

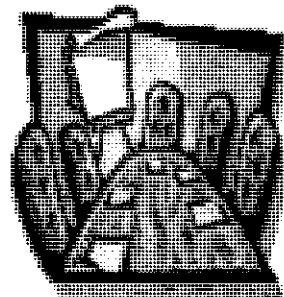
THE BOARD OF EDUCATION OF SCHOOL DISTRICT NO. 19 (REVELSTOKE)

TO: All Trustees

FROM: Bruce Tisdale, Secretary Treasurer

DATE: September 17th, 2014

ACTION: Policy 2.1 Procedural Bylaw



At the August 27th, 2014 board meeting, it was recommended that administration draft policies/procedures regarding public question period for Revelstoke Board of Education meetings. It is recommended that Policy 2.1 Procedural Bylaw be amended to add a Public Question period to the board meeting schedule and that a Public Question Period Section be added to the Bylaw with the wording:

"At the end of the Regular meeting agenda, a public question period of up to fifteen (15) minutes shall be held. Comments and questions may deal only with items that are on the agenda of that meeting."

Recommendation:

"THAT the Revelstoke Board of Education give first reading to Policy 2.1 Procedural Bylaw."



School District 19
(Revelstoke)

Revelstoke Board of Education

Policy Manual

2.1 Procedural Bylaw

A BYLAW TO ESTABLISH REVISED PROCEDURES TO BE FOLLOWED IN CALLING AND CONDUCTING MEETINGS, ESTABLISHING COMMITTEES, AND ADOPTING BYLAWS.

WHEREAS the School Act authorizes the Revelstoke Board of Education to make by-laws relative to the organization of meetings of the Board;

NOW, THEREFORE, the Revelstoke Board of Education enacts as follows:

1. INAUGURAL MEETINGS

- 1.1 The Board shall meet within 30 days from the date that the new Board begins its term of office.
- 1.2 The Chair of the inaugural meeting shall be the Secretary-Treasurer until such time as the Board Chair has been elected.
- 1.3 The Swearing of Oaths and the taking of Declarations shall be done by the Secretary-Treasurer.
- 1.4 The interim Chair shall announce results of Trustee elections and confirm that new Trustees have completed the Declaration as required by the School Act, following which the Board Chair shall be elected.
- 1.5 The interim Chair shall call for nominations, moved and seconded, for Board Chair and conduct a vote by secret ballot in which the person receiving a clear majority shall be elected Board Chair. If no person receives a clear majority, the person receiving the least number of votes shall be dropped from the ballot and further ballots shall be taken until a Board Chair is elected by clear majority.

- 1.6 Following the election of Board Chair, the order of business shall be:
- a) A motion to destroy the secret ballots;
 - b) Election of Vice-Chair;
 - c) Appointment of time and place for meetings;
 - d) Appointments and Trustees' preferences to serve on Committees or be a representative of the Board;
 - e) As soon as possible after the election of the Board Chair, the following shall be determined:
 - i) the date/time for all Committee meetings;
 - ii) the Board's signing authorities.
- 1.7 The election or rotation of Vice-Chair shall be determined by Board resolution.

2. BOARD MEETINGS

Regular Board Meetings

- 2.1. Board meetings are scheduled for Wednesday evening, every third week, unless so determined by the Board, or in the case where such policy is revised, on such other day or such other hour as the Board may decide at its inaugural meeting. Additional meetings shall be held as the Board may decide.
- 2.2. The quorum for a regular meeting shall be a majority of Trustees holding office at that time.
- 2.3 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.
- 2.3.1 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.

2.4 The order of business at all regular meetings, unless varied by motion, shall be as follows:

- 1) Call to Order
- 2) Attendance
- 3) Approval of Regular meeting agenda
- 4) Approval of Minutes, including a report of closed items
- 5) Delegations
- 6) Special Reports
- 7) Business Arising
- 8) New Business
 - 8.1) Administration Reports
 - 8.2) Other
 - 8.3) Committee Reports
 - 8.4) Trustee Reports
 - 8.5) Correspondence
- 9) Future Agenda Items
- 10) Public Question Period
- 11) Recess
- 12) Resumption of Meeting
- 13) Attendance
- 14) Approval of Closed Meeting Agenda
- 15) Approval of Closed Minutes
- 16) Business Arising
- 17) Personnel
- 18) Contracts and Property
- 19) Liability, Legal Matters, Finance
- 20) Students
- 21) Questions and Answers
- 22) Confirmation of Confidential Items
- 23) Adjournment

2.5 An addition to the agenda of any item not listed on the agenda requires that the item be of an emergent nature and requires the consent of a simple majority.

