GRAND ERIE DISTRICT SCHOOL BOARD

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2022

General Working By-law
General Governance Policy
Governance Policies

TABLE OF CONTENTS

General Working By-law GB1

Borrowing By-law

General Governance Policy

Public Concerns - Operating Policy 1

Delegations - Governance Policy 2

Municipal Elections Compliance - Governance Policy 3

Trustee Code of Conduct- Governance Policy 4

Director of Education Performance Review - Governance Policy 5

GRAND ERIE DISTRICT SCHOOL BOARD

GENERAL WORKING BY- LAW– GB1

Effective 30th day of May 2022

TABLE OF CONTENTS

INTERPRETATION 3

1.1 Meaning of Terms 3

1.2 General 4

1.3 Trustees 4

INAUGURAL AND ANNUAL MEETINGS 4

2.1 Inaugural Meeting 4

2.2 Declaration and Oath of Office 4

2.3 Annual Meeting 5

2.4 Election of the Chair and Vice-Chair 5

2.5 Seating 6

BOARD MEETINGS 6

3.1 Regular Meetings of the Board 6

3.2 Special Meetings of the Board 6

3.3 Public Meetings 6

3.4 Notice of Meetings 7

3.5 Trustee Attendance 7

3.6 Quorum 7

3.7 Recess 7

3.8 Length of Meetings 8

3.9 Adjournment 8

3.10 Cancellation 8

3.11 Minutes 8

COMMITTEES 8

4.1 Committees of the Board 8

4.2 Statutory Committees 8

4.3 Non-Statutory Committees 9

4.4 Standing Committees 9

4.5 Special Ad Hoc Committees 10

4.6 Committee Appointments 10

4.7 Election of Committee Chair and Vice-Chair 11

4.8 Committee Meetings 11

4.9 Attendance at Committee Meetings 11

4.10 Quorum 11

4.11 Committee Reports 11

4.12 Trustee Appointments 12

4.13 Resignation from Committee 12
4.14 Committee Vacancy 12
FINANCIAL 12
5.1 Source of Funding to be Specified 12
RULES OF ORDER 12
6.1 Decorum 12
6.2 Robert's Rules of Order 12
6.3 Trustee Code of Conduct 12
PRESIDING OFFICER 13
AGENDA 13
8.1 Meeting Agenda 13
TRUSTEE MOTIONS 13
9.1 Notice of Motion 13
9.2 Reconsideration 14
PROTOCOL FOR DEBATE 14
10.1 Protocol During Debate 14
10.2 Debate of a Motion 14
10.3 Time Limit on Speakers 15
10.4 Time Limit on Debate 15
10.5 Student Trustees 15
VOTING 15
11.1 Call for a Vote 15
11.2 Methods of voting 15
OFFICERS 16
12.1 Chair as Spokesperson 16
12.2 Officers 16
12.3 Signing Authorities 16
12.4 Minutes 17
AMENDMENTS TO BY-lAWS 17
13.1 Amendment with Notice 17
13.2 Amendment without Notice 17
RESCIND PRIOR BY-lAW 17
14.1 Rescinding of Prior By-law 17
EFFECTIVE DATE 17
15.1 Effective Date of By-law 17
Appendix A ..... Error! Bookmark not defined.
Appendix B 20

INTERPRETATION

1.1 Meaning of Terms

In this By-law, terms have the following meaning:

(a) "***Annual Meeting***" means the first Board meeting in December unless otherwise required by legislation;

(b) "***Board***" means the Board of Trustees of the Grand Erie District School Board;

(c) "***Chair***" means the Chair of the Board, exercising the authority as conferred by *Section 218.4 of the Education Act*, except where otherwise indicated as meaning Chair of a Committee of the Board;

(d) "***Committee***" means a statutory, standing, or special ad hoc committee of the Board, as further described in Article 4 of this By- law;

(e) "***Committee Member***" means a person appointed by the Board to be voting member of a Committee of the Board as per section 4.6 ;

(f) "***Director of Education***" means the Chief Education Officer, Chief Executive Officer and Secretary of the District School Board;

(g) "***Education Act***" means the *Education Act, R.S.O.1990, chapter E.2*, as amended from time to time, and includes, where the context requires, the Ontario Regulations enacted thereunder;

(h) "***In-Camera***" means a committee meeting from which the public has been excluded in accordance with S.207(2) of the *Education Act*;

(i) "***Inaugural Meeting***" means Board meeting following the municipal election of that year;

(j) "***Motion***" is a proposal for approval by the Board;

(k) "***Resolution***" means a main motion expressed in writing and approved by a majority of the Trustees present;

(l) "***Trustee***" means a member of the Board, elected, acclaimed or appointed to the office pursuant to the provisions of the *Municipal Elections Act* or the *Education Act,* as the case may be.

(m) "***Vice-Chair***" means the Vice-Chair of the Board, except where otherwise indicated as meaning Vice-Chair of a Committee of the Board.

1.2 General

The Grand Erie District School Board (Grand Erie) recognizes that the *Education Act,* other relevant statutes, the Regulations made thereunder, relevant common law and Ministry of Education policies and guidelines have superior authority to this By-law.

For this By-law and all other By-laws of the Board unless the context otherwise requires, the singular includes the plural, and the plural includes the singular.

Each of the provisions of this By-law shall be independent and severable, and the invalidity or unenforceability in whole or in part of any one or more of such provisions shall not be deemed to impair or affect in any manner the validity, enforceability or affect the remainder of the By-law, and in such event all the other provisions of this By-law shall continue in full force and effect as if such invalid provision had never been included herein.

1.3 Trustees

The number and distribution of elected Trustees on the Grand Erie District School Board is determined by regulation, and a report comes to the Board for approval in an election year.

One (1) trustee, nominated by the Six Nations of the Grand River Territory Elected Council, will be appointed by the Board to represent the interests of Six Nations of the Grand River Territory students covered under the Education Services Agreement with Indigenous Service Canada on behalf of Six Nations of the Grand River Territory attending schools under the jurisdiction of the Board as outlined in O. Reg. 462/97. The appointment of the First Nations Trustee will occur every fourth year. Once appointed, the First Nations Trustee serves under the same terms and conditions as elected Trustees, in accordance with the *Education Act* and current regulations.

Student Trustee(s) will be appointed according to General Governance Policy section 10.

INAUGURAL AND ANNUAL MEETINGS

2.1 Inaugural Meeting

In the years in which there is a municipal election, the Board shall hold an Inaugural Meeting no later than seven days after the day on which the Board's term of office commences.

2.2 Declaration and Oath of Office

On or before the day fixed for the Inaugural Meeting, or on or before the day of the first meeting that the person attends, each person elected or appointed to the Board shall make and subscribe the declaration in English or French before the Director or Education or before any person authorized to administer an oath or affirmation as prescribed in *Section 209 (1)* of the *Education Act*, . *The Education Act* requires the declaration is taken on or before the day before holding the meeting of the Board after election before the trustee assumes their duties. *Section 209 (3) of the Education Act*, also permits a trustee to take an Oath before the Director of Education or before any person authorized to administer an oath or affirmation in the form set out in that section.

2.3 Annual Meeting

In each year that is not a municipal election year, an Annual Meeting shall be held at the first regularly scheduled Board meeting in December where possible.

2.4 Election of the Chair and Vice-Chair

At the Inaugural and Annual Meetings, the Director of Education or designate shall preside until such time as the Chair for the coming year has been elected.

The election of the Chair shall be conducted by the Director of Education or designate , as follows:

(a) Nominations shall be requested, and if moved and accepted by the person so nominated, shall stand;

(b) Where there is only one (1) nominee, the Director of Education shall declare that person to be the Chair for the coming year;

(c) Where there are two (2) or more nominations, an election shall be conducted by secret written ballot, to be distributed to each Trustee, consisting of the names of the two (2) or more nominees for Chair, and an open box for a check mark beside each name;

(d) Two (2) Superintendents of Education, appointed by the Director of Education or designate, shall serve as two scrutineers to distribute and count the ballots;

(e) The Director of Education or designate shall publicly announce the election of Chair but not the results of individual voting or final count, which shall be held in confidence;

(f) A person must have received a majority of the total votes cast to be elected to the Office of the Chair;

(g) If after the first ballot no nominee has received a majority of votes cast, a further ballot shall be taken, where the name of a nominee who received no votes, and the name of the nominee otherwise receiving the lowest number of votes, shall be dropped from the ballot;

(h) At any time that there are three (3) or more names remaining on a ballot and two (2) or more nominees are tied with the least number of votes, the tied nominees shall be determined by the drawing of straws. The nominee that draws the short straw shall be dropped from the ballot;

(i) The balloting shall so continue until one (1) nominee has received a majority of the votes cast, or where all of the votes are divided equally between the nominees, the nominees shall draw straws to fill the position;

(j) Upon being elected, the Chair shall preside over the remaining portion of the meeting;

(k) The election of the Vice-Chair shall follow and proceed in the same manner as the election of the Chair followed by the election of the Ontario Public School Board Association Director/Voting Delegate and Alternate Director/Voting Delegate;

(l) In the event that the position of Chair or Vice-Chair becomes vacant for any reason throughout the year, a new Chair or Vice-Chair shall be elected in the same manner as at an Annual Meeting, as soon after the position has been vacated as is reasonably possible.

(m) Upon the completion of all elections by secret ballots, the Board shall make a motion that the ballots be destroyed.

2.5 Seating

At the first meeting following the Inaugural or Annual meetings of the Board, the Chair of the Board, or designate, shall determine the seating arrangements for Trustees for the coming year.

BOARD MEETINGS

3.1 Regular Meetings of the Board

Regular meetings of the Board shall be held at the Education Centre commencing at 7:15 p.m. on the fourth (4th) Monday of each month, except July and August, or where the fourth (4th) Monday is a statutory holiday, in which case the Board will meet at the next Monday following the holiday. In the month of December, the regular meeting of the Board will take place on the second Monday of the month. Board and standing committees, where permitted by law, will be available virtually to members of the public.

