheduled Board meeting.

8) REIMBURSEMENT OF EXPENSES:

- a) Student Trustees shall receive an honorarium of \$2,500.00 to be provided to the student trustees at the June meeting of the Board in the year in which they served.
- b) If a student trustee is unable to fulfill their full term, their honorarium would be prorated for the time they were a student trustee.
- c) Student Trustees and other members of the Student Voice will be reimbursed for their out-of-pocket expenses reasonably incurred in connection with carrying out their duties and responsibilities. Such reimbursement of expenses shall be in accordance with the same rules that govern the reimbursement of elected Board members' expenses.

9) COMMUNITY INVOLVEMENT HOURS AND COOPERATIVE EDUCATION CREDIT:

- a) Due to the time commitment inherent in the position as student trustee, the student trustees may submit a request to the principal prior to the commencement of their participation to be considered eligible to earn a Cooperative Education credit and/or have hours recognized toward the community involvement requirement of the Ontario Secondary School Diploma.
- b) Students wishing to pursue a Cooperative Education credit must notify their principal in advance of the start of the semester and be willing to complete the associated requirements for the credit.
- c) The principal, at their discretion, will determine such eligibility.

Legal References:

- *Education Act, section 55 Student Trustees*
- Ontario Regulation 7/07 Student Trustees

Board References:

- HPEDSB By-laws
- Board Policy - Governance
- Social Media Guidelines
- Governance Directive 7.1 - Board Members' Code of Conduct

Decision ___ Information X

To: Governance and Policy Committee

From: Katherine MacIver, Director of Education and Secretary to the Board

Re: First review - Draft Policy XX: Board Governance

Purpose

A draft policy on Board Governance has been created consolidating four existing Board Policies:

- Policy 04: Corporate Board Job Description,
- Policy 05: Director of Education Job Description,
- Policy 09: Role of the Board Member, and
- Policy 10: Duties of the Board Chair and Vice-chair.

Link to Strategic Plan

1.7 Advocate for public education and demonstrate sound decision making through good governance.

Background

In January 2022, the Board of Trustees approved a policy review. As part of this review, the HPEDSB By-Laws were updated. As a result of the By-Law update and the review of existing policies, revisions are being made to existing policies as well as additional policies written.

Next Steps

The Governance and Policy Committee is responsible for overseeing the development, review, revision, and recommendation of policies to the Board of Trustees. The Governance and Policy Committee is asked to review and provide feedback to the Director of Education on this draft policy. Once all final changes have been made to this draft policy, a public consultation process will take place prior to the recommendation for approval to board. The process is outlined in Board Policy 07: Board Policy Development and Review.

When Policy XX: Board Governance is approved by the Board, the following policies will be revoked.

- Policy 04: Corporate Board Job Description,
- Policy 05: Director of Education Job Description,
- Policy 09: Role of the Board Member, and
- Policy 10: Duties of the Board Chair and Vice-chair.

Appendix A: Draft Policy XX: Board Governance

BOARD POLICY XX	
Adopted	
Last Revised	
Review Date	

BOARD GOVERNANCE

1) PURPOSE

~~Hastings and Prince Edward District School Board is established under the *Education Act*, with power to perform all the duties conferred or imposed upon a public school board by that or any other Act of the Legislative Assembly of the Province of Ontario. It shall operate in accordance with the provisions of the *Education Act*, other applicable legislation, the pertinent regulations of the Ministry of Education, and Board Policy No. 2 Governance By-Laws and Standing Rules.~~

School boards are a creature of statute and have no inherent powers - only those given by the Education Act or other legislation and other powers reasonably inferred from the legislation.

To delineate the governance roles of the Board, Trustees, the Chair, and Committees, and the operational role of Staff in order to ensure the effective delivery of public education in our schools. As a statutory corporation, HPEDSB is governed by nine elected trustees and one appointed Indigenous trustee who make decisions at public meetings, as a collective body, to foster a strong public education system in the best interests of student success and well-being within the legislative requirements of the Province of Ontario.

Student Trustees are not municipally elected Members of the Board of Trustees but play an important role in representing the interests of students of HPEDSB through their participation in Board and Committee meetings. Section 2.5 of HPEDSB By-Laws describes the power and duties of a Student Trustee.

The powers and duties of the HPEDSB, as an organization, are distinct from those of individual trustees and those of Staff. It is the duty of the Board of Trustees, rather than Staff, to make policy decisions and in doing so, consider the interests of HPEDSB as a whole. Individual Trustees will carry out their duties under section 218.1 of the Education Act. Trustees are elected officials who must work closely with the community in order to make sound decisions. Trustees exercise a vitally important role, not just in representing the community, but in helping the community to understand decisions and policies of HPEDSB. Trustees can foster constructive and respectful relations between schools and families.

The Director of Education and other Staff are responsible for the day-to-day management and administration of all schools and departments, and the implementation of the policies approved by the Board of Trustees. The Director of Education is the Chief Education Officer, Chief Executive Officer and Secretary of the Board. All Staff report to the Board of Trustees through the Director of Education.

Hastings and Prince Edward District School Board believes that a fundamental obligation is to preserve and enhance public trust in education generally, and in the affairs of Hastings and Prince Edward District School Board operations in particular. The Board believes that its ability to discharge its obligations in an efficient and effective manner is dependent upon the development and implementation of a sound ~~organizational governance model design~~. The Board has adopted policies in addition to the ~~HPEDSB Governance By-Laws and Standing Rules~~ to ensure that the business of the Board will be conducted in an open, transparent and orderly way.

2) DEFINITIONS

Act: means the *Education Act*; the regulations thereunder, and any related Ministry of Education policies, directives, guidelines, memorandum, etc.

Board or Board of Trustees: means the collective governing body of HPEDSB, constituted as a board of 10 trustees pursuant to the *Education Act*, including section 208(1) of the *Act*.

Board Member means a member of the Board of Trustees (may be referred to as a “trustee” pursuant to section 1(12) of the *Act*) with duties specified in section 218.1 of the *Act*.

Chair of the Board of Trustees, or Chair: means a Member of the Board of Trustees elected by trustees to fill the role of chair of the board.

Director of Education: is appointed by the Board and means the supervisory officer appointed by the Board of Trustees as the chief education officer, chief executive officer, and Secretary of the HPEDSB.

HPEDSB: means the Hastings and Prince Edward District School Board.

Member of the Board of Trustees: (may be referred to as a “trustee” pursuant to section 1(12) of the *Act*) with duties specified in section 218.1 of the *Act*. ¶

Officer: an officer of the HPEDSB including secretary and treasurer, as set out in the *Act* including section 198. ¶

¶

Principal: a person appointed as principal of a school, who has the powers and duties set out in the *Act* and regulations.

Staff: means the persons employed by HPEDSB. Staff does not include any Member of the Board of Trustees.