A change to the prescribed order of business may be proposed by any Trustee and shall require the consent of a simple majority, without debate.

Reports to the Board

2.6. Committee Reports

Committee reports shall be made in writing.

- a) The Chair of a Board Committee will review the minutes of the previous Committee meeting(s) and will ask that the report "be received as circulated, or as reviewed". This action has the effect of acknowledging the efforts of a Committee and making the assembly responsible for actions of a Committee. Recall that a Committee is not in a position to exercise the rights, duties, and powers of the Board.
- b) After having received the report, the Chair of the Committee will then put forward the recommendations as determined by the Committee for action as identified in the minutes in the form of Board motions for debate and approval. Each recommendation will be dealt with individually.

2.7. Trustee Reports/Administration Reports

At the discretion of the Board, Trustee and Administration reports may be written or oral in nature. They may or may not contain recommendations for Board consideration.

- a) There will be no motion to accept or receive these reports.
- b) A trustee will move and second a recommendation that is made within the report.

- 2.8 The agenda shall be prepared by the Superintendent under the direction of the Chair and/or Vice-Chair. Limited copies of the agenda will be available for the public.

The proposed agenda shall be available at the Board Office by 4:00 p.m. of the Friday preceding the regular Board meeting.

- 2.9 The Secretary-Treasurer of the Board shall ensure that minutes of the proceedings of all meetings of the Board are maintained in compliance with the School Act.

- 2.10 All meetings shall stand adjourned at three hours after their commencement unless a resolution is passed by a simple majority to extend the hour of adjournment.
- 2.11 All meetings of the Board shall be open to the public and no person shall be excluded, except for improper conduct. 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.
- 2.12 The presiding officer may expel and exclude from a Board meeting any person whom he considers has been guilty of improper conduct.

Special Board Meetings

- 2.13 A special meeting of the Board may be called by the Chair 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.
- 2.14 Notice shall be given of a special meeting and an agenda shall be given to each Trustee at least 24 hours in advance of the meeting. Provision of a written notice and the agenda may be waived by a majority vote, provided all reasonable steps have been taken to notify all Trustees of the meeting.

Delegations

- 2.15 Citizens wishing to address the Board may be placed on the agenda by notifying the Secretary-Treasurer in writing at least one week prior to the meeting or by resolution of the Board.
- 2.16 Delegations should file a written brief with the Secretary-Treasurer by noon on the Wednesday prior to the Board meeting.
- 2.17 A delegation must appoint a spokesperson who will be permitted 10 minutes to present the main issue to the Board. Trustees may ask questions of the delegation for purposes of clarification or gathering more information. The Board will consider the delegation's request and will communicate its decision as soon as possible.

Public Question Period

- 2.18 At the end of the Regular meeting agenda, a public question period of up to fifteen (15) minutes shall be held. Comments and questions may deal only with items that are on the agenda of that meeting.

Closed Board Meeting

- 2.19 The Board may convene a closed meeting without the public at which matters of a confidential nature shall be discussed. A closed meeting is when individuals are excluded by motion as described in the School Act. The Secretary-Treasurer or designate must be present at the time a decision of the Board is rendered and must record any decision. No one shall disclose to the public the proceedings of a closed meeting unless a resolution has been passed at the closed meeting to allow disclosure.
- 2.20 Minutes of a closed meeting shall be kept in the same manner as a regular meeting, but shall be approved only by the Board in a closed meeting and shall not be filed with the minutes of regular meetings.
- 2.21 Unless otherwise determined by the Board, the following matters shall be considered in a closed meeting:
- a) Salary claims and adjustments and the consideration of requests of employees and Board officers with respect to collective bargaining procedures;
 - b) Accident claims and other matters where Board liability may arise;
 - c) Legal opinions respecting the liability or interest of the Board;
 - d) The conduct, efficiency, discipline, suspension, termination or retirement of employees;
 - e) Medical Examiners or examinations and medical reports;
 - f) Matters pertaining to individual pupils, including the conduct, discipline, suspension or expulsion of pupils, truancy and indigent pupils;
 - g) Staff changes, including appointments, transfers, resignations, promotions and demotions;
 - h) Purchase of real property, including the designation of new sites, consideration of appraisal reports, consideration of accounts claimed by owners, determination of Board offers and expropriation procedures;

- i) Lease, sale or exchange of real property prior to finalization thereof;
- j) Such other matters where the Board decides that the public interest so requires.