Trustees will convene, if necessary, an in-camera session as a committee at 6:30 p.m.

3.2 Special Meetings of the Board

A special meeting of the Board may be held:

(a) at the call of the Chair or Vice-Chair; or

(b) at the written request of the majority of the Board stating the business to be discussed.

Trustees shall be notified of a special meeting a minimum of twenty-four hours prior to the meeting date, when possible. The notice should include the issue(s) to be addressed unless it is an in-camera meeting. The special meeting shall also be advertised publicly.

3.3 Public Meetings

Meetings of the Board or Committees of the Board shall be open to the public, except that such meetings may be closed to the public and held in-camera when the subject-matter under consideration involves:

(a) the security of the property of the board;

(b) the disclosure of intimate, personal, or financial information in respect of a member of the board or committee, an employee or prospective employee of the board or a pupil or their parent/caregiver;

(c) the acquisition or disposal of a school site;

(d) decisions in respect of negotiations with employees of the board; or

(e) legal issues affecting the Board.

In-camera agenda items will be accessible online and not printable. Numbered hardcopies will be made available to trustees prior to an in-camera meeting. Such copies shall be collected at the

conclusion of the in-camera meeting. Trustees shall not retain or possess in-camera materials after an in-camera meeting has concluded. This applies to any in-camera attachments and minutes.

3.4 Notice of Meetings

Trustees shall be entitled to receive written or electronic notice of the date and time of Regular, Special Board, and committee meetings no later than the Friday by noon prior to the meeting when possible, except that a special meeting of the Board may be convened on twenty-four (24) hours' notice for a matter of urgency.

Notice of a meeting shall include an agenda, as well as sufficient background information for Trustees to participate meaningfully in the proceedings and make an informed decision on matters before the Board.

An inadvertent error or omission in providing notice of a meeting shall not affect the validity of any action or thing thereafter undertaken by the Board.

Notice of Board meetings, along with the agenda, for the meeting will be made available to the public by 5 p.m. on the Friday prior to the meeting.

A "laydown" report at a Board or committee meeting may be considered in extenuating circumstances.

3.5 Trustee Attendance

Trustees shall make all reasonable efforts to participate in Board meetings, and the meetings of Committees to which they have been appointed.

In accordance with *Section 228(1)(b) of the Education Act*, "A member of the Board vacates their seat if they absent themselves without being authorized by resolution entered into the minutes, from three consecutive regular meetings of the Board."

A Trustee may attend Board and committee meetings in-person or by electronic means, in accordance with the *Education Act* and regulations made under the *Act*, and the Board's General Governance Policy, Section 8, Electronic Meetings. However, Regulation 416/21 states trustees shall be physically present in the meeting room of the Board for at least three (3) regular meetings during each 12 -month period beginning November 15th, 2022.

3.6 Quorum

The presence of a majority of Trustees shall constitute a quorum for meetings of the Board.

If a quorum is not present within thirty minutes after the time appointed for the start of a meeting, or if a quorum is lost after a meeting has been called to order, the Director of Education or designate shall record the names of those present and the Chair shall declare the meeting adjourned.

Quorum is not lost due to declarations of conflict of interest.

3.7 Recess

The Chair may call a temporary recess to a meeting, for a period of not more than ten (10) minutes, provided a motion is not on the floor.

3.8 Length of Meetings

No meeting shall continue in session past 10 p.m., provided that the Board may resolve, by 2/3 majority, to extend the length of the meeting for up to one (1) additional hour. Such resolution must take place for each additional one-hour extension.

The Chair may seek the approval of the Board in re-ordering outstanding items on the agenda if it appears that urgent business may not be considered by the Board within the time remaining.

3.9 Adjournment

The Chair shall call for a motion to adjourn the Board meeting at such time as the business of the agenda has been completed, or the time limit for the meeting has expired and has not been extended, which if approved by a majority shall close the meeting.

3.10 Cancellation

Where the amount of business is insufficient to warrant a regular meeting of the Board, or in the event of inclement weather or emergency, the Chair in consultation with the Vice-Chair and the Director of Education or designate, may cancel the meeting. If after reasonable efforts the Chair cannot be reached, the Vice-Chair in consultation with the Director or designate may cancel a meeting.

The Director of Education or designate will notify Trustees of the cancellation, and post a public notice on the Board's website, as well as on social media, at the earliest possible opportunity.

3.11 Minutes

The Director of Education shall be responsible for ensuring that minutes are taken for all Board and committee meetings, in accordance with *Section 198(1)(a)* of the *Education Act* and following the sample format attached hereto as Appendix B. Minutes should capture the main motion, the mover and seconder and a brief description of the discussion and/or debate.

Minutes of Board meetings shall be presented to the Board for approval at the following meeting.

Ratified Public Session Board minutes shall be available for a five-year period for viewing on the Board's website.

COMMITTEES

4.1 Committees of the Board

The *Education Act* recognizes the Board's duty to constitute certain prescribed Statutory Committees. The Board may also form non-statutory committees as necessary.

4.2 Statutory Committees

The Board shall have the following Statutory Committees, constituted in accordance with legislative requirements as referenced:

(a) Special Education Advisory Committee (O. Reg. 464/97);

(b) Supervised Alternative Learning Committee (O. Reg. 374/10);

(c) Suspension Appeal Committee: (*Education Act*, S. 309(12))

(d) Expulsion Hearing Committee (*Education Act*, S.311.3(9));

(e) Audit Committee (O. Reg. 361/10);

(f) Parent Involvement Committee (O. Reg. 612/00); and

(g) such other committee as may be prescribed by statute or regulation, from time to time.

The number of Trustee committee members, and the Terms of Reference for each of these committees, shall be as prescribed by the *Act* and applicable Regulation with the exception of Student Trustees who may wish to attend any of the available committees where it is permissible.

4.3 Non-Statutory Committees

Section 171(1) of the *Education Act* states that the Board may also establish committees:

(a) comprised of Trustees, to make recommendations to the Board in respect of education, finance, personnel, and property; and

(b) that may include persons who are not Trustees, in respect of matters other than education, finance, personnel and property.

Such Non-Statutory Committees may be either Standing or Special Ad Hoc Committees.

Non-Statutory Committees may make recommendations to the Board, but do not have the authority to make decisions which are binding of the Grand Erie District School Board.

4.4 Standing Committees

The Board may from time to time approve by resolution the formation of one or more standing committees, to provide reports and/or recommendations in an area of Board responsibility.

A resolution to approve the formation of a standing committee shall state:

a) the purpose of the committee;
b) the maximum number of members;
c) the Board's expectations regarding the content and frequency of committee reports and recommendations to the Board,

which shall collectively form the committee's Terms of Reference.

The term of a standing committee will expire upon resolution from the Board, taking into account any recommendation from the Standing committee.

A recommendation for the renewal of the term of a Standing committee shall be accompanied by a rationale, goals, and projected outcomes for the renewal period.

Notwithstanding the foregoing, the Board may resolve to dissolve a standing committee at any time.

At the request of the Board or a Standing committee, the Director of Education may appoint staff to provide resource or administrative support, information, and expertise to a Standing committee.

Standing committees may make recommendations to the Board, but do not have the authority to make decisions which are binding of the Grand Erie District School Board.

4.5 Special Ad Hoc Committees

The Board may from time to time approve by resolution the formation of a Special Ad Hoc Committee, to provide a recommendation to the Board on a specific matter.

A resolution to approve the formation of a Special Ad Hoc Committee shall state:

a) the purpose of the committee;
b) the maximum number of members
c) the date by which the committee will report to the Board;
d) the date of dissolution,

which shall collectively form the committee's terms of reference.

Any recommendation for a deferral of the dissolution date shall be accompanied by a rationale, and projected date of completion of the committee's report or recommendation to the Board.

Notwithstanding the foregoing, the Board may resolve to dissolve a Special Ad Hoc Committee at any time.

At the request of the Board or the Special Ad Hoc Committee, the Director of Education may appoint staff to provide resource or administrative support, information, and expertise to an *Ad Hoc* Committee.

4.6 Committee Appointments

Where possible, following the Annual or Inaugural meeting, Trustees shall provide the Chair and Vice-Chair with a list of committees to which they would like to be appointed, indicating their order of preference.

Taking into consideration the preferences, competencies, and attributes of Trustees, and with a view to an equitable distribution of opportunity and workload, the Chair and Vice-Chair shall prepare a draft committee membership list, which shall be presented to the Board for approval at the first regular Board meeting following the Annual or Inaugural meeting.

Trustees shall be appointed as members of Statutory committees for the length of the Board's term, or as determined by the Board, depending on the regulation.

Trustees shall be appointed members of a non-statutory committee for a term of one-year, expiring on the date of the next Annual meeting.

The number of Trustee members for each Standing and Special Ad Hoc Committee shall be defined in that committee's Terms of Reference, provided that no such committee shall have fewer than two (2) Trustees, in addition to the Chair and Vice-Chair.

The Chair and Vice-Chair may be appointed as *ex officio* voting members of all Standing, Special Ad Hoc Committees of the Board, and unless the appointment is declined, shall be counted in determining quorum and shall be entitled to vote on all matters.

4.7 Election of Committee Chair and Vice-Chair

At its first meeting following the Board meeting at which committee members have been appointed, unless otherwise prescribed in General Governance Policy. Committees shall choose a Chair and Vice-Chair, following as closely as practicable the election process for the Chair and Vice-Chair of the Board.

4.8 Committee Meetings

Committee meetings may be convened at the call of the Committee Chair or upon the written request of a majority of Committee members and will be held at the Education Centre, unless otherwise resolved in advance by the Committee.

Trustees shall receive written or electronic notice of a committee meeting no later than three (3) days prior to a meeting where possible, which shall include an agenda, as well as sufficient background information for Trustees to participate meaningfully in the proceedings and make an informed decision.

Note: Finance and Policy and Program meeting by no later than the Friday by noon prior to the meeting, when possible.

