

OPERATIONAL BY-LAWS

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PART I – INTERPRETATIONS

In these By-Laws:

1. The Keewatin-Patricia District School Board (KPDSB) recognizes the Education Act and other statutes, the Ontario Regulations made thereunder, and Ministry of Education policies and guidelines are of the superior authority to the By-laws of the Board.
2. In these, and all other By-laws of the Keewatin-Patricia District School Board, the singular includes the plural, and masculine, feminine, and plural forms are interchangeable.
3. In these, and all other By-laws of the Keewatin-Patricia District School Board, the following terms have the following meanings:
 - a) “**Act**” means the Education Act R.S.O. 1990 .E.2. as amended from time to time; and includes, unless the context otherwise necessarily requires, Ontario Regulations and Ministry of Education policies and guidelines made thereunder;
 - b) “**Board**” means the Keewatin-Patricia District School Board;
 - c) “**Chair**” means Chair of the Board or of a meeting (whichever the context indicates);
 - d) “**Vice-Chair**” means the Vice-Chair of the Board;
 - e) “**Member**” means a Trustee of the Keewatin-Patricia District School Board, as defined herein;
 - f) “**Trustee**” means a person elected, acclaimed, or appointed to the office of Trustee of the Board pursuant to the Municipal Elections Act, S.O. 2001 c.25;
 - g) “**Director**” means the Director of Education and Secretary of the Board – Chief Executive Officer of the Board;
 - h) “**Secretary**” means the Director of Education;
 - i) “**Secretary/Resource Person**” means the member of the administration, or other person, designated as resource person for a Board committee;
 - j) “**Ex Officio Member**” of a committee is one permitted to act by virtue of office. An ex officio member cannot vote and is not counted in determining a quorum;
 - k) “**They**” means all words in the Operational By-Laws in the singular include the plural and are interchangeable, and gender-neutral references are used unless specific context requires it.

PART II – BOARD MEETINGS * BY-LAW 100:

1. Inaugural Meeting of the Board

1.1 Board Meeting

A Board shall be deemed to be constituted when a majority of the members to be elected or appointed has been elected or appointed.

R.S.O. 1990, c. E.2,s. 208 (1)

1.2 Time, Date, and Location

A Board that is elected at a regular election under the *Municipal Elections Act, 1996* and a Board that is appointed or elected other than at a regular election under the *Municipal Elections Act, 1996* shall hold its first meeting not later than seven (7) days after the day on which the term of office of the Board commences on such date and at such time and place as the Board determines and, failing such determination, at 8 p.m. at the head office of the Board on the first Wednesday following the commencement of the term of office.

R.S.O. 1990, c. E.2, s. 208 (2); 1997, c. 31, s. 106 (1)

1.3 Provision for Changing Date of Inaugural Meeting

Despite subsection (2), on the petition of a majority of members of a newly elected or appointed Board, the appropriate supervisory officer may provide for calling the first meeting of the Board at some other time and date.

R.S.O. 1990, c. E.2, s. 208 (3)

1.4 Declaration

Except as provided in subsection (2), every person elected or appointed to a Board, on or before the day fixed for the first meeting of the new Board, or on or before the day of the first meeting that the person attends, shall make and subscribe the following declaration in English or French before the secretary of the Board or before any person authorized to administer an affirmation and in default, the person shall be deemed to have resigned.

R.S.O. 1990, c. E.2,s. 209 (1); 1997, c. 31, s. 108 (1); 2009,c.25,s.23 (1)

DECLARATION

A.B.

I do solemnly declare that I am not disqualified under any Act from being a member of (*name of Board*).

I do solemnly declare that I will truly, faithfully, impartially, and to the best of my ability execute the office of Board Member, and that I have not received and will not receive any payment or reward or promise thereof for the exercise of any partiality or malversation or other undue execution of the said office and that I will disclose any pecuniary interest, direct or indirect, as required by and in accordance with the *Municipal Conflict of Interest Act*.

Declared before me at
.....
in the Province of Ontario
.....this..... day.....
of....., 20

A.B.

Signature of Chair

R.S.O. 1990, c. E.2, s. 209 (1); 1997, c. 31, s. 108 (1); 2009 c25, s.23(1)

Idem

- (2) Where a person is elected or appointed to fill a vacancy on a Board, the person shall make such a declaration on or before the day fixed for holding the first meeting of the Board after his or her election or appointment or on or on before the day of the first meeting that the person attends and in default the person shall be deemed to have resigned.

R.S.O. 1990, c. E.2, s. 209 (2)

Filing of declaration and oath

- (3) The declaration and, if any, the oath or affirmation of allegiance, shall be filed with the secretary of the Board within eight (8) days after it is made or taken, as the case may be.

2009, c25,s.23(3)

2. First Meeting of the Board

2.1 Presiding Officer

- 2.1.1 At the first meeting in November of each year, the Chief Executive Officer shall preside until the election of the Chair or, if there is no Chief Executive Officer or in his or her absence, the members present shall designate who shall preside at the election of the Chair and if a member of the Board is so designated, he or she may vote at the election of the Chair.

R.S.O. 1990, c. E.2, s. 208 (4).

- 2.1.2 Following the swearing in of Trustees elected to the Board, persons named to the Board shall be appointed.
- 2.1.3 Trustees appointed to the Board in accordance shall be sworn in prior to the election of a Chair and Vice-Chair if they have been identified in accordance with due process before the date of the meeting at which the Chair and Vice-Chair are to be elected.