Student Trustee: means up to three student trustees will be elected each year from the Student Voice to represent the interests of students on the Board. The student trustees are not members of the Board, but have responsibilities and entitlements as provided for in the *Education Act*... one of up to three Grade 11 or 12 students elected by peers to represent the interests of students in Grades 9 to 12.

Supervisory Officer: a person appointed as a supervisory officer pursuant to the *Act*. ¶

Year term of office begins on November 15 December 1st and ends on the following November 14 November 30th, as described in the *Education Act*. ¶

3) ROLE OF THE BOARD

- a) The school board, as a corporate body, is the legislative source of all decisions, and individual trustees are granted no authority through the *Act*. Legal accountability for Board decisions applies to the Board as a corporate entity rather than to individual Board Members. Once a decision is made by the Board at a duly constituted meeting the decision is binding on the HPEDSB and all trustees are legally bound to uphold that decision. The corporate board acts as a single person.

The Board is responsible for setting policy and the strategic direction of HPEDSB, hire and appraise the performance of the Director of Education, approve the allocation of resources, monitor the effectiveness of the Board’s policies in achieving the HPEDSB’s multi-year strategic plan, and engage with education partners, stakeholders and the broader public.

- b) The Hastings and Prince Edward District School Board's major areas of responsibility are as follows:
- i) **Accountability For Student Achievement In The District**
 - a promote a culture that supports student achievement and well-being and a positive climate is inclusive and prevents bullying;
 - b ensure that effective and appropriate educational programs are available for every student;
 - c Make decisions that reflect Hastings and Prince Edward District School Board's philosophy and beliefs that all students can learn,;
 - d Promote clear, consistent expectations that focus on a successful outcome for students.
 - ii) **Accountability To The Provincial Government**
 - a Act in accordance with the ~~Education Act, Regulations~~ and other statutory requirements to ensure implementation of provincial and education standards and policies;
 - b perform Hastings and Prince Edward District School Board functions required by provincial legislation and board policy;
 - c provide advice to the Ministry of Education through the Ontario Public Public School Boards' Association (OPSBA) regarding regional and local implications of government policy recommendations.
 - iii) **Accountability To The Community**
 - a Make decisions that reflect the Hastings and Prince Edward District School Board's philosophy, goals and strategic plan that represent the interests of the entire district;
 - b Establish processes that provide the community with opportunities for input and provide effective stewardship of board resources;
 - c Establish HPEDSB process for communication with parents and guardians in accordance with ministry of Education policies and guidelines,;
 - d Provide two-way communications between Hastings and Prince Edward District School Board and school councils, and.
 - e Provide reports outlining district results in accordance with provincial policy.
 - f ~~Develop Board policies in accordance with the Education Act, Regulations, and other appropriate statutes.~~
 - g ~~Model a culture that reflects the Growing with Character Attributes.~~
 - iv. **Policy Development, Implementation And Review**
 - v. ~~Develop policies that outline how the district will successfully function.~~ Develop and maintain policies that sets the overall direction for HPEDSB and reflects the provincial and strategic plan priorities that focus on promoting student achievement, a positive school climate, preventing bullying, ensuring effective stewardship of HPEDSB's resources; and delivering effective and appropriate education programs to its pupils,
 - a Monitor and evaluate the effectiveness of the above policies to achieve the provincial priorities and strategic plan through appropriate reports from HPEDSB's Staff with the understanding that the Director of Education and their Staff determine how to implement the policies; and
 - b Regularly rReview Hastings and Prince Edward District School Board policies to ensure that they are current and reflect the desired impact and/or purpose.
 - vi. **Director/Board Relations**
 - a ~~Select the director of education.~~ Hire in accordance with the Board's Director Recruitment Policy, monitor and evaluate the performance of the Director of Education in accordance with the Ministry of Education's policies and guidelines;
 - b ~~Provide the director with a clear job description and corporate direction through the district strategic plan.~~ In accordance with any Board mandate or job description provided to the Director of Education at the time of hiring or otherwise work with the Director of Education to mutually agree upon annual goals established in line with the strategic plan or as otherwise provided by the Ministry of Education;
 - c Understand that the Director of Education implements the policies of the Board and the Strategic Plan as they reasonably determine in their discretion based on best practices for school board education and administration ~~Delegate through policy, administrative~~

~~authority and responsibility subject to any the provisions or and restrictions of the Education Act and Regulations.~~

- d Entrust the day-to-day management of HPEDSB to its Staff through the Director of Education;
- e Unless otherwise set out in Ministry of Education policies or guidelines for the performance review of the Director of Education, evaluate the Director of Education in the first year of service and annually or biannually thereafter. Use the Director of Education's job description or annual goals, if any, and the district's strategic plan as the basis for the evaluation and perform the evaluation using a mutually agreed upon evaluation process as between the Director of Education and the Board;.
- f At least once a year at the Director of Education's request, provide the Director of Education with an opportunity to meet alone with the Board in closed session;.
- g Periodically review the compensation of the Director of Education and senior staff in accordance with the Executive Compensation Plan and/or such other applicable legislation, if any; and.
- h Promote a positive working relationship with the Director of Education that is based on understanding the role of the Director of Education to operationalize the Board's Policy and strategic plan and the role of the Board to set the overall direction of the Board based on the strategic plan and through setting Board policy and monitoring the effectiveness of the strategic plan based upon regular reports from the Director of Education and the staff..

e) ~~Board Development~~

- i) ~~Annually or biannually evaluate the Hastings and Prince Edward District School Board's effectiveness and performance.~~
- ii) ~~Develop an annual plan, with reference to the Ontario Education Service Corporation Modules and OPSBA's Good Governance for Schools document, for trustee development (as a corporate body and individually) by increasing knowledge and understanding of the~~
 - a ~~Role;~~
 - b ~~Process;~~
 - c ~~Issues and~~
 - d ~~Procedures and Best Practices.~~
- iii) ~~Use the expertise of the director of education, and other provincial organizations (Ontario Public School Boards' Association – OPSBA, Council of Ontario Directors of Education – CODE, Ontario Public Supervisory Officers' Association – OPSOA) to help develop and support the district's development plan.~~

vii. **Strategic Plan**

- a Provide overall direction for the Hastings and Prince Edward District School Board by establishing the Board vision, mission and priorities.
- b After consulting with the parents/guardians, students and supporters of HPEDSB, the Board together with the Director of Education develop a multi-year strategic plan that covers three or more school years and aimed at achieving the goals in s.169.1 of the Act and the provincial priorities for student achievement as prescribed by the Ministry of Education;
- c Annually review the strategic plan with the Director;
- d Publically post the strategic plan in the form required by the Ministry of Education on the HPEDSB website and take steps to bring the strategic plan to the attention of parents of pupils, supporters and employees of HPEDSB;
- e Meet with parents of pupils about the strategic plan and within the first months of each school year, discuss with them the plan as it applies to that school year and within the last two months of each school year, report to them on progress and results achieved in that school year. The meeting topics must include information on planned and actual spending related to the plan and provide means for the parents to participate in the meetings and engage with all other participants;

