



SUPERIOR-GREENSTONE

DISTRICT SCHOOL BOARD

PROCEDURAL BYLAWS

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PROCEDURAL BYLAWS

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(Credit: National Association of Parliamentarians NAP)

PREAMBLE

A. PURPOSE

The following organizational bylaws are established by the Superior-Greenstone District School Board for the orderly dispatch of its business by board members and staff.

These bylaws shall be subject to the provisions of any Statute or Regulation of the Province of Ontario and in the event of any conflict, the statutory provisions shall prevail.

B. NAME OF THE BOARD

The name of the Board shall be SUPERIOR-GREENSTONE DISTRICT SCHOOL BOARD.

C. JURISDICTION

The area served by the Board shall be as delineated by Government Regulation and as it may be altered by Regulation from time to time.

D. BOARD STATUS

Pursuant to section 58.5(1) of the *Education Act*:

“Every district school board is a corporation and has all the powers and shall perform all the duties that are conferred or imposed on it under this or any other Act”.

But, pursuant to section 58.6 of the *Education Act*:

“A district school board shall be deemed to be a local board and a school board for the purposes of the *Municipal Elections Act, 1996*”.

**BYLAWS OF THE
SUPERIOR-GREENSTONE DISTRICT SCHOOL BOARD**

ARTICLE I - NAME

The name of this Board shall be SUPERIOR-GREENSTONE DISTRICT SCHOOL BOARD.

ARTICLE II - PURPOSE

The purpose of the Superior-Greenstone District School Board shall be to inspire students to succeed and make a difference.

ARTICLE III - DEFINITIONS

Section 1. — Definitions

- 1.1 **“Act”** means the *Education Act*, Revised Statutes of Ontario, as amended from time to time.
- 1.2 **“Ad Hoc Committee”** also referred to as a special committee, means a committee established by the Board, as the need arises, to consider a specific, assigned matter, and report back thereon to the Board by a fixed date.
- 1.3 **“Administrative Officers”** means the Director of Education as Secretary of the Board and the Superintendent of Business as Treasurer of the Board.
- 1.4 **“Appointed Members”** means members appointed by the Board to sit as members with full or partial rights and to include (a) First Nations representative(s) and (b) Student Trustee(s).
- 1.5 **“Board”** means the Superior-Greenstone District School Board.
- 1.6 **“Board Officers”** means the Chair, Vice-Chair, Secretary and Treasurer of the Board.
- 1.7 **“Bylaws”** means the document that contains an organization’s own basic rules relating principally to itself as an organization, rather than to the parliamentary procedure it follows.
- 1.8 **“Chair”** means the Chair of the Board.

- 1.9 **“Committee Chair”** means a Chair of a committee of the Board.
- 1.10 **“Committee of the Whole”** means the Board meeting as a whole within the rules and regulations of a committee and open to the public unless, in accordance with the Education Act, the subject matter under consideration permits the meeting to be closed to the Public (“In-Camera”).
- 1.11 **“Director”** means Director of Education, Secretary of the Board and its Chief Executive Officer.
- 1.12 **“Elected Board Officers”** means the Chair and Vice-Chair of the Board.
- 1.13 **“Ex-Officio”** refers to a member who is permitted to act by virtue of office, with the right, but not the obligation, to participate in the proceedings of the committee, and is not counted in determining the number required for quorum or whether a quorum is present at a meeting.
- 1.14 **“Majority”** means more than half.
- 1.15 **“Majority vote”** (unqualified) means more than half of the votes cast by persons entitled to vote, excluding blanks or abstentions, at a regular or other properly called meeting.
- 1.16 **“Member”** means a Trustee, elected or appointed, of the Board.
- 1.17 **“Notice”** means the written announcement at the preceding meeting of a proposal to be brought before the Board at the following meeting or a special meeting called for the purpose to address the proposal.
- 1.18 **“Quorum”** means the number or proportion of members that must be present at a meeting of an organization to enable it to validly transact business.
- 1.19 **“Standing Committee”** means a committee established by the Board to consider, on an ongoing basis, a specific, fixed area of the Board’s operations.
- 1.20 **“Statutory Committee”** means any committee established by requirement of statute or regulation.
- 1.21 **“Sub Committee”** means any subcommittee established by a committee of the board (except a committee of the whole) which is responsible to and reports to the committee and not to the Board.
- 1.22 **“Vice-Chair”** means the Vice-Chair of the Board.

ARTICLE IV - MEMBERS

Section 1. — Elected Trustees

Elected Trustees are elected at a regular election in accordance with the *Municipal Elections Act*, 1996.

Section 2. — First Nations Representative

The First Nations Representative(s) is appointed to the board to represent the interests of the First Nation students and is deemed to be an elected member of the board, with all the rights, privileges and responsibilities of any other member in accordance with the *Education Act*.

Section 3. — Student Trustee

The Student Trustee is a pupil(s) enrolled in the senior division of a school of the board and elected by his or her peers in accordance with the *Education Act*.

Once elected, the Student Trustee attains a limited membership and term of office as outlined in the *Education Act* and referenced in Appendix C Regular Meetings.

ARTICLE V - OFFICERS

Section 1. — Elected Board Officers

The elected board officers shall be a Chair and a Vice-Chair of the Board. These officers shall serve for a term of one year and until their successors are elected.

Section 2. — Administrative Officers

The Secretary of the Board shall be the Director of Education in accordance with the *Education Act*.

The Treasurer of the Board shall be the Superintendent of Business.

Section 3. — Duties of Officers

Officers shall perform duties as outlined in the *Education Act*, Provincial Regulation, Board Policy and Procedures, and as prescribed in these bylaws, special rules of order, and the parliamentary authority adopted by the Board as well as those outlined in Appendix F, Code of Conduct for Trustees.

Matters or procedures not specifically described in these bylaws, special rules of order, the adopted parliamentary authority, or procedures outlined in the attached appendices, shall be handled in a manner established by the Chair subject to unanimous consent or, if any objection, a majority vote. Any such procedure will be in effect only until the matter at hand is disposed of.

