

1-99 Bylaw Organization and Operation of the Board

Bylaw 1-99

STATUS: ADOPTED

A BYLAW TO PROVIDE FOR THE ORGANIZATION AND OPERATION OF THE BOARD

Board Approved: April 23, 1997

Last Revised: April, 2013; December 19, 2019

The Board of Education of School District No. 59 (Peace River South) is comprised of 7 trustees from the following electoral areas:

Electoral Area I: Chetwynd & Rural Areas	2 trustees
Electoral Area II: Tumbler Ridge & Area	1 trustee
Electoral Area III: City of Dawson Creek	2 trustees
Electoral Area IV: Rural Areas Surrounding Dawson Creek and Pouce Coupe	2 trustees

1.0 OFFICERS:

1.1. The Chairperson will:

- 1.1.1. Preside at all meetings in accordance with Board policy and, in absence of policy, with *Robert's Rules of Order*;
- 1.1.2. Provide, on behalf of the Board of Education, appropriate public comments on Board actions and be the official spokesperson for the Board of Education;
- 1.1.3. May enter into debate as a trustee;
- 1.1.4. Vote as stated in 13.2;
- 1.1.5. Be an ex-officio, non-voting member of all standing and ad hoc committees.

1.2. The Vice-Chairperson will:

- 1.2.1. Carry out the functions of the Chairperson in their absence, or when asked to do so by the Chairperson.

1.3. Acting Chairperson:

- 1.3.1. If both the Chairperson and Vice-Chairperson are absent from a meeting, the trustees shall elect an Acting Chairperson for the meeting with all of the powers of the Chairperson for that meeting.

2.0 DEFINITIONS:

The following definitions are for the purpose of this by-law only:

Inaugural Meeting:	The first meeting of the Board of Education following an election where the positions of Board Chair and Vice-Chair are elected, and any known pecuniary conflict of interest is declared. Board Representatives for standing committees and school liaisons may be appointed at this meeting or at the next regularly scheduled meeting of the Board.
Organizational Meeting:	An annual meeting of the Board of Education is held in a non-election year where elections for Board Chair and Vice-Chair will be held and Board Representatives for standing committees and school liaisons are appointed.
Regular Meetings:	Meetings of the Board of Education (Open or Closed) scheduled to occur on specific dates and times as determined by the Board.
Agenda Meeting:	A meeting of the Board Chairperson, Vice-Chairperson, Superintendent and Secretary-Treasurer will occur to determine appropriate items for the agenda.
Special Meeting:	An open or closed meeting of the Board which is held outside of the regular meeting schedule.
Standing Committee:	A committee which exists from year to year and is typically charged with a continuing function and meets regularly to conduct business.
Special Committee:	A committee which is formed to perform a specific task and only holds meetings specific to carrying out the task as assigned.

3.0 QUORUM:

- 3.1. The quorum for a regular meeting shall be a majority of trustees holding office at that time. If a quorum has not been achieved within thirty minutes after the appointed time, the meeting shall stand adjourned until the next Regular or Special Meeting is called.

4.0 PARTICIPATION:

- 4.1. If members of a meeting are unable to attend a meeting in person, members are allowed to participate electronically or via teleconference and will be counted as in attendance and will hold the same voting responsibilities as if attending in person.

5.0 MEETINGS:

5.1. REGULAR MEETING (Open or Closed):

- 5.1.1. The Board of Education shall hold regular meetings as often as is necessary to transact the business of the Board not less than once every three months;
- 5.1.2. All open meetings of the Board of Education shall be open to the public and no person shall be excluded except for improper conduct in accordance with the provisions of Section 70 of the School Act;
- 5.1.3. The Board may order a meeting or part thereof to be closed and may exclude persons other than trustees for the purpose of discussing confidential matters;
- 5.1.4. Closed Board Meetings are held to discuss confidential matters and are closed to the public;
- 5.1.5. By way of motion with majority consent, guests may be asked to attend a closed meeting only for the business directly related to the attendance of the guest;
- 5.1.6. No trustee shall disclose to the public the proceedings of a Closed Meeting unless a resolution has been passed to allow disclosure.

5.2. SPECIAL MEETING (Open or Closed):

- 5.2.1. A Special Meeting of the Board may be called by the Chairperson or, upon request of a majority of the trustees, by the Secretary-Treasurer.
- 5.2.2. No business other than that for which the meeting was called shall be conducted at the meeting;
- 5.2.3. Notice, either written or verbal of a Special Meeting shall be given to each trustee at least 24 hours in advance of the meeting;
- 5.2.4. Minutes shall be kept in accordance Section 6.0.