- f Ensure that the strategic plan includes measures respecting the allocation of resources to improve student outcomes that fall below the outcomes specified in regulations made under section 11.1 of the *Act*.
- g Annually set priorities with outcomes (strategic plan).
- h ~~Annually approve the strategic plan in public session for district distribution.~~
- i Annually use the strategic plan to drive the budget process, and
- j ~~Annually evaluate and report on the effectiveness of the Hastings and Prince Edward District School Board in relation to the strategic plan.~~
- k Monitor progress of student achievement.

viii. **Fiscal Responsibility**

- a Develop a budget review process to help determine annual resource allocations. Use the strategic plan and other provincial and local directions;
- b Annually approve the budget to ensure that the financial resources are allocated to achieve the desired results;
- c Approve as per legislation all capital plans and other planning documents that will drive budget decisions;
- d Have in place an audit committee to ensure that the district is compliant with the provincial audit regulations and that the district has in place appropriate accountability processes;
- e Ratify Memoranda of Agreements/Letters of Agreement with all employee groups on **local issues; and.**
- f Approve borrowing, both short and long-term, according to Board By-laws.

~~d) Advocacy And Communication~~

- ~~i) Annually develop a plan for district connections. Consider in the plan the focus, key messages, advocacy mechanisms and feedback.~~
- ~~ii) Annually develop a plan to ensure that the district is communicating with the community and beyond.~~

~~e) Recognition~~

- ~~i) Ensure that the Hastings and Prince Edward District School Board recognizes students and student achievement.~~
- ~~ii) Ensure that the Hastings and Prince Edward District School Board recognizes staff and staff achievements.~~
- ~~iii) Ensure that the Hastings and Prince Edward District School Board recognizes community~~

iv) **Additional Responsibilities**

The Board also has the following responsibilities including, but not limited to:

- a approval of school year calendars;
- b naming of educational facilities;
- c approval of tender selection for major building construction and modernization as per Board procedure;
- d approval of disposition of land and buildings **in accordance with Ministry of Education regulations, policies or guidelines;**
- e approval of education development charges;
- f approval for the issuance of debentures;
- g ~~designation of the “head” for freedom of information and protection of privacy;~~
- h ~~involvement in principal interviews with final approval of placement into the administrative pool;~~
- i ~~involvement in superintendent interviews, with final approval brought forward to Board.~~

4) **ROLE OF A BOARD MEMBER**

a) Accountability

- i) The declaration of office made by each Board ~~M~~member when ~~they~~ **he or she** assume office binds that person to work faithfully in the cause of education.
- ii) **Once elected, Trustees act in the best interest of all students of HPEDSB, and not just, not their electoral district constituents or a particular interest group;**

- iii) A Board Member's primary task is to act as a Member of a corporate Board and serve the community as an elected/appointed representative. Board Members ~~of the corporate Board~~ are accountable to the public for the collective decisions of the Board.
 - iv) Each Board Member has a duty to support the corporate board in providing accountability for the educational, financial and operational performance of the school system. ~~All Board members are responsible for the Board's mandate as described in Board Policy No. 4 Corporate Board Job Description.~~
 - v) The decisions of the Board made in a ~~legally properly~~ constituted meeting are those of ~~HPEDSB. the corporation.~~ A Board Member who is given corporate authority to act on behalf of the Board by means of written policy or resolution may carry out specific duties, but only as an agent of the Board. In such cases, the actions of the Board Member are those of the Board, which is then responsible for them;
 - vi) ~~Individual Board Members have no authority to act on behalf of the Board or conduct HPEDSB business; and~~
 - vii) ~~Board Members have the duties described in s.218.1 of the Act and section 2.2 of the HPEDSB By-Laws. acting individually has only the authority and status of any other citizen of the district.~~
- b) Community Representation
- i) ~~As the representatives in their local jurisdiction, trustees are required to listen to the concerns and needs of their communities, bring those to the attention of the board, and to ensure programs and strategies of the board help all students. It is through the process of collaborating and engaging in joint decision-making as members of the Board that trustees work to translate the values, priorities and expectations of the community into policy and~~
 - ii) Board members support the Board's responsibility to consult with parents/guardians and the community about the Board's multi-year strategic plan and report to stakeholders about the progress in implementing the strategic plan.
 - iii) ~~Board members use a bring a range of skills, experience, knowledge, values, beliefs and opinions in to their role. Their background does not necessarily include teaching, administration, or any other aspect of education. Their diversity ensures that Board processes are truly democratic and. This diversity contributes to good decision-making.~~
 - iv) ~~It also helps Board members provide a balance between the interests of a broader community and the interests of those involved in the delivery of education.¶~~
 - v) ~~Board members provide information about the local community's history, traditions and experiences when such information will be helpful for the context of decision-making by the Board or the director of education.¶~~
 - vi) ~~Board members bring to the attention of the Board or director any community issues that may affect the Board, and interpret the needs of the community to the Board.¶~~
- c) Decision Making
- i) Board members are responsible for staying informed about developments in education. They have a responsibility to learn about the school system and the many issues that face publicly funded education;
 - ii) Board members ~~will also need to~~ be familiar with Hastings and Prince Edward District School Board policies, ~~By-Law, parliamentary procedure,~~ meeting agendas and reports in order to participate effectively in Board business;.
 - iii) ~~The Board takes action through motions passed at a duly constituted public Board meeting. Board members actively participate in those motions through proper debate on action items on an agenda that reflects the Board's mandate and the strategic plan. and contribute to the decisions of the Board in order to provide the best solutions possible for the education of all students in Hastings and Prince Edward District School Board.~~
- d) Communication/Addressing Concerns
- i) ~~Board Members serve large areas and fulfilling the representational role may be challenging; Board members serve large areas constituencies, and fulfilling the representational role may beis challenging.~~
 - ii) A democratic system entitles everyone to a voice but does not ensure that everyone will always be content with decisions that are made. Effective, regular two-way communication will enhance