2.2 Electronic Voting for Officers of the Board

For Trustees not able to attend the inaugural meeting in person, with the approval of the Chair of the Board, they will be given a number to text their vote to the scrutineer.

2.3 Election of the Chair

At the first meeting in November of each year and at the first meeting after a vacancy occurs in the office of Chair the members shall elect one of themselves to be Chair.

R.S.O.1990,c.E2,s.208(5); 2009, c. 25, s.22

2.3.1 Process for Election of Chair

The election of Chair shall occur by written or verbal nomination duly seconded and voted upon. If there is more than one nominee, the vote shall be by ballot with the nominee receiving the majority of votes cast being declared Chair.

Procedure:

- First call for nominations
 - Require motion on table and duly seconded

- Second call for nominations
 - Require motion on table and duly seconded
- Third call for nominations
 - Require motion on table and duly seconded
- As candidates, in reverse order which they were nominated, to indicate of they will let their name stand for respective office
- Each nominee is permitted two (2) minutes to address fellow Trustees (the first Trustee nominated is first to present)

Should no member receive a majority of votes cast, the name of the member receiving the smallest number of votes shall be dropped and the members proceed to vote anew and so continue until a Chair is elected.

2.3.2 Where Equality Votes

In the case of an equality of votes at the election of the Chair or Vice-Chair, the candidates shall draw lots to fill the position of the Chair or Vice-Chair, as the case may be.

R.S.O. 1990, c. E.2, s. 208 (8)

2.3.3 Process for Drawing Lots

Two (2) ballots will be prepared, one (1) stating the name of the position to be filled, the other blank. The first person to draw a ballot returns the ballot to the scrutineers, who, after noting it, return it for the second person to draw. The draw continues with new ballots for each round until only one (1) of the two (2) people draws the ballot stating the designated position, with new ballots for each round.

2.3.4 Scrutineers

The presiding officer will recommend two (2) scrutineers, normally Supervisory Officers of the Board, who are not members of the Board, to distribute, collect, and count the ballots and to report the results to the presiding officer. Confirmation of the recommendation or amended recommendation will occur by Board vote.

The scrutineers will participate in the process of drawing lots if requested.

2.3.5 Reporting Results

At the conclusion of the election of the Chair, the presiding officer shall report the results of the election and declare the member elected as Chair. The Chair will then preside and proceed with the election of Vice-Chair and other business.

2.4 Election of Vice-Chair

The members of the Board may also elect one of themselves to be Vice-Chair and he or she shall preside in the absence of the Chair.

R.S.O.1990,c.E.2,s. 208 (7)

The Board will elect the Vice-Chair in accordance with the procedures for the election of the Chair.

2.4.1 Ballots

The presiding officer shall return the ballots to the scrutineers; the Chair will put a motion to the floor to destroy the ballots of both the Chair and the Vice-Chair elections.

2.5 Term of Office

The term of office for the Chair and Vice-Chair shall be one (1) year; however, both shall remain in office until the first meeting of the Board, which shall be held in accordance with Ontario Regulation 292/18.

- i) In 2021, the year of a member's term of office begins on December 1st and ends on the following November 14th.

O.Reg.292/18,s.2

- ii) Beginning in 2022, a year of a member's term of office begins on November 15th and ends on the following November 14th.

O.Reg.292/18,s.2

3. Regular Meetings of the Board

Subsequent meetings of the Board shall be held at such time and place as the Board considers expedient. R.S.O. 1990,c.E2,s.208(6)

References: Appendix A, EAR 463/97
Appendix B, Policy 202, Electronic Meetings

3.1 Regular Board Meeting Agenda

The Executive Committee of the Board shall be responsible for preparing the Regular Board Meeting agenda prior to being distributed to Trustees.

3.2 Time and Dates

Unless otherwise ordered by motion of the Board, the Regular Meetings of the Board shall be held at 7:00 p.m. on the second Tuesday of every month, beginning in September and ending in June.

3.3 Location of Meetings

A schedule of regular meeting locations shall be determined by the Board on an annual basis according to the Operational Procedures-Parameters for Scheduling Board Meetings. The schedule is subject to change at the discretion of the Chair of the Board.

3.4 Cancellation and Rescheduling of Meetings

3.4.1 Regular Meetings, in any month, may be cancelled by the Board at its discretion at a preceding Regular Meeting.

3.4.2 At the discretion of the Chair, a Regular Meeting may be cancelled or rescheduled to another date with preference given to the designated location.

3.5 Notice of Meeting

The secretary shall have delivered a notice of meeting, agenda, and a copy of all applicable reports to each member of the Board at least seventy-two (72) hours prior to the meeting at which same are to be considered. This information shall be delivered by electronic means.

3.5.1 The agenda shall contain a brief notice of all such matters as may come regularly before the Board meeting and shall set out in full all motions.

3.6 Quorum (51%)

The presence of a majority of all members constituting a Board is necessary to form a quorum.

R.S.O. 1997, c. 31 s.106 (3)

The number for quorum, including the Indigenous Trustee, where one (1) or more is appointed, and on binding votes shall exclude the Student Trustees.