ARTICLE VI - MEETINGS

Section 1. — Regular Meetings

Regular Meetings of the Board shall be held as determined by Board resolution at the Annual Organizational meeting, stipulating the date, time, and location of such meetings.

Due to extenuating circumstances, the Chair in consultation with the Director, may cancel, reschedule, or relocate a meeting when deemed necessary, provided as much notice as possible is provided to members.

Section 2. — Annual Organizational Meeting

The Annual Organizational Meeting of the Board for the second, third and fourth years of a Board's term of office shall be held no later than the first seven (7) days of December at the Board's Head Office, unless the Board otherwise directs.

The Annual Organizational Meeting shall be for the purpose of electing officers and electing board members to committees and for any other items of business deemed necessary.

Section 3. — Inaugural Meeting

The Inaugural Meeting of a newly elected Board shall be held no later than the first seven (7) days of December at the call of the Board Secretary and according to the *Education Act*.

This meeting shall be held at the head office of the Board in Marathon, Ontario unless extenuating circumstances require otherwise.

Section 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 submitted to the secretary of not less than a majority of the Members of the Board.

The purpose of the special meeting shall be stated in the call, which shall be sent to all members. Only business stated in the call shall be transacted.

Section 5. — Quorum

Quorum for Regular, Inaugural, Annual, or Special meetings of the Board shall be a majority of the members of the Board, excluding the Student Trustee.

Section 6. — Notice of Meetings

The notice of meetings shall be a minimum of five (5) days whenever possible. Notice, along with an agenda and supporting materials shall be forwarded to members prior to the holding of any meeting. Under extenuating circumstances notice may be waived.

Section 7. — Electronic Meetings

It shall be possible and permitted for members, including appointed members, upon request to the Secretary of the Board, to participate using electronic means, so long as all members can simultaneously participate in the meeting and as outlined in Board Policy and Provincial Regulations. Electronic means must allow for secure two-way communication for any in-camera meetings.

Despite the availability of electronic meetings, attendance must comply with the provisions outlined in the *Education Act*.

Section 8: — Minimum Requirements re Physical Presence in Board Meeting Room

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 in each 12-month period beginning December 1.

For the period beginning when a member of a Board is elected or appointed to fill a vacancy and ending on the following November 30, 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 with the election or appointment and ending on the following November 30.

ARTICLE VII - ELECTIONS

Section 1. — Elections

All elections shall be conducted by ballot according to the balloting procedures outlined in Appendix B, Election Procedures. If only one person is nominated or elects to stand for a position, that member shall be declared elected by acclamation.

Section 2. — Election Procedures

The procedures at an Inaugural Meeting and succeeding Annual Organizational Meetings shall be in accordance with the *Education Act* and election procedures as outlined in Appendix B, Election Procedures.

ARTICLE VIII - COMMITTEES

Section 1. — Statutory Committees

Statutory Committees are established under Provincial Regulations and have mandates, composition, and terms of reference as required by the Regulations.

Statutory Committees of the Board include the Special Education Advisory Committee (SEAC), Parent Involvement Committee (PIC), Audit Committee, and Supervised Alternative Learning Committee (SAL).

Section 2. — Standing Committees

Standing Committees may be established by the Board and comprised of Board members as well as non-members of the Board. Standing Committees are established to consider, on an ongoing basis, a specific fixed area of the Board's operation.

Standing Committees of the Board shall include: Board Student Discipline Committee, Board Policy Review Committee (BPRC), Native Education Advisory Committee (NEAC), Occupational Health and Safety Committee (OH&S), Transportation Committee, Education Committee, and Business Committee.

Section 3. — Ad Hoc (Special Committees)

Ad Hoc Committees (Special Committees) may be established by the Board and comprised of individuals deemed necessary to provide input to the Board on a topic or group of topics as determined by the Board.

Section 4. — Sub Committees

Sub Committees may be established by committees of the Board to undertake specific assigned matter(s) and report back to the striking committee by a fixed date.

Section 5. — Additional Committees

Additional committees may be established by the Board, or as directed by regulation, as deemed necessary.

Section 6. — Ex-officio

The Chair and Vice-Chair of the Board shall be ex-officio members of all board committees, unless elected or appointed as members resulting in ex-officio status no longer applying.

ARTICLE IX - PARLIAMENTARY AUTHORITY

The rules contained in the current edition of Robert's Rules of Order Newly Revised (RONR) shall govern the Superior-Greystone District School Board in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order that the Board may adopt.

ARTICLE X - AMENDMENT OF BYLAWS

Provisions within these bylaws may be amended at any regular board meeting or at a special meeting of the Board called for the sole purpose to amend the bylaws, by a 2/3 vote with notice.

Provisions within these bylaws may not be suspended.

Any reference to Acts or Regulations in these bylaws that require changes as a result of changes to Acts or Regulations shall be considered as written into the present bylaws with the new reference and alternate numbering, as required.

ARTICLE XI – AMENDMENT OF APPENDICES

Provisions within the attached appendices may be amended at any regular board meeting or at a special meeting of the Board called for the sole purpose to amend the appendices, by a 2/3 vote without notice or by a majority vote with notice.

Provisions within the attached appendices may be suspended by a 2/3 vote.

APRIL 18, 2016 AMENDMENT OF APPENDICES

MOTION NO. 50/16

Moved by: Trustee M. Mannisto

Second: Trustee M. McIntyre

✓ That, the Superior-Greenstone DSB amend Appendix B, (Page 12) Committee Members to read as follows:

“Elections: The Chair shall by way of members’ expression of interest conduct the process of appointment for members of Committees in the order as presented in the bylaws.”

MOTION NO. 51/16

Moved by: Trustee M. McIntyre

Second: Trustee M. Fisher

✓ That, the Superior-Greenstone DSB amend Appendix A, (Page 9) Special Rules of Order as follows:

“Notice along with supporting materials shall be forwarded to the Director/Chair a minimum of two weeks in advance of a board meeting whenever possible prior the next scheduled board meeting.”

