

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

Description:

The Board of Education for School District No. 59 (Peace River South) enacts as follows:

1.0 INAUGURAL MEETINGS:

The Secretary Treasurer shall convene the Inaugural Meeting of the Board which shall be held in accordance with Section 87 (1) of the School Act.

2.0 REGULAR BOARD MEETINGS

Regular Board Meeting shall be held. Additional meetings shall be held as the Board may decide.

The quorum for a Regular Meeting shall be a majority of trustees holding office at that time. The quorum may include Trustees who are present at the meeting by means of a conference call.

At the appointed time for commencement of a meeting the presiding officer shall ascertain that a quorum is present before proceeding to the business of the meeting. If a quorum has not been made within one-half hour after the appointed time, the meeting shall stand adjourned until the next Regular Meeting date or until another meeting shall have been called in accordance with these bylaws. After a meeting has commenced, if notice is drawn to a lack of quorum, the presiding officer shall ascertain whether there is a lack of quorum and, if so found, adjourn the meeting to a time certain or to the next Regular Meeting date, at his/her discretion.

The order of business at all Regular Meetings, unless varied by motion, shall be as follows:

- 1) Approval of Agenda
- 2) Items for Adoption
- 3) Business Arising
- 4) Delegations and Presentations
- 5) Reports from the Superintendent of Schools
- 6) Reports from the Secretary Treasure
- 7) Committee Reports
- 8) Diary
- 9) Notice of Motion
- 10) Trustee Reports
- 11) Question Period
- 12) Future Business

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.

The agenda and notice of meetings shall be prepared by the Secretary Treasurer under the direction of the Chairperson. Written notice of each meeting, together with the proposed agenda, must be given at least 48 hours in advance to each trustee by delivery to the place designated by him/her.

Minutes shall be kept by the Secretary Treasurer of the Board of all proceedings passed at meetings of the Board, such minutes to be concise and to detail proceedings of the Board but not the contents of speeches

All Regular meetings of the Board shall be open to the public and no person shall be excluded, except for improper conduct in accordance with the provisions of Section 6 9 of the School Act. If in the opinion of the Board, the public interest so requires the Board may order a meeting or part thereof to be closed and may exclude persons other than trustees or persons other than trustees and officers.

3.0 SPECIAL MEETINGS

A Special Meeting of the Board may be called by the Chairperson or, upon written request of a majority of the trustees, may be called by the Secretary Treasurer. No business other than that for which the meeting was called shall be conducted at the meeting.

Notice, either written or verbal, of a Special Meeting shall be given to each trustee at least 24 hours in advance of the meeting.

4.0 CLOSED SESSION

The Board may convene a Special Meeting without the public, or without the public and staff present, at which matters of a confidential nature shall be discussed. No trustee shall disclose to the public the proceedings of a meeting in Closed Session unless a Resolution has been passed at the Closed Session to allow disclosure.

Minutes of a Closed Session Special Meeting shall be kept in the same manner as a Regular Meeting but shall be approved only by the Board in Closed Session Special Meetings and shall not be filed with the minutes of Regular Meetings.

Unless otherwise determined by the Board, the following matters shall be considered in closed session:

(1) Personnel Matters

- a. Salary negotiations
- b. Evaluation, discipline or retirement of employees
- c. Employee promotion or termination

(2) Legal Matters

- a. Accident claims
- b. Legal actions brought by or against the Board
- c. Legal opinions respecting any matters which are to be considered in closed session.

(3) Student Matters

- a. Indigent students
- b. Student discipline

- (4) Property Matters
 - a. Negotiations regarding purchase, lease or sale of property
 - b. Future site planning and designation
 - c. Investigations regarding possible school closures
- (5) Auditors' Management Letter
- (6) Medical matters respecting individual students or employees
- (7) Such matters as the Board may in public session determine
- (8) (a) A member of the Board may make a motion to place a closed session item of business onto the agenda of the public session and, upon the motion being seconded and discussed, a simple majority vote in favor of the motion be sufficient cause to move the item into the public session.
 - (b) All other matters shall be considered in public session.

5.0 CHAIRPERSON AND PRESIDING OFFICERS

The Chairperson shall preside at all meetings of the Board but may vacate the Chair in order to enter debate or propose or second a motion.

The Vice-Chairperson shall preside in the absence of the Chairperson or when the Chairperson vacates the Chair.

In the event that neither the Chairperson nor the Vice-Chairperson are able or willing to take the Chair, the presiding officer shall be such person as the Board may elect for that meeting.

The presiding officer shall rule on all points of order and shall state his/her reasons and the authority for ruling when making a ruling. The presiding officer's ruling shall be subject to appeal of the Board. An appeal may only be requested immediately after a ruling and before resumption of business.

The Chairperson shall vote in accordance with section 10, (paragraph 3).

The Vice-Chairperson shall preside at, and assist the personnel department in organizing, retirement and recognition events.

6.0 RULES OF ORDER

When these rules are silent, Robert's Rules of Order shall apply to the conduct of meetings, provided, further that, where these rules and Robert's Rules of Order are silent, the Standing Orders of the British Columbia Legislature shall be followed. Where there is an inconsistency between these Rules and the School Act, The School Act shall apply over the rule in question.

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.

The rules may be amended by bylaw only, at a meeting of which notice of intention to propose the amendment has been given at the previous meeting.

The presiding officer's ruling on a point of order shall be based on Rules of Order as stated in section 6, (paragraph 1).

An appeal of a ruling of the presiding officer shall be decided without debate by a majority vote of trustees present. When an appeal is successful it does not necessarily set a precedent.

All questions shall be decided by a vote on motion.

7.0 MOTIONS

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.

The presiding officer may decide a motion containing more than one subject if he/she feels this would produce a fairer or clearer result and the same shall be voted on in the form in which it is divided.

No motion other than to postpone consideration of a question, or procedural motion, shall be repeated during the calendar year except by the reconsideration process.

All motions shall be seconded except in Committee.

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.

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.

An amendment to a motion does not require notice. Only one amendment to an amendment shall be allowed and the same shall be dealt with before the amendment is decided.

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.

8.0 RECONSIDERATION:

A question may be considered only if notice of a request for reconsideration has been given at the previous meeting and if reconsideration is approved by a 2/3 majority.

9.0 DEBATE:

Debate shall be strictly relevant to the question before the meeting and the presiding officer shall warn speakers who violate this Rule.

No trustee shall speak until recognized by the Chairperson.

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. 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 him/her to discontinue if he/she persists.

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.

No trustee shall interrupt another trustee who has the floor except to raise a point of order or a point of privilege.

10.0 VOTING:

All trustees present at a meeting must vote although a trustee must abstain from voting in the event that he/she has a conflict of interest by reason of having a direct pecuniary interest in a vote. A trustee may also abstain from voting if he/she states at the meeting his/her reasons thereon.

Voting shall be by a show of hands

In the event of a tie, the chairperson shall break the tie by casting a vote.