

# AGENDA

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## Governance and Policy Committee Agenda

January 15, 2024

Item	Responsibility	Page #
1 Call to Order – 3:30 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	K. Kramp	
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) December 4, 2023	S. Binder	2
9 Delegations	nil	
10 Reports from Staff		
(a) First review Draft Policy XX: Indemnification	K. Maclver	5
(b) Recommendation – By-Law Revisions for Notice of Motion	K. Maclver	9
(c) Professional Learning Sessions 2023-2024	K. Maclver	11
i) survey		
ii) retreat		
(d) Draft Agenda		13
i) Regular Public Board Meeting January 22, 2024	S. Binder	
11 Trustee Motions for Consideration (Introduced at a Previous Meeting)	nil	
12 Trustee Notices of Motion (Discussion for next meeting)	nil	
13 Correspondance	S. Binder	
14 Adjournment	S. Binder	

**Next scheduled meeting is Tuesday February 20, 2024, at 3:30 p.m.**

### Upcoming Governance and Policy Committee Meetings:

- **March 18, 2024 at 3:30p.m.**
- **April 15, 2024 at 3:30p.m.**
- **May 21, 2024 at 3:30p.m. (Tuesday)**
- **June 10, 2024 at 3:30p.m.**

**Members present:** S. Binder, K. Kramp, S. Lewis (v), R. Prinzen, R. Speck(v)

**Absent:** None

**Student Trustee:** A. Shah

**Resources:** K. MacIver, K. Donnell

**Minutes:** C. Reid, Executive Assistant

**1. Call to Order**

Chair Binder called the meeting to order at 3:30 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**

Student Trustee Shah 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. Kramp

**Seconded:** R. Prinzen

**That the agenda for December 4, 2023 be approved.**

**Carried**

**7. Declaration of Conflict of Interest - none declared**

**8. Approval of minutes**

**Moved:** S. Lewis

**Seconded:** R. Prinzen

**That the minutes from the November 21, 2023 meeting be approved.**

**Carried**

**9. Delegations - none**

**10. Report from Staff**

**(a) Third review Draft Policy XX: Board Communications and Media Relations**

Director MacIver noted that this is the third review for this draft policy. Suggested changes from the last meeting have been incorporated into this policy.

Based on the feedback provided through public consultation, clarification was requested regarding sections 3, 4 and 6 of the draft policy in relation to section 218.1 of the *Education Act* regarding the role of trustees versus the role of the Board.

A request was made to convene into a closed Governance and Policy Committee meeting to discuss a confidential personnel matter.

**Recommendation:****Moved:** R. Prinzen**Seconded:** S. Lewis**That the Governance and Policy Committee convene into closed session.****Carried**

The Governance and Policy Committee reconvened into public session at 4:39 p.m.

Based on previous discussions, it was confirmed that the word "Trustees" in section 4 a), 4 b) and 6 c) of the draft policy will be changed to "The Board." It was also agreed that further review of this policy is required. The policy will come back to the Governance and Policy Committee in January for further discussion.

**(b) Second review Draft Policy XX: Student Trustee Representation on the Board**

Director MacIver noted that this is the second review for this draft policy.

Based on feedback it was agreed that it would be beneficial to have the Indigenous Trustee as a mentor to the student trustee. Section 6 b) of the draft policy will be amended to include reference to the Indigenous Trustee as a mentor.

**Recommendation:****Mover:** R. Prinzen**Seconder:** R. Speck

**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.**

**Carried****(c) Recommendation - By-Law Revisions**

Director MacIver noted that as a result of a recommendation being approved at the November 27, 2023, Organization and Regular Public Meeting, public notice was given that the HPEDSB By-Laws would be revised and brought forward to the December 11, 2023, Regular Public Board Meeting for approval.

Further changes to section 5.28 were noted and the Director of Education will communicate these changes by email to committee members prior to bringing them back to the January meeting.