- a Board member's ability ~~to represent constituents and help~~ to build understanding and consensus in the community.
- iii) HPEDSB will establish informational materials to provide to parents and guardians as required by the Ministry of Education and develop and comply with the Ministry's protocol setting out standards for responding to parent and guardian inquiries;
 - iv) Hastings and Prince Edward District School Board strives to maintain open and fair communication with parents, guardians and members of the school community. Board members are responsible for staying informed about what the Board has developed to comply with the Ministry of Education's protocol for informational materials and standards for responding to parent and guardian inquiries and directing parents and guardians to these materials and standards; ~~determined are good communication practices.~~
 - v) Board Members refer governance issues and problems that are not covered by Board policy to the corporate Board for discussion and determination of decision-making authority.
 - vi) Board Members support the belief that the most efficient way to run an organization is to deal with issues or problems as close as possible to the place where they occurred. If a parent/guardian calls with a concern about a student, the Board member ~~will refer the parent/guardian to board Procedure 108 for next steps. The Board member may also refer the matter to the Director if the steps in Procedure 108 have been exhausted. will advise the parent to discuss the issue with the teacher or the staff member most directly involved.~~
 - a Depending upon the seriousness of the issue, the Board Member may also inform the director of education ~~immediately or the appropriate superintendent immediately.~~
 - b The Board Member will leave the investigation and solution of the matter in the hands of the professional staff. The appropriate administrator will ensure that the issue is investigated and resolved. Staff will advise the Board Member in a timely manner when the issue has been resolved.
 - c ~~If an employee or a group of employees is named in a complaint, the employee or group of employees will be provided with written notice of the details of the complaint and will be given an opportunity to respond to the complaint.~~
 - vii) In cases where the concern or complaint cannot be resolved by administration or is related to Board policy ~~that may need amending or the creation of a policy,, the Director of Education may refer the issue to a Board committee; to be heard in open or closed session as appropriate to the circumstances.~~
 - viii) If the concern is related to a governance issue, **Governance Directive 7.3 Public Participation and Delegations** provides the opportunity for a member of the public ~~to be heard to make a request or influence a decision.~~ In accordance with the terms of the **Governance Directive 7.3**, a person or group that is officially elected or appointed to represent another or others may address the Board or Committee of the Board once a delegation request has been **referred approved** by the Governance and Policy Committee.
- e) Advocacy and Leadership
- i) Board Members act as education advocates at various levels. At the local level, Board members work on behalf of the community and must consider the unique needs of that community when deciding what position to take on an issue. They encourage ~~members of the community constituents~~ to participate in the school system. This involves familiarizing people with the avenues for involvement, such as school council, the **Parent Involvement Committee** or volunteer work. It also involves informing people about the procedures for bringing their views before the Board through public or written submissions.
 - ii) The Board Member's role as an education advocate often extends beyond the boundaries of the district school board. Board Members are education advocates across the province and with the provincial government; ~~and~~
 - iii) ~~Board Policy No. 12 Board Representatives on External Committees describes one aspect of this advocacy role at the provincial level.~~
 - iv) Board members participate in Board and Board Member **professional development and training as required by Ministry of Education policies and guidelines** so that the quality of leadership and service in Hastings and Prince Edward District School Board will be enhanced.

4) ROLE OF THE CHAIR AND VICE-CHAIR

a) Duties of the Chair of the Board

- i) The Chair of the Board in addition to the duties and responsibilities of the Chair described in HPEDSB's By-Laws shall:
 - ~~be an ex-officer of the corporation;~~
 - ~~be ex-officio a member of all committees of the Board, unless membership is determined by statute or collective agreement;~~
 - ~~in consultation with the Director of Education, prepare and approve the agenda for all regular, special or extraordinary meetings of the Board;~~
 - ~~call the meetings of the Board to order, having established that a quorum is present, and preside at the meeting;~~
 - ~~be a member of the Governance and Policy Committee, Executive Committee,~~
 - ~~set meeting dates and preside at each meeting of the Physical Planning, Finance and Building Committee, Budget Committee;~~
 - as required by the Act maintain the Board's focus on the strategic plan and the HPEDSB's mission and vision;
 - be a signing officer of the Board and sign such corporate documents as required of the Chair, and
 - be the official spokesperson for the Board on **governance** matters which reflect the will of the Board through resolution and in situations where a system level comment or response is required, including;
 - **Speak on matters concerning trustees, speaks on matters of governance such as Trustee Code of Conduct and the selection of and Performance Appraisal of the Director of Education. The Director Of Education speaks on all operational matters.**
 - in consultation with the Senior Business Official and in compliance with any HPEDSB policies and Ontario Government directives issued pursuant to the Broader Public Sector Accountability Act, 2010 (part IV), review and approve expense reimbursement claims for the Director of Education and other Board Members.

b) Reviewing the Agenda

- i) The Chair shall ensure that the content of the Board meeting agenda relates only to those issues which are not operational in nature and reflect the day-to-day management of the HPEDSB but are strategic as described in the strategic plan and relate to the Board's policy-making duties, including the duty to monitor through appropriate reporting from Staff and evaluate the effectiveness of those policies in achieving the strategic plan., ~~according to Board policy, clearly belong to the Board to decide and have not been delegated to the Director of Education.~~

c) Presiding at Board Meetings

- i) The Chair is the presiding officer at Board meetings and is responsible for ensuring the meetings are conducted in accordance with the agenda; the HPEDSB By-Laws and parliamentary procedure;
- ii) The Chair may vote on all motions that they do not have a conflict of interest. They do not have an extra or deciding vote and any equality of votes results in a lost motion;
- iii) Best practice is for the Chair when sitting as the presiding officer not to participate in the debate of a motion but as an elected Board Member may simply at the end of the debate state their reason for their vote. If the Chair wishes to debate a motion then the Vice-chair of the Board will preside at the meeting until the vote on that motion has been decided. If the Vice-chair is unable to preside then the Chair will select another Board Member who does not wish to debate the motion to preside; and
- iv) The Chair when presiding at a Board Meeting may facilitate the meeting and debate of a motion by drawing to the attention of the Board, without leaving the chair, any material facts related to the motion that appear to be overlooked such as legislation, Board policy, previous decisions of the Board, etc., in order to assist the Board in arriving at a decision that reflects their true intent.
- v) ~~Preserving an Orderly Process~~