5.3. INAUGURAL MEETING:

- 5.3.1. Shall be carried out as described in Policy 2050: Inaugural Meeting.

5.4. ORGANIZATIONAL MEETING:

- 5.4.1. Shall be carried out as described in Policy 2051: Organizational Meeting.

5.5. STANDING COMMITTEE MEETING:

- 5.5.1. Standing Committees shall meet as often as needed to conduct the business of the committee. Members of the committee shall be appointed annually; and
- 5.5.2. Each Standing Committee will develop a terms of reference that will be referred to the Board of Education for approval.
- 5.5.3. Each Standing Committee will operate in accordance with that committee's terms of reference.

5.6. SPECIAL COMMITTEE MEETING:

- 5.6.1. A special committee will be struck when special business of the board requires such committee;
- 5.6.2. The members will be appointed and will only conduct business as to the purpose of the committee;
- 5.6.3. The purpose of the committee will be defined when the committee is formed;
- 5.6.4. The committee will dissolve once the business of the committee is complete.

6.0 MINUTES:

- 6.1. Minutes shall be kept by the Secretary-Treasurer of the Board of all proceedings passed at meetings of the Board, such minutes are to be concise and to record the decisions of the Board;
- 6.2. The names of trustees voting against resolutions or abstaining from voting shall be recorded in the minutes;
- 6.3. Until the Board of Education approves the minutes of a meeting, the minutes shall be marked "draft";
- 6.4. Approved Open Meeting minutes, including Special Open Meeting minutes, will be available for viewing and placed on the district website;
- 6.5. Closed Meeting minutes, including Special Closed Meeting minutes, shall be approved in a regular closed session and are to be filed separate from open meeting minutes;
- 6.6. Excerpts of Closed Meetings shall be available for public viewing upon request.

7.0 AGENDA:

- 7.1. The agenda and notice of meetings of the Board shall be prepared by the Secretary-Treasurer under the direction of the Chairperson. Written notice of each meeting of the Board, together with the proposed agenda, must be distributed to each trustee at least 48 hours in advance of the meeting;
- 7.2. The order of business at all Regular Meetings, unless varied by motion, shall be as follows:
 - Approval of Agenda;
 - Items for Adoption;
 - Business Arising;
 - Delegations and Presentations;
 - Reports from the Superintendent of Schools;
 - Reports from the Secretary-Treasurer;
 - Trustee Reports;
 - Committee Reports;
 - Question Period;
 - Diary.
- 7.3. A change to the prescribed order of business may be proposed by any trustee and shall require unanimous consent of those present at the meeting, without debate.
- 7.4. Unless otherwise determined by the Board, the following matters shall be considered in closed session:
 - 7.4.1. Personnel Matters;
 - 7.4.2. Legal Matters;
 - 7.4.3. Student Matters which disclose personal or private information of the student;
 - 7.4.4. Property Matters;
 - Negotiations regarding purchase, lease or sale of property;
 - Future site planning;
 - Initial discussions regarding possible school closures;
 - 7.4.5. Student Appeals
 - 7.4.6. Any other such matters as the Board may deem to be confidential in nature.

7.4.7. A closed session item of business may be moved to the agenda of an open meeting by way of motion with majority votes in favour.

8.0 PRESENTATIONS AND DELEGATIONS:

- 8.1. If community groups or individuals wish to address the Board on issues appropriate to the functioning of the Board, a Delegation Request Form must be submitted at least two weeks in advance of the meeting for consideration at the Agenda Meeting. The members of the Agenda Meeting will determine if the request is appropriate and approve the meeting date at which the presentation may be heard;
- 8.2. Trustees, by a majority vote, may place on the agenda any presentation dealing with an urgent issue;
- 8.3. Each delegation will be limited to 10 minutes, unless an extension of time has been granted at the Agenda Meeting, followed by questions and comments from trustees;
- 8.4. If the delegation is requesting a decision of the board, no motion can be passed in response to the presentation at the same meeting at which the presentation was made without unanimous consent of the Board.

9.0 QUESTION PERIOD:

- 9.1. Time at the end of open meetings shall be set aside for the Board to receive comments and to respond to questions from the public;
- 9.2. Only questions or comments relating to the meeting agenda will be allowed;
- 9.3. The Board Chair will speak on behalf of the board or designate another trustee or staff member to respond.