4.9 Attendance at Committee Meetings

A Trustee, who is not a committee member may nevertheless attend a committee meeting, which is open to the public, provided that the Trustee identifies themself as a non-member, and does not participate as a committee member, in either discussion, debate or decision-making, this applies to being physically in the room or virtually. If virtual, trustee(s) must send an email notice to the Chair of the Board and Director of Education and Secretary no later than 2 hours prior to the meeting so it can be announced and captured in the minutes of the agenda.

If an individual Trustee is unable to attend a scheduled committee meeting, they are to contact the committee alternate where applicable. Where there is not a designated alternate or if the alternate is not available the Trustee representative will contact the Chair of the Board who will seek to find a replacement for that meeting.

If a Trustee is unable to continue to represent the Board on a committee, they are to communicate this to the Chair of the Board in writing. The Chair and Vice-Chair of the Board will then choose another Trustee for the committee for the duration of the term.

4.10 Quorum

The presence of a majority of the Trustee members of a Board committee shall constitute a quorum for meetings of Standing and Special Committees.

4.11 Committee Reports

Standing and Special Ad Hoc committees shall ensure that minutes are taken for each meeting, using the sample format outlined in Appendix B; that a copy of the minutes are available to Trustees at the next Board meeting, if applicable; and that oral or written reports are provided as appropriate, in standard template format for a written report, by the Chair of the Committee and the

relevant Superintendent. If questions arise pertaining to Standing and/or Special Ad Hoc Committee minutes, trustees should forward them to the Chair in advance of a Regular Board meeting. Responses will be collated and shared with all trustees via email where and when possible.

4.12 Trustee Appointments

The Board may from time to time receive requests for the appointment of Trustees on staff, community, and provincial committees, which shall be filled according to the Board's Committee appointment procedure as outlined in Article 4.6 herein.

4.13 Resignation from Committee

A member may resign from any committee at any time by notice in writing to the Board.

4.14 Committee Vacancy

A vacancy on a committee shall be filled by Board appointment, as soon as reasonably possible.

FINANCIAL

5.1 Source of Funding to be Specified

The Board shall not authorize expenditures that have not been included in the approved budget unless the motion proposing the expenditure specifically identifies the source of funding.

RULES OF ORDER

6.1 Decorum

Decorum at Board meetings will be strictly upheld. All persons attending meetings of the Board shall show respect for others in their language and conduct. No person shall speak at a meeting of the Board, except as recognized by the Chair of the Board. Disorderly noise, disturbance and heckling will not be permitted. The Chair of the Board or other presiding officer, as the case may be, may expel any person from the meeting who has in the opinion of the Chair of the Board, or other presiding officer, been guilty of improper conduct at the meeting, or who interrupts or disrupts a meeting of the Board, from the Boardroom and Education Centre in accordance with their authority to do so under *Section 207(3) of the Education Act*.

6.2 Robert's Rules of Order

In all cases for which no specific alternate provision is made in this By-law, the rules and practices set out in the latest revised edition of Robert's Rules of Order shall govern so far as applicable.

6.3 Trustee Code of Conduct

Trustees shall conduct themselves in an ethical, transparent, professional, and lawful manner, at all times preferring the interests of the students, parents, staff, and ratepayers of the Grand Erie District School Board to their own, as further described in the Trustee Code of Conduct Governance Policy 4.

PRESIDING OFFICER

The Chair of Board shall preside at meetings of the Board and in the absence of the Chair, the Vice-Chair shall preside.

If neither the Chair of the Board nor the Vice-Chair are present, the Trustees present may elect one of themselves to Chair the meeting.

Board Committees shall be similarly presided over by the Committee Chair, or if the Committee Chair is not present and the committee has appointed a Vice-Chair, then the Vice-Chair shall preside, and if neither the Committee Chair nor the Vice-Chair if applicable is present, then the Trustee members of the committee shall choose a person from amongst themselves to preside.

The person presiding may express an opinion on any main or subsidiary motion on the floor but shall first leave the Chair of the Board until the disposition of the main motion, and call upon the Vice-Chair to preside, provided that the Vice-Chair is not the mover or seconder of the motion or subsidiary motion on the table and has not yet spoken to the motion. If the Vice-Chair is thus disqualified from presiding, the Chair of the Board call upon a Trustee who has not moved or seconded or yet spoken to the motion to preside.

AGENDA

8.1 Meeting Agenda

The Agenda for Board meetings shall be the responsibility of the Chair pursuant to *Section 218.4(c) of the Education Act*, in consultation with the Director of Education. This responsibility shall not be assumed by or delegated to any other persons.

The Agenda for Board meetings shall follow the sample format of the sample agenda attached as Appendix A to this By-law.

As the first order of business at a meeting of the Board, a resolution to approve the agenda as for the meeting shall be considered by the Board.

If in the opinion of the Chair of the Board or the Director of Education, a matter not on the agenda requires urgent attention, and provided no person or interest shall be prejudiced by the lack of prior notice, the Chair of the Board may call for a motion to amend the agenda to allow for the additions of any urgent business.

The Chair of the Board shall conduct the meeting in accordance with the agenda, once approved, subject to a resolution to amend the order of items in accordance with priority if an adjournment of the meeting is imminent.

TRUSTEE MOTIONS

9.1 Notice of Motion

A Trustee may give the Director of Education written notice of a motion, along with explanatory rationale, regarding any matter with respect to which the Trustee has a right to vote, and the motion shall be included in the Board agenda, provided it is received by the Director of Education

by no later than 5:00 p.m., on the Tuesday before the meeting at which it will appear on the agenda.

A notice of motion so received may not be the subject of debate or resolution until a Board meeting following the meeting for which it first appears on the agenda.

Notwithstanding the above, a Trustee may bring a motion at a Board meeting without prior notice provided that a 2/3 majority of those present and eligible to vote waive the notice requirements.

Matters not requiring a decision by the Board, including minutes from committee meetings, may be distributed to Trustees at any time, and where received by Trustees prior to the start of a Board meeting may be the subject of discussion but not resolution.

9.2 Reconsideration

Any matter which has been decided upon by the Board shall not be reconsidered by the Board during the subsequent twelve (12) month period unless approved for reconsideration by 2/3 majority of those present and eligible to vote or unless required by legislative or judicial law.

PROTOCOL FOR DEBATE

10.1 Protocol During Debate

A Trustee may only speak to a matter on the agenda after the item has been introduced by the Chair of the Board, and where the matter is a motion before the Board, after the motion has been moved and seconded.

10.2 Debate of a Motion

The author of a motion may alter the wording, or withdraw the motion, up until such time as the motion is stated by the Chair of the Board. Once so stated, and thereby recorded in the minutes, the motion belongs to the floor and cannot be amended or withdrawn without a motion to do so, approved by a majority of the Board.

The Trustee moving a motion shall be given the opportunity to speak first.

A Trustee wishing to speak shall raise a hand and await recognition by the Chair of the Board.

A Trustee shall at all times during debate:

(a) maintain a courteous tone;

(b) avoid referring to personality or personal traits;

(c) avoid allusion to motives of other Trustees;

(d) address all debate, remarks, and questions to the Chair of the Board; and

(e) confine all remarks, questions, and the like to the substance of the motion which is the subject of debate.

10.3 Time Limit on Speakers

No Trustee shall speak more than once nor longer than five (5) minutes on the same motion without the leave of the Board, except that the mover of the main motion may have an additional three (3) minutes to reply. A Trustee's time limit shall include any preamble and shall not include staff responses and/or procedural discussions.

The content of a Trustee's question shall be relevant to the discussion, report, matter, or motion, as the case may be.

The frequency of a Trustee's questions shall be comparable to the opportunity for, and frequency of, questions by other Trustees.

10.4 Time Limit on Debate

Except in the case of a special meeting, no main motion, including subsidiary motions (if any) that apply to it, and points of information and answers related to any such main or subsidiary motions (if any), shall be debated for longer than thirty (30) minutes after it has been moved and seconded, unless such time limit is extended by resolution for an extension of time not longer than fifteen (15) minutes.

(a) The Board may resolve to allow more than one fifteen (15) minute extension of time for any one motion.

(b) Upon the expiration of the time approved by the Board, the Chair of the Board shall have the authority to interrupt a speaker for the purpose of enforcing the time limit.

10.5 Student Trustees

A Student Trustee is not a member of the Board but may participate in discussion and debate of matters before the Board or a committee of the Board if a member of the committee. Student Trustees may be appointed as ex officio members of a committee where it is permissible. A Student Trustee may exercise a non-binding vote on any motion and may ask for a recorded vote.

VOTING

11.1 Call for a Vote

The Chair of the Board shall put a motion to a vote at the earlier of:

a) the expiration of the time limit and any extensions thereof described in Article 10; or

b) when the Chair of the Board is satisfied that all Trustees who would like to speak to the motion have had the opportunity to do so.

After the Chair of the Board has put a question to vote, there shall be no further debate.

11.2 Methods of voting

Each Trustee present, including the Chair of the Board, but excluding those that have declared an interest as required by the *Municipal Conflict of Interest Act*, shall vote.

Every matter considered by the Board shall be disposed of by a show of hands of those in favour followed by those opposed, except that at the request of any Trustees, the Chair of the Board shall conduct a recorded vote. The method of the recorded vote shall be at the discretion of the Chair of the Board. The Chair of the Board shall vote last, to state for the minutes whether they are in favour or opposed to the motion.

OFFICERS

12.1 Chair as Spokesperson

The Chair of the Board shall act as the public spokesperson for the Board and may issue statements to the media and communicate with outside agencies on behalf of the Board, provided that where the Chair of the Board has any doubt as to the policy of the Board, the Chair of the Board shall not speak publicly on an issue without first seeking direction from the Board.

(a) When communicating with parents, students or ratepayers of another Trustee's constituents, the Chair of the Board shall have regard to the best interests of the organization before issuing a public statement.