- ~~vi) The Chair shall ensure that all meetings of the Board are conducted in accordance with the Education Act, HPEDSB By-laws, Board Policy No. 2 Governance By-Laws and Standing Rules and Board Policy No. 3 Board Operations, and with reference to Robert's Rules of Order Newly Revised.¶~~
- ~~vii) The Chair shall announce the order of business of the Board and state and put all motions to vote which come before the Board.¶~~
- ~~viii) The Chair may vote with the other members of the Board upon all motions, and any motion on which there is an equality of votes, with the chair voting, is lost.¶~~
- ~~ix) The Chair shall preserve order and decorum and decide all points of order or questions of privilege. The Chair may rule any matter out of order, giving the reason for the ruling. The ruling of the chair shall be final, subject only to an appeal to the Board without debate. In the case of a tie vote, with the Chair voting, in an appeal to the Board of the Chair's ruling, the tie vote sustains the Chair.¶~~
- ~~x) Chair shall declare the results of all votes on all matters before the Board.¶~~
- ~~d) Acting as a Facilitator¶~~
 - ~~i) The Chair has a duty to ensure that all Board members have an equal opportunity to express their views.¶~~
 - ~~ii) The Chair may draw to the attention of the Board, without leaving the chair, any factors which may be crucial and relate to the pending question and which appear to have been overlooked by the Board. Such factors might be related legislation, Board policy or the history of the Board¶~~
 - ~~iii) In the event that the Chair decides to take part in the debate, the Chair shall call upon the Vice chair to take the Chair. In the event that the Vice chair has already spoken or desires to speak to the pending matter, the Chair shall appoint another member who has not spoken and does not desire to speak on the pending matter.¶~~
- ~~e) With the unanimous consent of the Board, the Chair may speak to the pending matter without vacating the chair.~~
 - ~~i) Normally, the Chair of a committee shall be allowed to speak to pending matters during committee meetings without vacating the chair. The procedure described above for vacating the chair shall be used if any member of the committee objects to the Chair taking an active part in any debate on a pending matter.~~
- ~~f) Expediting Business~~
 - ~~i) The Chair is responsible for expediting the business of the board in every way compatible with the rights of the members and for enforcing Board policy as necessary to ensure the orderly conduct of the Board's business.~~
 - ~~ii) In order to ensure the expeditious use of the Board's time, the Chair, subject to a member's right of appeal in accordance with Robert's Rules of Order Newly Revised, shall refuse to recognize motions which are obviously frivolous or dilatory.~~
 - ~~iii) The Chair shall attempt to ensure that each member who wishes to be heard on a matter is heard, but, subject to a member's right of appeal in accordance with Robert's Rules of Order Newly Revised, when it is obvious that the debate is becoming repetitive, the Chair shall indicate that the debate is closed and call the question.~~
- ~~f) Reviewing Minutes~~
 - ~~i) The Chair of the Board shall be responsible for reviewing the minutes of the Board prior to publication.~~
- ~~g) Providing Board Leadership~~
 - ~~i) The Chair may call a special meeting of the Board at any time.~~
 - ~~ii) The Chair, Vice-chair or designate has the authority to issue a verbal or written warning if a Board member breaches the Board of Code of Conduct. The Chair may also ask the Board to consider a special motion to impose more serious consequences for breach of the Code as set out in Board Policy 8: Board Members Code of Conduct.~~
 - ~~iii) The Chair shall be kept informed of significant developments within Hastings and Prince Edward District School Board and shall be in regular contact with the director of education to maintain a working knowledge of current issues and events. The Chair has no individual authority to instruct the Director of Education.director.~~

- iv) The Chair shall ensure that the Board engages in regular review or self-evaluation of its effectiveness as a Board

B) Duties of the Vice-chair

In addition to the duties described in the HPEDSB By-Laws:

- i. be one of the signing officers of the Board; and
- ii. act as liaison to the student trustees.

¶

- ~~a) The Vice chair is elected to the Board to share the leadership role of the Chair. The Vice chair assists the Chair in ensuring that the Board operates in accordance with its own policies. The Board's ability to discharge its obligations is enhanced by the leadership and guidance provided by the Vice chair.¶~~
- ~~b) The Vice chair of the Board shall:¶~~
 - ~~i) be an officer of the corporation;¶~~
 - ~~ii) fulfill the duties of the Chair when the Chair is temporarily absent or otherwise unable to perform the duties of office;¶~~
- ~~iii) preside at meetings of the closed session of Committee of the Whole Board;~~
- ~~iv) be a member of the Executive Committee;~~
- v) be one of the signing officers of the Board; and
- vi) act as liaison to the student trustees.

Procedures

- ~~a) The Vice chair shall assist in the development of the Board meeting agenda;~~
- ~~b) The Vice chair may be assigned duties and responsibilities by the Board Chair.~~

6) ROLE OF THE DIRECTOR OF EDUCATION **JOB DESCRIPTION**

- a) The Director of Education is the Chief Education Officer, the Chief Executive Officer and the Secretary of the Board of Hastings and Prince Edward District School Board **in accordance with the Act**. The Director of Education reports directly to, and is accountable to the Board of Trustees. The Director of Education has certain responsibilities under the *Act* to provide reports to the Ministry of Education. All Staff report ultimately to the Director of Education and not the Board, and board authority delegated to Staff is delegated through the Director of Education.
- ~~b) 498(1) of the Education Act. The Director reports directly to, and is accountable to the Corporate Board. The Director is accountable, through Statute, to the Minister of Education for the organization and operation of the district. All board authority delegated to staff is delegated through the Director of Education.¶~~
- ~~e) Areas of Responsibility:~~
 - i) Shall within policies established by the Board, develop and maintain an effective organization in the programs required to implement such policies (s.283 of the *Act*)
 - ii) Student Achievement and Well-Being:
 - a takes the necessary steps to provide a safe and caring environment that fosters and maintains respectful and responsible behaviour for each student.
 - b takes the necessary steps to provide for the safety, well-being and achievement of students while participating in school programs or while being transported to or from school programs on transportation provided by Hastings and Prince Edward District School Board.
 - c takes the necessary steps to provide facilities to accommodate Hastings and Prince Edward District School Board students.
 - d acts as, or designates, the local attendance counsellor for the district.
 - e broadly promotes the board's mission, vision and goals articulated in the multi-year strategic plan and founded on the ambitious images of the educated person.
 - f assumes responsibility for ensuring evidence of a coherent instructional guidance system through the Board Improvement **and Equity Plan for Student Achievement and Well-Being (BIPSAW)**.

- c) Leadership and Leadership Development:
- i) ~~provides advice and leadership to Hastings and Prince Edward District School Board in setting goals for student achievement and well being, and in promoting the goals of the board's multi-year strategic plan.~~
 - ii) provides leadership in all matters relating to education in the district.
 - iii) ensures that students in the district have the opportunity to meet the standards of education mandated by the Ministry of Education.
 - iv) provides leadership to promote clear, consistent expectations that focus on successful outcomes for students.
 - v) develops and maintains positive and effective relations with staff at the provincial and local government levels.
 - vi) develops and maintains positive and effective relations with schools and district departments.
 - vii) provides leadership in the planning, development, implementation, review and evaluation of administrative procedures.
 - viii) demonstrates positive and proactive leadership that has the support of the staff with whom the Director works most closely;
 - ix) ~~undertakes training and ensures supervisory officers of HPEDSB undertake training as required by the Ministry of Education policies and guidelines;~~
 - x) ~~implements policies and directives of the Board; and~~
 - xi) ~~directs and monitors all operations of HPEDSB in a manner consistent with the strategic direction and operational objectives approved by the Board.~~
 - xii) ~~constructively addresses the rate of progress related to the multi-year strategic plan.~~
 - xiii) ~~provides leadership in the planning, development, implementation, review and evaluation of the board's multi-year strategic plan, the annual review of the multi-year strategic plan and cyclic review of scheduled board policies.~~
- d) Fiscal Responsibility:
- i) ensures that the fiscal management of the district is in accordance with the Ministry's Student Focused Funding Model, other applicable grant regulations, and in accordance with the provisions of the ~~Education Act and Regulations.~~
 - ii) ensures that the fiscal management of the district is in alignment with priorities and goals in the board's multi-year strategic plan.
 - iii) ~~serves as a director on The Hastings and Prince Edward Learning Foundation.~~
 - iv) monitors to ensure that strategic plan priorities and goals are used to develop aligned and specific school and department level goals; ~~and.~~
 - v) uses appropriate evidence for accounting to stakeholders ~~and provides planned and actual spending related to the multi-year strategic plan as required by s.169.1 (4.1) of the Act.~~
- e) Organizational Management:
- i) demonstrates effective organizational skills that result in district compliance with all legal, Ministerial, ~~B~~board and all other government mandates and timelines.
 - ii) reports to the Minister of Education with respect to matters identified in and required by the ~~Education Act and Regulations.~~
 - iii) brings to the attention of the Board any act or omission by the ~~B~~board that in the opinion of the Director of Education may result in or has resulted in a contravention of the ~~Education Act, other legislation or any policy, guideline or regulation made under the Act.~~ If the Board does not respond in a satisfactory manner to an act or omission brought to its attention, the Director of Education ~~must~~ ~~advise~~ the Deputy Minister of the Ministry of the act or omission; ~~and.~~
 - iv) provides evidence of an effective organization through budgets, structures, procedures and time usage aligned with the strategic plan.
- f) Planning:
- i) provides leadership for the development of HPEDSB's ~~board's~~ multi-year strategic plan and annually ~~reviews it with the Board; of the multi-year strategic plan.~~
 - ii) ensures that the multi-year strategic plan establishes ~~B~~board priorities and identifies specific measures and resources that will be applied in achieving those priorities, specifically with