APPENDIX A

Special Rules of Order

The following special rules of order adopted by the Superior-Greenstone District School Board shall take precedence over the parliamentary authority, that being the most current edition of Robert's Rules of Order Newly Revised (RONR), adopted by the Board.

A. Ballot

The results of a ballot vote will be announced, but not the count.

B. Committee of the Whole

The Chair of the Board shall chair the committee of the whole meeting.

C. Debate

Members may speak in debate twice up to two (2) minutes each time on any debatable motion. A motion to Limit or Extend Limits of Debate may be adopted by a 2/3 vote.

D. Ex-officio

While ex-officio members shall have all the rights to speak, they will not have voting rights and will not affect the quorum.

E. Reconsideration

The motion to reconsider will follow the current edition of RONR, with the following provision:

The same or substantially the same motion that receives the same outcome two meetings in a row shall not be re-visited for 6 months, unless the members, by a 2/3 vote, agree to do so.

F. Notice

Notice along with supporting materials shall be forwarded to the Director/Chair a minimum of two weeks in advance of a board meeting whenever possible prior the next scheduled board meeting.

(Motion 51/16)

APPENDIX B

Election Procedures

Procedures

The procedures at the Inaugural Meeting and each succeeding Annual Organizational Meeting shall be as follows.

Secretary Assumes Chair

The Secretary shall assume the Chair until the election of a Chair is concluded.

Call to Order

The Secretary shall:

- (a) call the meeting to order; and
- (b) if a quorum is present proceed to (c); or
if no quorum is present proceed with available options:
 - i) Recess
 - ii) adjourn
 - iii) fix the time to which to adjourn
 - iv) take measures to acquire a quorum
- (c) in an election year, read the returns of the clerks of the municipalities, if available, certifying as to the election of the members; and
- (d) declare the Board to be legally constituted when all members present have taken the declaration and oath, if taken, and they constitute a majority of all of the members of the Board.

Ballots

The Secretary shall have ballots prepared for each office.

Electronic secret voting shall be allowed. The voting member shall phone the scrutineer. The scrutineer shall fill in the ballot and place the ballot for the member.

Scrutineer

The Secretary shall designate two staff members to act as scrutineers.

Elections

The Secretary shall conduct the election for the Office of Chair by calling for nominations from the floor and each member so nominated shall indicate whether or not he/she will stand.

A seconder for a nomination is not required.

The following provisions shall apply.

- (a) **Acclamation**
If only one person is nominated or elects to stand, that member shall be declared elected by acclamation.
- (b) **Contested**
Where more than one member stands, a vote shall be taken by secret ballot, and the member receiving the majority vote shall be declared elected.
- (c) **Addressing the Members**
Time will be allocated for each candidate for the office of Chair and one (1) nominator for each candidate to address the Board in public session, if they chose to do so.
 - The nominator will be allowed up to two (2) minutes to speak.
 - The candidate will be allowed up to three (3) minutes to speak.
 - The time allowed will be strictly adhered to.
- (d) **No Majority on First Ballot**
If no nominee receives a majority on the first ballot, the name of the member receiving the fewest votes shall be removed and the members shall proceed to vote anew, again by secret ballot, and so on until a Chair has been duly elected.
- (e) **Tie for Fewest Votes**
If no nominee receives a majority and two or more nominees are tied respecting the fewest votes, those nominees so tied shall draw lots to determine which name shall remain on the ballot and which name shall be removed.
- (f) **Drawing Lots**
In the event of an equality of votes for the position of Chair, a further ballot shall be taken. If, upon the second ballot the equality remains, the nominees shall draw lots to fill the position of Chair.

Procedures for Drawing Lots

Two ballots shall be prepared: one stating the name of the position to be filled and the other blank. The person drawing the ballot stating the name of the position shall be declared the winner.

Balloting

The Secretary shall announce the results of any ballot, but shall not declare the count.

Assuming Chair

Upon election, the newly-elected Chair shall assume the role of Chair, and will preside over the remainder of the meeting.

Destroying Ballots

Once the successful candidate for chair is declared and assumes the role, the chair shall announce that the ballots are to be destroyed. No vote is required.

Vice-Chair

The Chair shall then conduct the election of the Vice-Chair of the Board, in the same manner as for the election of the Chair.

Committee Members

Elections

The Chair shall by way of members' expression of interest conduct the process of appointment for members of Committees in the order as presented in the bylaws. *(Motion 50/16)*

Destroy Ballots

Once the successful members are declared, the Chair shall announce that the ballots are to be destroyed.

Committee Chairs

Committee Chair elections shall occur by ballot, unless by acclamation, at the first meeting of the committee.

Other Business

Any other general business of the Board shall then be conducted.

Term of Office

The term of office for all elected Board Officers shall be for one (1) year and until their successors are elected.

There shall be no restrictions as to how many consecutive terms an individual member shall serve as an Officer of the Board.

APPENDIX C

Regular Meetings Of The Board Procedures

Agenda

All matters to be placed on the agenda of a Regular Board Meeting are subject to the approval of the Chair. The Chair may not deny the requests by Administration for agenda items arising from an Administrator's discharge of duty under the *Education Act* and Regulations or the procedures of the Board, and all such requests shall be granted by the next available meeting.

Quorum

The quorum shall be a majority of the members of the Board, excluding the Student Trustee.

As required in Regulation, the MINIMUM attendance required to be physically present in the meeting room of the Board shall be:

- (a) the Chair of the Board or designate
- (b) at least one additional member of the Board; and
- (c) the Director or designate.

Member Absence

It shall be the responsibility of each member to notify the Secretary of expected absences prior to the time of each regular meeting. Those providing such notice will be marked "absent with regret". Those not providing such notice will be marked "absent".

Agenda (Order of Business)

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

1. Roll Call
2. Approve Agenda
3. Declaration of Conflict of Interest
4. Approve Minutes of Previous Meeting(s)
5. Business Arising out of Minutes
6. Delegations, Representations
7. Reports and Matters for Decision
8. New Business
9. Notices of Motion
10. In-Camera (Closed to the Public)
11. Correspondence and Information Items
12. Adjournment.