Reference; Appendix C - O. Reg 462/97

Should there be no quorum present within thirty (30) minutes after the time appointed for the meeting, the Board will adjourn for want of a quorum. The secretary shall record the names of the members present and the time of adjournment and the Board shall stand adjourned.

3.7 Closing Hour

The Board shall not remain in session later than 10:00 p.m. unless a motion is moved and seconded and so determined by a vote of two-thirds ($\frac{2}{3}$) of the members present.

4. Special Meetings of the Board

Special Meetings of the Board may be called by the Chair and in such other manner as the Board may determine.

R.S.O. 1990, c.E2,s. 208 (13)

4.1 Calling a Special Meeting

A Special Meeting of the Board may be called by the Chair, or by a majority of the Board, on a specific item or items identified in the calling of the meeting.

4.2 Agenda

The agenda of a Special Board Meeting is limited to the topic(s) listed on the agenda of the meeting. No other items shall be added to the agenda of a Special Board Meeting unless all members of the Board are present and grant unanimous consent.

4.3 Notice of Special Meeting

In ordinary circumstances, notice of a Special Meeting will be provided to all Trustees, at least forty-eight (48) hours prior to holding of the meeting, by telephone or electronic means.

4.4 Waiving of Written Notice

In emergency or unusual circumstances, as determined by the Chair, the requirement of forty-eight (48) hours notice may be waived and notice will be given by telephone, electronic means, or oral communication as circumstances may require. Where such action is taken as required it shall be duly confirmed as proper procedure on the agenda of the meeting concerned. Attempts must be made to reach all Trustees and a record of all such attempts shall be kept and made available to Trustees if requested.

5. Order of Business

The business before the Board shall be dealt with in the following order:

1. Call to Order
2. Land Acknowledgement
3. Calling of a Roll and Noting the Members Present
4. Approval of Agenda
5. Declaration of Conflict of Interest
6. Consent Agenda
 - 6.01 Business Arising from the Committee of the Whole
 - 6.02 Confirmation of Minutes
 - 6.03 Presentation of Reports and Accompanying Motions
 - A. Education
 - B. Executive Committee Report
 - i. Student Trustee Reports
 - C. Finance/Audit
 - D. Human Resources
 - E. Operations
 - F. Committee Updates
 - i. Early Years Education Advisory Committee
 - ii. Finance
 - iii. Audit
 - iv. Indigenous Education Advisory Committee
 - v. Ontario Public School Boards Association
 - vi. Parent Involvement Committee/School Councils
 - vii. Special Education Advisory Committee
 - viii. Supervised Alternative Learning
7. Students Come First
8. Delegations/Presentations (see KPDSB Policy 205)
9. Discussion
10. Director of Education Update
11. Correspondence
12. New Business and Notices of Motions
13. Observer Comments
14. Next Meeting Date
15. Adjournment

NOTE: The term 'NIL' will be used on the agenda where no report is coming forward from a committee of the Board or a department.

5.1 Business Arising from the Committee of the Whole – In-Camera

The Executive Committee determines where Business Arising from Committee of the Whole will be placed on the agenda. Normally, this will be item number six (#6), but some exceptions may apply.

6. Access to Meetings and Minutes of Board Meetings

Access to meetings and minutes of meetings of the Board shall be in accordance with the Education Act.

6.1 Open Meetings of the Board

“The meetings of a Board and, subject to subsection (2), meetings of a committee of the Board, including a Committee of the Whole Board, shall be open to the public, and no person shall be excluded from a meeting that is open to the public except for improper conduct.” Information regarding public attendance at Board meetings can be found on the KPDSB website.

R.S.O. 1990, c. E.2, s. 207 (1); 2014, c. 13, Sched. 9,s.19(1)

6.2 Closing of Certain Committee Meetings (In-Camera Sessions)

A meeting of a Committee of a Board, including a Committee of the Whole Board, may be closed to the public when the subject matter under consideration involves:

- a) The security of property of the Board;
- b) The disclosure of intimate, personal, or financial information in respect of a member of the Board or committee, an employee or prospective employee of the Board, or a pupil or his or her parent or guardian;
- c) the acquisition or disposal of a school site;
- d) decisions in respect of negotiations with employees of the Board; or
- e) litigation affecting the Board.

R.S.O. 1990, c. E.2, s. 207 (2);2021,c.4 Sched.11,s.7(1)

6.3 Exclusion of Persons

“The presiding officer may expel or exclude from any meeting any person who has been guilty of improper conduct at the meeting.”

R.S.O. 1990, c. E.2, s. 207 (3)

6.4 Inspection of Books and Accounts

Any persons may, at all reasonable hours, at the head office of the Board inspect the minute book, the audited annual financial report and current accounts of a Board, and upon the written request of any person and upon the payment to the Board at the rate

specified by regulation or at such lower rate as the Board may fix, the secretary shall furnish copies of them or extracts there from certified under the secretary's hand.

R.S.O. 1990, c. E.2, s. 207 (4)

7. Minutes of Meetings

7.1 Account of Proceedings

"Every Board shall fix the times and places for the meetings of the Board and mode of calling and conduction them and ensure that a full and correct account of the proceedings thereat is kept."