(b) Individual Trustees or groups of Trustees shall not undertake any action, communication or negotiation that may be construed as acting on behalf of the Board, except by explicit direction of the Board. A Trustee may nevertheless act individually as an elected official, providing that they indicate that they are not acting or speaking on behalf of the Board.

12.2 Officers

The officers of the Board shall be:

(a) the Chair;

(b) the Vice-Chair;

(c) the Director of Education, who serves as the Secretary of Grand Erie;

(d) the Superintendent of Business and Chief Financial Officer, who serves as the Treasurer.

12.3 Signing Authorities

All deeds, conveyances, mortgages, bonds, debentures, agreements, documents, contracts approved by the Board shall be signed by one of:

(a) the Chair of the Board;

(b) the Vice-Chair of the Board;

together with one of:

(c) the Director of Education, who serves as Secretary of the District School Board;

(d) the Superintendent of Business & Treasurer.

Electronic signatures of the Chair of the Board and Superintendent of Business & Treasurer shall be used for signing General Account cheques produced by the Board's financial accounting system.

Such documents that require the seal of the Board shall be so sealed only after all other portions of the document are in proper order.

12.4 Minutes

Minutes of Board, Finance and Policy and Program Committee meetings which have been approved by a majority of the members present of the Board and the respective committees shall be signed by the Director of Education or designate, and the Chair of the Committee, respectively, to which the minutes pertain.

AMENDMENTS TO BY-LAWS

13.1 Amendment with Notice

By-laws of the Board may be amended from time to time by Resolution of the Board provided that a written report containing recommendations has been received from the Governance Committee which contains a brief statement of the intended purpose of the amendment.

13.2 Amendment without Notice

At any time, the By-law may be amended without notice upon the unanimous vote of all Trustees.

RESCIND PRIOR BY-LAW

14.1 Rescinding of Prior By-law

All prior versions of relevant By-law addressed herein are hereby rescinded.

The rescinding of prior By-law, resolutions and other enactments shall not impair in any way the validity of any act or thing done pursuant to any such rescinded By-law, resolution, or other enactment.

EFFECTIVE DATE

15.1 Effective Date of By-law

This By-law shall come into force immediately following the Board meeting at which this By-law is approved.

Director of Education and Secretary to the Board

Board Chair

APPENDIX A

Regular Board Meeting

Monday, Month, Year **7:15 p.m.**

Education Centre Boardroom

AGENDA

A - 1 **Opening**

(a) Roll Call
(b) Declaration of Conflict of Interest
(c) In-Camera Session **(6:30 pm)**
  (i) Personnel
  (ii) Legal
  (iii) Property
(d) Welcome to Open Session / Land Acknowledgement Statement
The Grand Erie District School Board recognizes Six Nations of the Grand River and Mississaugas of the Credit First Nation, as the longstanding peoples of this territory. We honour, recognize, and respect these communities as well as all First Nations, Métis and Inuit Peoples who reside within the Grand Erie District School Board. We are all stewards of these lands and waters where we now gather, learn and play, and commit to working together in the spirit of Reconciliation.
(e) Call to Order
(f) Additions/Deletions/Approval of the Agenda
Recommended Motion:
"THAT the Agenda be approved."
(g) Memorials
(h) In-Camera Report
(i) Student Showcase/Learn Lead Inspire Award
(j) Delegation

B - 1 **Approval of Minutes**

C - 1 **Committee Recommendations and Reports**

D - 1 **Business Arising from Minutes and/or Previous Meetings**

E - 1 **Report of the Director**

G-1 **Student Trustees' Report**

H - 1 **New Business - Action / Information Items**

I - 1 **Other Business**

J - 1 **OPSBA Report**

K - 1 **Correspondence**

L - 1 **Adjournment**

Sample

APPENDIX A

Regular Board Meeting In-Camera

Monday, Date, Year **6:30 p.m.**

Education Centre Boardroom

AGENDA

A - 1 * **Approval of Minutes**

(a) Date 6:30 p.m. (Regular Board Meeting)

Recommended Motion:

"THAT the In-Camera Minutes of the Regular Board meeting, dated Month, Day, Year, be approved."

B - 1 **Personnel Matters**

(a) Personnel Updates

C - 1 **Legal Matters**

(a) Legal Updates

D - 1 **Property Matters**

(a) Property Updates

E - 1 **Rise and Report**

Recommended Motion:

"THAT the Board Rise and Report."

In-Camera Sample

Regular Board Meeting

Monday, Month, date, year

Education Centre Boardroom

MINUTES

Present:

Administration:

Guests:

A - 1 **Opening**

(a) **Roll Call**
The meeting was called to order by Chair X at 6:30 p.m.

(b) **Declaration of Conflict of Interest**

(c) **In-Camera Session (6:30 pm)**
Moved by:
Seconded by:
THAT the Board move In-Camera.
Carried

(d) **Welcome to Open Session/Land Acknowledgment Statement**
Chair * read the Land Acknowledgement Statement.

(e) **Call to Order**
Chair * called the Regular Board meeting to order at * p.m.

(f) **Additions/Deletions/Approval of the Agenda**
Moved by:
Seconded by:
THAT the agenda be approved.
Carried

(g) **Memorial**

(h) **In-Camera Report**
Moved by:
Seconded by:
That the Board of Trustees approve

(i) **Presentations/Showcase & Learn Lead Inspire Award**

(j) **Delegations**

B - 1 **Approval of Minutes**

Sample

(a) Month, Date, Year (Regular Board)
Moved by:
Seconded by:
THAT the Minutes of the Regular Board Meeting, dated * be approved.
Carried

C - 1 **Committee Recommendations and Reports**

D - 1 **Business Arising from Minutes and/or Previous Meeting** - Nil

E - 1 **Report of the Director**

F - 1 **Student Trustees' Report**

G - 1 **New Business – Action / Information Items**

H - 1 **Other Business**

I - 1 **OPSBA Report**

J - 1 **Correspondence**

K - 1 **Adjournment**
Moved by:
Seconded by:
THAT the Regular Board meeting be adjourned at * p.m.
Carried

Sample

_____
Chair x

_____
Director of Education and Secretary of the Board J. Roberto

GRAND ERIE DISTRICT SCHOOL BOARD

Borrowing By-law

Effective the 30th day of May 2022

1.1 Education Act

The Grand Erie District School Board recognizes that the *Education Act* RSO 1990, c.E.2 and other statutes, the Regulations made thereunder, and Ministry of Education policies and guidelines have superior authority to this By-law.

1.2 Borrowing by the Treasurer

The Board of Trustees shall by annual resolution authorize the Treasurer pursuant to Section 243 (1) of the *Education Act* RSO 1990, c.E.2 to borrow from time to time the sums considered necessary to meet the current expenditures of the board until the current revenue has been received.

1.3 Corporate Status

This authorization does not limit any other powers that the Grand Erie District School Board may have pursuant to s.58.5(1) of the *Education Act,* RSO 1990, c.E.2.

1.4 Current Borrowing

Original By-Law	Date	Borrowing Bylaw	Amount	Maturity Date
BL10	October 26, 2009	Good Places to Learn (GPL) Stage 1 Financing	$11,845,000	November 15, 2031
BL14	January 28, 2008	GPL Primary Class Size Borrowing	$9,456,198	March 3, 2033
BL20	February 11, 2011	OFA Financing of Capital GPL Stage 3	$3,716,520	March 11, 2036
BL21	December 21, 2001 January 3, 2002	Energy Performance Contract • Duke Solutions and Canada Life Assurance Efficiency Services Agreement • Formerly Duke Solutions; Ameresco since May 25, 2004	$9,490,000 $9,674,000	September 23, 2023 September 23, 2023
BL22	May 25, 2009	Capital Related Debt – Not Permanently Financed (NPF)	$3,520,452	June 2, 2033
BL23	August 23, 2004 January 3, 2002	Energy Performance Contract Phase II • Ameresco and Manufacturer's Life Insurance Company Facility Renewal Agreement • Ameresco	$15,345,606 $27,366,667	September 10, 2028 September 10, 2028

BL24	November 24, 2014	Capital Expenditure Finance: 3 Credit Facilities were apportioned the costs	$3,525,000 $3,525,000 $3,525,000	January 10, 2025 July 8, 2025 December 23, 2025
BL30	November 23, 2009	New Pupil Places Based Capital Projects	$13,555,558	November 15, 2029
BL31	April 2021	Bridge Financing SW Brantford Elementary	$16,270,000	December 29, 2023
BL37	March 22, 2010	OFA Permanent Capital Financing	$18,242,787	April 13, 2035
BL40	February 24, 2014	OFA Permanent Capital Financing	$584,685	March 11, 2039
BL41	March 4, 2013	OFA Permanent Capital Financing	$41,251,572	March 19, 2038

GRAND ERIE DISTRICT SCHOOL BOARD

GENERAL GOVERNANCE POLICY

Effective May 30, 2022

TABLE OF CONTENTS

1.0 By-law, Policies and Procedures 3
1.1 By-law 3
1.1.1 Adopt, Amend, Suspend or Rescind of the By-law 3
1.2 Policies 3
1.2.1 Adopt, Amend, Suspend or Rescind of Governance Policies 4
1.2.2 Adopt, Amend, Suspend or Rescind of Policies 4
1.3 Procedures, Guidelines, Protocols and Manuals 5
2.0 Use of Grand Erie DSB Resources by Trustees 5
2.1 Context 5
2.2 Application 6
2.3 Campaign Periods 6
2.4 Use of Staff Resources 6
2.5 During the Campaign 7
2.6 Other Activities during the Campaign Period 7
2.6.1 School Visits – by Trustees 7
2.6.2 School Visits – by Candidates 7
2.6.3 School-Related Events 7
2.6.4 Campaign Involvement – Student 8
3.0 Requests for Information by Trustees and Reports 8
3.1 Trustee Requests at the Board Table 8
3.2 Ad Hoc Trustee Requests for Information 8
3.3 Reports for Information and Approval 8
4.0 Trustee Expenses 9
4.1 Travel on Board Business 9
4.2 Other Expenses 9
4.3 Expenses re: Conferences, Workshops and Seminars 10
4.4 Computer and Office Equipment and Supplies 11
4.5 Expenses for Internet Connection 11
4.6 Claiming Expenses 11
4.7 Records and Reports 12
5.0 Trustee Honoraria 13
5.1 Compliance with Regulation 13
5.2 Trustee Honoraria Components 13
6.0 Communication 13
6.1 Communication at the Board Table 13
6.2 Communication to the Board 13
6.3 Communication from the Board 14
7.0 Absences 14
7.1 Trustee Attendance 14
7.2 Trustee Pregnancy and Parental Leave 14
8.0 Electronic Meetings 14
8.1 Compliance with Regulation 14