Unfinished Business

If the adjournment of a meeting results in 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 Agenda. Alternatively, the Chair may schedule the unfinished items of business to the next meeting of the Board.

Participation of Appointed Members

First Nations Representative

Once appointed, the member representing First Nations is deemed to be an elected Member and, as such, has all the rights, privileges and responsibilities of any other member, and is subject to the same rules and regulations.

Student Representative

Once elected, the Student Trustee attains only a limited membership, and the Student Trustee may:

- (a) regularly attend Board Meetings and the Committee of the Whole In-Camera Sessions, however will be excused from discussions related to the "Personnel" section of In-Camera Agendas and those related to students and/or their parent(s)/guardian(s);
- (b) request that items be placed on or added to the Agenda, subject to the approval of the Chair and/or the Director;
- (c) request that a matter before the Board, or one of its Committees on which the Student Trustee sits, be put to a recorded vote and, in that case, there shall be:
 - (i) a recorded, non-binding vote that includes the Student Trustee's vote; and
 - (ii) a recorded binding vote that does not include the Student Trustee's vote;
- (d) make presentations to the Board;
- (e) generally provide advice to the Board from the perspective of a student within the system;
- (f) sit on Board Committee Meetings as other Trustees; however, not on a Committee that requires one or more "Members of the Board". When Board Policy governs Committee membership, the Board could amend its Policy to allow a Student Trustee to sit on the Committee.

The Student Trustee may NOT:

- (a) move or second a motion; however, 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;
- (b) participate in any Committee or Subcommittee dealing with employee matters;
- (c) serve as Chair or Vice-Chair.

Public Access to Meetings and Minutes

Meetings

All Meetings of the Board and its Committees shall be open public meetings except for those portions held In-Camera in accordance with the provisions of the *Education Act*.

Minutes

Minutes of Regular Board Meetings shall be made available on the Board website.

Exclusion of Persons

The Chair or Presiding Officer may expel or exclude from any meeting any person who has been guilty of improper conduct during the meeting.

Temporary Chair

If at any meeting there is no Chair or Vice-Chair present, the members present may by consensus appoint a member in attendance with the Director or designate to be the Chair for that Meeting.

Voting by Chair

The presiding Chair may vote with the other Members of the Board upon all motions. This provision shall apply to all meetings of the Board and its Committees.

Presiding Officer's Participation

It shall be the policy and practice of the Board to allow the full participation of the Chair or Vice-Chair of the Board or any Committee without that individual having to relinquish the Chair.

Reconsideration

The same or substantially the same motion that receives the same outcome two meetings in a row shall not be re-visited for six months, unless the members, by a 2/3 vote, agree to do so.

APPENDIX D

DELEGATIONS

Conditions

Persons or groups wishing to appear before the Board shall be permitted to do so, provided:

- (a) Subject Matter:
is a matter within the jurisdiction of the Board; and
- (b) Request
a request is received by the Chair or the Director or designate at least six (6) days prior to the meeting at which the delegation is requesting permission to be heard.

Approval

Requests from delegations by or on behalf of employees of the Board shall require the approval of the Board.

Specifics

Requests from delegations must specify the nature of the topic to be addressed, and the name of the spokesperson for the group.

In Camera Topics

Where the subject matter of the delegation involves matters that according to the *Education Act* are to be discussed in camera, the delegation will be included on the Agenda for the Committee of the Whole Board in Camera part of the Regular or Special Meeting.

Handouts

If a delegation wishes to provide written materials as part of the presentation, up to five (5) pages will be copied by the Board and will be included for the Members as part of their agenda package, if received at least seven (7) business days prior to the meeting date.

Exception

Time and other requirements herein may be waived at the discretion of the Chair in consultation with the Director.

Refusal

Delegations may be refused if they would appear on the same agenda as a similar item to be voted upon by Trustees at the same meeting.

Referred to Committee

The Chair or Director may assign a requested delegation to a Committee of the Board.

Time Limit

Any delegation will be ordinarily limited to ten (10) minutes for its presentation.

Questions

Questions of clarification may be asked by the members following a presentation.

Decision

No decision relative to the presentation will be made by the Board at the meeting at which the presentation is made.

APPENDIX E

**CODE OF CONDUCT
FOR MEMBERS OF
SUPERIOR-GREENSTONE DISTRICT SCHOOL BOARD**

PREAMBLE

The first and foremost job of the Superior Greenstone District School Board of Trustees is to ensure ongoing achievement and well-being of all its students. This requires a board that is focused on the strategic direction, priorities, mission and values approved by the Board. It requires Board members to demonstrate-collectively and individually- the highest standards of ethical conduct.

1. RATIONALE

This code of conduct guides the actions of Board members of the Superior Greenstone District School Board (SGDSB) as they carry out their duties described in the Education Act and Board policy. In addition, the actions of SGDSB Board members must align with the values outlined in the Board's Strategic Priorities and Commitments.

The Board members of the SGDSB occupy positions of public trust and confidence. They are expected to maintain the integrity of the board and their position as a Board member. Board members will discharge their duties and responsibilities in a professional and impartial manner. It is imperative that trustees be and be seen to be acting in the best interests of the people they serve.

2. PURPOSE

A code of conduct policy contributes to confidence in public education and respect for the integrity of elected Trustees in their community. It deals with acceptable and respectful behaviours.

3. APPLICATION

This Code of Conduct and the Enforcement Procedures apply to all Trustees of the Superior Greenstone District School Board.

4. GUIDING PRINCIPLES

Principle 1: Integrity and Dignity of Office

- 1.1 Trustees' first responsibility is to our students, the parents and guardians in our school system, our employees and the communities we serve.
- 1.2 Trustees of the Board shall discharge their duties loyally, faithfully, impartially and in a manner that will inspire public confidence in the abilities and integrity of the Board.
- 1.3 Trustees of the Board shall recognize that the expenditure of school board funds is a public trust and endeavour to see that the funds are expended efficiently, in the best interests of the students.
- 1.4 Trustees will commit themselves to dignified, ethical, professional and lawful conduct.