7.2 Duties of the Secretary

"The secretary of a Board is responsible for:

- a) Keeping a full and correct record of the proceedings of every meeting of the Board in the minute book provided for that purpose by the Board and ensuring that the minutes when confirmed are signed by the Chair or presiding member;
- b) Transmitting to the Ministry copies of reports requested by the Ministry;
- c) Giving notice of all meetings of the Board to each of the members by notifying the member personally or in writing by sending a written notice to his or her residence;
- d) Calling a Special Meeting of the Board on the request in writing of the majority of the members of the Board"; R.S.O.1990 C E2, s.62(6) and
- e) "Performing such other duties as may be required of the secretary by the regulations, by this Act, or by the Board." R.S.O. 1990, c. E.2, s. 198 (1)

7.3 Confirmation of Minutes

The minutes of the meetings shall be confirmed as accurate at the next Regular Meeting of the Board.

7.4 Record of Trustee Attendance

Attendance of Trustees shall be recorded in the minutes of all Regular and Special Meetings of the Board. Attendance of Trustees shall be recorded in the minutes of all Standing, Advisory, and Statutory Committees. Absences shall be recorded in the minutes as approved, absent/absent with regret/excused. An annual report shall be prepared and presented at the Regular Board Meeting in September summarizing Trustee Attendance at Regular Board, Committee of the Whole (COTW), and assigned Committee meetings for the previous school year.

The onus for reporting absence shall be on the Trustee, who must advise the office three (3) business days prior to the meeting to ensure quorum, to improve travel arrangements, and to avoid duplicating meal costs.

Trustee absences may be excused by Board motion at a preceding Board meeting. In accordance with the Education Act, a member of a Board vacates his or her seat if he or she:

- (1) a) is convicted of an indictable offence;
- b) absents himself or herself without being authorized by resolution entered in the minutes, from three (3) consecutive Regular Meetings of the Board;
- c) cease to hold the qualifications required to act as a member of the Board;
- d) becomes disqualified under subsection 219(4); or
- e) fails to be physically present as required by the regulations made under clause 208.1 (1) (b).

Exception: Conviction

- (2) Despite subsection (1), where a member of a Board is convicted of an indictable offence, the vacancy shall not be filled until the time for taking any appeal that may be taken from the conviction has elapsed, or until the final determination of any appeal so taken, and in the event of the quashing of the conviction, the seat shall be deemed not to have been vacated.

1997, c. 31, s. 112

Exception: Pregnancy or Parental Leave

- (3) Clause (1) (b) does not apply to vacate the office of a member of a Board who is absent for twenty (20) consecutive weeks or less if the absence is a result of the member's pregnancy, the birth of the member's child, or the adoption of a child by the member.

2017, c. 10, Sched. 4, s. 3 (2)

Such excused absence will not count toward the three (3) consecutive meeting rule under the Education Act which states: "Despite section 208.1, for the period beginning when a member of a Board is elected or appointed to fill a vacancy and ending on the following November 15th, the member shall be physically present in the meeting room of the Board for at least one (1) Regular Meeting of the Board for each period of four (4) full calendar months that occurs during the period beginning with the election or appointment and ending on the following November 15th."

8. Temporary Chair

If after five (5) minutes, at any meeting, there is no Chair or Vice-Chair present, the members present may elect one (1) of themselves to be Chair for that meeting.

9. Temporary Secretary

In the absence of the secretary from any meeting, the Chair, or other member presiding, may appoint any member or other person to act as secretary for that meeting.

R.S.O. 1990, c. E2,S.208 (10)

10. Chair, Voting, Equality of Votes

The presiding officer, except where he or she is the Chief Executive Officer of the Board and is not a member, may vote with the other members of the Board upon all motions, and any motion on which there is an equality of votes is lost.

R.S.O. 1990, c.E.2,s. 208(12); 1997, c.31,s.106(4)

PART III – OFFICERS OF THE BOARD * BY-LAW 100:

Officers of the Board

1. The Director of Education shall serve as Chief Executive Officer, with the responsibility to carry out, or delegate to be carried out, all administrative functions of the Keewatin-Patricia District School Board.
2. The Director of Education shall also act as Secretary of the Board but may delegate the duties of Recording Secretary. The Recording Secretary may attend the meeting of the Board electronically.
3. The Superintendent of Business Services shall be the Treasurer of the Board.
4. The Signing Officers of the Keewatin-Patricia District School Board shall be the Chair of the Board, together with one of the Director of Education or the Treasurer.

Presiding Officer at Board Meetings

5. The Chair of the Board, or in the Chair's absence the Vice-Chair, shall preside at all Regular Meetings of the Board.
6. The Presiding Officer shall call the meeting to order of the hour appointed. They shall preserve decorum and decide upon all questions or order.
7. In the event that neither the Chair nor the Vice-Chair are present five (5) minutes after the hour appointed for the start of the meeting, the Chief Executive Officer, or delegate, shall call the meeting to order, providing there is quorum present, and the Board shall choose a Chair to pro-tempore until such time as either the Chair or Vice-Chair of the Board arrives.

Role of the Chair and Individual Trustees

8. The Chair of the Board acts as a spokesperson to the public on behalf of the Board with matters pertaining to governance.

9. Individual Board members, or groups of members, shall not undertake any action, communication, or negotiation that may be construed as acting on behalf of the Board, except by explicit direction of the Board.
10. A Trustee may nevertheless act individually as an elected official, providing they do not indicate in any way that they are acting on behalf of the Board.
11. Trustees will act in accordance with the Education Act, Ontario Regulations, Trustee Code of Conduct, and the KPDSB Operational By-Laws and Policies.