9.0 Board Committees 15
9.1 Statutory Committees 16
9.2 Standing Committees 16
9.3 Special Ad Hoc Committees 19
10. Student Trustees 20
10.1 Election and Term 20
10.2 Qualifications 20
10.3 Trustee and Staff Liaison 20
10.4 Selection of Student Trustees 21
10.5 Dismissal of a Student Trustee 21
10.6 Filling a Vacated Seat During the Year 21
10.7 Type and Extent of Participation 22
10.8 Honoraria and Expenses 22
10.9 Cooperative Education Credit 22
10.10 Communication with Students 22

1.0 By-law, Policies and Procedures

1.1 By-law

a) The By-law is a set of rules and directives that the Board of Trustees follows with respect to conducting the business of the Board of Trustees.

b) A General Governance By-law will outline how the Board of Trustees conducts business at the Board table and with respect to committees, meetings, agendas, and the like.

c) The By-law will be available on the Board's website.

d) Failure to comply with the strict letter of a By-law does not automatically render any decision made or action taken thereunder a nullity. Generally, a failure to comply is an irregularity which can be corrected, if necessary, by appropriate means.

1.1.1 Adopt, Amend, Suspend or Rescind of the By-law

a) The need to adopt, amend, suspend, or rescind, the Board By-law can be due to many factors, including new or amended legislation, change in the common law relevant to the Board of Trustees, direction by the Ministry of Education, financial covenants, best practices or some other factor as identified to the Director of Education or Chair of the Board.

b) If the need to adopt, amend, suspend, or rescind, the Board By-law is identified and verified from any source, the Chair of the Board, in consultation with the Director of Education, will refer the matter to the Governance Committee who will make recommendations to the board.

1.2 Policies

Board Policies will be categorized as Governance Policies or Policies:

a) Governance Policies will outline expectations for the work of the Board of Trustees.

b) Policies will outline expectations for the work of the school board.

c) Board Policies will be available on the school board's website.

d) Failure to comply with the strict letter of a policy does not automatically render any decision made or action taken thereunder a nullity. Generally, a failure to comply is an irregularity, which can be corrected, if necessary, by appropriate means.

The Board of Trustees may be required to adopt or amend a Board Policy, or Governance Policy, due to many factors including, but not limited to new or amended legislation, changes in the common law relevant to the Board of Trustees, identified best practices, new or revised Ministry regulations or initiatives, changes to the Multi-Year Strategic Plan or other factors as identified to the Director of Education or Chair of the Board.

In the event a Board Policy is linked to a corresponding Board Procedure, any necessary review shall include both documents and take place concurrently.

1.2.1 Adopt, Amend, Suspend or Rescind of Governance Policies

a) Governance Policies relate to matters of process regarding the work of the Board of Trustees. The need to adopt, amend, suspend, or rescind a Governance Policy may be identified due to many factors including those set out in section 1.2 above.

b) If the need to adopt or amend, suspend, or rescind a Governance Policy is identified and verified from any source, the Chair of the Board, in consultation with the Director of Education will refer the matter to the Governance Committee, who will make recommendations to the Board of Trustees.

1.2.2 Adopt, Amend, Suspend or Rescind of Policies

a) Policies may be further categorized in accordance with the nature of the policy. For example, all policies dealing with facility matters may be categorized under a unique numbering sequence which may differentiate them from those of other departments.

b) Each Board Policy will identify a senior staff member responsible to the Director of Education, for establishing and maintaining the contents and currency of the policy. The policy will contain a date for the next scheduled review so that currency can be maintained. As such, a cycle for review will be established to adopt, amend, suspend, or rescind policies that will be brought for approval to the Board of Trustees through the Policy / Program Committee.

c) Notwithstanding the review cycle above, a policy that requires change may be, amended, suspended, or rescinded and brought forward at any time.

d) Policies may be amended, suspended, or rescinded using many processes, depending on the nature of the policy. The senior staff member responsible for the policy will establish, with the approval of the Director of Education, the means of consultation used, if any, to amend suspend or rescind the policy. Some policies will benefit from stakeholder consultation which may include unions, associations, parents, members of the public or subject matter experts. These consultations should take place prior to the draft policy being reviewed by the Policy / Program Committee.

e) If the need to adopt, amend, suspend, or rescind a policy is identified and verified from any source, the senior staff member responsible, with the approval of the Director of Education, shall forward a report to the Policy/Program Committee who will then make a recommendation to the Board of Trustees.

f) Recommendations to adopt, amend, suspend, or rescind policies will first be brought forward to the Policy/Program Committee for discussion. After discussion, the resulting draft policy will be posted on the school board website for public comment for a period of 30 calendar days (excluding statutory holidays, winter, spring, and summer break) where possible. Public comments will be made available for trustees upon request. The resulting new, adopted, amended, suspended, or rescinded policy will then be forwarded to the Board of Trustees for review and decision.

1.3 Procedures, Guidelines, Protocols and Manuals

a) The above tools are operational documents intended to provide staff with guidance on specific matters and may be applicable to only a segment of school board staff. Every effort will be made to consolidate these documents into procedures. Guidelines, Protocols and Manuals will be consolidated into an existing procedure and phased out wherever possible.

b) Procedures may be further categorized in accordance with the nature of the procedure. For example, all procedures dealing with business matters may be categorized under a unique numbering sequence which may differentiate them from those of other departments.

c) Each procedure will identify a senior staff member responsible to the Director of Education, for establishing and maintaining the contents and currency of the document. All procedures will contain a date for the next scheduled review so that currency can be maintained (e.g., every four years or as deemed necessary by the senior staff member). As such, a cycle for review will be established under the direction of the Director of Education. Recommendations to adopt, amend, suspend or rescind and unchanged procedures will be brought for discussion and approval to Executive Council.

d) In the event that a Board Policy is up for review and a procedure is linked to the corresponding Board Policy the procedure will be reviewed and aligned with the Board Policy as necessary to reflect any changes.

e) Notwithstanding the review cycle established in section 1.3 c) above, a procedure that requires change may be amended and brought forward at any time.

f) Procedures may be amended using many processes, depending on the nature of the procedure. The senior staff member responsible for the procedure will establish, with the approval of the Director of Education, the means of consultation used, if any, to establish, amend or rescind the procedure. Some procedures may benefit from stakeholder consultation, which may include unions, associations, or subject matter experts. These consultations should take place prior to the procedure being reviewed by Executive Council.

g) New or revised procedures may be brought to the Board of Trustees for information should the Director of Education be of the opinion that there would be benefit to the Board of Trustees.

h) Only staff shall comment on procedures.

i) All procedures shall be accessible on the school board website.

2.0 Use of Grand Erie DSB Resources by Trustees

2.1 Context

It is the responsibility of the Grand Erie District School Board to ensure that in compliance with the *Municipal Elections Act, 1996*, the *Election Finances Act, 1990*, and the *Canada Elections Act, 2000*, public funds are not used for any election-related purposes, including the promotion of, or opposition to, the candidacy of a person for elected office.

The Board of Trustees believes that all trustees, candidates for any elected position and staff members, as representatives of the Grand Erie District School Board, are entrusted with the responsibility for appropriately using Board resources at all times including during election campaign periods. This supports accountable stewardship of Board of Trustees' school board resources and contributes to confidence in public education.

2.2 Application

School board resources provided or available to trustees are for the exclusive purpose of carrying out their legal duties as an elected official of the Grand Erie District School Board.

The use of school board resources for partisan activities or to campaign for any political office is not permitted.

2.3 Campaign Periods

The Grand Erie District School Board has identified the following parameters with regard to campaign periods.

a) The municipal election campaign period shall begin on May 1 until Voting Day in a regular municipal election year. This period applies to everyone, regardless of whether nomination papers have been filed.

b) For a provincial election, the campaign period begins the day an individual is declared as a candidate and lasts until Voting Day. At a minimum, this period shall last from the date the Writ of Election is signed by the Lieutenant Governor until Voting Day.

c) For a federal election, the campaign period begins when an individual is declared as a candidate and lasts until Voting Day. At a minimum, this period shall last from the date the Governor General dissolves Parliament to Voting Day.

d) The campaign period for any by-election is determined by the appropriate legislation including the *Municipal Elections Act*, *the Ontario Election Act* and the *Canada Elections Act.*

2.4 Use of Staff Resources

Staff resources may not be used for partisan activities or campaigning. This includes, but is not limited to:

a) preparing or disseminating materials, including, but not limited to newsletters, school newsletters, pamphlets, buttons, information tables, business cards, flyers, social media, speeches/greetings, brochures, websites, photos or videos;

b) scheduling and providing support at meetings or events with school board staff, students or other groups;

c) preparing speaking remarks or correspondence related to any campaign or which may be perceived to be partisan;

d) supplying personal information about students, parents, community members or staff members for the purposes of campaigning;

e) consolidating information available publicly; and

f) discussing or providing political or campaign advice.

2.5 During the Campaign

Trustees will not use their school board-issued resources for any campaign-related purposes.

This includes displaying election-related materials in school board offices, board meetings, school board events or school-related events.

Trustees will not distribute or use school board logo(s) or school board telephone number(s) or other contact information, including any school board branding in any campaign-related material.