Principle 2: Avoidance of Personal Advantage and Conflict of Interest

- 2.1 No Trustee shall accept a gift from any person or entity that has dealings with the Board if a reasonable person might perceive that the gift could influence the Trustee when performing his or her duties to the Board.
- 2.2 A Trustee shall not use his or her office to advance the Trustee's interests or the interests of any family member or person or organization with whom or with which the Trustee is related or associated.
- 2.3 A Trustee shall not use his or her office to obtain employment with the Board for the Trustee or a family member.

Principle 3: Compliance with Legislation

- 3.1 A Trustee of the Board shall discharge his or her duties in accordance with the Education Act and any regulations, directives or guidelines thereunder.
- 3.2 Every Trustee of the Board shall uphold the letter and spirit of this Code of Conduct.
- 3.3 Every Trustee shall respect and understand the roles and duties of the individual Trustees, Board of Trustees, the Director of Education and the Chair of the Board.

Principle 4: Civil Behaviour

- 4.1 No Trustee shall engage in conduct during meetings of the Board or committees of the Board, and at all other times that would discredit or compromise the integrity of the Board.

- 4.2 A Trustee of the Board shall not advance allegations of misconduct and/or a breach of this Code of Conduct that are trivial, frivolous, vexatious, made in bad faith or vindictive in nature against another Trustee of the Board.
- 4.3 When expressing individual views, Trustees shall respect the differing points of view of other Trustees on the Board, staff, students and the public.
- 4.4 Trustees shall at all times act with decorum and shall be respectful of other Trustees of the Board, staff, students and the public.

Principle 5: Respect for Confidentiality

- 5.1 Every Trustee shall keep confidential any information disclosed or discussed at a meeting of the Board or committee of the Board, or part of a meeting of the Board or committee of the Board, that was closed to the public, and keep confidential the substance of such deliberations, unless required to divulge such information by law or authorized by the Board to do so.
- 5.2 No Trustee shall use confidential information for either personal gain or to the detriment of the Board.
- 5.3 Trustees shall not divulge confidential information, including personal information about an identifiable individual or information subject to solicitor-client privilege that a Trustee becomes aware of because of his or her position, except when required by law or authorized by the Board to do so.

Principle 6: Upholding Decisions

- 6.1 A Trustee of the Board shall accept that authority rests with the Board, and that a Trustee has no individual authority other than that delegated by the Board.
- 6.2 A Trustee shall uphold the implementation of any Board resolution after it is passed by the Board.
- 6.3 A Trustee may respectfully state his or her position on a resolution provided it does not in any way undermine the implementation of the resolution.
- 6.4 Each Trustee shall comply with Board policies, procedures, By-Laws, and Rules of Order.
- 6.5 The Chair of the Board is the spokesperson to the public on behalf of the Board, unless otherwise determined by the Board. No other Trustee shall speak on behalf of the Board unless expressly authorized by the Chair or Board to do so. When a Trustee expresses their opinion(s) in public, they must make it clear that they are not speaking on behalf of the Board.

5. ENFORCEMENT OF THE CODE OF CONDUCT

Identifying a Breach of the Code

- 5.1 A Trustee who has reasonable grounds to believe that a Trustee of the Board has breached the Board's Code of Conduct may bring the alleged breach to the attention of the Board. This is done through the Chair of the Board or another trustee as designated by the Board and described in Section 6.1.
- 5.2 Any allegation of a breach of the Code must be brought to the attention of the Chair no later than six (6) weeks after the breach comes to the knowledge of the Trustee reporting the breach. Notwithstanding the foregoing, in no circumstance shall an inquiry into a breach of the Code be undertaken after the expiration of six (6) months from the time the contravention is alleged to have occurred.
- 5.3 Any allegation of a breach of the Code of Conduct shall be investigated following the Informal or Formal Complaint Procedures below, as the case may be.
- 5.4 It is expected that whenever possible, allegations of a breach of the Code of Conduct by a Trustee shall be investigated following the Informal Complaint Procedure. It is recognized that from time to time a contravention of the Code may occur that is trivial, or committed through inadvertence, or an error of judgment made in good faith. In the spirit of collegiality and the best interests of the Board, the first purpose of alerting a Trustee to a breach of the Code is to assist the Trustee in understanding his/her obligations under the Code. Only serious and/or recurring breaches of the Code by a Trustee should be investigated following the Formal Complaint Procedure.

6. CHAIR / PRESIDING OFFICER

- 6.1 The Code of Conduct applies equally to the Chair of the Board. In the case of an allegation of a breach of the Code by the Chair, wherever a process requires action by the Chair, it shall be modified to read the Vice-Chair.
- 6.2 Nothing in this Code prevents the Chair or Presiding Officer of any meeting of the Board or committee of the Board from exercising their power pursuant to s. 207(3) of the Education Act to expel or exclude from any meeting any person who has been guilty of improper conduct at the meeting. For greater certainty, this may be done at the sole discretion of the Chair or Presiding Officer, as the case may be, and without the necessity of a complaint or conducting an inquiry before an expulsion or exclusion from a meeting. The rationale for this provision is that a Chair or Presiding Officer must have the ability to control a meeting. Any Trustee who does not abide by a reasonable expulsion or exclusion from a meeting is deemed to have breached this Code.
- 6.3 The Board will appoint a Code of Conduct committee when required to conduct the formal inquiry process. This committee will consist of the Chair or Designate and such trustees as determined by the Board at that time.

- 6.4 The Chair of the Board or Presiding Officer of any meeting of the Board or committee of the Board shall exercise their powers in a fair and impartial manner having due regard for every Trustee's opinion or views.

7. INFORMAL COMPLAINT PROCEDURE

- 7.1 The Chair of the Board on his/her own initiative, or at the request of a Trustee of the Board, without the necessity of providing a formal written complaint, may review the complaint and may meet informally, with a Trustee of the Board who is alleged to have breached the Code, to discuss the breach. The purpose of the meeting is to bring the allegation of the breach to the attention of the Trustee and to discuss remedial measures to correct the offending behaviour. The Informal Complaint Procedure is conducted in private.
- 7.2 The remedial measures may include, for example, a warning, an apology, and/or the requirement of the Trustee to engage in the successful completion of professional development training such as that offered by the Ontario Education Services Corporation Professional Development Program for School Board Trustees. If the Chair of the Board and the Trustee alleged to have breached this Code cannot agree on a remedy, then a formal complaint may be brought against the Trustee alleged to have breached this Code and that complaint will be dealt with in accordance with the Formal Complaint Procedure below.