**Recommendation:****Moved:** R. Prinzen**Seconded:** K. Kramp

**That the by-law revisions be postponed to the January 2024 Board meeting in order to give the Governance and committee more time to review the language.**

**Carried****(d) Draft Agenda**

(i) Public Board Meeting December 11, 2023, highlights:

- Recommendation for Policy XX: Board Communications
- Recommendation for Policy XX: Student Representation on the Board
- Recommendation for Revised HPEDSB By-Laws
- Reports from staff:

- Revised Estimates,
- Boundary Review Ad Hoc,
- Special Education Update
- Mental Health,
- Student Achievement Plan
- Reading/Literacy Update

**11. Trustee Motions for Considerations – nil**

**12. Trustee Notices of Motion – nil**

**13. Correspondence - nil**

**14. Adjournment - the meeting adjourned at 5:04 p.m.**

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**

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**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**

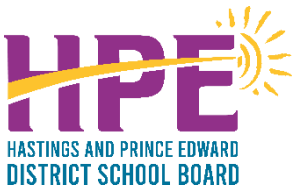
In January 2022, the Board of Trustees approved a policy review. As part of this review, the HPEDSB By-Laws were updated. As a result of the By-Law update and the review of existing policies, revisions are being made to existing policies as well as additional policies written.

**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 prior to extending it out for further consultation. Once reviewed by this committee and all changes have been made, this draft policy will be posted to the website for staff and public consultation. The Governance and Policy Committee will have a final review on February 20, 2024, prior to making a recommendation to the Board for the February 26, 2024, Regular Public Board meeting. This draft policy has been reviewed by legal counsel with no changes. Once this draft policy has been approved by the Board, Policy 3 I: Indemnification of Board Members will be revoked.

Appendix A: Draft Policy XX: Indemnification of Board Members

[Appendix B: OSBIE Comprehensive Liability Insurance Policy](#)



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

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## INDEMNIFICATION OF BOARD MEMBERS

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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 Insurance Policy~~

[Member Services](#)
 **Comprehensive Liability Insurance Policy**

OSBIE's liability insurance protects against any legal responsibility arising out of a negligent act or failure to act as a prudent person would have, which causes bodily injury or property damage to another party resulting from their operations. One unique feature of our liability policy is that coverage is subject to a \$0 deductible.

Our policy is written on an occurrence basis. Standard clauses included are:

- Personal Injury & Property Damage Liability
- Tenants' Legal Liability
- Incidental Professional & Malpractice Liability
- Errors & Omissions Liability
- Non-Owned Automobile Liability
- Unmanned Air Vehicle Systems (UAVS) Liability subject to a maximum 2-kilogram weight limit
- Cross Liability/Severability of Interests Clause

Our policy also provides coverage for Environmental Impairment and Sexual Assault which are on a claims made basis and **ONLY** applies to the Named Insured which is the school board.

**Who Is Covered?**

Our policy provides coverage to:

- Employees
  - Teachers
  - Administrators
  - Trustees
  - Co-op students on a work assignment
- 
- Volunteers
  - Referees

While acting within the scope of their duties as outlined by the school board.

**Certificates**

A certificate is a document used to provide verification of the following:

- Type of insurance coverage
- Limits of insurance coverage
- Insurer's name
- Policy number
- Effective and expiry dates of the policy

Throughout the year school boards enter into a number of arrangements with third parties. It is important to know when the school board is responsible to provide or request a certificate. Equally important is to know whether the document should be "Evidence of Insurance" or "Certificate of Insurance."

**Proof Of Insurance Or Certificate Of Insurance – Which Do I Need To Provide?**

Requests for evidence (proof) of insurance, along with requests for a third party to be added as an Additional Insured, are common for school board activities. But how do you know which to provide and when?

There are two different documents that can address this question:

- [Evidence/Proof of Insurance](#)
- [Certificates of Insurance & Additional Insureds](#)

**Evidence/Proof of Insurance** Simply put, this is a document that validates the Board has an insurance policy in effect. It is requested from the third party when a school activity is taking place at a public premise or because the contract is requesting it. The premise owner will indicate the Board must show proof of a specific amount of insurance (usually \$2 million).

