

OPERATIONAL BY-LAWS

APPENDIX

A



Français

Education Act

ONTARIO REGULATION 463/97

ELECTRONIC MEETINGS

Consolidation Period: From July 7, 2006 to the e-Laws currency date.

Last amendment: O.Reg. 268/06.

This is the English version of a bilingual regulation.

1. Subject to any conditions or limitations provided for under the Act or under this Regulation, a member of a board who participates in a meeting through electronic means in accordance with this Regulation shall be deemed to be present at the meeting for the purposes of every Act. O. Reg. 463/97, s. 1; O. Reg. 234/04, s. 1.

2. (1) Every board shall develop and implement a policy providing for the use of electronic means for the holding of meetings of a board and meetings of a committee of a board, including a committee of the whole board. O. Reg. 463/97, s. 2 (1); O. Reg. 234/04, s. 2.

(2) The policy shall be in accordance with this Regulation and with any policies established and guidelines issued by the Minister under paragraph 3.6 of subsection 8 (1) of the Act. O. Reg. 463/97, s. 2 (2).

3. (1) The policy shall provide for the following:

1. At the request of any board member or student trustee, the board shall provide the member or student trustee with electronic means for participating in one or more meetings of the board or of a committee of the board, including a committee of the whole board.
2. The electronic means required by paragraph 1 shall permit the member or student trustee to hear and be heard by all other participants in the meeting.
3. The electronic means shall be provided in such a way that the rules governing conflict of interest of members are complied with. O. Reg. 463/97, s. 3 (1); O. Reg. 268/06, s. 1 (1, 2).

(2) The policy shall ensure that student trustees who are participating through electronic means do not participate in any proceedings that are closed to the public under clause 207 (2) (b) of the Act. O. Reg. 268/06, s. 1 (3).

4. (1) Subsection (2) applies in respect of meetings of the board or of a committee of the board, including a committee of the whole board, that are open to the public. O. Reg. 463/97, s. 4 (1).

(2) Every board shall determine, in accordance with any policies established and guidelines issued under paragraph 3.6 of subsection 8 (1) of the Act, whether electronic means should be provided at one or more locations within the area of jurisdiction of the board, to permit participation by members of the public in meetings or classes of meetings. O. Reg. 463/97, s. 4 (2).

(3) Where the board determines that electronic means should be provided under this section, the board's policy shall,

- (a) provide for the extent and manner of participation by members of the public through electronic means; and
- (b) ensure that members of the public who are participating through electronic means do not participate in any proceedings that are closed to the public in accordance with the Act. O. Reg. 463/97, s. 4 (3).

5. (1) The policy shall require that, at every meeting of the board or of a committee of the whole board, the following persons be physically present in the meeting room of the board:

1. The chair of the board or his or her designate.
2. At least one additional member of the board.
3. The director of education of the board or his or her designate. O. Reg. 463/97, s. 5 (1).

(2) The policy shall require that, at every meeting of a committee of the board, except a committee of the whole board, the following persons be physically present in the meeting room of the committee:

1. The chair of the committee or his or her designate.
2. The director of education of the board or his or her designate. O. Reg. 463/97, s. 5 (2).

(3) Despite paragraph 1 of subsection 3 (1), the policy shall include provisions permitting the board to refuse to provide a member with electronic means of participation in a meeting of the board, a meeting of a committee of the whole board or a meeting of any other committee of the board, where to do so is necessary to ensure compliance with this section. O. Reg. 463/97, s. 5 (3).

6. (1) The meeting room of the board or of a committee of the board, as the case may be, shall be open to permit physical attendance by members of the public at every meeting of the board or of the committee of the board. O. Reg. 463/97, s. 6 (1).

(2) For the purposes of subsection (1), the meeting room of a committee of the whole board is the meeting room of the board. O. Reg. 463/97, s. 6 (2).

(3) Subsection (1) does not apply where a meeting is closed to the public in accordance with the Act. O. Reg. 463/97, s. 6 (3).

7. Omitted (provides for coming into force of provisions of this Regulation). O. Reg. 463/97, s. 7.

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