8. FORMAL COMPLAINT PROCEDURE

- 8.1 A Trustee who has reasonable grounds to believe that another Trustee of the Board has breached the Board's Code of Conduct may bring the breach to the attention of the Board by first providing to the Chair of the Board a written, signed complaint setting out the following:
- a) The name of the Trustee who is alleged to have breached the Code;
 - b) The alleged breach or breaches of the Code;
 - c) Information as to when the alleged breach came to the Trustee's attention;
 - d) The grounds for the belief of the Trustee that a breach of the Code has occurred; and
 - e) The names and contact information of any witnesses to the breach or any other persons who have relevant information regarding the alleged breach.

Except as provided below, if a written complaint is filed with the Chair of the Board then a formal inquiry shall be undertaken, unless the complainant subsequently withdraws the complaint or agrees that the complaint may be dealt with in accordance with the Informal Complaint Procedure.

- 8.2 In an election year for Trustees, a code of conduct complaint respecting a Trustee who is seeking re-election shall not be brought during the period commencing two (2) months prior to Election Day and ending after the first Board meeting after the new term of office of the Board commences. If the Trustee accused of a breach of the Code is not re-elected, no inquiry into the alleged

breach of the Code by that Trustee shall be undertaken. The limitation period for bringing a complaint shall be extended as necessary.

- 8.3 The Chair of the Board shall provide to all Trustees of the Board a confidential copy of the complaint within ten (10) business days of receiving it. The complaint, any response to the complaint and the investigation of the complaint shall be confidential until it is before the Board of Trustees for a decision as to whether or not the Trustee has breached this Code.
- 8.4 The Chair or Designate shall convene the Code of Conduct Committee as appointed by the Board.

9. REFUSAL TO CONDUCT INQUIRY

- 9.1 If the Code of Conduct Committee is of the opinion that the allegation of the breach is out of time, trivial, frivolous, vexatious or not made in good faith, or that there are no grounds or insufficient grounds for an inquiry, an inquiry shall not be conducted and a confidential report stating the reasons for not doing so shall be provided to all Trustees of the Board.

10. STEPS OF INQUIRY

- 10.1 The Statutory Powers Procedure Act does not apply to anything done regarding the Enforcement of this Code of Conduct. No formal trial-type hearing will be conducted.
- 10.2 Procedural fairness and the principles of natural justice shall govern the formal inquiry. The formal inquiry will be conducted in private.
- 10.3 The formal inquiry may involve both written and oral statements by any witnesses, the Trustee bringing the complaint and the Trustee who is alleged to have breached the Code of Conduct.
- 10.4 The Trustee who is alleged to have breached the Code of Conduct shall have an opportunity to respond to the allegations both in a private meeting with the Code of Conduct Committee undertaking the formal inquiry and in writing.
- 10.5 Once the formal inquiry is complete, the investigators shall provide a confidential draft copy of their report containing the findings of fact to the Trustee who is alleged to have breached the Code of Conduct and the Trustee who brought the complaint for their written comment to the Code of Conduct Committee. The purpose of providing the draft report to the parties is to ensure no errors of fact are contained in it. These two Trustees shall have ten (10) business days (or such reasonable period of time as deemed appropriate by the Code of Conduct Committee), from the receipt of the draft report to provide a written response.
- 10.6 If the accused Trustee refuses to participate in the formal inquiry, the formal inquiry will continue in his/her absence.

- 10.7 The final report shall outline the finding of facts, but not contain a recommendation or opinion as to whether the Code of Conduct has been breached. This will be determined by the Board of Trustees as a whole.

11. SUSPENSION OF FORMAL INQUIRY

- 11.1 If the Code of Conduct Committee, when conducting the formal inquiry, discover that the subject matter of the formal inquiry is being investigated by police, that a charge has been laid, or is being dealt with in accordance with a procedure established under another Act, the inquiry shall be suspended until the police investigation, charge or matter under another Act has been finally disposed of. This shall be reported to the rest of the Board of Trustees.

12. DECISION

- 12.1 Trustees shall consider only the findings in the Final Report when voting on the decision and sanction. No Trustee shall undertake his/her own investigation of the matter.
- 12.2 The final report shall be delivered to the Board of Trustees, and a decision will be made by the Board of Trustees as to whether or not the Code of Conduct has been breached.
- 12.3 The sanction, if any, for the breach shall be made as soon as practical after receipt of the final report by the Board.
- 12.4 ***The Trustee who is alleged to have breached the Code of Conduct shall not vote on a resolution to determine whether or not there is a breach or the imposition of a sanction.*** The Trustee who brought the complaint to the attention of the Board may vote on those resolutions.
- 12.5 The Trustee who is alleged to have breached the Code of Conduct may be present during the deliberations regarding the above but shall not participate in the deliberations, and shall not be required to answer any questions at that meeting.
- 12.6 The Trustee who is alleged to have breached the Code of Conduct shall not in any way, after the final report is completed, influence the vote on the decision of breach or sanction, except as permitted below after these decisions have been made.
- 12.7 The determination of a breach of the Code of Conduct and the imposition of a sanction with respect to a complaint investigated in accordance with the Formal Complaint Procedure must be done by resolution of the Board at a meeting of the Board, and the vote on the resolution shall be open to the public. The resolutions shall be recorded in the minutes of the meeting. The reasons for the decision shall be recorded in the minutes of the meeting. Both resolutions shall be decided by a vote of at least two thirds (2/3rd) of the Trustees of the Board present and voting.

- 12.8 Despite s. 207 (1) of the Education Act, the part of the meeting of the Board during which a breach or alleged breach of the Board's Code of Conduct is considered may be closed to the public when the breach or alleged breach involves any of the matters described in clauses 207(2) (a) to (e) being:
- 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.