- regard to the board's responsibility for student achievement and well-being (s.283.1 of the Act)..
- iii) implements and monitors the implementation of the multi-year strategic plan (s.283.1);
 - iv) ensures appropriate involvement of the Board (approval of process and timelines, establishment of board priorities and outcomes, key results and final Board approval).
 - v) reports regularly on implementation and results achieved in relation to the board's multi-year strategic plan and the Board Improvement Plan for Student Achievement and Well-Being.
 - vi) provides evidence that succession planning is facilitated through capacity building and the distribution of leadership to ensure strong future leadership for Hastings and Prince Edward District School Board.
- g) Personnel Management:
- i) takes the necessary steps to provide a safe and caring environment that fosters and maintains respectful and responsible behaviour for all Staff each employee.
 - ii) has overall authority and responsibility for all personnel-related issues, save and except those personnel matters precluded by Board policy, legislation or collective agreements.
 - iii) performance review of all Staff who are direct reports to the Director of Education-director,
 - iv) ensures effective processes are in place for capacity building and succession planning.
 - v) ensures compliance with human rights and labour relations legislation.
 - vi) makes every effort to identify and remove discriminatory biases and systemic barriers that would limit the opportunities for individuals from diverse communities for employment, mentoring, promotion, and succession planning in all board and school positions.
 - vii) assumes authority and responsibility for legislated and implemented performance appraisal procedures and all personnel-related issues, save and except those personnel matters precluded by board policy, legislation or collective agreements.
- h) Director/Board Relations
- i) establishes and maintains positive working relations with the Board.
 - ii) supports the Board in performing its role and facilitates the implementation of its role based on best practices for school board governance and respecting the distinction between policy development by the Board and implementation of Board policies by the Director of Education as as outlined in Board policy.
 - iii) communicates effectively with the Board and individual Board Members and is the main point of contact at the Staff level; and.
 - iv) promotes opportunities for establishing a policy-oriented Board of Trustees as described in the role of the Board policy 4.
- i) Board Communications and Community Relations
- i) establishes effective communication strategies to keep the district informed of key monitoring reports; student, volunteer and staff successes; local issues and Board decisions.
 - ii) ensures open, transparent and positive internal and external communications.
 - iii) ensures that School Councils have the opportunity to provide appropriate advice and support as required in the Act regulations and/or Board policy.
 - iv) participates in community affairs in order to enhance and support the district and promote public education.
 - v) provides a Director of Education's annual report to the Board and to the Minister on action taken during the previous year, as required by legislation.
- j) Student, Staff and District Recognition/Public Relations
- i) establishes effective recognition programs and strategies to ensure that the internal and external audiences are aware of student, volunteer, staff and district successes.

Legal References:

- *Education Act, sections 169.1, 170-171 Duties and Powers of Boards; section 209 Trustee Declaration; ; section 218.1 Trustee Duties; section 218.4 Additional Duties of Chair; Regulation 224/23 : Provincial Priorities in Education – Student Achievement; Regulation 43/10 Provincial Interest in Education; section 283 and 283.1 Director of Education; Part VIII Compliance with Board Obligations; Part IX Finance*

Resources:

- Board Policy Handbook
- ~~Policy No. 2~~ HPEDSB By-Laws:
- ~~OESC A Guide for Trustees, School Boards, Directors of Education and Communities~~ Article VI
- Policy No. 4 Corporate Board Job Description
- The Road Ahead: A Report on the Role of School Boards and Trustees. The Education Improvement Commission. 1997;
- Educating Together: A Handbook for Trustees, School Boards and Communities. Ontario Public School Board's Association. 2003;
- ~~Good Governance: A Guide for Trustees, School Boards, Directors of Education and Communities,~~
- The Ontario Education Services Corporation (OESC). *Professional Development Program for School Board Trustees*
- School Board Governance a Focus on Achievement - a Report of the Governance Review Committee of the Minister of Education April 2009
- The Governance Core by Davis Campbell and Michael Fullan
- 2020-2025 Strategic Plan

DRAFT

Decision ___ Information X

To: Governance and Policy Committee

From: Katherine MacIver, Director of Education and Secretary to the Board

Re: **First review - Draft Policy XX: Indemnification of Board Members**

Purpose

A draft policy on Indemnification of Board Members has been created utilizing the existing Policy 3 I: Indemnification of Board Members.

Link to Strategic Plan

1.7 Advocate for public education and demonstrate sound decision making through good governance.

Background

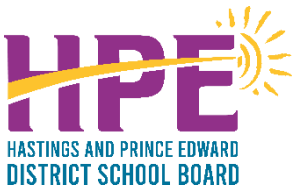
In January 2022, the Board of Trustees approved a policy review. As part of this review, the HPEDSB By-Laws were updated. As a result of the By-Law update and the review of existing policies, revisions are being made to existing policies as well as additional policies written.

Next Steps

The Governance and Policy Committee is responsible for overseeing the development, review, revision, and recommendation of policies to the Board of Trustees. The Governance and Policy Committee is asked to review and provide feedback to the Director of Education on this draft policy. Once all final changes have been made to this draft policy, a public consultation process will take place prior to the recommendation for approval to board. The process is outlined in Board Policy 07: Board Policy Development and Review.

When Policy XX: Indemnification of Board Members is approved by the Board, Policy 3 I: Indemnification of Board Members will be revoked.

Appendix A: Draft Policy XX: Indemnification of Board Members



BOARD POLICY # XX	
Adopted	May 26, 2008
Last Revised	
Review Date	

INDEMNIFICATION OF BOARD MEMBERS

1) **OBJECTIVE**

Hastings and Prince Edward District School Board provides insurance to protect members of the Board from loss and/or liability incurred as a result of their public service.