PART IV – RULES OF ORDER * BY-LAW 200:

1. Presiding Officer

In the absence of the Chair, the Vice-Chair shall preside. In the absence of both the Chair and Vice-Chair, the Chief Executive Officer shall call the meeting to order, and a Chair shall be chosen by the members of the Board to preside over the meeting.

2. Presiding Officer Leaving the Chair

The Chair shall leave the chair to take part in any debate or discussion or participate for any reason. Before doing so, the Chair shall call upon the Vice-Chair, or if absent, one of the members to fill the chair. The Chair shall not resume the chair until the matter has been disposed of. The Vice-Chair or any member temporarily occupying the chair, shall discharge all duties and enjoy all rights of the Chair.

3. Points of Order (Robert's Rules of Order, 12th Edition, Chapter VIII, Incidental Motions)

- 3.1 Any member may, at any time, rise on a point of order, interrupting a speaker, if necessary, to point out a breach of rules.
- 3.2 The Chair shall decide whether the point is well taken and shall state the applicable rule without comment.
- 3.3 The ruling of the Chair shall be final and binding subject only to appeal to the Board.
- 3.4 The Point of Order, along with the response from the Chair of the Board, are recorded in the minutes. The Point of Order is to occur at the time of breach of the parliamentary procedure or a rule of the Board.
- 3.5 An appeal to the Board will be by verbal motion duly seconded and requires a majority vote to overturn the Chair's ruling. The appeal motion is not debatable, and the result of the vote is final and binding.

4. Privilege

- 4.1 Questions of privilege may be raised in the course of debate, but not so as to interrupt a speaker who has the floor. Such questions usually have to do with the rights or interests of the Board as a whole or of a member personally and arise if

in the course of debate, it appears that those rights or interests are adversely affected.

- 4.2 The Chair shall rule whether the question is properly one of privilege and admissible.
- 4.3 The ruling of the Chair shall be final and binding, subject only to appeal of the Board.
- 4.4 An appeal to the Board will be by verbal motion duly seconded and requires a majority vote to overturn the Chair's ruling. The appeal motion is not debatable, and the result of the vote is final and binding.
- 4.5 If the question of privilege is decided in the affirmative, the matter must be dealt with forthwith and be disposed of before debate on the main issue is resumed.

5. Recording of Votes

- 5.1 The 'yeas' and 'nays' shall not be recorded upon any question unless requested by two (2) members and such request shall be made before the Chair puts the question. Providing a request is made in the manner mentioned, the names of those who vote for and those who vote against the motion shall be entered into the minutes. When 'yeas' or 'nays' have been duly demanded, the same shall be taken by members verbally stating either 'yea' or 'nay'.
- 5.2 A member may ask for their vote to be recorded and such request shall be made before the Chair calls upon the members to vote on the question.
- 5.3 On each vote, the Chairperson shall call for the vote for and against.
- 5.4 The Student Trustee(s)' vote(s) will be recorded but such a vote is non-binding.
 - 5.4.1 (2) No Membership or Binding Vote
A Student Trustee is not a member of the Board and is not entitled to exercise a binding vote on any matter before the Board or any of its committees. 2006, c. 10, s. 6.
 - 5.4.2 (3) Recorded Vote
A Student Trustee is entitled to require that a matter before the Board, or one of its committees on which the Student Trustee sits, be put to a recorded vote, and in that case, there shall be:
 - i) A recorded non-binding vote that includes the Student Trustee(s)' vote; and
 - ii) A recorded binding vote that does not include the Student Trustee(s)' vote. 2006, c. 10, s. 6.
 - 5.4.3 (4) Motion
A Student Trustee is not entitled to move a motion but is entitled to suggest a motion on any matter at a meeting of the Board, or one of its committees on which the Student Trustee(s) sits, and if no member of the Board or committee, as the case may be, moves the suggested motion, the record shall show the suggested motion. 2006, c. 10, s.6

6. Participation by Trustees

- 6.1 A member, prior to speaking to any question or motion, shall address the Chair. The member shall confine themselves to the question in debate and shall avoid all discourteous language and references to personalities.

A member called to order for breach of proper decorum is expected to comply at once with any directive given by the Chair, withdrawing any offensive words or apologizing for any inadvertent infringement of the rules. If they do not do so, the member may be suspended from the meeting.

- 6.2 When two (2) or more members wish to speak at the same time, the Chair shall name the members who are to speak and the order in which they are to speak.
- 6.3 Members shall not be interrupted while speaking except should they be called to order by a member for transgression of the rules of the Board, in which case all members shall be silent until the point of order has been decided by the Chair.
- 6.4 Any member may require the motion under discussion to be read for their information at any time in the course of the debate, provided that no such request shall be made so as to interrupt a member speaking to the question.

7. Motions

- 7.1 After a motion is read by the Chair, it shall be deemed to be in possession of the Board, but it may be withdrawn at any time before the vote is taken with the consent of the mover and seconder and with the concurrence of a majority of those members present.
- 7.2 Any member may appeal to the Chair to have a motion divided. If in the opinion of the Chair, the motion under consideration contains two (2) or more distinct propositions, they may grant the request and direct that the members consider and vote on the proposition as separate items.
- 7.3 *Table 1* sets out the order of precedence of motions, from the highest rank at the top of the list to the lowest rank at the bottom. The order shall prevail during meetings of the Board and its committees.
- 7.4 No motion or amendment shall be debated or put to a vote unless the same be in writing and seconded, except as set out in *Table 1*.
- 7.5 A motion to adjourn the meeting shall be in order, except when a member is speaking, or a vote is being taken.