13. SANCTIONS

- 13.1 If the Board determines that the Trustee has breached the Board's Code of Conduct, the Board may impose one or more of the following sanctions:
- a) Censure of the Trustee
 - b) Barring the Trustee from attending all or part of a meeting of the Board or a meeting of a committee of the Board
 - (c) Barring the member from sitting on one or more committees of the Board, for the period of time specified by the Board.
- 13.2 The Board shall not impose a sanction, which is more onerous than the above but may impose one that is less onerous such as a warning or a requirement that the Trustee successfully complete specified professional development at the expense of the Board. The Board has no power to declare the Trustee's seat vacant.
- 13.3 A Trustee who is barred from attending all or part of a meeting of the Board or a meeting of a committee of the Board is not entitled to receive any materials that relate to that meeting or that part of the meeting and that are not available to members of the public.
- 13.4 The imposition of a sanction barring a Trustee from attending all or part of a meeting of the Board shall be deemed to be authorization for the Trustee to be absent from the meeting and therefore, not in violation of the Education Act regarding absences from meetings.

14. RECONSIDERATION

- 14.1 If the Board determines that a Trustee has breached the Board's Code of Conduct the Board shall,
- a) Give the Trustee written notice of the determination, the reasons for the decision and any sanction imposed by the Board;
 - b) The notice shall inform the Trustee that he or she may make written submissions to the Board in respect of the determination or sanction by the date specified in the notice that is at least seven (7) business days after the submissions are received by the Trustee; and;

- c) Consider any submissions made by the trustee and shall confirm or revoke the determination or sanction within twenty (20) business days after the submissions are received.
- 14.2 If the Board revokes a determination, any sanction imposed by the Board is revoked.
- 14.3 If the Board confirms a determination, the Board shall, within the twenty (20) business days confirm, vary or revoke the sanction.
- 14.4 If a sanction is varied or revoked, the variation or revocation shall be deemed to be effective as of the date the original determination was made.
- 14.5 The Board's decision to confirm or revoke a determination or confirm, vary or revoke a sanction shall be done by resolution at a meeting of the Board and the vote on the resolution shall be open to the public. Both resolutions shall be decided by a vote of at least two thirds (2/3rd) of the Trustees present and eligible to vote. The resolutions shall be recorded in the minutes of the meeting together with the reasons for confirming or revoking a determination. The Board shall provide to the Trustee alleged to have breached the Code of Conduct written notice of the decision to confirm or revoke the determination together with reasons for the decision and written notice of any decision to confirm, vary or revoke a sanction. The Trustee alleged to have breached the Code of Conduct shall not vote on those resolutions. The Trustee who brought the complaint may vote.
- 14.6 The Trustee who is alleged to have breached the Code of Conduct may be present during the deliberations regarding the above but may not participate in the deliberations and shall not be permitted to answer any questions at that meeting.
- 14.7 If appropriate, the original sanction may be stayed pending the reconsideration by the Board of the determination or sanction.

APPENDIX F

Basic Parliamentary Information

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BASIC PARLIAMENTARY INFORMATION

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PROCEDURE FOR HANDLING A MAIN MOTION

What is Happening/Notes	The Chair Says/Does	Members Say/Do
Obtaining and assigning the floor		
A member rises when no one else has the floor		"Mr./Madame President/Chairman"
	Recognizes the member by name, title or nodding	
How the motion is brought before the assembly		
Member sits after		"I move that (or 'to')..."
Another member believes the motion is worth discussing		"I second the motion" or just "Second"
"Is there any debate?" is a less formal alternative to "Are you ready for the question?"	"It is moved and seconded that (or 'to') ... Are you ready for the question?"	
Consideration of the motion		
See rules for debate (sidebar)		Debate
The chair puts the question to a vote of the assembly		
	"Are you ready for the question?"	Further debate
After debate is ended, or if the formal motion Previous Question has been moved and adopted to stop debate, a vote is taken	"The question is on the adoption of the motion that ..." "Those in favor of the motion, say aye." (Pause) "Those opposed say no." (Pause)	Members vote
The chair announces the results of the vote		
	"The ayes have it, the motion is adopted, and ... (indicating the effect of the vote or ordering its execution)." OR "The noes have it and the motion is lost."	

PRINCIPLES UNDERLYING PARLIAMENTARY LAW

As stated in *Robert's Rules of Order Newly Revised*, rules of parliamentary law balance the rights of individuals or groups within an organization's total membership. These rules are based on a regard for the rights:

- of the majority,
- of the minority, especially a strong minority greater than one third,
- of individual members,
- of absentees, and
- of all these together.

Ultimately the will of the majority decides matters, but only after full and free discussion. The rights of all (even those absent) must be protected. This pamphlet will help you run meetings more efficiently and effectively and help protect the rights of all members.

RULES FOR DEBATE

1. Members first obtain the floor.
2. The maker of the motion may speak first.
3. Debate is made to the chair; it is confined to the merits of the motion and not the motives or personalities of other members.
4. Amendments may be offered to improve the motion. They must be approved by the body, and the motion must still be adopted as amended.
5. Debate can be closed only by the assembly (2/3 vote) or by the chair if no one seeks the floor for further debate.

PERTINENT FACTS

- A **main motion** brings business before the assembly.
- A **subsidiary motion** assists the assembly in treating or disposing of a main motion.
- A **privileged motion** deals with matters of immediate importance. It does not relate to the pending business.
- An **incidental motion** is related to the parliamentary situation so that it must be decided before business can proceed.

MEANING OF SYMBOLS

- # Main motion when no other motion is pending.
 I In order when another has the floor; may interrupt.
 S Requires a second.
 D Is debatable.
 A Can be amended.
 M Requires a majority vote (i.e. more than half of votes cast).
 $\frac{2}{3}$ Requires a 2/3 vote (twice as many in the affirmative as in the negative).
 + Usually no vote is taken; the chair decides.
 N No vote; chair responds.
 R Vote may be reconsidered.
 * See *Robert's Rules of Order Newly Revised*, current edition, for specific rules.