Trustees must ensure that all campaign-related material is funded by the trustee in their capacity as a candidate.

Trustees will not use the school board email system to distribute election-related electronic messages and will not use the school board's voicemail system to record election-related messages.

Trustees will use their personal information technology resources to create and use social media accounts created for campaign purposes. These are to be separate and distinct from any accounts used by the candidate in their position as a trustee.

Trustees will not distribute (print, electronic or other method) any election-related materials via students or parents/ caregivers.

2.6 Other Activities during the Campaign Period

2.6.1 School Visits – by Trustees

Trustees who are seeking re-election may continue to perform their duties which may include their continued participation in local events held in schools while they serve their term of office. Trustees should not participate in activities at school events that could be perceived as campaigning.

2.6.2 School Visits – by Candidates

Requests for visits by candidates, for the purposes of campaigning, are not considered appropriate. All Candidates Meetings are encouraged and may occur on school property. These are sometimes arranged by school councils and community groups during non-school hours.

2.6.3 School-Related Events

Candidates are not permitted to campaign at school-related events intended for the students and parents/ caregivers of that school. Current trustees may continue to attend and participate in school-related activities but shall not campaign or conduct themselves in any way that may be perceived as campaigning.

2.6.4 Campaign Involvement – Student

Students are encouraged to participate in curriculum-based activities (Civics) and democratic awareness programs such as Student Vote. Secondary students may choose to earn their Community Involvement Hours by participating in a legitimate election campaign. Any campaign or election activities must be done outside of school hours and not on school property.

3.0 Requests for Information by Trustees and Reports

3.1 Trustee Requests at the Board Table

a) Trustees may require information from school board staff through the Director of Education to effectively perform their governance role. Consideration should be given to the time necessary to complete the request and the relevance to the governance matter for which it is sought.

b) Such requests must be made by a Board of Trustee motion and should be directed to the Director of Education. If approved by the Board of Trustees, the Director of Education will delegate the request to the appropriate staff member for completion.

c) The information may be provided to the Board of Trustees orally or in the form of a written report.

d) The Board of Trustees may direct that such reports be returned after presentation at a Standing Committee of the Board of Trustees. All reports provided in-camera shall be returned at the end of the presentation.

3.2 Ad Hoc Trustee Requests for Information

a) Individual trustees shall not directly request information from staff. All requests for information, oral or written reports should be made to the Director of Education, or the Chair of the Board, by motion. In this way the entire Board of Trustees can ensure they are informed of the request, and that the request ties to the governance role of the Board of Trustees.

3.3 Reports for Information and Approval

a) Reports will be regularly provided to the Board of Trustees in order that they may evaluate progress with respect to the Multi-Year Strategic Plan, to make necessary decisions regarding budget allocations, to consider policies and to fulfill other governance related responsibilities. Such reports may be forwarded to the Board of Trustees through one of its standing committees.

b) Reports to the Board of Trustees will be labelled as 'For Information' (I) or a 'Recommended Motion'. In general, reports will be for information purposes unless related to the governance responsibilities of the Board of Trustees. Finance and Policy and Program reports will go to the board for information. The Chair or Vice-Chair will provide an overview and all information items will be treated as information items and only those items treated as business items will be listed on the agenda in the form of a recommended motion.

All board reports moving information items will be treated as information items without a motion and all business items necessitating a motion will include a motion for approval.

c) In order to manage workload and ensure that decisions are made in a timely manner, the Director of Education, in consultation with the Chair and Vice-Chair of the Board, will compile a schedule of reports 'For Information' and 'For Approval' for the upcoming school year for presentation to the Board either at the last meeting in June or first meeting in September for information. Nothing will preclude the Board of Trustees from receiving reports throughout the year that were not initially scheduled in order to provide flexibility to address emerging or unforeseen issues. Committee reports and/or minutes will be accessible by the Board of Trustees.

4.0 Trustee Expenses

The Grand Erie District School Board will reimburse Trustees, including Student Trustees, for recognized out-of-pocket expenses and will provide funds in its annual budget to cover in-service expenses of Trustees who are authorized to attend conferences, seminars, and professional meetings, in accordance with current procedures.

4.1 Travel on Board Business

The Grand Erie District School Board's annual budget will include a travel expense fund for Trustees. Trustees using their personal vehicles will be reimbursed for travel expenses (to the following) at the rate per kilometer established by the Board of Trustees:

a) Board meetings, Statutory, Standing and Special Ad Hoc Committee meetings to which they are appointed;

b) Ontario Public School Boards' Association (OPSBA);/ Ontario Student Trustees' Association (OSTA-AECO);

c) Other conferences, workshops or meetings as approved by the Chair or Vice-Chair of the Board;

d) Visits to schools and school functions;

e) Functions of other organizations where the Chair of the Board or designate is representing the Grand Erie District School Board; and

f) Other events as authorized by resolution of the Board of Trustees.

Please note that a Student Trustee must, if practicable, gain the approval of the Chair of the Board at least one month in advance of the event in order to attend any conference.

4.2 Other Expenses

Trustees may incur other expenses in their position, such as:

a) Meals when authorized school board business takes them away from home at a normal mealtime – amounts claimed must be consistent with Travel and Expense Claims Procedure F103;

b) Long distance telephone charges while on school board business; and

c) Parking charges while on school board business.

Please note the following:

- Alcoholic beverages are not eligible for expense claims;
- Expenses incurred to attend community fundraising events, charity functions and political activities are not eligible for expense claims; and
- Donations to community groups, charities or schools are not eligible for reimbursement.

4.3 Expenses re: Conferences, Workshops and Seminars

The Grand Erie District School Board encourages learning for all, and its annual budget will include a professional development fund for Trustees. This fund will be used for Trustee expenses incurred for:

a) Registration;

b) Accommodation; and

c) Other eligible expenses not covered by registration fees.

All registration fees for conferences, workshops and seminars will be paid via the Executive Assistant to the Board of Trustees. Trustees should manage their own registrations and accommodations.

Eligible expenses for conferences, workshops and seminars include:

a) Economy air, bus, train or mileage expenses incurred on school board business;

b) Hotel room charges for accommodation in a standard room. No additional reimbursement will be made for suites, executive floors, concierge;

c) Meals, if not included in registration, as stated in Travel and Expense Claims Procedure F103 Section 1.2 iii;

d) Tips and gratuities;

e) Phone calls for school board business;

f) Taxi fares;

g) Necessary parking fees; and

h) Other business expenses such as fax and internet.

In all cases, appropriate receipts must be provided for reimbursement.

Before a payment is processed, Business Services will confirm that the expense claim has received appropriate authorization.

Please note the following will not be reimbursed:

- Recreational costs (movies, mini-bar, and fitness facility expenses):
- Alcoholic beverages;
- Charges incurred by a spouse or other companion; and
- Parking tickets or traffic infractions.

4.4 Computer and Office Equipment and Supplies

a) Each Trustee, at the beginning of their term, will be allotted an amount of money from the Trustee and Governance budget to use towards the purchase of a school board-owned device to facilitate communication. Acceptable devices include cell phones, laptops, tablets, and printers. A list of supported devices will be provided and must be purchased through the school board.

b) Annually, each Trustee will be allotted an amount of funding, to be approved each year through the budget process, from the Trustee and Governance budget to cover expenses such as monthly cellphone charges. If cellphone charges are reimbursed, cellphone numbers must be posted on the school board's website. In the event that the school board provides cellphones to trustees they will remain the property of the school board and therefore subject to all applicable legislation. If school board business is conducted on these cellphones, they could be subject to Freedom of Information (FOI) requests.

c) All equipment provided by the school board will be returned to the Executive Assistant to the Board of Trustees when the Trustee's term of office ceases.

d) All office supplies (paper, printer ink etc.) and equipment will be purchased via the Executive Assistant to the Board of Trustees. Expense claims for such items are not eligible for reimbursement.

4.5 Expenses for Internet Connection

a) The Grand Erie District School Board's annual budget will include an amount for internet connection services. The maximum amount a Trustee can claim monthly for internet connection services will be a predetermined amount communicated annually through the budget process.

4.6 Claiming Expenses

a) Requests for reimbursement for travel or other expenses must be made on a signed Trustee Expenses claim form supported by receipts for all expenses. Claims approved by the Chair or Vice-Chair of the Board will be submitted to the Superintendent of Business for the purpose of reimbursement.

b) Claims are for reimbursement of expenses incurred and services provided. Claims will not be approved for future dates whether for travel or services such as Internet or cellphone.

c) To substantiate reimbursement, the claim form is supported by the following:

- Original documentation including proof of payment to support the expenditure (except for mileage claim);
- Reasons for the expenditure;
- Signature of the claimant to certify the expense claim; and
- Scanned electronic copy of receipts where claims are sent electronically for approval.

Please note the following:

Credit/debit card point of sale slips that are not accompanied by a receipt are not valid for the purpose of reimbursement.

d) Expense forms are to be submitted either monthly or quarterly. They shall not span more than one school year.

e) To be eligible for reimbursement all expenses related to a fiscal year end must be submitted within the first two weeks of September.

f) The following verification and approval process is to be followed for all Trustee expense claims:

- The Chair or Vice-Chair of the Board, in the absence of the Chair of the Board of Trustees certifies that individual Trustee expense claims meet the requirements of the General Governance Policy and approves payment of the claim.
- Should there be a dispute about the eligibility of any expense, (e.g., if deemed as inappropriate or unreasonable), the item(s) in dispute will be referred to the Board of Trustees and the affected party shall contest the decision during a public session of the Board of Trustees.
- Before a payment is processed, Business Services will confirm that the expense claim has received appropriate authorization.
- The Vice-Chair of the Board is responsible to sign and approve the Chair of the Board's expense claim.

Please note the following:

- Trustees do not receive purchasing/credit cards.
- A Student Trustee may, upon request, be provided with a cash advance for an approved expense. This privilege is not extended to other Trustees.
- Before a payment is processed, the Superintendent of Business and Business Services will confirm that the expense claim has final approval and received appropriate authorization.

