

June 28, 2022

Lakehead District School Board

2022 GOVERNING BY-LAWS



Lakehead
Public
Schools

Committed to the success of every student

Lakehead District School Board

2022 Governing Bylaws

Bylaw No. 121

June 28, 2022

**LAKEHEAD DISTRICT SCHOOL BOARD
GOVERNING BYLAWS**

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**GOVERNING BYLAWS OF
LAKEHEAD DISTRICT SCHOOL BOARD**

These Bylaws are used by the Board of Trustees while conducting meetings of the Board and by committee members while conducting meetings of the committees.

Article I – Definitions

Abstention means to not vote at all, either by stating as such or making no response. Lakehead District School Board (LDSB) prescribes that an abstention, excluding that made due to a conflict of interest or excused by Board resolution, shall be counted on the prevailing side.

Act means the *Education Act*, Revised Statutes of Ontario as amended and revised from time to time.

Ad Hoc Committee means a committee struck by the Board, Board Advisory Committee, or other committee, to consider a specific assigned matter and report back to the striking body by a date fixed by the striking body.

Advisory Committee is a standing committee approved by the Board to provide feedback and may make recommendations to the Board in respect of any matter relating to the committee's mandate. The membership shall be approved by the Board or as stipulated by the *Education Act* as it applies.

Agenda means the agenda of a meeting of the Board, or any of its committees, which lists the items of business in the order in which they will be conducted.

Board as it pertains to these Bylaws means Board of Trustees.

Board Advisory Committee means a standing committee, composed of all members of the Board, meeting to consider reports and bring recommendations to the Board.

Chair means chair of the Board, except where otherwise indicated as meaning chair of a committee of the Board.

Committee of the Whole - Closed Session means all members of the Board meeting as a committee, according to the *Education Act*, which is closed to all but those invited to be in attendance.

Committee of the Whole - Closed Session Minutes means the minutes of closed session meetings presented only at another closed session meeting.

Coordinating Committee means a standing committee struck to organize the business of the Board and review dates of meetings and agendas.

Director means director of education and secretary to the Board, chief executive officer, and chief education officer, as described in the *Education Act*.

Ex-Officio means proceeding from office or authority. Lakehead District School Board prescribes an ex-officio member as a non-voting member that does not affect a quorum.

Indigenous Student Trustee means a student trustee as referred to in 3095 Student Trustee Policy.

Indigenous Trustee means a trustee as referred to in Ontario Regulation 462/97 FIRST NATIONS REPRESENTATION ON BOARDS.

Majority vote means more than half of votes cast.

Majority vote of the entire Board mean more than half of the votes of the entire Board, excluding vacancies.

Majority vote of the entire fixed Board means more than half of the votes of the entire Board, including vacancies.

Majority vote of members present means more than half of all members present whether voting or not resulting in an abstention having the effect of a “no” vote.

Member means an elected or appointed trustee, excluding student trustees, except where otherwise indicated as meaning a member of a committee of the Board.

Non-statutory Committee means a standing committee struck by the Board and not required under the *Education Act*.

Parliamentary Authority means the adopted rules that govern the Board in all cases to which they are applicable and not inconsistent with the Bylaws and any special rules of order the Board may adopt.

Prevailing Side means the affirmative if the motion passed and the negative if the motion failed.

Regulations mean the regulations made under the *Education Act*.

Secretary means the recording secretary who provides secretarial support to the Board or committees.

Secretary to the Board is the appointed secretary under the provisions of the *Education Act* and for the purposes of these Bylaws shall always be referred to as the secretary to the Board or director.

Special Committee (Ad hoc) means a committee that performs a specified task and dissolves upon completion of the task. A special committee reports to the striking body.

Special Board Meeting means a separate session of the Board held at a time different from that of any regular meeting and convened to consider only the items specified in the call of the meeting.

Standing Committee means a committee constituted to perform a continuing function and remain in existence. Lakehead District School Board has statutory and non-statutory standing committees.

Statutory Committee means a standing committee specifically required under the *Education Act*.

Student Trustee means student trustee as referred to in the current Ontario Regulation and Section 55 of the *Education Act*.

Trustee means publicly elected or appointed member of the Board according to the *Education Act* and *Municipal Elections Act*.

Vice Chair means vice chair of the Board except where otherwise indicated as meaning vice chair of a committee of the Board.

Written Notice of Meetings also referred to as the call of the meeting means advance written or electronic notice informing members of the specific date, time, and place of a meeting.

Article II – Name

The name of this organization shall be the Lakehead District School Board, hereinafter referred to as LDSB or the Board.

Article III – Purpose

To promote and support equity of opportunities and outcomes for students, in an environment that is accessible, safe, inclusive, and respectful. To support every student and staff member to be inspired and successful lifelong learners.

Article IV – Board of Trustees

4.1 Elected Trustees

Elected trustees are elected at a regular municipal election in accordance with the *Municipal Elections Act, 1996* and the *Education Act*.

4.2 Indigenous Trustee

The Indigenous trustee is appointed by LDSB in accordance with Regulation 462/97 under the *Education Act*.

4.3 Student Trustee

The student trustee is appointed by LDSB in accordance with 3095 Student Trustee Policy, and further governed by Regulation 7/07 Student Trustees under the *Education Act*.

Indigenous Student Trustee

4.4 The Indigenous student trustee is appointed by LDSB in accordance with 3095 Student Trustee Policy and further governed by Regulation 7/07 Student Trustees under the *Education Act*.

Article V – Executive

5.1 The Executive Members of the Board

The executive members of LDSB shall be the chair and vice chair.

5.2 Term of Office

The executive members shall serve for a term of one year and until their successors are elected in accordance with the *Education Act*. In a municipal election year, the end of term shall be in accordance with the *Education Act* and the *Municipal Elections Act*.

5.3 Duties of the Executive Members

5.3.1 Duties of the Chair: The chair shall perform the duties prescribed by the *Education Act* and any other governing documents the Board may adopt or be bound by. In addition to the duties under the *Education Act*, the following shall be the duties of the chair:

- a. ensure the efficient organization of regular Board agenda packages for trustees;
- b. follow up on Board direction given to the chair;
- c. represent the majority opinion of the Board when communicating and acting in the capacity of the chair;
- d. act as ex-officio member of all committees involving trustees;

- e. liaise on behalf of the Board with local municipalities, organizations, Members of Provincial Parliament, and other institutions and officials where appropriate;
- f. have signing authority of Board approved contracts;
- g. make available to all trustees copies of all correspondence received and sent;
- h. chair the Coordinating Committee;
- i. meet regularly with the director and vice chair; and
- j. in consultation with the Coordinating Committee, schedule any information meetings, informal discussions or workshops considered to be of interest to trustees.

5.3.2 Duties of the Vice Chair: The vice chair shall:

- a. preside in the absence of the chair;
- b. preside at the Board Advisory Committee meetings;
- c. ensure the efficient organization of Board Advisory Committee agenda packages for trustees;
- d. meet regularly with the chair and director;
- e. serve as a member of the Coordinating Committee;
- f. endeavour to assist the chair in the performance of the chair's duties;
- g. have signing authority in the absence of the chair;
- h. make recommendations to the Board with respect to the trustee budget; and
- i. authorize all expenditures pursuant to the trustees' budget provided such expenditures are in accordance with Board policy. The vice chair shall notify the chair immediately if any discrepancies or irregularities are noticed. The chair, in consultation with the director, shall address any discrepancies or irregularities and follow up with the trustee(s).

5.3.3 Absence of Chair and Vice Chair. If both the chair and vice chair are absent, the secretary to the Board or designate shall call the meeting to order and a temporary chair shall be chosen by the members of the Board present.

Article VI – Meetings of the Board

6.1 Regular Meetings

Regular meetings of the Board shall be held on the fourth Tuesday of every month at 7:30 p.m. in Public Session in the Board Room of the Jim McCuaig Education Centre, except July and August, when the Board shall meet at the call of the chair in consultation with the director. If a closed session is required, the Board meeting may start at a specified time and upon the call to order, shall move immediately into closed session. The Board may, by Board resolution, cancel a Regular Board Meeting in any month. In special or emergency circumstances, the chair may, in consultation with the director, alter the site.

6.2 Inaugural Meetings

The Inaugural Meeting shall be held in an election year within seven days of the election as outlined in the Education Act. It shall be held at 6:00 p.m. in the Board Room of the Jim McCuaig Education Centre unless changed by majority vote at a preceding Regular Board Meeting. The Inaugural Meeting shall be held for the purpose of:

- a. reading the returns certifying the election of the trustees;
- b. reading the names of those trustees who have made or taken and subscribed the Declaration of Office and Oath of Allegiance under Section 209 of the Act;
- c. declaring the Board legally constituted;
- d. electing officers and members of the Coordinating Committee; and
- e. for any other business that may properly come before the Board.

6.3 Annual Meetings

The Annual Meeting shall be held in non-election years on the first Tuesday in December at 6:00 p.m. in the Board Room of the Jim McCuaig Education Centre unless changed by majority vote at a preceding Regular Board Meeting. The Annual Meeting shall be held for the purpose of:

- a. electing officers, and members of the Coordinating Committee;
- b. receiving reports; and
- c. for any other business that may properly come before the Board.

6.4 Special Meetings

Special meetings of the Board may be held at the call of the chair, in consultation with the director, or on the written request of the majority of the Trustees of the Board.

6.5 Notice to Trustees

6.5.1 Notice of regular, inaugural, annual, and Board Advisory Committee meetings, together with the agenda and supporting materials, shall be provided to trustees electronically, or by request in paper format, no later than seventy-two hours prior to the meeting.

6.5.2 Notice of special meetings together with the agenda and supporting materials, shall be provided electronically, or by request, in paper format, no later than forty-eight hours prior to the special meeting and shall state all business to be considered with the agenda and supporting materials included. No other business shall be considered.

6.5.3 In cases of emergency the chair, in consultation with the director, may waive written notice and the notice period, and notify the Board orally. If quorum can be achieved, an emergency meeting can be held.