A motion to adjourn only shall not be open to amendment or debate, but a motion to adjourn to a certain time may be amended and debated. After a motion to adjourn has been negated, no second motion to the same effect shall be made until some intermediate question has been disposed of.

- 7.6 A motion to table is not debatable. A motion to table with a consideration attached is debatable.
- 7.7 When a question has been tabled, it shall not be taken up at the same meeting, except by a vote of two-thirds ($\frac{2}{3}$) of the members present.
- 7.8 After a motion is made and seconded, a motion to amend may be made, and a motion to amend the amendment. Only two (2) such amendments may be entertained at the same time. One of the amendments must be disposed of before any new amendment can be entertained.
- 7.9 All questions shall be put in order in which they are moved, except that amendments shall be put before the motion, the last amendment first, and so on. After the Chair has put a question to vote there shall be no further debate.

Every member present, when a question is put, shall vote thereon unless prevented by statute, act, or a declared conflict of interest.

- 7.10 Failure to signal a vote by hand or voice shall be deemed a vote in the negative unless the member is prevented from voting on the motion by statute, act, or a declared conflict of interest.
- 7.11 The Chair of the Board, or member presiding at a committee meeting, shall vote with the other members on all questions and when there is an equality vote, the question shall be deemed to be negated.
- 7.12 Every member has the right to speak twice on the same question except that the mover of the motion may respond to questions on the motion at the direction of the Chair. No member may hold the floor for more than three (3) minutes at one time.
- 7.13 Any question, once decided by the Board at a Regular Meeting, shall not be reconsidered at that meeting. A question may be reconsidered at a later meeting provided any member shall give written notice of motion for reconsideration to the Chair of the Board. The question of the reconsideration shall be decided by a simple majority vote.

If the reconsideration of the question should be decided in the negative, it shall not be reconsidered again for twelve (12) months, unless this rule is suspended by a vote of two-thirds ($\frac{2}{3}$) of the members present.

- 7.14 No principle or main motion, other than matters of courtesy, shall be given consideration at any Regular Meeting of the Board unless a notice of proposer's intention to introduce such a motion has been given in writing to the Secretary. Such notice shall be given to the Secretary at least ten (10) days before the meeting for insertion on the agenda.

This rule may be suspended by a vote of two-thirds ($\frac{2}{3}$) of the members present.

PART V – COMMITTEES * BY-LAW 300:

1. Definitions

1.1 Standing Committee

A Standing Committee shall be one that is appointed in order to have available a cohesive body to which may be referred questions which may arise from time to time in defined areas of the Board's interests or to which may be assigned a continuing responsibility in those areas. It may be required by statute, Board policy, or Board motion and will normally function for a period coinciding with the current term of office of the Chair of the Board.

1.2 Special Committee

A Special Committee shall be established to perform a specific mandated function. It exists only as long as may be necessary to discharge that function.

1.3 Sub-Committee

A Sub-Committee shall be a division of a Special or Standing Committee appointed by the Chair of the Committee to deal with an aspect of the Committee's concern(s). This Sub-Committee shall be responsible to and report to the body appointing it.

2. Formation of Committees

2.1 A committee, whether Standing or Special, shall be established by Board motion.

2.2 The Chair of the Board, in consultation with the Vice-Chair and Director of Education, shall be responsible for recommending to the Board the number and type of Standing Committees in addition to those established by statute or Board policy.

2.3 The Board may establish such Special Committees as it considers expedient.

2.4 The Chair of the Board, in consultation with the Vice-Chair and Director of Education, shall also be responsible for recommending to the Board an additional Trustee to serve a five (5) month term on the Executive Committee.

3. Committee Mandate

Each committee established by the Board shall be given a written mandate approved by Board motion. Any alteration of the mandate must be approved by Board motion.

4. Committee Membership

4.1 The members of all committees, other than those of an advisory or statutory nature, shall be appointed by the Chair of the Board in consultation with the Vice-Chair.

4.2 Statutory committee membership shall be approved by Board motion.

4.3 Advisory committee membership shall be established by Board policy.

4.4 The Chair and Vice-Chair of the Board shall be Ex Officio and non-voting members of all Standing and Special Committees unless appointed as a voting member of the committee. Their presence at a committee meeting does not count towards quorum. Ex Officio members may ask questions of clarification at meetings they attend.

Audit / Finance -3
EYAC-2
IEAC- 2 + trustee representing Indigenous Pupils
PIC-2
SEAC-3 + alt
Trans-1 + alt
OPSBA Director-1+ alt
OPSBA voting delegate 1+alt
Exec-1 - ½ yr. each
Code of Conduct-2 alts
SAL – 1 + 1 alt

4.5 Unless otherwise directed by the Board, or regulation, any Special or Standing Committee shall consist of a minimum of two (2) members of the Board, excluding Ex Officio members and a non-voting secretary/resource person.