4.7 Records and Reports

a) A report will be made to the Board of Trustees in April and November each year on the status of the following Trustee budget lines and Trustee expenses claimed:

- Trustee Professional Development Fund;
- Trustee Travel Expenses Fund; and
- Trustee Internet Service Fund.

b) A record of each Trustee's expenses will be kept at the Education Centre and will be available to the public on the school board's website annually.

c) Trustees attending conferences, seminars, or workshops may be asked to report briefly to the Board of Trustees on the highlights of the activity attended.

5.0 Trustee Honoraria

5.1 Compliance with Regulation

The Grand Erie District School Board is committed to providing, in a transparent, public way, fair levels of honoraria for the Board of Trustees in accordance with Regulation 357/06. Trustee Honoraria calculations shall be updated annually prior to November 1st and by October 15th in an election year.

5.2 Trustee Honoraria Components

The honorarium for Trustees of the Grand Erie District School Board, excluding student trustees, for any year of their term of office shall consist of the following components:

a) 100% of the maximum base amount for the year;

b) 100% of the enrolment amount for the year;

c) 0% of the maximum allowable attendance amount; and

d) 0% of the distance amount for the year.

6.0 Communication

6.1 Communication at the Board Table

a) When expressing individual views, Trustees shall respect the differing points of view of other Trustees, staff, students and the public.

b) Trustees shall at all times act with decorum and shall be respectful of other Trustees, staff, students and the public.

c) Trustees shall express individual opinions on issues under consideration, refraining from personal, demeaning or disparaging comments.

d) All Trustees will endeavour to work with other Trustees and staff in a spirit of respect, openness, courtesy, and cooperation.

6.2 Communication to the Board

a) Any correspondence addressed to the Board of Trustees, the Chair of the Board or the Director of Education, will be made available to the Board of Trustees at the next Board meeting. Communications received by the Director of Education will only be made available if the substance of the correspondence deals with school board matters.

b) Communication received from OPSBA will be shared with all Trustees by the OPSBA Director, provided that information is not embargoed.

c) Requests by outside agencies or organizations to meet with the Chair of the Board will be shared with Trustees prior to the meeting taking place so that Trustees are informed and able to offer input as appropriate.

6.3 Communication from the Board

a) All correspondence from the Chair of the Board on behalf of the school board, must be approved by Board motion or Board direction and will be shared with all Trustees and the Director of Education for input prior to being sent.

b) Correspondence with the community, including media releases, being sent out by, or on behalf of the Chair of the Board, will be shared with all Trustees when sent.

7.0 Absences

7.1 Trustee Attendance

a) Trustees shall make all reasonable efforts to participate in Board meetings, and the meetings of committees to which they have been appointed.

b) A vacancy will be created if a Trustee is absent for three consecutive Board meetings unless an authorized resolution is entered in the minutes prior to the adjournment of the third consecutive Board meeting.

7.2 Trustee Pregnancy and Parental Leave

Section 228 of the *Education Act*, Subsection 2.1 states that a Member of a Board is permitted to be absent from meetings of the Board for 20 consecutive weeks or less if the absence is a result of the member's pregnancy, the birth of the member's child or the adoption of a child by the member.

a) The Trustee exercising the leave will notify the Chair of the Board in writing at least six (6) weeks in advance of the leave, if possible. The Director of Education and Trustees will be notified by the Chair.

b) Trustees on pregnancy and/or parental leave shall continue to receive the Trustee's honorarium, as specified in General Governance Policy 1, Article 5.

c) Trustees on pregnancy and/or parental leave will continue to have relevant expenses paid in accordance with General Governance Policy 1, Article 4.

d) Trustees on pregnancy and / or parental leave will be exempt from attending meetings of the Board and any committee of which the trustee is a member.

8.0 Electronic Meetings

8.1 Compliance with Regulation

Regulation 463/97 requires that "every district school board shall develop and implement a policy providing for the use of electronic means for the holding of meetings of the board and meetings of a committee of the board." (Board Meetings can be virtual up to November 15th 2022) The foregoing shall include the following:

a) Electronic meetings of the Board and/or Committees of the Board, as defined in the Board's General Working By-law-GB1 section 3.5, are recognized as being a legitimate means of the Board conducting its business.

b) The provision of electronic means for participation in meetings and/or Committees of the Board is intended to allow for the participation of Board members in meetings where extenuating circumstances make it impossible for the Board member to physically attend.

c) The Board of Trustees recognizes the necessity of providing Trustees with the ability to participate in all meetings arranged by the Board that require representative attendance and participation.

d) Electronic meetings of the Board and/or Committees of the Board are intended to provide for more efficient use of time and productive resources in circumstances where time and/or availability of trustees and/or staff make it a better means of conducting a Board and/or Committees of the Board meeting.

e) At the request of a Board member, in situations where it is not possible for the member to attend a regularly scheduled or Special meeting of the Board and/or Committees of the Board, as defined in the Board's By-laws, the Board shall provide electronic means for participation in the meeting of the Board or its Committees.

f) Board Meetings

As required, the following persons must be present in the Board meeting room for any meeting of the Board and/or Committees of the Board (meetings can be virtual up to November 15th 2022):

a) The Chair of the Board or designate;

b) At least one additional member of the Board; and

c) The Director of Education or designate.

The Chair of the Board, the Vice-Chair, or a Board Committee Chair, or their designate, may participate electronically and preside over the meeting when the situation warrants, such as, but not limited to, inclement weather and health-related issues, etc. as Article 5.1(1) of Regulation 463/97.

g) Committee Meetings

As required and amended by Article 5 (2) of Regulation 463/97, the following persons must be present in a committee meeting room for any meetings of the Board's committee's (meetings can be virtual up to November 15th 2022):

a) The Chair of the Committee or designate or one other committee member if the chair or designate can not be present; and

b) The Director of Education or designate.

9.0 Board Committees

As defined in the Board's General Working By-law-GB1, Article 4, the Board has a duty to constitute certain prescribed statutory committees and may also form non-statutory Standing and Special Ad Hoc committees. Trustees will be appointed to Statutory and Standing committees in accordance with the procedures outline in By-law-GB1 at the first regular meeting of the Board following the Annual or Inaugural Meeting. (Meetings can be virtual up to November 15, 2022)

The Terms of Reference for all committees, where permitted by law, will be reviewed and amended, if necessary, annually and included in the committee package.

The Terms of Reference of Board Committees will be available on the Board's webpage after the first committee of the school year (where applicable) and once approved the final Terms of Reference as a separate link. All other Terms of Reference will be maintained in Director Services.

9.1 Statutory Committees

a) The Board's Statutory committees are outlined in General Working By-law-GB1, Article 4.2.

b) The number of Trustee committee members and the terms of reference for Statutory committees shall be as prescribed by the *Education Act* and applicable Regulation.

9.2 Standing Committees

The Chair of the Board shall be an Ex Officio voting member and the Director of Education shall be an Ex Officio non-voting member of all Standing Committees. Standing Committees may be held virtually.

a) The following Standing committees will be established to provide recommendations to the Board:

(i) Policy and Program Committee;

(ii) Finance Committee;

(iii) Indigenous Education Advisory Committee (IEAC);

(iv) Six Nations Advisory Committee (SNAC);

(v) Director of Education Performance Review Committee; and

(vi) Governance Committee.

b) The Committee will develop new and/or review existing Terms of Reference that contain the following excerpts from the 2022-23 Terms of Reference:

(i) The mandate and responsibilities of the Committee;

(ii) The composition of the Committee;

(iii) The procedures of the Committee;

(iv) The role of Staff on the Committee; and

(v) The role of the Board.

c) <u>Policy and Program Committee</u>

- The Policy and Program Committee will consist of four Trustees in addition to the Chair and Vice-Chair of the Board.

- The Chair of the Board will chair the Policy and Program Committee.

- The Director of Education or designate will be the Staff liaison to the Committee.

- The Policy and Program Committee will receive information related to the development and revision of Board policies and governance issues related to instructional matters.
- The Policy and Program Committee will meet on the second Monday of every other month when possible (alternating with the Finance Committee), excluding July and August.

- The Committee will make recommendations to the Board of Trustees.

d) Finance Committee

- The Finance Committee will consist of four Trustees in addition to the Chair and Vice-Chair of the Board.

- The Vice-Chair of the Board will chair the Finance Committee.

- The Superintendent of Business will be the staff liaison to the Finance Committee.

- The Finance Committee will receive information on governance matters relating to financial issues including capital and property issues.

- The Finance Committee will meet on the second Monday of every other month when possible (alternating with the Policy and Program Committee), excluding July and August.

- The committee will make recommendations to the Board of Trustees.

e) Indigenous Education Advisory Committee (IEAC)

The Indigenous Education Advisory Committee will consist of two (2) Trustees, and community stakeholders as follows:

- A representative from the Six Nations of the Grand River Territory Elected Council or Alternate Six Nations Confederacy Council;
- A representative from the Mississaugas of the Credit First Nation (MCFN) or Alternate;
- Mississaugas of the Credit First Nation Education Pillar Lead;
- An additional Representative from Mississauga of the Credit First Nation Métis;
- Representative(s) from no more than five (5) local associations. Local association is defined as an association or organization that operates locally within the area of jurisdiction of the Board which further the interest of Indigenous education;
- Up to 10 Parent /Family Designate(s)
- Up to two (2) advocates of Indigenous Education as approved by the Indigenous Education Lead – Teacher Consultant and Chair of IEAC;

The IEAC may make recommendations from IEAC to the Board at any time providing a consensus of community members are present to approve the recommendation.

The Director of Education will appoint a Superintendent of Education to act as staff liaison to the committee.