6.6 Notice to the public, media, and stakeholder groups

6.6.1 Notice of all meetings of the Board and the Board Advisory Committee, including the agenda and supporting public session reports and information, shall be made available electronically to the public, including the media, and other stakeholder groups and placed on the website no later than twenty-four hours prior to the meeting. Under exceptional circumstances, the chair, in consultation with the director, may decide to withhold a report until the meeting.

6.6.2 In the case of a Special Board meeting, the notice and supporting public session reports and information to the public, media, and other stakeholder groups may be delayed no later than twelve hours prior to the meeting.

6.6.3 In the case of an emergency meeting, notification will be provided as soon as possible and supporting public session reports and information to the public, media, and other stakeholder groups may be made available at the meeting.

6.6.4 Notice of any change to the meetings of the Board or the Board Advisory Committee will be given to members of the Board, the public, the media, and other stakeholder groups.

6.6.5 The agendas and supporting public session reports and information will not be circulated or provided publicly prior to the notice requirements.

6.7 Attendance

Attendance of trustees shall be recorded by the secretary in the minutes of all Regular or Special meetings of the Board and committee meetings. It shall be the responsibility of trustees to notify the secretary of expected absences prior to the time of the meeting. If notice of absence is provided the trustee will be recorded as absent with regret. If no notice is provided, the trustee will be recorded as absent. Trustees must adhere to attendance requirements under the *Education Act*.

6.8 Electronic Meetings

6.8.1 The Board and its committees shall be authorized and given the opportunity, in part or in whole, to meet by telephone conference or through other electronic means so long as all members can simultaneously communicate. A trustee shall be deemed to be present as prescribed by the *Education Act* and Policy 3094, Electronic Meetings Policy.

6.8.2 It is the responsibility of the trustee and committee members to ensure their electronic equipment is up to date and working properly. Any technical difficulties during the meeting shall not invalidate any decisions made so long as quorum is maintained.

6.9 Digital Voting

6.9.1 Voting shall normally be by show of hands, voice vote, or using one of the available features of the digital meeting platform.

6.9.2 Voting during elections shall be done by secret ballot. A trustee attending by electronic/digital means and wishing to vote during an election, may cast their ballot by contacting the scrutineer via telephone who shall then cast the ballot on their behalf. In doing so, the trustee is agreeing to waive secrecy of their vote in part, recognizing scrutineers are bound by confidentiality. Proxy voting is prohibited.

6.10 Electronic Recording of Meetings

6.10.1 The secretary may electronically record the Public Session of the Board, and Board Advisory Committee, meetings.

6.10.2 Committee of the Whole - Closed Sessions of the Board and Closed Sessions of the Board Advisory Committee meetings shall not be electronically recorded.

6.11 Adjournment

Meetings of the Board shall adjourn no later than 10:00 p.m. unless, by resolution, the meeting time is extended.

6.12 Quorum

6.12.1 Quorum shall be a majority of the entire Board, excluding vacancies. The secretary shall advise the chair prior to the meeting in all cases where notified absences make it possible that a quorum may not be achieved.

6.12.2 Lack of Quorum

If there is no quorum present within fifteen minutes after the time fixed for the start of the meeting, the secretary shall record the names of the trustees then present and the meeting shall not convene until the next regularly scheduled meeting, unless a Special meeting is called.

6.12.3 Loss of Quorum

The Board or Board Advisory Committee meeting shall adjourn whenever a quorum is no longer present after ten minutes has elapsed attempting to regain a quorum. The secretary shall then record the time of adjournment and the names of the members then present.

Article VII – Committees

7.1 The Board shall establish statutory standing committees and may establish non-statutory standing, and ad hoc committees. Board members may be appointed to sit on external committees.

7.2 Statutory Committees.

The following are legislated Statutory Committees of the Board:

- Audit Committee;
- Parent Involvement Committee (PIC);
- Special Education Advisory Committee (SEAC);
- Supervised Alternative Learning Committee (SAL); and
- Suspension Appeal Hearing/Expulsion Hearing Committee.

7.3 Non-Statutory Committees.

The following are Non-Statutory Committees of the Board:

- Aboriginal Education Advisory Committee (AEAC);
- Board Advisory Committee;
- Communications Committee;
- Coordinating Committee (Internal);
- Equity and Inclusive Education Committee;
- Lakehead Public Schools International Board of Directors;
- OPSBA Awards Selection Committee;
- OPSBA Director Liaison Committee;
- Principal Selection Process Committee;
- School Year Calendar Committee;
- Student Transportation Service of Thunder Bay Committee (STSTB); and
- Success Advisory Committee.

7.4 External Board or Agency Representation

Library Board (appointed trustee or non-trustee member)

Ontario Public School Board's Association

Article VIII - Parliamentary Authority

8.1 The rules contained in the most current edition of Robert's Rules of Order Newly Revised shall govern LDSB in all cases to which they are applicable and in which they are not inconsistent with these Bylaws, Special Rules of Order, or other governing documents the LDSB may adopt or is bound by.

8.2 Matters not specifically described in these Bylaws, Special Rules of Order, Robert's Rules of Order Newly Revised, or the *Education Act*, shall be conducted in a manner established by

the chair, without objection. If there is an objection, a majority vote shall confirm the procedure.

Article IX – Amending Bylaws

9.1 These Bylaws may be amended at any Regular or Special meetings of the Board by a two-thirds vote provided notice and the specific proposed amendment(s) have been submitted in writing at the previous Regular Meeting of the Board. These Bylaws shall come into force at the conclusion of the Board meeting at which it is amended, and such passing will not invalidate decisions made prior to its coming into force.

9.2 By June 30th of the final year of a Board’s term, an Ad Hoc committee shall be struck to review the Governing Bylaws and shall report to the Board before the end of the Board’s term.

9.3 Items in these Bylaws cannot be suspended unless such suspension is expressly provided for within the Bylaws.

Article X – Amending or Suspending Appendices to the Bylaws

The appendices to these Bylaws are attached for reference and are not to be considered the Bylaws. The Bylaws do, however, prescribe for the amending and suspending of those appendices under the control of the Board of Trustees.

10.1 Amending Appendices

10.1.1 Appendices to these Bylaws, under the control of the Board of Trustees, excluding Special Rules of Order, may be amended at any Regular meeting of the Board by a majority vote provided notice and the specific proposed amendment has been submitted, in writing, at the previous Regular Meeting of the Board.

10.1.2 Special Rules of Order may be amended at any Regular Meeting of the Board by a two-thirds vote provided notice and the specific proposed amendment has been submitted, in writing, at the previous Regular meeting of the Board.

10.2 Suspending Appendices

Items in the appendices under the control of the Board of Trustees, including the Special Rules of Order, may be suspended by a two-thirds vote with such suspension in effect only for the intended purpose specified and only for that meeting.

ENACTED AND MADE AS OF THE 28th DAY OF JUNE 2022.



Chair of the Board



Director/Secretary to the Board

With the consent of a two-thirds vote of the Trustees of the Board, read, and passed this

28TH day of June, A.D., 2022.

Dates of Prior Amendments:

Appendix A – Special Rules of Order

These special rules can be suspended with a 2/3rd vote with such suspension in effect only for the intended purpose.

1. Ex-officio

The chair shall act as ex-officio member of all committees but shall be a non-voting member and shall not affect quorum.

2. Recorded Vote

On the demand of an individual trustee, a recorded vote in Public Session on any question can be made provided the demand is made prior to the vote being called by the chair. The members shall announce their vote when their names are called by the director or designate, and it shall be the duty of the director to record the same in the minutes. The director shall announce the results of the recorded vote.

3. Speaking Time

3.1 Members may speak twice, for up to two minutes, on a debatable motion. Any member may clarify a material part of that member's speech which has been misinterpreted, but such member shall not introduce any new matter and may not debate the motion during the clarification. Such clarification will not be counted as one of the speaking times so long as the member does not debate.

3.2 Without objection or by 2/3rds vote, the speaking time may be limited or extended using the motion *Extend or Limit Debate*.

4. Voting

4.1 When a motion is put, every member present, including the chair, shall vote thereon and an abstention from voting shall be considered as a vote on the prevailing side unless due to one of the allowable exceptions.

4.2 Abstentions are subject to the following exceptions:

- a) a member need not vote if excused by a resolution of the Board; and
- b) a member shall not vote when prohibited by law from voting (conflict of interest).

4.3 On a recorded vote an abstention will be recorded as follows:

- abstention due to a): abstention (by resolution);
- abstention due to b): abstention (conflict of interest); or

- abstention not due to a) or b): abstention (prevailing side)

5. Motion Once Decided

Any motion, when once decided by the Board at a Regular or Special meeting, shall not be reconsidered for four (4) months.

6. Adjournment

- 6.1** Meetings of the Board and Board Advisory Committee shall adjourn no later than 10:00 p.m. unless the Board or Board Advisory Committee, by resolution, extends the time of the meeting.
- 6.2** If the adjournment of a Board meeting results in approved items of business on the agenda remaining unfinished, the chair, in consultation with the director, may call another meeting of the Board for the sole purpose of completing the approved agenda. Alternatively, the chair may schedule the unfinished matters for decision to be placed first on the next Regular Board Meeting agenda.
- 6.3** If the adjournment of a Board Advisory Committee meeting results in approved items of business on the agenda remaining unfinished, the Board Advisory Committee chair, in consultation with the Board chair and the director, may call another meeting of the Board Advisory Committee for the sole purpose of completing the approved agenda. Alternatively, the Board Advisory Committee chair may send the unfinished items back to the Coordinating Committee meeting for consideration on how best to conclude the unfinished business.