2) **PROCEDURE**

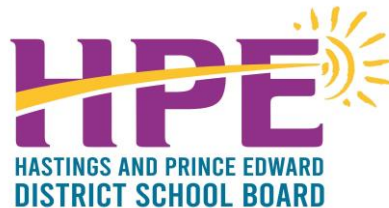
- a) As permitted under section 176 of the *Education Act*, Hastings and Prince Edward District School Board provides group accident insurance to indemnify a member of the Board or ~~their his/her~~ estate against loss in case ~~they are he/she is~~ accidentally injured or killed, while traveling on the business of the Board or in the performance of duties as a member of the Board, either within or outside the area over which the Board has jurisdiction.
- b) The Board also provides group public liability and property damage insurance to indemnify a member of the Board, or ~~their his/her~~ estate, with respect to loss or damage for which ~~they he/she has have~~ become liable. This may occur as a result of injury to persons or property or by reason of injury to ~~their his/her~~ own property while traveling on the business of the Board or in the performance of duties as a member of the Board, either within or outside the area over which the Board has jurisdiction.

Legal references

Education Act, section 176 Benefits

Board references

~~HPEDSB Governance By-Laws and Standing Rules~~
~~OSBIE Comprehensive Liability Policy~~



AGENDA

Regular Public Board Meeting		Monday, October 23, 2023	
Item		Responsibility	Page #
1	Call to Order – 7:00 p.m.	S. Binder	
2	Motion to Convene into Closed Committee of the Whole	nil	
3	Reconvene to Regular Public Board Meeting	nil	
4	Acknowledgement of Traditional Lands	R. Speck	
5	Presentation: Math Presentation	???????????????	
6	Roll Call	S. Binder	
7	Approval of Agenda	S. Binder	
8	Declarations of Conflict of Interest	S. Binder	
9	Consent Agenda Items	S. Binder	
	(a) Regular Public Board Meeting Minutes September 25, 2023		
	(b) Committee Meeting Minutes (for information only)		
	i) Student Learning, Well-Being and Equity May 29, 2023		
	ii) Parent Involvement Committee May 30, 2023		
	iii) Special Education Advisory June 8, 2023		
	iv) Physical Planning, Finance and Building September 11, 2023		
	v) Governance and Policy September 18, 2023		
10	Rise and Report from Committee of the Whole Closed Session	nil	
11	Report from External Organizations		
	(a) Ontario Public School Board Association (OPSBA)	A. Robertson	
	(b) Food for Learning	nil	
12	Report from Standing Committee Reports		
	(a) Governance and Policy Meeting October 16, 2023	S. Binder	
	i) By-Law Revisions recommendation		
	ii) Policy XX: Board Communications and Media Relations recommendation		
	iii) Policy XX: Student Representation on the Board recommendation		
	(b) Student Learning, Well-being, and Equity Meeting October 2, 2023	S. Lewis	
	(c) Physical Planning, Finance and Building Meeting October 10, 2023	K. Kramp	
13	Report from Statutory Committee Reports		
	(a) Audit Committee	A. Robertson	
	i) 2023-2024 Regional Internal Audit Plan Recommendation		
	(b) Parent Involvement Committee-October 18, 2023	R. Speck	

Item	Responsibility	Page #
(c) Special Education Advisory Committee-September 26, 2023	S. Lewis	
(d) Supervised Alternative Learning-September 21 & 27, 2023 and October 4 & 19, 2023	K. Hambly	
14 Report from Advisory Committee Reports		
(a) Accessibility Advisory	nil	
(b) Equity and Inclusivity Advisory October 11, 2023	E. Charlton	
(c) Indigenous Education Advisory Committee October 4, 2023	S. Maracle	
(e) Student Voice Plan 2023-2024	Student Trustees	
15 Administrative Committee Reports		
(a) Information Technology Advisory	nil	
(b) Mental Health Leadership Team September 19, 2023	R. Prinzen	
16 Ad Hoc Committee Report	nil	
17 Chair's Report	S. Binder	
18 Director's Report	K. MacIver	
19 HPEDSB Staff Reports		
(a) Capital and Building Renewal Projects Update	N. Kishinchandani/ K. Horrigan	
(b) EQAO Report	T. Elliott	
(c) Math Achievement Action Plan	T. Elliott/S. Cholasta	
(d) Change in School Year Calendar recommendation	T. Elliott	
20 Calendar of Events - November 2023	S. Binder	
Trustee Events: Public Education Symposium Jan. 25-26, 2024, registration will open in November		
Committee Meetings:		
(a) October 26, 2023 Special Education Advisory Committee		
(b) November 1, 2023 Supervised Alternative Learning		
(c) November 6, 2023 Student Learning, Well-Being and Equity Committee		
(d) November 8, 2023 Audit Committee		
(e) November 13, 2023 Physical Planning, Finance and Building Committee		
(f) November 15, 2023 Supervised Alternative Learning		
(g) November 15, 2023 Parent Involvement Committee		
(h) November 20, 2023 Inaugural Meeting of the Board		
(i) November 21, 2023 Governance and Policy Committee		
(j) November 21, 2023 Mental Health Leadership Team		
(k) November 23, 2023 Special Education Advisory Committee		
(l) November 23, 2023 Food for Learning Committee		
(m) November 27, 2023 Organization Meeting of the Board		
(n) November 29, 2023 Supervised Alternative Learning		
Public School Events:		
21 Correspondence	nil	
22 Unfinished Business	nil	
23 Trustee Motions for Consideration	nil	
24 Trustee Notice of Motion	nil	
25 Adjournment	S. Binder	

Attention: _____ School Board, (the “School Board”)

In line with the recent statement made by Ontario Minister of Education, Stephen Lecce, I am writing to request that the School Board review its policies on parental involvement and consent particularly regarding gender identity for students. I/we ask that the School Board’s gender identity policies and procedures be revised to include parental consent for the use of preferred pronouns, alternate names, alternate sex bathroom use, and alternate sex sports and extracurricular participation for students.

Education Minister Lecce was clear when he stated that “parents must be fully involved and fully aware of what’s happening in the life of their children” and I/we agree. This board’s policies and procedures, particularly regarding Gender Identity and the use of alternate names and pronouns for students, must reflect transparency to parents regarding school curricula, classroom teachings and conversations, and third-party programs and information. As Education Minister Lecce emphasised on behalf of the Province of Ontario, “school boards need to be transparent with parents, they are the legal guardians, they love their kids...” and “... we would expect school boards to be transparent with parents...”.