The Evidence of Insurance form will confirm:

- The Board as the Named Insured, policy effective dates, amount of insurance
- The type of insurance that the Board has: CGL – Comprehensive General Liability

**Common Uses for Evidence of Insurance certificate**

- Public places such as Canada's Wonderland, local pumpkin patch
- Some camps such as Tim Hortons or Mini-Yo-We
- When 2 or more OSBIE members are participating in an event together
- When the contract only requires proof or evidence of insurance

OSBIE provides an annual **Evidence of Insurance** certificate to the Board office for these situations. You should request a copy of this and provide it to the premises' owner in advance of your activity.

**Certificates of Insurance & Additional Insureds** - a third party will request to be added as an Additional Insured when a Board activity is on their premises. By adding them as an Additional Insured to the Board's insurance policy they are protecting themselves from claims arising from the Board's negligence. This is done by way of a **Certificate of Insurance**. The need for Additional Insured should be demonstrated through a contractual agreement between the Board and the third party.

The Certificate of Insurance will confirm the Board has an insurance policy in effect AND show the Additional Insured and the specific nature of the Board activity.

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The Certificate of Insurance will confirm the Board has an insurance policy in effect AND show the Additional Insured and the specific nature of the Board activity.

Common situations requiring an Additional Insured showing on a Certificate of Insurance

- Ministry Funding agreements
- School trip/event at almost any municipal facility (when class/team books an arena)
- School trip/event at a Conservation Authority
- Agreements for renting or leasing space from a private corporation (hall rental, private ice arena, Diocese, booth at the mall)
- Vendor providing accommodations for grade 8 graduation trip
- University hosting a Board sponsored sporting tournament

OSBIE provides a Certificate of Insurance adding an Additional Insured upon request, and preferably with contractual proof of the requirement

If a contract asks for evidence of insurance and then goes on to ask for Additional Insured, you need only provide the Certificate of Insurance showing the Additional Insured

When in doubt about what is required in a contract or agreement, please send the relevant insurance clauses from a contract or permit to Shirley McMaster via e-mail to [shirleym@osbie.on.ca](mailto:shirleym@osbie.on.ca)

**How To Request A Certificate**

To obtain a Certificate of Insurance, please contact your school board office. We ask that you allow 24 hours to process certificate requests. Board staff can submit the request, along with the relevant documentation, through the OSBIE portal



Decision  X  Information

**To:** Governance and Policy Committee

**From:** Katherine MacIver, Director of Education

**Re: Recommendation - By-law Revisions for Notice of Motion**

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**Purpose**

To revisit By-law revisions for Notice of Motion.

**Link to Strategic Plan**

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

**Background**

The Governance and Policy Committee requested a revised notice of By-law revisions to allow for further review of the By-Laws. This was approved at the December 11, 2023 Regular Public Board meeting.

The By-law revisions are now approved to be considered at the January 22, 2024 Regular Meeting of the Board.

**Current situation**

Following the last Governance and Policy Committee Meeting, this draft language was circulated to be considered on January 15, 2024.

**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~~ will be submitted:

**a) in writing with a seconder** to the Governance and Policy Review Committee ~~within timelines prescribed by the Director of Education~~ **a minimum of 3 working days prior a meeting** for inclusion in the Agenda: **or**

**b) verbally at a regular board meeting or Standing Committee meeting. This notice will require a seconder at the meeting.**

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

~~5.28.43 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.~~

~~5.28.54 The Notice of Motion will be~~ **may be:**

(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.

**Recommendation**

**Mover:**

**Secunder:**

**The Governance and Policy Committee recommends the Hastings and Prince Edward District School Board approve the revisions to the HPEDSB By-Laws effective January 23, 2024.**

Decision     Information X

**To: Governance and Policy Committee**

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

**Re: Professional Learning Sessions – 2023-2024**

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**Purpose**

To provide a schedule for Trustee Professional Learning Sessions for the remainder of the 2023-2024 school year.