Appendix B – Regular Meeting Order of Business

The order of Business for Regular Meetings of the Board shall be as follows:

1. Call to Order
2. Disclosure of Conflict of Interest
3. Approval of the Agenda
4. Resolve into Committee of the Whole – Closed Session (as required)
5. Committee of the Whole – Closed Session (as required)
 - 5.1 Approval of Committee of the Whole – Closed Session Minutes
 - 5.2 Business Arising from the Minutes
 - 5.3 Consideration of Reports
 - 5.4 Information and Inquiries
 - 5.5 Rise and Report Progress
6. Report of Committee of the Whole – Closed Session (as required)
7. Land Acknowledgement (if no Closed Session, will be placed prior to approval of agenda)
8. Delegations/Presentations
9. Approval of Minutes – Public Session
10. Business Arising from the Minutes – Public Session

Matters Not Requiring a Decision

11. Information Reports
 - 11.1 OPSBA Report
 - 11.2 Student Trustee Report
 - 11.3 Indigenous Student Trustee Report
 - 11.4 General Updates
12. First Reports

Matters for Decision

13. Postponed Reports
14. Recommendation from the Board Advisory Committee (presented at Board Meetings)
15. Special Committee (Ad Hoc) Reports
16. New Reports
17. New Business
18. Notices of Motion and Consideration of Motions Previously Noticed
19. Information and Inquiries
20. Adjournment

DETAILED PROCEDURES AT THE REGULAR MEETING

All meetings of the Board shall be open to the public, except matters considered in Committee of the Whole – Closed Session (Section 207 (2) of the *Education Act*).

- 1. Call to Order** - The chair will call the meeting to order at the scheduled time once a quorum is present. Quorum shall be a majority of the entire Board of Trustees (excluding vacancies).
 - 1.1** If there is no quorum present within fifteen minutes after the time fixed for the start of the meeting, the secretary shall record the names of the trustees then present and the meeting shall not convene until the next regularly scheduled meeting, unless a Special meeting is called.
 - 1.2** The Board meeting or Board Advisory Committee meeting shall adjourn whenever a quorum is no longer present after ten minutes has elapsed attempting to regain a quorum. The secretary shall then record the time of adjournment and the names of the members then present.
- 2. Disclosure of Conflict of Interest** - The chair shall call for those trustees present to disclose any conflict of interest in any matter which is to be subject of consideration at the meeting. When a conflict of interest is declared in relation to a Public Session agenda item, the reason for the conflict of interest shall be stated in the Public Session minutes. When a conflict of interest is declared in relation to a Committee of the Whole - Closed Session agenda item, the general nature of that interest will not be disclosed in the Public Session minutes.
- 3. Approval of the Agenda** - The agenda shall be approved or amended by a majority vote at a meeting of the Board at which there is a quorum.
- 4. Resolve into Committee of the Whole – Closed Session** - When there are confidential agenda items to be addressed pursuant to Section 207(2) of the *Education Act*, that portion of the meeting shall be closed to the public.
- 5. Committee of the Whole – Closed Session (as required)**
 - 5.1 Approval of Committee of the Whole – Closed Session Minutes** – These minutes shall be considered by trustees only with reference to the accuracy of the minutes as recorded.
 - 5.2 Business Arising from the Committee of the Whole – Closed Session Minutes** - Trustees or staff may present new information related to business in the minutes and trustees may question staff relevant to any follow-up action resulting from a decision or matter reported in the minutes.
 - 5.3 Consideration of Reports** - Committee of the Whole - Closed Session reports may be formal written reports with or without recommendations or may be verbal reports from either administration or trustees. The content of these reports shall comply with Section 207(2) of the *Education Act*.

5.4 Information and Inquiries - Trustees may raise questions or provide information under this section. Items raised shall respect confidentiality of individuals and other matters pursuant to Section 207(2) of the *Education Act*. Trustees should notify the chair prior to the meeting of the nature of items to be raised under this section. The director of education may provide pertinent or timely information as per Section 207(2) of the *Education Act*. Trustees may ask questions of clarification and there shall be no debate.

5.5 Rise and Report Progress - At the conclusion of a meeting of the Committee of the Whole - Closed Session preceding a Regular or Special Board meeting, the Board will rise and report in Public Session.

6. Report of Committee of the Whole – Closed Session

6.1 Decisions concerning matters considered in Committee of the Whole - Closed Session shall be presented in public by the Committee of the Whole chair without amendment or debate, except as cited in 6.2.

6.2 Decisions which must be kept confidential for a longer period may be reported only in the Committee of the Whole - Closed Session Minutes provided that a resolution in Closed Session so orders by a majority vote. Such resolution shall specify that the decision be kept confidential for a specified period of time, or until a certain action is completed.

6.3 It shall be the responsibility of the secretary to bring forward decisions kept in the Committee of the Whole - Closed Session Minutes on public agendas of the Board in accordance with the resolution as detailed in Section 6.3.3.

6.4 The secretary shall make available to any member of the public who requests it, copies of any Public Session agenda with supporting reports and information of any public meeting of the Board or Board Advisory Committee.

6.5 Under exceptional circumstances the chair and the director may withhold a report until the meeting.

7. Land Acknowledgement – If no Closed Session placed prior to approval of agenda.

8. Delegations/Presentation – See Appendix F Delegation/Presentation Process

8.1 Members of the public desiring to appear before the Board as a delegation may be permitted to do so in accordance with Appendix F.

8.2 Presentations to the Board may be requested by the Coordinating Committee from various individuals or organizations on matters of interest around public education. Coordinating Committee may also approve presentation of awards to students and staff of Lakehead Public Schools.

9. Approval of Minutes – Public Session

- 9.1** These minutes shall be considered by trustees only with reference to the accuracy of the minutes as recorded.

10. Business Arising from the Minutes – Public Session

- 10.1** Trustees or staff may present new information related to business in the minutes and trustees may question staff relevant to any follow-up action resulting from a decision or matter reported in the minutes.

Matters Not Requiring a Decision

- 11. Information Reports** - Staff or trustees, including the student trustee, providing information reports not requiring a decision. Questions of clarification will be allowed by the chair. A written report responding to questions asked by trustees at previous meetings is included hereunder. Trustees who chair or are members of committees may provide verbal or written updates under this agenda item.

- 11.1** OPSBA Report – The OPSBA director may provide a report.

- 11.2** Student Trustee Report – The student trustee shall provide written reports at Regular Board Meetings only, in accordance with the Lakehead District School Board Student Trustee Handbook.

- 11.3** Indigenous Student Trustee Report

- 11.4** General Updates

- 12. First Reports** - First Reports are for discussion only. First Reports should have recommendations for consideration by trustees, but the recommendations shall not be debated nor voted upon at the time of presentation as a First Report. Questions of clarification relating to the report may be directed by trustees to the presenter. First Reports will appear under New Reports at the next Regular Board or Special Board Meeting for debate and decision.

Matters for Decision

Questions of clarification from trustees may be directed to presenters of all reports listed and an opportunity for debate by trustees shall be allowed prior to calling for a vote on recommendations.

- 13. Postponed Reports** - Reports postponed from a previous Board meeting requiring a decision.

- 14. Recommendations from the Board Advisory Committee** - Recommendations from the Board Advisory Committee are presented and decision items considered by the Board for approval provided the decision items are:

- 14.1** listed on the agenda;

- 14.2** introduced by the vice-chair or in the absence of the vice-chair by the chair;

14.3 put as motions on the floor;

14.4 debated; and

14.5 resolved by majority vote.

15. Special Committee (Ad Hoc) Reports - The chair or designate of an Ad Hoc or Special Committee shall present its report to the striking body.

16. New Reports - Trustees or administration may present reports, which include recommendations, under this agenda item.

17. New Business - Trustees may introduce motions resulting from information presented under the agenda sections "Information Reports" or "Delegations". Such motions shall be in writing and are permitted only to request additional information, or to refer a matter to a committee. If required, a trustee may ask the chair to call a short recess to allow time for writing a motion.

18. Notices of Motion and Consideration of Motions Previously Noticed

18.1 Written Notices of Motion shall be presented to the chair. The chair shall read the presented Notice of Motion but no discussion or voting relative to the motion shall be permitted at the same meeting.

18.2 Notices of Motion shall be considered at the next Regular meeting of the Board.

18.3 Consideration of Notices of Motion shall take place under this agenda item. The motion to be considered shall be printed on the agenda.

19. Information and Inquires - Trustees may raise questions or provide information under this section.

19.1 Items raised shall respect confidentiality of individuals and other matters pursuant to Section 207(2) of the *Education Act*. Trustees should notify the chair prior to the meeting of the nature of items to be raised under this section.

19.2 The director of education may provide pertinent or timely information that respects confidentiality of individuals and other matters pursuant to Section 207(2) of the *Education Act*. Trustees may ask questions of clarification and there shall be no debate.

20. Adjournment

Appendix C – Inaugural Meeting Order of Business

The order of Business for the Inaugural Meeting shall be as follows:

1. Call to Order (Director or designate)
2. Land Acknowledgement
3. Notation of Municipal Clerk's Certificates of Election or Acclamation
4. Declarations of Office and Oath of Allegiance
5. Election of Chair
6. Election of Vice-Chair
7. Election of Member and Alternate of the Coordinating Committee
8. Committee Reports
 - 8.1 Thunder Bay Public Library Board Annual Report
 - 8.2 Aboriginal Education Advisory Committee Annual Report
 - 8.3 Parent Involvement Committee Annual Report
 - 8.4 Special Education Advisory Committee Report
9. Trustee Appointments to Board Committees
10. Director's Annual Report
11. Adjournment

DETAILED PROCEDURES AT THE INAUGURAL MEETING

1. **Call to Order** - The director or their designate shall assume the chair until the election of the chair calling the meeting to order.
2. **Land Acknowledgement** - The director shall read the Land Acknowledgement
3. **Notation of Municipal Clerk's Certificates of Election or Acclamation** – The director shall read the returns of the clerks of the municipalities certifying to the election of the members.
4. **Declarations of Office and Oath of Allegiance**
 - 4.1 The director shall administer the Declaration of Office and Oath of Allegiance according to Section 209 of the *Education Act*; and
 - 4.2 Declare the Board to be legally constituted when all members present have taken the Declaration and Oath and constitute a majority of all the members of the Board.
5. **Election of Chair** – The director shall conduct the election of the chair as follows:
 - 5.1 Have ballots prepared on which the names of candidates for each office are written.
 - 5.2 Designate one staff member to count the ballots, and a second staff member to act as scrutineer.