Lecce goes on to say that “often there are health implications”. Social transition-- the changing of names, pronouns, washroom/changeroom use and opposite sex presentation-- is a serious psychological intervention and is the first step toward medical transition. Rainbow Health Ontario identifies the elements of social transitioning ([What does “social transition” mean? - Rainbow Health Ontario](#)), moving directly into the reader’s surgical goals. I/we ask that social transition be recognized in school board policies and procedures as a serious psychological intervention-- very often followed by medical interventions with permanent and physically damaging effects-- and be recognized as a process beyond the school’s scope of qualification and responsibility.

In his announcement, cited below, Ontario’s Education Minister correctly stated that “... these can be life changing decisions...”. School board policies must be revised to inform and gain consent from parents prior to participating in or initiating name changes, use of opposite sex or other pronouns, allowance for opposite sex washroom/changeroom use and any other measures taken toward the child’s social transition.

In response to the concern for children’s safety in the home, should his or her parent(s) disagree with the social and medical transitioning of minors, Stephen Lecce pointed out that there are already processes in place should harm be suspected to be occurring, stating that, “... there are exceptional circumstances where there can be situations of potential harm to a child, educators are well versed on exactly what to do...”. The vast majority of parents whose children are adopting gender identities are not abusive and school board policies need to reflect that, rather than an accusatory position that paints parents in general as abusive until proven otherwise.

A recent article by the [Toronto Sun](#) explains that a “...new poll by the Angus Reid Institute showed that 78% of respondents across the country agreed that parents must be told before such changes are made.” I/we ask that all school board policies and procedures reflect respect for parental rights and the best interest of the child in regard to social transition, ideological teachings, access to sexualized materials and participation in politicized and sexualized classroom discussions, assemblies, programs and events.

The political and ideological nature of the current school environment is unacceptable and must be examined and revised through school board policies and procedures that uphold, rather than undermine, parental rights. I/we ask that all School Board policies and procedures that guide the day to day interactions with students in the classroom and in extracurricular contexts are revised to reflect the biological sex of students unless explicit

parental consent has been given. I/we advise that Ontario’s Education Minister’s words, “I’m just affirming to you the Province’s position on the matter quite clearly, which is parents have a right to know and we will respect parental rights and we think boards must do the same”, be taken into great consideration and create an opportunity for this board’s examination and revision of its gender identity policies and procedures.

References:

<https://torontosun.com/opinion/columnists/vast-majority-say-parents-must-know-about-school-gender-change>

<https://toronto.ctvnews.ca/parents-must-be-fully-involved-in-student-s-decision-to-change-pronouns-ontario-education-minister-says-1.6537959>

<https://www.rainbowhealthontario.ca/trans-health-knowledge-base/what-does-social-transition-mean/>

Additional Information:

(Add your comments, provide further information, or cite school/board policies here)

In Support of Parents Rights and the Best Interests of Their Children,

C. Jasmine

Lucia Parrella



Attention: The Hastings Prince Edward School Board, (the "School Board")

In line with the recent statement made by Ontario Minister of Education, Stephen Lecce, I am writing to request that the School Board review its policies on parental involvement and consent particularly regarding gender identity for students. I/we ask that the School Board's gender identity policies and procedures be revised to include parental consent for the use of preferred pronouns, alternate names, alternate sex bathroom use, and alternate sex sports and extracurricular participation for students.

Education Minister Lecce was clear when he stated that "parents must be fully involved and fully aware of what's happening in the life of their children" and I/we agree. This board's policies and procedures, particularly regarding Gender Identity and the use of alternate names and pronouns for students, must reflect transparency to parents regarding school curricula, classroom teachings and conversations, and third-party programs and information. As Education Minister Lecce emphasised on behalf of the Province of Ontario, "school boards need to be transparent with parents, they are the legal guardians, they love their kids..." and "... we would expect school boards to be transparent with parents...".

Lecce goes on to say that "often there are health implications". Social transition-- the changing of names, pronouns, washroom/changeroom use and opposite sex presentation-- is a serious psychological intervention and is the first step toward medical transition. Rainbow Health Ontario identifies the elements of social transitioning ([What does "social transition" mean? - Rainbow Health Ontario](#)), moving directly into the reader's surgical goals. I/we ask that social transition be recognized in school board policies and procedures as a serious psychological intervention-- very often followed by medical interventions with permanent and physically damaging effects-- and be recognized as a process beyond the school's scope of qualification and responsibility.

In his announcement, cited below, Ontario's Education Minister correctly stated that "... these can be life changing decisions...". School board policies must be revised to inform and gain consent from parents prior to participating in or initiating name changes, use of opposite sex or other pronouns, allowance for opposite sex washroom/changeroom use and any other measures taken toward the child's social transition.

In response to the concern for children's safety in the home, should his or her parent(s) disagree with the social and medical transitioning of minors, Stephen Lecce pointed out that there are already processes in place should harm be suspected to be occurring, stating that, "... there are exceptional circumstances where there can be situations of potential harm to a child, educators are well versed on exactly what to do...". The vast majority of parents whose children are adopting gender identities are not abusive and school board policies need to reflect that, rather than an accusatory position that paints parents in general as abusive until proven otherwise.

A recent article by the [Toronto Sun](#) explains that a "...new poll by the Angus Reid Institute showed that 78% of respondents across the country agreed that parents must be told before such changes are made." I/we ask that all school board policies and procedures reflect respect for parental rights and the best interest of the child in regard to social transition, ideological teachings, access to sexualized materials and participation in politicized and sexualized classroom discussions, assemblies, programs and events.

The political and ideological nature of the current school environment is unacceptable and must be examined and revised through school board policies and procedures that uphold, rather than undermine, parental rights. I/we ask that all School Board policies and procedures that guide the day to day interactions with students in the classroom and in extracurricular contexts are revised to reflect the biological sex of students unless explicit

parental consent has been given. I/we advise that Ontario's Education Minister's words, "I'm just affirming to you the Province's position on the matter quite clearly, which is parents have a right to know and we will respect parental rights and we think boards must do the same", be taken into great consideration and create an opportunity for this board's examination and revision of its gender identity policies and procedures.

References:

<https://torontosun.com/opinion/columnists/vast-majority-say-parents-must-know-about-school-gender-change>

<https://toronto.ctvnews.ca/parents-must-be-fully-involved-in-student-s-decision-to-change-pronouns-ontario-education-minister-says-1.6537959>

<https://www.rainbowhealthontario.ca/trans-health-knowledge-base/what-does-social-transition-mean/>

Additional Information:

(Add your comments, provide further information, or cite school/board policies here)

We do not support the indoctrination of our children/OUR son with radical gender ideology. We saw this beginning last year in his health class. We do NOT consent to drag queen story time in our schools.

FYI: Recent studies show that most people detransition within 4-6 years of transitioning.

For both males and females, the most common reason for detransitioning was that the person became **more comfortable identifying as their natal sex.**

The most common reported reason for detransitioning was realizing that gender dysphoria was related to other issues (70%); the second was health concerns (62%), followed by transition not helping with dysphoria (50%). Puberty is not a disease.

In Support of Parents Rights and the Best Interests of Their Children,

Brad & Anna Moreton