4.6 Where a Trustee has been appointed to represent the interests of Indigenous pupils as per the Education Act, Sec. 188, and O.Reg. 462/97, the Special Education Advisory Committee shall include one (1) person appointed to represent the interests of Indigenous pupils. This person is not required to be the Trustee to represent the interests of Indigenous pupils and may be an agency member who supports Indigenous pupils. O. Reg 464/97

4.7 The Executive Committee of the Board shall consist of the Secretary of the Board, Chair of the Board, Vice-Chair of the Board, and one (1) additional Trustee appointed to serve a five (5) month term. It is recognized that having an additional Trustee appointed to the Executive Committee of the Board will support leadership and succession planning amongst all Trustees.

4.8 Audit Committee membership shall be established in accordance with O.Reg. 361/40.

5. Public Access to Committee Meetings

A meeting of a Committee of the Board, including a Committee of the Whole Board, may be closed to the public when the subject matter under consideration involves:

- i) The security of the property of the Board;
- ii) The disclosure of intimate, personal, or financial information in respect of a member of the Board or Committee, an employee or prospective employee of the Board, or a pupil or his parent or guardian;
- iii) The acquisition or disposal of a school site;
- iv) Decisions in respect of negotiations with employees of the Board; or
- v) Litigation affecting the Board.

R.S.O. 1990, c.E.2, s. 207 (2); 2021, c. 4, Sched. 11. S. 7 (1)

6. Standing Committees

6.1 Appointed by Board Motion

Standing Committees are empowered to examine and enquire into all matters referred to them by the Board and shall report to the Board from time to time.

6.2 Advisory Committees

Advisory Committees shall be those established through Board policy and their duties and powers shall be as set out therein.

- Indigenous Education Advisory Committee (IEAC)
- Early Years Advisory Committee (EYAC)
- Finance Committee

6.3 Statutory Committees

6.3.1 Special Education Advisory Committee (SEAC)

The Special Education Advisory Committee shall be established and shall function in accordance with the terms and conditions as set out in O.Reg. 464/97.

Reference: Appendix D – EAR 464/97

Special Education Advisory Committees

6.3.2 Supervised Alternative Learning (SAL)

The Supervised Alternative Learning procedural steps shall function in accordance with O.Reg. 374/10.

Reference: Appendix E – O.Reg. 374/10

6.3.3 Audit Committee

The Audit Committee shall be established and shall function in accordance with O.Reg. 361/10.

Reference: Appendix G - O.Reg. 361/10.

6.3.4 Parent Involvement Committee (PIC)

The Parent Involvement Committee shall be established and function in accordance with O.Reg. 612/00 as amended by O.Reg. 330/10.

Reference: Appendix H - O.Reg. 612/00 as amended by O.Reg. 330/10

7. Committee of the Whole Board

- 7.1 A Committee of the Whole Board (COTW) may be used to permit freer debate and detailed examination of any report or matter under discussion. Although the rules

or order as set out in this Operational By-Law should generally be followed, the Chair shall have the power to modify the rules to enable the committee to effectively fulfill its function.

- 7.2 When the Committee of the Whole is convened by Board motion during any Regular or Special Meeting of the Board, it may only deal with such matters as have been referred to it by the Board; it is not at liberty to go beyond its terms of reference.
- 7.3 When the Committee of the Whole is convened by the Chair as a scheduled committee meeting outside and separate from any Regular or Special Meeting of the Board, it may deal with all such matters as are contained in the approved agenda for that meeting.
- 7.4 Any Committee of the Whole may resolve itself into an 'in-camera' session upon the majority vote of those members present, provided the item to be discussed is in accordance with R.S.O. 1990, c. E.2, s. 207 (2); 2021, c. 4, Sched. 11. S. 7 (1).

The minutes of the Committee of the Whole meeting shall record the movement to an 'in-camera' session but not the deliberations. A separate agenda and minutes may be maintained for 'in-camera' sessions as deemed necessary.

- 7.5 Procedures for Committee of the Whole Board during a Regular or Special Meeting of the Board:
 - 7.5.1 A Committee of the Whole is created by a motion that the Board resolve itself into a Committee of the Whole, whereupon the Chair shall resign the chair to the Vice-Chair who shall be Chair of the Committee of the Whole.
 - 7.5.2 When the Committee of the Whole has completed its consideration of the subject referred to it, or it wishes to adjourn, or if a time limit was established and it has expired, the Committee shall adjourn on a motion to rise and report to the Board. A motion to rise and report shall be decided without debate.
 - 7.5.3 Upon the adoption of the motion to rise and report, the Chair shall resume the chair and the Vice-Chair shall report to the Chair the deliberations of the Committee.
 - 7.5.4 The Secretary shall not record in the minutes of the Regular Meeting the proceedings of the Committee of the Whole.
 - 7.5.5 A recorded vote shall not be called for in the Committee of the Whole.

8. Committee Procedures

- 8.1 The first meeting of a committee will be called the Secretary/Resource Person. Subsequent committee meetings will be called by the Committee Chair.
- 8.2 At the first meeting of the committee, the order of business shall be:
 - To elect a committee Chair;
 - To receive the mandate of the committee from the Board; and
 - To proceed with the committee business.