- 5.3** The director shall then conduct the annual election for the office of chair by calling for nominations and each nominee shall indicate whether the nomination is accepted.
- 5.4** If only one trustee accepts a nomination, that trustee shall be declared elected by acclamation.
- 5.5** Where more than one nominee stands for election, a vote shall be taken by secret ballot and the nominee receiving a majority of the votes cast shall be declared elected.
- 5.6** If there is more than one trustee nominated, they will be given the opportunity to speak for up to two minutes. No debate shall take place after the nominees have spoken.
- 5.7** Where more than two nominees stand for election and a majority of votes cast is not reached on the first ballot, the nominee receiving the fewest votes cast shall be removed from the ballot. Voting shall continue in a second or subsequent ballot until a nominee receives a majority of votes cast.
- 5.8** In the case of an equality of votes with respect to the election of two or more nominees, the presiding officer shall provide for drawing lots to determine which of the candidates is elected.

5.8.1 Process for Drawing Lots

Ballots shall be prepared; one stating the name of the position to be filled; the other(s) blank. The total ballots will be the total number of nominees with an equality of votes. New ballots will be prepared for each round. The first person to draw a ballot returns the ballot to the scrutineer, who, after noting it, returns it for the next person to draw. After each round, those nominees who drew blank ballots are removed from the process. The draw continues until only one of the nominees draws the ballot stating the designated position.

- 5.9** The director shall announce the results of the ballot but shall not declare the count.

- 5.10** Upon election, the chair shall assume the chair.

- 6. Election of Vice Chair** - The chair shall conduct the election for vice-chair in the same manner as for the election of chair.

- 7. Election of a Trustee and one Alternate to the Coordinating Committee** – The chair shall conduct the election of a trustee and one alternate to the Coordinating Committee.

8. Committee Reports

9. Trustee Appointments to Board Committees

10. Director's Annual Report

11. Adjournment

Appendix D – Annual Meeting Order of Business

The order of Business for the Inaugural Meeting

1. Call to Order (director or designate)
2. Land Acknowledgement
3. Election of Chair
4. Election of Vice-chair
5. Election of Member and Alternate of the Coordinating Committee
6. Director's Annual Report
7. Committee Reports
 - 7.1 Thunder Bay Public Library Board Annual Report
 - 7.2 Aboriginal Education Advisory Committee Annual Report
 - 7.3 Parent Involvement Committee Annual Report
 - 7.4 Special Education Advisory Committee Report
8. Trustee Appointments to Board Committees
9. Adjournment

DETAILED PROCEDURES AT THE ANNUAL MEETING

1. **Call to Order** - The director or their designate shall assume the chair, until the election of the chair, calling the meeting to order.
2. **Land Acknowledgement** - The director shall read the Land Acknowledgement
3. **Election of Chair** – The director shall conduct the election of the chair as follows:
 - 3.1 Have ballots prepared on which the names of candidates for each office are written.
 - 3.2 Designate one staff member to count the ballots, and a second staff member to act as scrutineer.
 - 3.3 The director shall then conduct the annual election for the office of chair by calling for nominations and each nominee shall indicate whether the nomination is accepted.
 - 3.4 If only one trustee accepts a nomination, that trustee shall be declared elected by acclamation.
 - 3.5 Where more than one nominee stands for election, a vote shall be taken by secret ballot and the nominee receiving a majority of the votes cast shall be declared elected.
 - 3.6 If there is more than one trustee nominated, they will be given the opportunity to speak for up to two minutes. No debate shall take place after the nominees have spoken.
 - 3.7 Where more than two nominees stand for election and a majority of votes cast is not reached on the first ballot, the nominee receiving the fewest votes cast shall be removed from the ballot.

Voting shall continue in a second or subsequent ballot until a nominee receives a majority of votes cast.

- 3.8** In the case of an equality of votes with respect to the election of two or more nominees, the presiding officer shall provide for drawing lots to determine which of the candidates is elected.

3.8.1 Process for Drawing Lots

Ballots shall be prepared; one stating the name of the position to be filled; the other(s) blank. The total ballots will be the total number of nominees with an equality of votes. New ballots will be prepared for each round. The first person to draw a ballot returns the ballot to the scrutineer, who, after noting it, returns it for the next person to draw. After each round, those nominees who drew blank ballots are removed from the process. The draw continues until only one of the nominees draws the ballot stating the designated position.

- 3.9** The director shall announce the results of the ballot but shall not declare the count.

- 3.10** Upon election, the chair shall assume the chair.

- 4. Election of Vice Chair** - The chair shall conduct the election for vice-chair in the same manner as for the election of chair.
- 5. Election of a Member and one Alternate to the Coordinating Committee** – The chair shall conduct the election of a trustee and one alternate to the Coordinating Committee.
- 6. Director’s Annual Report**
- 7. Committee Reports**
- 8. Trustee Appointments to Board Committees**
- 9. Adjournment**

Appendix E – Board Advisory Committee Order of Business

The order of Business for the Board Advisory Committee shall be as follows:

1. Call to Order
2. Disclosure of Conflict of Interest
3. Approval of the Agenda
4. Resolve into Closed Session (as required)
5. Closed Session (as required)
 - 5.6 Approval of Closed Session Minutes
 - 5.7 Business Arising from the Minutes
 - 5.8 Consideration of Reports
 - 5.9 Information and Inquiries
 - 5.10 Adjourn Closed Session
6. Land Acknowledgement (if no Closed Session, placed prior to approval of agenda)
7. Delegations/Presentations
8. Approval of Minutes – Public Session
9. Business Arising from the Minutes – Public Session

Matters Not Requiring a Decision

10. Information Reports
11. First Reports

Matters for Decision

21. Postponed Reports
22. Special Committee (Ad Hoc) Reports
23. New Reports
24. New Business
25. Notices of Motion and Consideration of Motions Previously Noticed
26. Information and Inquiries
27. Adjournment

DETAILED PROCEDURES AT THE BOARD ADVISORY COMMITTEE MEETING

The vice-chair shall chair the Board Advisory Committee Meeting.

1. **Call to Order** - The committee chair will call the meeting to order at the scheduled time once a quorum is present. Quorum shall be a majority of the entire Board of Trustees (excluding vacancies).

- 1.1 If there is no quorum present within fifteen minutes after the time fixed for the start of the meeting, the secretary shall record the names of the trustees then present and the meeting shall not convene until the next regularly scheduled meeting, unless a Special meeting is called.
 - 1.2 The Board Advisory Committee shall adjourn whenever a quorum is no longer present after ten minutes has elapsed attempting to regain a quorum. The secretary shall then record the time of adjournment and the names of the members then present.
2. **Disclosure of Conflict of Interest** – The chair shall call for those trustees present to disclose any conflict of interest in any matter which is to be subject of consideration at the meeting. When a conflict of interest is declared in relation to a Public Session agenda item, the reason for the conflict of interest shall be stated in the Public Session minutes. When a conflict of interest is declared in relation to a Closed Session agenda item, the general nature of that interest will not be disclosed in the Public Session minutes.
3. **Approval of the Agenda** – The agenda shall be approved or amended by a majority vote at a meeting of the Board at which there is a quorum.
4. **Resolve into Closed Session** - When there are confidential agenda items to be addressed pursuant to Section 207(2) of the *Education Act*, that portion of the meeting shall be closed to the public.
5. **Closed Session (as required)**
 - 5.1 **Approval of Closed Session Minutes** – These minutes shall be considered by trustees only with reference to the accuracy of the minutes as recorded.
 - 5.2 **Business Arising from Closed Session Minutes** - Trustees or staff may present new information related to business in the minutes and trustees may question staff relevant to any follow-up action resulting from a decision or matter reported in the minutes.
 - 5.3 **Consideration of Reports** - Closed Session reports may be formal written reports with or without recommendations or may be verbal reports from either administration or trustees. The content of these reports shall comply with Section 207(2) of the *Education Act*.
 - 5.4 **Information and Inquiries** - Trustees may raise questions or provide information under this section. Items raised shall respect confidentiality of individuals and other matters pursuant to Section 207(2) of the *Education Act*. Trustees should notify the committee chair prior to the meeting of the nature of items to be raised under this section. The director of education may provide pertinent or timely information as per Section 207(2) of the *Education Act*. Trustees may ask questions of clarification and there shall be no debate.
 - 5.5 **Adjourn Closed Session** - At the conclusion of a meeting of the Closed Session the committee shall adjourn. All decisions made in Closed Session of the Board Advisory Committee shall be reported in Committee of the Whole – Closed Session of the next Regular Board Meeting.
6. **Land Acknowledgement** – If no Closed Session, placed prior to approval of agenda.

7. Delegations/Presentation – See Appendix F Delegation/Presentation Process

7.1 Members of the public desiring to appear before the Board as a delegation may be permitted to do so in accordance with Appendix F.

7.2 Presentations to the Board may be requested by the Coordinating Committee from various individuals or organizations on matters of interest around public education. Coordinating Committee may also approve presentation of awards to students and staff of Lakehead Public Schools.

8. Approval of Minutes – Public Session

8.1 These minutes shall be considered by trustees only with reference to the accuracy of the minutes as recorded.

9. Business Arising from the Minutes – Public Session

9.1 Trustees or staff may present new information related to business in the minutes and trustees may question staff relevant to any follow-up action resulting from a decision or matter reported in the minutes.

Matters Not Requiring a Decision

10. Information Reports – Staff or trustees, including the student trustee and Indigenous student trustee, providing information reports not requiring a decision. Questions of clarification will be allowed by the chair. A written report responding to questions asked by trustees at previous meetings is included hereunder. Trustees who chair or are members of committees may provide verbal or written updates under this agenda item.

10.1 Ontario Public School Boards' Association (OPSBA) Report – The OPSBA director may provide a report.

10.2 Student Trustee Report – The student trustee shall provide written reports at Regular Board meetings only, in accordance with the Lakehead District School Board Student Trustee Handbook.