10.0 RULES OF ORDER

- 10.1. Unless otherwise provided in Board policy or bylaw, or the School Act, procedures as stated in Robert's Rules of Order shall be followed;
- 10.2. The Board may adopt a procedural rule for one or more meetings by resolution of a majority of two-thirds of the trustees present at the meeting. A rule other than the requirement for notice of meetings may be suspended by unanimous consent of the trustees present;
- 10.3. The procedural rules of the Board may be amended by bylaw only at a meeting of which notice of intention to propose the amendment has been given.

11.0 MOTIONS

- 11.1. Motions shall be phrased in a clear and concise manner so as to express an opinion or achieve a result. A preamble does not form part of a resolution when passed;
- 11.2. The presiding officer may divide a motion containing more than one subject if they think this would produce a fairer or clearer result;
- 11.3. All motions are debatable except the following:
 - a) Motion for adjournment of debate or for adjournment of a meeting unless such a motion contains a time for recommencement of debate or for a new meeting
 - b) Motion to fix time for adjournment of a meeting
 - c) Motion to proceed to the next business
 - d) Motion to go into Closed Session;

- 11.4. All motions shall be subject to amendment except the following:
 - a) Motion that the question be now put
 - b) Motion for adjournment of debate or adjournment of a meeting
 - c) Motion to table unless such a motion contains a date for further consideration of the matter tabled
 - d) Motion to refer to Committee
 - e) Motion to proceed to next business;
- 11.5. An amendment to a motion does not require notice. Only one amendment shall be allowed and must be voted on before the question is called. Amendments must be strictly relevant to the main motion and not alter in a material way or be contrary to the principle embodied in the main motion.

12.0 DEBATE:

- 12.1. Debate shall be strictly relevant to the question before the board and the presiding officer shall warn speakers who violate this rule;
- 12.2. The Chairperson may enter into the debate as a trustee;
- 12.3. No person shall speak more than once to a question except the mover of a motion, who shall have the right to make a reply when all other trustees who wish to speak have spoken;
- 12.4. No trustee shall speak for a period in excess of five minutes at one time. The Chairperson may caution a trustee who persists in tedious and repetitious debate and may direct them to discontinue if they persist;
- 12.5. A matter of privilege (a matter dealing with the rights or interest of the Board as a whole or a trustee personally) may be raised at any time and shall be dealt with forthwith before resumption of business;
- 12.6. No trustee shall interrupt another trustee who has the floor except to raise a point of order or a point of privilege.

13.0 VOTING:

- 13.1. Voting will be conducted with all trustees whom are present and voting;
- 13.2. The Chairperson shall vote at the same time as other trustees;
- 13.3. A trustee must abstain from voting in the event that they have a conflict of interest by reason of having a pecuniary interest in a vote. The trustee must disclose the pecuniary interest, not take part in any discussion of the matter, and not attempt in any way to influence the voting on the matter before, during or after the meeting;
- 13.4. A trustee must abstain from voting if they state at the meeting they have a "personal interest" in the issue distinct from that of the community that could lead a reasonably well-informed outsider to think that the trustee's judgement could be influenced by that interest;
- 13.5. A trustee declaring a conflict of interest in a closed meeting will be asked to leave the meeting for the period of discussion, debate, and motion and will not receive any correspondence in relation to the matter;
- 13.6. A trustee declaring a conflict of interest in an open meeting may be asked to leave the board table but may stay within the meeting room, and will not participate in discussion, debate, and motion in relation to the matter but may receive correspondence;
- 13.7. Voting shall be by a show of hands or by voice if attending the meeting via teleconference;

- 13.8. The Chairperson shall declare the results of the vote. Any trustee abstaining from a vote shall be recorded.
- 13.9. In matters of conscience, a Trustee may resign from a Board of Education in order to express opposition. Democracy requires that the opinion of the majority be respected. It is necessary that trustees recognize this as needed for the effective operation of the school district. In cases of extreme breach of the trustee code of conduct, including a breach of confidentiality (Policy 2150: Roles and Responsibilities of the Board), the Board of Education may express its condemnation of the actions of a trustee through a vote of censure by resolution of the Board of Education passed by an affirmative vote of at least 4 of 7 Trustees. Individual Trustees who violate confidentiality may be liable for any legal costs and damages that may result from the breach of confidentiality.