2.22 All other matters shall be considered in public session.

2.23 In the event that a decision from the Board is deemed to be immediately required, the matter shall be referred to the Chair by the Trustee(s) or Administrator(s) concerned.

The Chair or designate must then:

- i) inform or ensure that each Trustee is aware of the particulars of the situation as soon as possible;
- ii) indicate that a verbal poll is being taken regarding the Trustees' position on a course of action related to the matter;
- iii) tally the approval or disapproval of the course of action;
- iv) the concept of a quorum and simple majority will be applied;
- v) report back to each Trustee regarding the result of the poll.

It is understood that the results of the poll will be binding and that the Chair will ensure that the decision reached is formalized by motion at the next Board meeting.

3. CHAIR, PRESIDING OFFICER AND MEMBERS OF THE BOARD

- 3.1 The Chair shall preside at all meetings of the Board but may vacate the Chair in order to enter debate or propose or second a motion.
- 3.2 The Vice-Chair shall preside in the absence of the Chair or when the Chair vacates the Chair.
- 3.3 In the event that neither the Chair nor the Vice-Chair is able or willing to take the Chair, the presiding officer shall be such person as the Board may elect for that meeting.
- 3.4 A majority of the Board may elect a new Chair or Vice-Chair at any time.
- 3.5 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 by the Board. An appeal may only be requested immediately after a ruling and before resumption of business.

- 3.6 The Chair shall vote in accordance with paragraph 7.3.
- 3.7 A statement describing the role of the Chair shall be maintained.
- 3.8 A statement describing a code of conduct for individual Trustees shall be maintained.

4. RULES OF ORDER

- 4.1 Where these rules are silent and where not inconsistent with these rules, Roberts Rules of Order shall apply to the conduct of meetings. Where there is an inconsistency between these rules and the School Act, the School Act shall apply over the rule in question.
- 4.2 A quorum of the Board is a majority of the Trustees holding office at the time of the meeting of the Board. 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.
- 4.3 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.
- 4.4 The presiding officer's ruling on a point of order shall be based on Rules of Order as stated in paragraph 4.1 herein.
- 4.5 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.
- 4.6 All questions shall be decided by a vote on motion.
- 4.7 These rules shall be applicable to all regular, special, and closed meetings of the Board.
- 4.8 A copy of these bylaws would be attached to the Board minutes where it is adopted.

5. MOTIONS

- 5.1 The presiding officer shall allow a sufficient period of time for discussion, before a motion is made, so that the issue is clearly understood. Motions

shall be phrased in a clear and concise manner so as to express an opinion or achieve a result. All motions shall be stated in the positive. The preamble does not form part of a resolution when passed.

- 5.2 The presiding officer may divide 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.
- 5.3 No motion other than to postpone consideration of a question, or a procedural motion, shall be repeated during the calendar year except by the reconsideration process.
- 5.4 All motions must be seconded in order that they may be recognized by the Chair and allow debate to proceed.
- 5.5 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 Committee-of-the-Whole or closed session.
- 5.6 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.
- 5.7 An amendment to a motion does not require notice. Only one amendment to an amendment shall be allowed and this 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.

Reconsideration

- 5.8 A motion may be reconsidered only if notice of a request for reconsideration has been given at the previous meeting and if reconsideration is approved by three (3) votes in the affirmative. It must be made by one who voted with the prevailing side.

Postponement

- 5.9 The practice of School District No. 19 (Revelstoke) will be to use postponement for delaying action to a certain time either in the current meeting or to a specific meeting in the future to provide further clarification on a matter. This motion requires a mover and seconder and will be debatable.

Tabling

- 5.10 The practice of School District No. 19 (Revelstoke) will be to use tabling for delaying action beyond this meeting. It has the effect of making a main motion ineligible for a vote if the motion for tabling occurs before the final vote is called for by the Chair on the main motion. This motion requires a mover and seconder and will not be debatable.