10.3 Indigenous Student Trustee Report – The Indigenous student trustee shall provide written reports at Regular Board meetings only, in accordance with the Lakehead District School Board Student Trustee Handbook.

10.4 General Updates

11. First Reports - First Reports are for discussion only. First Reports should have recommendations for consideration by trustees, but the recommendations shall not be debated nor voted upon at the time of presentation as a First Report. Questions of clarification relating to the report may be directed by trustees to the presenter. First Reports will appear under New Reports at the next Regular Board or Special Board Meeting for debate and decision.

Matters for Decision

Questions of clarification from trustees may be directed to presenters of all reports listed and an opportunity for debate by trustees shall be allowed prior to calling for a vote on recommendations.

12. Postponed Reports - Reports postponed from a previous Board meeting requiring a decision.

13. Special Committee (Ad Hoc) Reports - The chair or designate of an Ad Hoc or Special Committee shall present its report to the striking body.

14. New Reports - Trustees or administration may present reports, which include recommendations, under this agenda item.

15. New Business - Trustees may introduce motions resulting from information presented under the agenda sections "Information Reports" or "Delegations". Such motions shall be in writing and are permitted only to request additional information, or to refer a matter to a committee. If required, a trustee may ask the chair to call a short recess to allow time for writing a motion.

16. Notices of Motion

16.1 Written Notices of Motion shall be presented to the chair. The chair shall read the presented Notice of Motion but no discussion or voting relative to the motion shall be permitted at the same meeting.

16.2 Notices of Motion shall be considered at the next Regular Meeting of the Board.

16.3 Consideration of Notices of Motion shall take place under this agenda item. The motion to be considered shall be printed on the agenda.

17. Information and Inquires - Trustees may raise questions or provide information under this section.

17.1 Items raised shall respect confidentiality of individuals and other matters pursuant to Section 207(2) of the Education Act. Trustees should notify the committee chair prior to the meeting of the nature of items to be raised under this section.

17.2 The director of education may provide pertinent or timely information that respects confidentiality of individuals and other matters pursuant to Section 207(2) of the *Education Act*. Trustees may ask questions of clarification and there shall be no debate.

18. Adjournment

Appendix F - Delegations to the Board

1. The Coordinating Committee may grant requests by members of the public desiring to appear before the Board provided:
 - 1.1 a written request is received by the chair or secretary;
 - 1.2 the request must:
 - be in the jurisdiction of the Board and must not involve a personnel matter;
 - include the nature of the topic to be addressed;
 - include the name of the spokesperson or presenter for the group; and
 - 1.3 presenters shall provide written materials for the presentation to the secretary to the Board.
2. The request for a delegation and the written materials provided will:
 - 2.1 be presented to the next scheduled Coordinating Committee;
 - 2.2 be copied by the Director's Office to be included with the agenda for the Coordinating Committee (up to five pages); and
 - 2.3 be assigned a meeting date at which the delegation will be received and the requester will be advised accordingly.
3. Presentations shall not appear on the same agenda as a similar item to be discussed by trustees at the same meeting.
4. Requests for delegations by Board employees shall require Coordinating Committee approval.
5. The chair or the secretary, in consultation with the Coordinating Committee, will assign a requested delegation to an appropriate meeting (e.g., Regular Board, Special Board, Board Advisory Committee, Coordinating Committee, Informal Session).
6. When there are requests for more than two delegations of a similar nature, each delegation shall submit written material for the presentation in accordance with the following:
 - 6.1 The chair or the secretary may, in consultation with the Coordinating Committee:
 - a) schedule a Special Board Meeting to receive more than two delegations of a similar nature; or
 - b) require that the delegations appoint one spokesperson to present a ten-minute executive summary of all the delegation material. A representative from each delegation shall sit at the delegation table.
 - 6.2 Trustees may ask questions of clarifications of the delegates based on the executive summary or the previously provided written presentation material.

- 7.** The secretary shall acknowledge, in writing, all requests for delegations to the Board, such requests to be copied to all trustees. In cases where a request for delegation is denied, reasons shall be stated.
- 8.** There shall be a maximum of two delegations allowed at any one meeting.
(See #6 for delegations of a similar nature.)
- 9.** The delegation will be limited to ten minutes for its verbal presentation.
- 10.** Questions of clarification of the delegation may be asked by trustees following the presentation.
- 11.** No decisions or debate relative to the presentation will be made by the Board at the meeting at which the presentation is made.
- 12.** The Coordinating Committee shall review requests of delegations following their presentation, and shall schedule related reports or responses, where appropriate.

Appendix G – Education Act References

**EDUCATION ACT
QUICK REFERENCES**

STUDENT TRUSTEES

Student trustees

55 (1) The Minister may make regulations providing for elected student trustees to represent, on district school boards and on boards established under section 67, the interests of pupils in the last two years of the intermediate division and in the senior division. 2006, c. 10, s. 6.

No membership or binding vote

(2) 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.

Recorded vote

(3) 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,

- (a) a recorded non-binding vote that includes the student trustee's vote; and
- (b) a recorded binding vote that does not include the student trustee's vote. 2006, c. 10, s. 6.

Motion

(4) 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 of one of its committees on which the student trustee 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.

Certain closed meetings

(5) A student trustee is not entitled to be present at a meeting that is closed to the public under clause 207 (2) (b). 2006, c. 10, s. 6.

Participation

(6) Subject to subsections (2) to (5), a student trustee shall have the same opportunities for participation at meetings of the board and of its committees as a member has. 2006, c. 10, s. 6.

Resources and training

(7) A student trustee has the same status as a board member with respect to access to board resources and opportunities for training. 2006, c. 10, s. 6.

Honorarium

(8) A student trustee is entitled to receive an honorarium from the board in accordance with the regulations, if the specified conditions are satisfied. 2006, c. 10, s. 6.

Regulations

- (9) Without limiting the generality of subsection (1), a regulation under that subsection may,
- (a) provide for and govern the student trustee election process, which may be direct or indirect;
 - (b) specify qualifications for electors of student trustees;
 - (c) specify qualifications for student trustees and the consequences of becoming disqualified;
 - (d) govern the number of student trustees who may sit on a board;
 - (e) govern student trustees' terms of office;
 - (f) authorize boards to reimburse student trustees for all or part of the out-of-pocket expenses reasonably incurred in connection with carrying out their responsibilities, subject to such limitations or conditions as may be specified in the regulation;

- (g) provide for transitional matters that, in the Minister's opinion, are necessary or desirable in connection with the implementation of section 6 of the *Education Statute Law Amendment Act (Student Performance)*, 2006. 2006, c. 10, s. 6.

Same

(10) Without limiting the generality of subsection (1), a regulation under that subsection dealing with the honorarium described in subsection (8) may,

- (a) specify a method for calculating the amount of the honorarium;
- (b) specify conditions for the purposes of subsection (8);
- (c) provide that the honorarium for a student trustee who serves two or more terms shall be multiplied by the number of terms served or increased in some other way;
- (d) relate the amount of the honorarium to the honoraria received by members of the board;
- (e) govern the manner and timing of payment of the honorarium;
- (f) provide for the payment of the honorarium to a third party on the former student trustee's behalf;
- (g) prescribe classes of student trustees or former student trustees and treat the members of different classes differently. 2006, c. 10, s. 6.

Same

(11) Without limiting the generality of clause (9) (a), a regulation under subsection (1) may provide for and govern,

- (a) student trustee elections at different times in the school year; and
- (b) by-elections to fill vacancies. 2006, c. 10, s. 6.

Same

(12) In a regulation under subsection (1), the Minister may provide for any matter by authorizing a board to develop and implement a policy with respect to the matter, and may require that the policy comply with policies and guidelines established under paragraph 3.5 of subsection 8 (1). 2006, c. 10, s. 6.

General or particular

(13) A regulation under subsection (1) may be general or particular. 2006, c. 10, s. 6.

Transition

(14) The pupil representatives elected or appointed under Ontario Regulation 461/97 for the 2006-2007 school year are deemed to be student trustees elected under this section for that school year. 2006, c. 10, s. 6.

Section Amendments with date in force (d/m/y)

1997, c. 31, s. 30 - 01/01/1998

2006, c. 10, s. 6 - 07/07/2006

BOARDS

DUTIES AND POWERS

Board responsibility for student achievement and effective stewardship of resources

169.1 (1) Every board shall,

- (a) promote student achievement and well-being;
- (a.1) promote a positive school climate that is inclusive and accepting of all pupils, including pupils of any race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or disability;
- (a.2) promote the prevention of bullying;
- (b) ensure effective stewardship of the board's resources;
- (c) deliver effective and appropriate education programs to its pupils;
- (d) develop and maintain policies and organizational structures that,

- (i) promote the goals referred to in clauses (a) to (c), and
- (ii) encourage pupils to pursue their educational goals;
- (e) monitor and evaluate the effectiveness of policies developed by the board under clause (d) in achieving the board's goals and the efficiency of the implementation of those policies;
- (f) develop a multi-year plan aimed at achieving the goals referred to in clauses (a) to (c);
- (g) annually review the plan referred to in clause (f) with the board's director of education or the supervisory officer acting as the board's director of education; and
- (h) monitor and evaluate the performance of the board's director of education, or the supervisory officer acting as the board's director of education, in meeting,
 - (i) his or her duties under this Act or any policy, guideline or regulation made under this Act, including duties under the plan referred to in clause (f), and
 - (ii) any other duties assigned by the board. 2009, c. 25, s. 15; 2012, c. 5, s. 3 (1).

HONORARIA

Honorarium for members of boards

191 (1) A board may pay to each of its members an honorarium in an amount determined by the board. 2006, c. 10, s. 16.

Additional honorarium for chair and vice-chair

(2) A board may pay to its chair and vice-chair an additional honorarium in an amount determined by the board. 2006, c. 10, s. 16.

Same

(3) The amount of the additional honorarium payable to the chair may differ from the one payable to the vice-chair. 2006, c. 10, s. 16.