- 8.3 The committee Chair and Secretary/Resource Person shall prepare the agenda and shall give notice of meetings together with agendas and all matters so far as known that are to be brought before the committee at such meeting. Such notice shall be delivered or mailed to each member of said committee at least seventy-two (72) hours prior to the meeting.
- 8.4 A majority of the voting members constituting any committee shall be quorum.
- 8.5 All recommendations of committees shall be reported to the Board.
- 8.6 The committee Chair may take part in any debate without leaving the chair.
- 8.7 The rules of order applicable to Board meetings, as far as possible, shall apply to committee meetings. Although the rules of order as set out in this Operational By-Law should generally be followed, the Chair shall have the power to modify the rules to enable the committee to effectively fulfill its function.
- 8.8 Minutes or transactions of every committee shall be maintained, and at each meeting of the committee the minutes, or record of transactions, of the previous meeting shall be submitted for confirmation or amendment and, after approval, shall be signed by the committee Chair. Attendance of Trustees shall be recorded in the minutes of all Standing, Advisory, and Statutory Committees. The approved minutes, or record of transactions, shall be shared with all Trustees through electronic file for information when they are distributed to the Committee members.
- 8.9 All committee meetings of the Board, including Committee of the Whole, shall be open to the public except as provided in *By-Law 100, section 6.2*.

TABLE 1

ORDER OF PRECEDENCE FOR MOTIONS

MOTIONS	AMENDMENTS	WRITTEN MOTIONS	DEBATABLE	VOTE REQUIRED	REFERENCE
a) to fix time of next meeting	Yes	Yes	Yes	Majority	
b) adjourn the meeting	No	No	No	Majority	By-law 200 7.5
c) to appeal a ruling of the chair	No	No	No	Majority	By-law 200 3.3; 3.4
d) move to an “in-camera” session	No	No	No	Majority	By-Law 300 7.4
e) to move to committee of the whole board	No	No	No	Majority	By-Law 300 7.5.1
f) to rise from committee of the whole and report to the Board	No	No	No	Majority	By-law 300 7.5.2
g) to suspend the rules	No	Yes	No	2/3 Majority	By-law 200 7.1.4
h) to withdraw a motion	No	No	No	Majority	By-law 200 7.1
i) to lay on/take from the table	No	No	No	Majority	By-law 200 7.6; 7.7
j) to refer or commit to	No	No	No	Majority	
k) to amend	Yes (1)	Yes	Yes	Majority	By-law 200 7.8
l) to divide a motion	No	No	No	Chair Ruling	By-law 200 7.2
m) main motion	Yes (2)	Yes	Yes	Majority	By-law 200 7.14
n) to reconsider – first time	No	Yes	Yes	Majority	By-law 200 7.13
o) to reconsider – second or subsequent times	No	Yes	Yes	2/3 Majority	By-law 200 7.13
p) to rescind	Yes	Yes	Yes	Majority	

PART VI – CONFLICT OF INTEREST * BY-LAW 400:

Each Trustee shall be responsible for acquainting themselves with the requirements contained in the Municipal Conflict of Interest Act, 1994 or its successor, which is attached to these By-Laws as a reference.

Reference: Appendix F, 1990, Chapter M.50

PART VII – AMENDMENTS TO OPERATIONAL BY-LAWS * BY-LAW 500:

1. No amendments, alterations, or additions to the Operational By-Laws shall be made unless due notice, in writing, setting forth the proposed amendment, alteration, or addition shall have been given at a Regular Meeting previous to that at which the same comes up for consideration. Any amendment, alteration, or addition shall be made by majority vote.
2. All words in the preceding Operational By-Laws in the singular includes the plural and are interchangeable, and gender-neutral references are to be used unless specific context requires it.
3. Any changes made in numbering or content to any Act or Regulation referred to in the Board's Operational By-Laws at any time after the By-Laws have been passed shall be considered as written into the present By-Laws using the revised number/and or content. The Executive Assistant responsible for the By-Laws will maintain documentation and advise the Chief Executive Officer and Trustees of changes annually.
4. All points of order, or procedure, not covered by these Operational By-Laws shall be decided in accordance with Robert's Rule of Order insofar as they are applicable.
5. The rules and regulations contained in these Operational By-Laws shall be observed in all proceedings of the Board and shall be the rules and regulations for the order and dispatch of the business of the Board and its committees, except where any statute or legislative regulation otherwise provides.

PART VIII – RECORDING OF BY-LAWS AND PROCEEDINGS THEREIN * BY-LAW 600:

1. Every By-Law shall be introduced upon motion by a member and such motion shall specify the title of the By-Law.
2. Every By-Law when introduced shall be in typewritten form and shall be complete with the exception of the date.
3. Every By-Law shall have three (3) readings prior to being passed. The first and second readings may be decided at the same meeting. The third reading must be decided at a subsequent meeting unless this rule is suspended by a two thirds ($\frac{2}{3}$) majority of the members present.

4. The first reading of a By-Law shall be decided without amendment or debate.
5. If the Board so determines, a By-Law may be taken as read.
6. Every By-Law enacted by the Board shall be dated and shall be sealed with the seal of the Board and signed by the Secretary and the Presiding Officer.

PART IX – BOARD MOTIONS * BY-LAW 700:

Operating Procedures will be established from time to time to include as reference with the By-Laws:

- A) AGENDA SETTING**
- B) BOARD MEETING SCHEDULE**
 - i) Regular Board Meetings**
 - ii) Committee of the Whole**
- C) IN-CAMERA MEETINGS**
- D) GOVERNING STYLE**
- E) SUSPENSIONS AND EXPULSIONS**
- F) TRANSPORTATION APPEAL**