6. DEBATE

- 6.1 Debate shall be strictly relevant to the question before the meeting and the presiding officer shall warn speakers who violate this rule.
- 6.2 No Trustee shall speak until recognized by the Chair.
- 6.3 No Trustee shall speak for a period in excess of five minutes at one time. The Chair may caution a Trustee who persists in tedious and repetitious debate and may direct him/her to discontinue if he/she persists.
- 6.4 A matter or privilege (a matter dealing with the rights or interests of the Board as a whole or of a Trustee personally) may be raised at any time and shall be dealt with forthwith before resumption of business.
- 6.5 No Trustee shall interrupt another Trustee who has the floor except to raise a point of order or a point of privilege.
- 6.6 The original mover of the motion shall have the opportunity to close debate.

7. VOTING

7.1 All Trustees present at a meeting must vote on each motion with the following exceptions:

- a) A Trustee will abstain from voting in the case where he or she has a conflict of interest by reason of a direct or indirect pecuniary interest in a vote. If the vote is taking place in an open meeting, the Trustee must declare the general nature of their interest and then refrain from entering the discussion on the question. The Trustee in conflict cannot influence the outcome of the decision in any fashion. If the meeting is not open to the public and a matter is to be dealt with that a Trustee is in conflict with, he or she must leave the room. At the next public meeting following this meeting, they will provide disclosure of their action.
- b) A Trustee may abstain from voting on an issue for personal reasons, but it is felt that the reasons should be provided. Should a Trustee abstain from voting, then they must abstain from debate and/or influencing the outcome of the decision. Finally, no vote will be recorded for someone that abstains so it will be recognized that abstaining will support the majority position. A motion will be lost if there is no majority position.

7.2 Voting shall be by a show of hands and only the results recorded unless a Trustee requests recording of names. Where names are recorded both positive and negative votes shall be recorded.

7.3 The Chair shall vote at the same time as the other members of the Board and, in the case of equality of votes for and against a motion, the question is resolved in the negative and the Chair shall so declare.

7.4 All questions shall be decided by a majority of the votes of the Trustees present and voting save as otherwise provided by these bylaws or the School Act.

8. COMMITTEES

8.1 The Chair shall discuss his/her recommendations individually with each Trustee regarding appointments to standing committees and other organizations which require representation from the Board of School Trustees.

These recommendations shall then be presented to the Board for approval at the first meeting following the inaugural meeting.

- 8.2 A list of standing committees and terms of reference for each committee shall be appended to, and shall form part of, the Procedural Bylaw. See appendixes A through D.
- 8.3 During the year, the Chair may appoint representatives to Ad Hoc Committees.
- 8.4 Members of the Board may attend meetings of any of its committees and may take part in any discussion or debate but may not vote unless they are members of the committee.
- 8.5 The rights, powers, duties and liabilities of the Board rest only with the legally constituted Board and not with committees of Trustees or individual Trustees.
- 8.6 Committees will set their own composition, determine their own operating procedures, frequency and time of meetings, agendas and aspects governing its operation and request Board approval of its governance structure.
- 8.7 All committees shall take minutes of its meetings and shall submit these minutes to the Board. The Board shall promptly respond to any requests or recommendations and communicate any decisions reached by the Board to the affected parties.
- 8.8 The deliberations of a committee shall not be complete until its recommendations have been submitted to the Board.

9. BYLAWS AND RESOLUTIONS

- 9.1 All matters shall be dealt with by resolution or bylaw. A bylaw shall have three readings, a policy resolution shall have two readings, and an ordinary resolution shall have only one reading.
- 9.2 The following matters shall only be resolved by bylaw:
 - a) Amendments to bylaws;
 - b) The rules of procedure of the Board and rules relative to the organization of meetings of the Board;
 - c) Regulation and control of the use of property owned and administered by the Board;

- d) Where required by the School Act.
- e) Exceptions to the bylaws.

9.3 Policy resolutions define the beliefs and/or long-term objectives of the Board. Upon final approval, these resolutions become part of the Board's Policy Manual.

Procedure on Bylaws

9.4 Every non-financial bylaw will be dealt with in the following fashion:

- a) Notice of motion (or first reading) will be given at one Board meeting and will not be debatable;
- b) Second and third (final) reading will be completed at the next Board meeting following the one where the notice is given. At this meeting, the proposed bylaw or bylaw change is fully debatable.

Financial bylaws may be given first, second and third (final) reading in one motion of adoption provided a written copy is available.

9.5 The Procedural Bylaw shall be reviewed at least every three years.