Regulations

(4) The Minister may make regulations,

- (a) setting limits on honoraria paid under this section, and providing a method for calculating those limits;
- (b) requiring a board to engage in public consultations before adopting or amending a policy providing for the payment of honoraria under this section;
- (c) governing the form of the public consultations, the manner in which they are conducted and their timing, including notice requirements;
- (d) respecting the establishment of bodies to represent the public for the purpose of the public consultations;
- (e) governing the intervals at which a board may adopt a new policy or amend an existing policy providing for the payment of honoraria under this section. 2006, c. 10, s. 16.

General or particular

(5) A regulation made under subsection (4) may be general or particular. 2006, c. 10, s. 16.

Same

(6) Without limiting the generality of subsection (5), a regulation made under subsection (4) may treat district school boards and school authorities differently. 2006, c. 10, s. 16.

Retroactivity

(7) A regulation made under subsection (4) may be retroactive to a date no earlier than September 1, 2005. 2006, c. 10, s. 16.

Transition

(8) Despite the repeal of sections 191 and 191.1 by section 16 of the *Education Statute Law Amendment Act (Student Performance)*, 2006, a board may continue to pay honoraria in accordance with section 191

or 191.1, as the case may be, until honoraria may lawfully be paid under section 191, as re-enacted by section 16 of the *Education Statute Law Amendment Act (Student Performance)*, 2006. 2006, c. 10, s. 16.

Section Amendments with date in force (d/m/y)

1997, c. 31, s. 97 - 01/01/1998

2006, c. 10, s. 16 - 07/07/2006

191.1 REPEALED: 2006, c. 10, s. 16.

Section Amendments with date in force (d/m/y)

1997, c. 31, s. 97 - no effect - see 1997, c. 31, s. 191.1 (5) - 01/01/1998

2006, c. 10, s. 16 - 07/07/2006

Expenses

Travel expenses to attend board and committee meetings

191.2 (1) In respect of travel of a member of a board to and from his or her residence to attend a meeting of the board, or of a committee of the board, that is held within the area of jurisdiction of the board, the board may,

- (a) reimburse the member for his or her out-of-pocket expenses reasonably incurred or such lesser amount as may be determined by the board; or
- (b) pay the member an allowance at a rate per kilometre determined by the board. 1997, c. 31, s. 97.

Other travel expenses

(2) A board may by resolution authorize a member, teacher or official of the board to travel on specific business of the board and may reimburse the member, teacher or official for his or her out-of-pocket expenses reasonably incurred or such lesser amount as may be determined by the board. 1997, c. 31, s. 97.

Other expenses

(3) A board may establish a policy under which a member of the board may be reimbursed for all or part of his or her out-of-pocket expenses reasonably incurred in connection with carrying out the responsibilities of a board member. 1997, c. 31, s. 97.

Same

(4) A board may, in accordance with a policy established by it under subsection (3), reimburse a member for his or her out-of-pocket expenses reasonably incurred in connection with carrying out the responsibilities of a board member. 1997, c. 31, s. 97.

Deduction because of absence

(5) A board may provide for a deduction of a reasonable amount from the allowance of a member because of absence from meetings of the board or of a committee of the board. 1997, c. 31, s. 97.

Committee members

(6) Subsections (1) to (4) apply with necessary modifications to members of a committee established by the board who are not members of the board. 1997, c. 31, s. 97.

Section Amendments with date in force (d/m/y)

1997, c. 31, s. 97 - 01/01/1998

Deemed expenses

191.3 Despite this Act or any other Act, where an elected member of a board is, under a by-law or resolution of the board, paid a salary, indemnity, allowance or other remuneration, one-third of such amount shall be deemed to be for expenses incident to the discharge of his or her duties as a member of the board. 2002, c. 17, Sched. F, Table.

Section Amendments with date in force (d/m/y)

2002, c. 17, Sched. F, Table - 01/01/2003

ACCESS TO MEETINGS AND RECORDS

Open meetings of boards

207 (1) Subject to subsections (2) and (2.1), the meetings of a board and the 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. R.S.O. 1990, c. E.2, s. 207 (1); 2014, c. 13, Sched. 9, s. 19 (1).

Closing of certain committee meetings

(2) 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 the 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).

Closing of meetings re certain investigations

(2.1) A meeting of a board or of a committee of a board, including a committee of the whole board, shall be closed to the public when the subject-matter under consideration involves an ongoing investigation under the *Ombudsman Act* respecting the board. 2014, c. 13, Sched. 9, s. 19 (2).

Exclusion of persons

(3) 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).

Inspection of books and accounts

(4) Any person may, at all reasonable hours, at the head office of the board inspect the minute book, the audited annual financial report and the current accounts of a board, and, upon the written request of any person and upon the payment to the board at the rate of 25 cents for every 100 words or at such lower rate as the board may fix, the secretary shall furnish copies of them or extracts therefrom certified under the secretary's hand. R.S.O. 1990, c. E.2, s. 207 (4).

Section Amendments with date in force (d/m/y)

2014, c. 13, Sched. 9, s. 19 (1, 2) - 01/09/2015

2021, c. 4, Sched. 11, s. 7 (1) - 19/04/2021

BOARD MEETINGS

Board meetings

208 (1) 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).

First meeting

(2) 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 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).

Supervisory officer may provide for calling first meeting

(3) Despite subsection (2), on the petition of a majority of the 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).

Presiding officer

(4) At the first meeting in December 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).

Note: On January 1, 2022, subsection 208 (4) of the Act is repealed and the following substituted: (See: 2021, c. 34, Sched. 8, s. 2)

Election of chair

- (4) The members shall elect one of themselves to be chair,
- (a) at the first meeting referred to in subsection (2) or (3);
 - (b) in each following year, at the first meeting on or after the anniversary of the date the term of office of the board began; and
 - (c) at the first meeting after a vacancy occurs in the office of chair. 2021, c. 34, Sched. 8, s. 2.

Election of chair

(5) At the first meeting in December 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. E.2, s. 208 (5); 2009, c. 25, s. 22.

Note: On January 1, 2022, subsection 208 (5) of the Act is repealed and the following substituted: (See: 2021, c. 34, Sched. 8, s. 2)

Presiding officer

(5) At a meeting referred to in clause (4) (a) or (b), 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. 2021, c. 34, Sched. 8, s. 2

(5.1) REPEALED: 2006, c. 10, s. 17.

Subsequent meetings

(6) Subsequent meetings of the board shall be held at such time and place as the board considers expedient. R.S.O. 1990, c. E.2, s. 208 (6).

Vice-chair

(7) 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).

Where equality of votes

(8) In the case of an equality of votes at the election of a chair or vice-chair, the candidates shall draw lots to fill the position of chair or vice-chair, as the case may be. R.S.O. 1990, c. E.2, s. 208 (8).

Temporary chair

(9) If at any meeting there is no chair or vice-chair present, the members present may elect one of themselves to be chair for that meeting. R.S.O. 1990, c. E.2, s. 208 (9).

Temporary secretary

(10) 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. E.2, s. 208 (10).

Quorum

(11) The presence of a majority of all the members constituting a board is necessary to form a quorum. 1997, c. 31, s. 106 (3).

Chair, voting; equality of votes

(12) 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).

Special meetings

(13) 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. E.2, s. 208 (13).

Section Amendments with date in force (d/m/y)

1997, c. 31, s. 106 (1-4) - 01/01/1998

2006, c. 10, s. 17 - 01/06/2006

2009, c. 25, s. 22 - 15/12/2009

2021, c. 34, Sched. 8, s. 2 - 01/01/2022

Regulations: electronic meetings

208.1 (1) The Lieutenant Governor in Council may make regulations,

- (a) respecting 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;
- (b) prescribing the circumstances in which a member of a board is required to be physically present in the meeting room of a board for meetings of the board;
- (c) authorizing or requiring a board to develop and implement policies with respect to any matter referred to in clause (a) and governing the content of such policies. 2020, c. 7, Sched. 9, s. 1.

Same

(2) A regulation under clause (1) (a) may provide that a board member who participates in a meeting through electronic means shall be deemed to be present at the meeting for the purposes of this and every other Act, subject to such conditions or limitations as may be provided for in the regulation. 2020, c. 7, Sched. 9, s. 1.

Same

(3) A regulation under clause (1) (a) may provide for participation in meetings through electronic means by members of the board, student trustees and members of the public. 2020, c. 7, Sched. 9, s. 1.

Same

(4) A regulation under clause (1) (b) may set out rules with respect to periods of time before the regulation is filed. 2020, c. 7, Sched. 9, s. 1.

Section Amendments with date in force (d/m/y)

1997, c. 31, s. 107 - 01/01/1998

2002, c. 18, Sched. G, s. 8 - 26/11/2002

2006, c. 10, s. 18 - 07/07/2006

2020, c. 7, Sched. 9, s. 1 - 05/06/2020

Declaration

209 (1) 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 oath or affirmation and in default the person shall be deemed to have resigned:

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

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

Idem

(2) Where a person is elected or appointed to fill a vacancy on a board, the person shall make such 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 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).

Oath or affirmation

(3) Every person elected or appointed to a board, before entering on his or her duties as a board member, may take and subscribe before the secretary of the board or before any person authorized to administer an oath the oath or affirmation of allegiance in the following form, in English or French:

I swear (*affirm*) that I will be faithful and bear true allegiance to Her Majesty, Queen Elizabeth II (*or the reigning sovereign for the time being*).

2009, c. 25, s. 23 (2).

Filing of declaration and oath

(4) The declaration and, if any, the oath or affirmation of allegiance shall be filed with the secretary of the board within eight days after it is made or taken, as the case may be. 2009, c. 25, s. 23 (3).

Section Amendments with date in force (d/m/y)

1994, c. 23, s. 65 - no effect - see 2002, c. 17, Sched. F - 01/01/2003; 1997, c. 31, s. 108 (1, 2) - 01/01/1998
2009, c. 25, s. 23 (1-3) - 15/12/2009

210 REPEALED: 2009, c. 25, s. 24.

Section Amendments with date in force (d/m/y)

1997, c. 31, s. 109 - 01/01/1998
2009, c. 25, s. 24 - 15/12/2009

Seat vacated by conviction, absence etc.