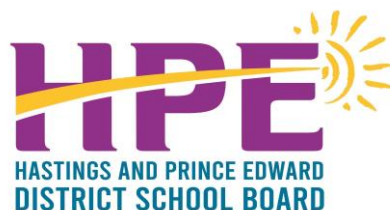
**Background**

A survey was sent out to all Trustees on December 12, 2023 requesting ideas for professional learning sessions to be held. The following information was received and collated below:

Topic	Date and Time	Agenda Items
Addressing Parental Concerns/ The Education Act and related legislation	January 22, 2024 4:30 - 5:30 p.m.	Procedure 108: Process for Addressing Public Concerns Case Studies
Hate Activity in Schools (7)		
Making Motions (6)		
Safe Schools: Process leading up to a Discipline Hearing (6)		
School Tour: Regular and Specialized Programming (5)		
Anti-racism and Equity Case Studies (4)		
Curriculum Changes and Resources (including the Trillium list) (4)		
Case Studies about Governance and Operations (2)		
Engage with a Parliamentarian (2)		
Trustees right to advocate and duty to consult with stakeholders (1)		

<p>Other suggested topics:</p> <ul style="list-style-type: none"> <li>● Interpretation of the Education Act and other relevant legislation re: roles/duties of School Boards and Individual Trustees (169.1 vs 218.1)</li> <li>● Robert's Rules</li> </ul>		
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Many of these topics could be addressed through a Trustee Retreat (tentative dates February 15 and 16). Suggested agenda includes a school tour on February 15 to tour specialized programming and speak with students and staff followed by an evening and next day agenda of professional learning.



## AGENDA

Regular Public Board Meeting		Monday, January 22, 2024	
Item		Responsibility	Page #
1	Call to Order – 6:00 p.m.	S. Binder	
2	Presentation: School-Within-A-College (SWAC)	T. Jones	
3	Motion to Convene into Closed Committee of the Whole	nil	
4	Reconvene to Regular Public Board Meeting	nil	
5	Acknowledgement of Traditional Lands	S. Lewis	
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 December 11, 2023		
	(b) Committee Meeting Minutes (for information only)		
	i) Governance and Policy December 4, 2023		
	ii) Physical Planning, Finance and Building Committee December 11, 2023		
10	Rise and Report from Committee of the Whole Closed Session held on December 11, 2023	A. Robertson	
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 January 15, 2024	S. Binder	
	i) Recommendation – Bylaw Revisions for Notice of Motion		
	(b) Student Learning, Well-being, and Equity Meeting	nil	
	(c) Physical Planning, Finance and Building meeting January 8, 2024	K. Kramp	
	i) Recommendation-Multi-Year Annual Accessibility Plan		
13	Report from Statutory Committee Reports		
	(a) Audit Committee	nil	
	(b) Parent Involvement Committee	nil	
	(b) Special Education Advisory Committee	nil	
	(c) Supervised Alternative Learning, December 13, 2023 and January 10, 2024	K. Hambly	

14	Report from Advisory Committee Reports	
	(a) Accessibility Advisory	nil
	(b) Equity and Inclusivity Advisory, December 13, 2023	E. Charlton
	(c) Indigenous Education Advisory	nil
	(e) Student Voice Plan 2023-2024	Student Trustees
15	Ad Hoc Committee Report	nil
16	Chair's Report	S. Binder
	(a) Invitation for Trustee Sharing	
17	Director's Report	K. MacIver
18	HPEDSB Staff Reports	
	(a) Kindergarten Promotion	T. Elliott
	(b) Destreaming Update	T. Elliott
	(c) Learning Opportunities Update: SHSM/OYAP/SCWI	T. Jones
	(d) Staffing and Recruitment	D. McFarlane
19	Calendar of Events	S. Binder
20	Correspondence	nil
21	Unfinished Business	nil
22	Trustee Motions for Consideration	nil
23	Trustee Notice of Motion	nil
24	Adjournment	S. Binder

**Next Regular Public Board Meeting: February 26, 2024, at 6:00 p.m.**

**Upcoming meetings:**

Regular Public Board Meeting:     March 25, 2024, at 6:00 p.m.  
    April 22, 2024, at 6:00 p.m.  
    May 27, 2024, at 6:00 p.m.  
    June 17, 2024, at 6:00 p.m.