¹TYPES OF AMENDMENTS

- To insert (within) or add (at the end of a sentence or paragraph) a word, consecutive words, or paragraph.
- To strike out a word, consecutive words, or a paragraph.
- To strike out and insert (which applies to words) or to substitute (which is applied to at least a paragraph of one or more sentences.)
- To strike out a word or paragraph and insert it in a different place.

RANKING MOTIONS

Motions on this page are listed in rank order, with the highest ranking at the top. After a motion has been stated by the chair, higher ranking motions are in order but not lower ranking

motions except that Amend and Previous Question can be applied to amendable and/or debatable motions of higher rank than themselves.

Interrupt	Second	Debate	Amend	Vote	Reconsider
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PRIVILEGED MOTIONS

#	Fix the Time to Which to Adjourn		S		A	M	R
#	Adjourn		S			M	
#	Recess		S		A	M	
	Raise a Question of Privilege	I				+	
	Call for the Orders of the Day	I				+	

SUBSIDIARY MOTIONS

	Lay on the Table		S			M	R*
	Previous Question		S			$\frac{2}{3}$	R*
#	Limit or Extend the Limits of Debate		S		A	$\frac{2}{3}$	R*
	Postpone to a Certain Time (or Definitely)		S	D	A	M	R*
#	Commit or Refer		S	D	A	M	R
	Amend ¹		S	D	A*	M	R
	Postpone Indefinitely		S	D		M	R*

MAIN MOTIONS

	S	D	A	M	R
--	---	---	---	---	---

NON-RANKING MOTIONS	Interrupt	Second	Debate	Amend	Vote	Reconsider
INCIDENTAL MOTIONS						
Appeal Chair's Decision	I	S	D*		M*	R
Close Nominations or Close the Polls		S		A	$\frac{2}{3}$	
Consider by Paragraph or Seriatim		S		A	M	
Create a Blank		S			M	
Division of the Assembly	I				N	
Division of the Question		S*		A	M*	
Object to Consideration of a Question	*				$\frac{2}{3}$ *	R*
Parliamentary Inquiry	I				N	
Point of Order	I		*		+	
Reopen Nominations or Reopen the Polls		S		A	M	R*
Request for Information	I				N	
² Request for Permission to Withdraw a Motion	*	*				neg
Suspend the Rules		S			$\frac{2}{3}$ *	
MOTIONS THAT BRING A QUESTION AGAIN BEFORE THE ASSEMBLY						
Take from the Table		S			M	
³ Rescind or Amend Something Previously Adopted		S	D	A	*	R*
³ Discharge a Committee		S	D	A	*	R*
⁴ Reconsider	*	S	D*		M	

NOTES

² Before a motion has been stated by the chair, it can be withdrawn or modified by the maker. After it has been stated by the chair, it can be withdrawn or modified only by unanimous consent or by a majority vote of the assembly.

³ An Incidental Main Motion which usually requires a majority vote with previous notice, a $\frac{2}{3}$ vote without previous notice, or a majority vote of the entire assembly/membership.

⁴ Hasty or ill-advised action can be corrected through the motion to Reconsider. This motion can be made only by one who voted on the prevailing side and made only on the same day the original vote was taken. In a session of more than one day, a reconsideration can also be moved on the next succeeding day within the session on which the meeting is held.

FORMS OF VOTING

- A **voice vote** is the most commonly used form of voting (ayes and noes).
- A **rising vote** is the normal method of voting on motions requiring a $\frac{2}{3}$ vote for adoption. It is also used to verify a voice vote or a vote by show of hands. The chair can order a rising vote or a single member can call for a Division of the Assembly.
- A **show of hands** is an alternative for a voice vote, sometimes used in small boards, committees, or very small assemblies, or for a rising vote in very small assemblies, but only if no member objects.
- Some conventions use **voting cards**, provided to delegates, to raise for voting.
- A **count** can be ordered by the chair or by a majority vote of the assembly.
- **Unanimous consent** is a vote of silent agreement without any objection.
- A **ballot** or **roll call** vote can be ordered by a majority of the assembly.

EXAMPLE OF A TYPICAL MEETING

After determining that a quorum is present, the presiding officer rises, waits or signals for quiet and says, **"The meeting will come to order."**

Opening Ceremonies: Based on the group, religious, patriotic, and customary rituals may be included. If given, the invocation, the National Anthem, and the Pledge of Allegiance to the Flag of the United States are arranged in that order. Inspirational messages follow patriotic exercises.

Roll Call (If customary): The chair states, **"The secretary will call the roll of members."**

Reading and Approval of Minutes: After the minutes are read, or if they have been previously distributed, the chair asks, **"Are there any corrections to the minutes?"** (Pause) **"If there are none, the minutes are approved as written."** With any corrections, **"The secretary will make the corrections. If there are no further corrections, the minutes are approved as corrected."**

Reports of Officers, Boards, Standing and Special Committees: Called on only if they have reports to make.

- Officers, boards, and standing committees report in the order they are listed in the bylaws. Special committees report in the order in which they were created.
- A treasurer's report is never adopted; instead a financial review or auditor's report is adopted annually.
- If an officer's report contains a recommendation, another member can make a main motion following the report to adopt the recommendation.
- Committee chairmen may make motions for recommendations contained in their reports.

Special Orders: Announced only if there are such items or matters required by the bylaws for a meeting. For example, **"The secretary will read from the Bylaws Article_ Section_ concerning the election of a nominating committee."**

Unfinished Business and General Orders: Announced only if there are such items (matters previously introduced but not finished at the prior meeting) or items postponed by way of motion to the next meeting.

New Business: The chair takes up any new business that is listed on the approved agenda. The chair then asks, **"Is there any new business?"** or **"Is there any further new business?"**

Announcements: **"The chair has the following announcements... Are there any other announcements?"**

Program: The chair does not "turn the meeting over," but announces, **"The program committee will now present the program..."** Or **"...will introduce our speaker."**

Adjournment: **"Is there any further business?"** (Pause) **"Since there is no further business, the meeting is adjourned."** Or **"A motion to adjourn is in order."**