228 (1) A member of a board vacates his or her seat if he or she,

- (a) is convicted of an indictable offence;
- (b) absents himself or herself without being authorized by resolution entered in the minutes, from three consecutive regular meetings of the board;
- (c) ceases 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). 1997, c. 31, s. 112; 2020, c. 7, Sched. 9, s. 2.

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

(2.1) Clause (1) (b) does not apply to vacate the office of a member of a board who is absent for 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).

Filling of vacancies

(3) Where a seat becomes vacant under this section, the provisions of this Act with respect to the filling of vacancies apply. 1997, c. 31, s. 112.

Section Amendments with date in force (d/m/y)

1997, c. 31, s. 112 - 01/01/1998

[2017, c. 10, Sched. 4, s. 3 \(2\)](#) - 30/05/2017

[2020, c. 7, Sched. 9, s. 2](#) - 05/06/2020

229 REPEALED: 2020, c. 7, Sched. 9, s. 3.

Section Amendments with date in force (d/m/y)

1997, c. 31, s. 112 - 01/01/1998

[2006, c. 10, s. 19](#) - 01/06/2006

Education Act

ONTARIO REGULATION 462/97

FIRST NATIONS REPRESENTATION ON BOARDS

Consolidation Period: From September 1, 2019 to the e-Laws currency date.

Last amendment: 262/19.

This is the English version of a bilingual regulation.

First Nations representation on boards

1. (1) Subject to subsection (4), a council of a band or councils of bands may name one person to represent, on a board, the interests of pupils who belong to the band or bands if,

(a) under subsection 188 (1) of the Act, the board has admitted pupils who belong to the band or bands; or

(b) under section 188 of the Act, the board has entered into one or more agreements to provide instruction to pupils who belong to the band or bands, including one or more agreements entered into before September 1, 2019. O. Reg. 262/19, s. 1 (1).

(2) Where a person is named under subsection (1), the board shall, subject to subsection (5), appoint the person as a member of the board. O. Reg. 462/97, s. 1 (2); O. Reg. 262/19, s. 1 (2).

(3) The member appointed under subsection (2) shall be deemed to be an elected member of the board. O. Reg. 190/09, s. 2.

(4) If the number of pupils referred to in clauses (1) (a) and (b) who are enrolled in schools operated by the board or in schools to which the board provides instruction exceeds 25 per cent of the average daily enrolment in the schools of the board, two persons may be named under subsection (1) and subsections (2) and (3) apply with necessary modifications in respect of the two persons. O. Reg. 262/19, s. 1 (3).

(5) The appointment under subsection (2) may be made at the discretion of the board if the number of pupils referred to in clauses (1) (a) and (b) who are enrolled in schools operated by the board or in

schools to which the board provides instruction is fewer than the lesser of 10 per cent of the average daily enrolment in the schools of the board and 100. O. Reg. 262/19, s. 1 (3).

(6) REVOKED: O. Reg. 262/19, s. 1 (3).

(7) If the enrolment of the pupils referred to in clause (1) (a) or (b) is, in respect of elementary school pupils only or secondary school pupils only, the enrolment referred to in subsections (4) and (5) shall be that of elementary school pupils only or secondary school pupils only, as the case may be. O. Reg. 462/97, s. 1 (7); O. Reg. 262/19, s. 1 (4).

(8) The term of office of a member appointed under this section terminates on the same date as the term of office of the elected members. O. Reg. 462/97, s. 1 (8).

(9) Where a regulation made under clause 67 (2) (a) of the Act provides for the appointment of one or more members to represent on the board the interests of pupils referred to in clause (1) (a) or (b), this section does not apply. O. Reg. 462/97, s. 1 (9); O. Reg. 262/19, s. 1 (5).

(10) Where the office of a member of a board appointed under this section becomes vacant for any reason, it shall be filled in accordance with this section and the person so appointed shall hold office for the remainder of the term of his or her predecessor. O. Reg. 462/97, s. 1 (10).

2. OMITTED (PROVIDES FOR COMING INTO FORCE OF PROVISIONS OF THIS REGULATION). O. Reg. 462/97, s. 2.

Education Act

ONTARIO REGULATION 463/97

ELECTRONIC MEETINGS AND MEETING ATTENDANCE

Consolidation Period: From June 7, 2021 to the e-Laws currency date.

Last amendment: 416/21.

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).

(3) The policy shall ensure that appropriate processes are put in place to ensure the security and confidentiality of proceedings that are closed to the public in accordance with the Act. O. Reg. 293/18, s. 1.

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) The policy shall provide for the following:

1. The board shall provide members of the public with electronic means for participating in meetings and shall provide for the extent and manner of electronic participation.
2. The electronic means required by paragraph 1 shall permit members of the public to hear and be heard by all other participants in the meeting.
3. The policy shall 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. 632/20, s. 1.

(3) REVOKED: O. Reg. 632/20, s. 1.

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, subject to subsection 5.1 (1).
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); O. Reg. 293/18, s. 2 (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, subject to subsection 5.1 (1).
 - 1.1 If the chair of the committee or his or her designate participates in a meeting by electronic means pursuant to subsection 5.1 (1), at least one additional member of the committee.
2. The director of education of the board or his or her designate. O. Reg. 463/97, s. 5 (2); O. Reg. 293/18, s. 2 (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).

5.1 (1) The policy may provide that the chair of the board or of a committee of the board or his or her designate may participate in a meeting of the board or of a committee of the board by electronic means if,

- (a) the distance from the chair's or designate's current residence to the meeting location is 200 kilometers or more;
- (b) weather conditions do not allow the chair or designate to travel to the meeting location safely; or
- (c) the chair or designate cannot be physically present at a meeting due to health-related issues. O. Reg. 293/18, s. 3 (1).

(2) If there is a policy described in subsection (1), it shall provide that the chair or designate must be physically present for at least half of the meetings of the board for any 12-month period beginning December 1, or for the period beginning December 1, 2021 and ending November 14, 2022 and may provide that the chair or designate must be physically present for a greater proportion of meetings. O. Reg. 293/18, s. 3 (1).

Note: On November 15, 2022, subsection 5.1 (2) is revoked and the following substituted: (See: O. Reg. 293/18, s. 3 (2))

(2) If there is a policy described in subsection (1), it shall provide that the chair or designate must be physically present for at least half of the meetings of the board for any 12 month period beginning November 15 and may provide that the chair or designate must be physically present for a greater proportion of meetings. O. Reg. 293/18, s. 3 (2).

5.2 For greater certainty, the failure to be physically present as required by a policy referred to in subsection 5 (1) or 5.1 (2) does not constitute a failure for the purposes of clause 228 (1) (e) of the Act. O. Reg. 232/20, s. 2.

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).

6.1 (1) Subject to subsection (3), a member of a board shall be physically present in the meeting room of the board for at least three regular meetings of the board during each 12-month period beginning November 15, 2022. O. Reg. 416/21, s. 1 (1).

(2) Subsection (1) does not apply for a period described in that subsection if all schools of the board are closed for a total of two or more months during that period pursuant to an order made by,

- (a) the Minister under section 5 (1) of the Act;
- (b) a medical officer of health or the Chief Medical Officer of Health under section 22 or 77.1 of the *Health Protection and Promotion Act*;
- (c) the Lieutenant Governor in Council under paragraph 5 of subsection 7.0.2 (4) of the *Emergency Management and Civil Protection Act*; or
- (d) the Lieutenant Governor in Council under clause 4 (1) (a) of the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*. O. Reg. 232/20, s. 3; O. Reg. 416/21, s. 1 (2).

(3) If a member of a board is elected or appointed to fill a vacancy on or after November 15, 2022, the member shall be physically present in the meeting room of the board for at least one regular meeting of the board for each period of four full calendar months that occurs during the period beginning on the day the member is elected or appointed and ending the following November 14. O. Reg. 632/20, s. 2 (2); O. Reg. 416/21, s. 1 (3).

(4) Subsection (3) does not apply for a period described in that subsection if, at any time during that period, all schools of the board are closed pursuant to an order referred to in subsection (2). O. Reg. 232/20, s. 3; O. Reg. 632/20, s. 2 (3).

(5) REVOKED: O. Reg. 632/20, s. 2 (4).

6.2 (1) Despite a policy of a board respecting electronic meetings, the requirements under section 5 for persons to be physically present at meetings, and the requirement under section 6, do not apply for the period beginning the day section 3 of Ontario Regulation 632/20 comes into force and ending November 14, 2022. O. Reg. 632/20, s. 3; O. Reg. 416/21, s. 2 (1).

(2) Despite a policy of a board respecting electronic meetings, the requirements under subsection 5.1 (2) for persons to be physically present at meetings do not apply for the period beginning December 1, 2020 and ending November 14, 2022. O. Reg. 632/20, s. 3; O. Reg. 416/21, s. 2 (1).

Note: On November 15, 2022, section 6.2 of the Regulation is revoked. (See: O. Reg. 416/21, s. 2 (2))

7. (1) On and after November 15, 2022, despite a policy of a board respecting electronic meetings, the requirements under section 5 for persons to be physically present at meetings, and the requirement under section 6, do not apply for the period described in subsection (2), if all schools of the board are closed pursuant to an order made by,

- (a) the Minister under section 5 (1) of the *Education Act*;
- (b) a medical officer of health or the Chief Medical Officer of Health under section 22 or 77.1 of the *Health Protection and Promotion Act*;
- (c) the Lieutenant Governor in Council under paragraph 5 of subsection 7.0.2 (4) of the *Emergency Management and Civil Protection Act*; or
- (d) the Lieutenant Governor in Council under clause 4 (1) (a) of the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*. O. Reg. 42/20, s. 1; O. Reg. 632/20, s. 4 (1); O. Reg. 416/21, s. 3 (1).

(2) The period referred to in subsection (1) is determined as follows:

- 1. If an order is made under subsection (1) before November 15, 2022 and continues to apply on that date, the period starts on November 15, 2022 and ends 60 days after the order ceases to apply.
- 2. If an order is made under subsection (1) on or after November 15, 2022, the period starts on the day the order is made and ends 60 days after the order ceases to apply. O. Reg. 416/21, s. 3 (2).

(3) On and after November 15, 2022, despite a policy of a board respecting electronic meetings, the requirements under subsection 5.1 (2) for persons to be physically present at meetings do not apply for a period described in that subsection if all schools of the board are closed for a total of two or more months during that period pursuant to an order made by,

- (a) the Minister under section 5 (1) of the Act;
- (b) a medical officer of health or the Chief Medical Officer of Health under section 22 or 77.1 of the *Health Protection and Promotion Act*;
- (c) the Lieutenant Governor in Council under paragraph 5 of subsection 7.0.2 (4) of the *Emergency Management and Civil Protection Act*; or
- (d) the Lieutenant Governor in Council under clause 4 (1) (a) of the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*. O. Reg. 632/20, s. 4 (3); O. Reg. 416/21, s. 3 (3).

Education Act

ONTARIO REGULATION 7/07

STUDENT TRUSTEES

Historical version for the period August 1, 2020 to August 16, 2020.

Last amendment: 189/20.

This is the English version of a bilingual regulation.

Application

1. This Regulation applies to every district school board and every secondary school board established under section 67 of the Act. O. Reg. 7/07, s. 1.

Board policy

2. (1) The board shall develop and implement a policy providing for matters relating to student trustees and to the payment of honoraria for student trustees. O. Reg. 7/07, s. 2 (1).

(2) The policy shall be in accordance with this Regulation and with any policies and guidelines established by the Minister under paragraph 3.5 of subsection 8 (1) of the Act. O. Reg. 7/07, s. 2 (2).

Number of student trustees

3. The board shall have at least two but not more than three student trustees. O. Reg. 7/07, s. 3; O. Reg. 354/18, s. 1.

Election procedure and timing

4. (1) Student trustees shall be elected in one of the following ways:

1. Directly, by students of the board.
2. Indirectly, by student representative bodies such as student councils. O. Reg. 7/07, s. 4 (1).

(2) An election for a student trustee position for a one-year term of office shall be held not later than the last day of February in each year. O. Reg. 354/18, s. 2.

(3) An election for a student trustee position for a two-year term of office shall be held not later than April 30 in each year. O. Reg. 354/18, s. 2.

(4) Despite subsection (3), in 2020, an election for a student trustee position for a two-year term of office shall be held not later than September 30, 2020. O. Reg. 189/20, s. 1.

Qualifications

5. (1) A person is qualified to act as a student trustee if, on the first day of school after the term of office begins, he or she is enrolled in the senior division of a school of the board and is,

- (a) a full-time pupil; or
- (b) an exceptional pupil in a special education program for whom the board has reduced the length of the instructional 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. O. Reg. 42/11, s. 1; O. Reg. 354/18, s. 3.

(2) Despite subsection (1), a person is not qualified to be elected or to act as a student trustee if he or she is serving a sentence of imprisonment in a penal or correctional institution. O. Reg. 7/07, s. 5 (2).

(3) A person who ceases to be qualified to act as a student trustee shall resign from the position. O. Reg. 7/07, s. 5 (3).

(4) In this section,

“full-time pupil” has the same meaning as in the most recent regulations made under section 234 of the Act. O. Reg. 7/07, s. 5 (4).

Term of office

6. (1) The term of office of a student trustee may be one year or two years and starts on August 1 of the year in which the student trustee is elected. O. Reg. 354/18, s. 4 (1).

(1.1) Despite subsection (1), the term of office of a student trustee elected in 2020 for a two-year term of office starts on the later of August 1, 2020 and the day the student is elected, and ends on July 31, 2022. O. Reg. 189/20, s. 2.

(2) If a board has two or more student trustees with terms of two years, the board shall ensure that its policy under section 2 provides for the staggering of terms where possible. O. Reg. 354/18, s. 4 (2).

Vacancies

7. If the board determines that a vacancy shall be filled, it shall be filled by a by-election. O. Reg. 7/07, s. 7.

Reimbursement of expenses

8. If the board has established a policy under subsection 191.2 (3) of the Act, the board shall reimburse student trustees for out-of-pocket expenses as if they were members of the board. O. Reg. 7/07, s. 8.

Honorarium

9. (1) The amount of the honorarium referred to in subsection 55 (8) of the Act is,

- (a) \$2,500 for each complete year that the student holds office; and
- (b) if a student holds office for a portion of a year, \$2,500 prorated according to the portion of the year the student holds office. O. Reg. 354/18, s. 5.

(2) Despite subsection (1), the amount of the honorarium referred to in subsection 55 (8) of the Act for a student trustee elected in 2020 for a two-year term of office is,

- (a) \$2,500 for the period starting on the later of August 1, 2020 and the day the student is elected and ending on July 31, 2021, if they hold office for the entire period;

- (b) \$2,500 for the period starting on August 1, 2021 and ending July 31, 2022, if they hold office for the entire period; and
- (c) if the student holds office for a portion of either period described in clause (a) or (b), \$2,500 prorated according to the portion of the period the student holds office. O. Reg. 189/20, s. 3.

Board to provide names to Ministry

10. The board shall provide the Ministry with the names of the student trustees elected, not later than 30 days after the date of the election or by-election. O. Reg. 7/07, s. 10.

Transition

11. Despite the revocation of Ontario Regulation 461/97 (Pupil Representation on Boards) made under the Act, that regulation continues to apply in respect of a pupil representative who holds office in the 2005-2006 school year. O. Reg. 7/07, s. 11.

Note: On August 17, 2020, the day subsection 1 (1) of Schedule 12 of the *Stronger, Fairer Ontario Act (Budget Measures), 2017* comes into force, section 11 of the Regulation is revoked and the following substituted: (See: O. Reg. 354/18, s. 6)

Centre Jules-Léger Consortium

11. (1) The Centre Jules-Léger Consortium shall ensure that the policy referred to in section 2 provides for the following matters:

1. The direct election of student trustees by students of the constituency they will represent, or the indirect election of student trustees by student representatives of the constituency they will represent.
 2. The timing of the election of student trustees.
 3. The terms of office of student trustees, which shall not exceed two years. O. Reg. 354/18, s. 6.
- (2) The procedure and timing of elections and the terms of office of student trustees for the Centre Jules-Léger Consortium shall be as provided in the policy, despite sections 4 and 6. O. Reg. 354/18, s. 6.
- (3) Despite section 3, the Centre Jules-Léger Consortium shall have three student trustees as follows:
1. One student trustee to represent students of the school continued under subsection 13 (3.1) of the *Education Act*.
 2. One student trustee to represent students of the school continued under subsection 13 (5.1) of the *Education Act*.
 3. One student trustee to represent students receiving the services set out in clause 13.1 (5) (b) of the *Education Act*. O. Reg. 354/18, s. 6.

12. REVOKED: O. Reg. 7/07, s. 12 (2).

Appendix H – Rules of Order Charts

Parliamentary Motions Guide

Based on *Robert's Rules of Order Newly Revised (12th Edition)*

The motions below are listed in order of precedence. Any motion can be introduced if it is higher on the chart than the pending motion.

YOU WANT TO:	YOU SAY:	INTERRUPT?	2 ND ? ¹	DEBATE?	AMEND?	VOTE?
§21 Close meeting	I move to adjourn	No	Yes	No	No	Majority
§20 Take break	I move to recess for	No	Yes	No	Yes	Majority
§19 Register complaint	I rise to a question of privilege	Yes	No	No	No	None
§18 Make follow agenda	I call for the orders of the day	Yes	No	No	No	None
§17 Lay aside temporarily	I move to lay the question on the table	No	Yes	No	No	Majority
§16 Close debate	I move the previous question	No	Yes	No	No	2/3
§15 Limit or extend debate	I move that debate be limited to ...	No	Yes	No	Yes	2/3
§14 Postpone to a certain time	I move to postpone the motion to ...	No	Yes	Yes	Yes	Majority
§13 Refer to committee	I move to refer the motion to ...	No	Yes	Yes	Yes	Majority
§12 Modify wording of motion	I move to amend the motion by ...	No	Yes	Yes	Yes	Majority
§11 Kill main motion	I move that the motion be postponed indefinitely	No	Yes	Yes	No	Majority
§10 Bring business before assembly (a main motion)	I move that [or "to"] ...	No	Yes	Yes	Yes	Majority

¹ Some more formal requirements, like seconds to motions, may not apply in smaller boards or any size committee.

Parliamentary Motions Guide

Based on *Robert's Rules of Order Newly Revised (12th Edition)*

Incidental Motions - No order of precedence. Arise incidentally and decided immediately.

YOU WANT TO:	YOU SAY:	INTERRUPT?	2 ND ?	DEBATE?	AMEND?	VOTE?
§23 Enforce rules	Point of order	Yes	No	No	No	None
§24 Submit matter to assembly	I appeal from the decision of the chair	Yes	Yes	Varies	No	Majority or tie sustains
§25 Suspend rules	I move to suspend the rules which ...	No	Yes	No	No	2/3
§26 Avoid main motion altogether	I object to the consideration of the question	Yes	No	No	No	2/3 against consideration
§27 Divide motion	I move to divide the question	No	Yes	No	Yes	Majority
§29 Demand rising vote	I call for a division	Yes	No	No	No	None
§33 Parliamentary law question	Parliamentary inquiry	Yes (if urgent)	No	No	No	None
§33 Request information	Request for information	Yes (if urgent)	No	No	No	None

Motions That Bring a Question Again Before the Assembly - no order of precedence. Introduce only when nothing else pending.

§34 Take matter from table	I move to take from the table ...	No	Yes	No	No	Majority
§35 Cancel or change previous action	I move to rescind/ amend something previously adopted...	No	Yes	Yes	Yes	Varies
§37 Reconsider motion	I move to reconsider the vote ...	No	Yes	Varies	No	Majority

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