- IEAC will advise, consult and collaborate on how best to improve Indigenous student outcomes and provide advice on initiatives including, but not limited to, student programs, Native studies, student retention and alternative education programs. The committee will advocate both provincially and locally for the specific needs of Indigenous students, provide input into supports to build the capacity of educators to develop strategies to improve the integration of Indigenous perspectives in the classroom and school community. The committee will identify community issues that impact education and reflect the opinions and interests of the groups represented by the members of the committee. The Indigenous Education Advisory Committee will meet at the call of the Chair, holding a minimum of four (4) meetings between September and June. The committee will make recommendations to the Board of Trustees.

f) Six Nations Advisory Committee

(i) The Six Nations Advisory Committee will consist of a Six Nation Trustee to the Board, One Trustee of the Board, Six Nations community representative appointed by the Committee, Six Nations Elected Council representative (appointed by SNEC), Haudenosaunee Confederacy Council representative (appointed by HCC), Education Services Agreement Native Advisor-Teacher Consultant, Education Services Agreement Native Education Counsellors (3), Education Services Agreement Community Liaison Worker, Grand District School Board Principal Leader of Indigenous Education, Grand Erie Director of Education and/or Superintendent responsible for Indigenous Education, Indigenous Services Canada Director of Federal Schools and/or designate, Grand Erie Indigenous Student Trustee, Kawennio Immersion School, representative, Everlasting Tree School representative. Others may be invited to participate as resource members as required by the agenda.

(ii) The purpose of the Six Nations Advisory Committee is to
   a) Ensure the educational services purchased through the Education Services Agreement are maintained at a high-quality level; and
   b) To represent the interests of the students from Six Nations of the Grand River Territory enrolled in Grand Erie schools by providing the board appropriate and accurate advice on matters related to their education.

(iii) The Director of Education will appoint a Superintendent of Education to act as staff liaison to the committee.

(iv) The Six Nations Advisory Committee shall:
   a) Hold a minimum of four regular committee meetings during the school year.
   b) Advise the Board/board on matters for negotiation on the Education Services Agreement with Indigenous Services Canada and make recommendations to the Grand Erie Director of Education revisions to the Education Services Agreement.
   c) Provide direction on the preparation of the Education Services Agreement Annual Report.
   d) After the normal process for communicating concerns has been exhausted, act as a body for the hearing of concerns from parent(s)/caregiver(s) of students from Six Nations of the Grand River Territory in respect to services provided by the Board covered by the Education Services Agreement and shall advise/make recommendations to the Board or the Grand Erie Director, as is appropriate for the matter, regarding resolution to concerns.

(v) The committee will make recommendations to the Board.

g) Director of Education Performance Review Committee

(i) The Director of Education Performance Review Committee will consist of two (2) Trustees in addition to the Chair and Vice-Chair of the Board.

(ii) The Chair of the Board will chair the Director of Education Performance Review Committee.

(iii) The Director of Education Performance Review Committee shall fulfill its mandate in accordance to Director of Education Performance Review - Governance Policy 5 and will submit to the Board of Trustees the evaluation report for approval.

(iv) The Director of Education Performance Review Committee will meet at the call of the Chair at a minimum of two (2) times a year.

(v) The Director's Performance Review Committee will make recommendations to the Board.

h) Governance Committee

(i) The Governance Committee will consist of two (2) Trustees in addition to the Chair, Vice-Chair of the Board and the Director of Education

(ii) The Chair of the Board will chair the Governance Committee.

(iii) The Governance Committee will discuss matters related to the Board By-law and Governance policies.

(iv) The Governance Committee will meet at the call of the Chair of the Board at a minimum of two (2) times a year.

The Governance Committee will make recommendations to the Board.

9.3 Special Ad Hoc Committees

a) The Board may from time to time approve by resolution the formation of a Special Ad Hoc committee, to provide a recommendation to the Board on a specific matter.

b) A resolution to approve the formation of a Special Ad Hoc committee shall state:

(i) the purpose of the committee;

(ii) the maximum number of members;

(iii) the date by which the committee will report to the Board; and

(iv) the date of dissolution.

Which shall collectively form the committee's Terms of Reference.

c) Special Ad Hoc committees will determine the need for staff resources, the method of

reaching consensus and other matters necessary to the mandate of the committee.

10. Student Trustees

10.1 Election and Term

a) Three (3) Student Trustees will be elected each February or renewed by written request issued to the Director and Chair from the Student Trustees(s) in Grande 11, on or before December 15th, prior to the selection process. A letter of confirmation will be issued.

b) One (1) Student Trustee will be elected from the northern part of the Board (Brantford/Brant County); one (1) Student Trustee will be elected from the southern part of the Board (Haldimand and Norfolk Counties); and one (1) Student Trustee will be elected from the Indigenous student community of Grand Erie.

c) The term of the Student Trustees will be for one (1) year, from August 1 to July 31, unless the Student Trustee is in Grade 11 and a written request to remain for a second term is issued to the Director of Education.

10.2 Qualifications

a) Any student may apply to be a Student Trustee who:

(i) will be registered as a full-time student in the senior division on August 1st in a secondary school of the Grand Erie District School Board;

(ii) will be a full-time pupil in the senior division;

(iii) has written parental consent (if under 18 years of age) (to be issued annually); and

(iv) agrees to adhere to the Provincial Code of Behavior for Schools, Governance Policy, GB-1 By-law, and the Trustee Code of Conduct at all times while performing the functions of a Student Trustee.

b) Any student who applies for the position of Student Trustee must indicate a willingness to make the necessary commitment to attend scheduled Board meetings.

c) Student Trustee applicants must complete the Student Trustee Permission Form and the Application (to be issued annually) and forward both documents to the Principal.

d) <u>Indigenous Student Trustee</u>

Any student may apply to be the Indigenous Student Trustee following all the qualifications above and in addition must be self-identified as Indigenous.

10.3 Trustee and Staff Liaison

a) Three (3) Grand Erie District School Board Trustees will be appointed by the Chair of the Board to act as liaison to the Student Trustees. In addition to the Board Trustee liaison, the outgoing Student Trustees of the Grand Erie District School Board shall act as contact persons for information and advice to the incoming Student Trustees.

b) The Director of Education will appoint a Superintendent of Education to act as staff liaison to support the Student Senate on matters related to Student Trustees.

10.4 Selection of Student Trustees

a) The Director shall notify secondary school Principals by December 15th of the Student Trustee application process. A copy of the process and application form will be provided to the Principal for distribution.

b) Any student who is interested in the position of Student Trustee must apply in writing to the Principal by the third Friday in January in accordance with the identified process.

c) Each secondary school principal will forward the eligible applications from their school to the Director of Education (c/o Executive Assistant to the Board of Trustees) by the first Friday in February.

d) The Selection Committee will be the Grand Erie District School Board Student Senate. Each secondary school has the right to have two (2) voting members on the Student Senate. Schools with Indigenous student clubs will also have one (1) voting Indigenous student member on the Student Senate. For the purposes of this selection process, the Student Senate may meet separately as a North, South and Indigenous Senate (selecting the Student Trustees from their group). Indigenous Senate may proceed with their appointment by consensus. To be considered eligible, Student Trustee applicants must attend the student Senate elections. If there are exceptional circumstances and a candidate cannot be in attendance, the Director of Education will be consulted to assist with a resolution. The Selection Committee will invite all eligible candidates for interviews. All candidates will be asked the same questions and will be asked to elaborate on their written applications. Interview questions will be sent out 24 hours prior to the election.

e) After completion of all interviews, the Selection Committee will conduct secret ballot votes to elect one Student Trustee for each group. Balloting will be conducted by removing the candidate's name receiving the fewest votes until one name from each area of the Board achieves a simple majority. The election process will be completed no later than the last day of February each year.

f) The names of the elected Student Trustees will be presented to the Board of Trustees as information at the Board meeting in March of each year.

10.5 Dismissal of a Student Trustee

a) If a Student Trustee misses three (3) regularly scheduled, consecutive Board meetings without the permission of the Board, they will be deemed to have vacated their seat.

b) A Student Trustee who ceases to be qualified according to the *Education Act* and the associated Regulation shall resign.

c) A Student Trustee shall be disqualified if they fail to adhere to the Regulation 246/18: *Members of School Boards – Code of Conduct* and Governance Policy #4 -Trustee Code of Conduct.

10.6 Filling a Vacated Seat During the Year

If a Student Trustee seat is vacated during the term, the Board will determine if the vacancy shall be filled. If it is the determination of the Board of Trustees that the vacancy be filled, applicants will be sought, and a by-election process will be held by the Student Senate as appropriate.

10.7 Type and Extent of Participation

a) Student Trustees are non-voting members at the Board table. Student Trustees may participate fully in discussions on all matters before the Board except as defined in part (c) of this section.

b) On any motion, the Student Trustee may have their position officially recorded in the minutes, but their vote is non-binding.

c) Student Trustees may sit on Board committees. They may not take the place of an elected Trustee on committees that have a legislated requirement for Trustee participation.

d) Student Trustees are expected to host Student Senate meetings with support from the appointed staff liaison.

e) Student Trustees under the age of 18 are permitted to attend Student Trustee events with parental/ caregiver permission provided they are accompanied by Board administrative or academic staff, an elected Trustee, or their parent /caregiver.

f) Student Trustees must have prior approval from the Chair of the Board and their school Principal before registering for Student Trustee events.

10.8 Honoraria and Expenses

a) Student Trustees will be paid an honorarium in the amount of $2,500.00 per year. This honorarium shall be prorated for a student trustee who holds office for less than a complete term. Student Trustees can choose to have the honorarium paid bi-monthly or at the end of the term on July 31.

b) Student Trustees will be eligible to claim travel and previously approved professional development expenses following the process for reimbursement as outlined in Article 4, above - Trustee Expenses.

10.9 Cooperative Education Credit

Service as a Student Trustee may be eligible for either a Cooperative Education credit or community service hours, with the approval of the Student Trustee's Principal and Cooperative Education teacher. The Director of Education shall support the Student Trustee in working through the requirements for a Cooperative Education credit.

10.10 Communication with Students

Student Trustees are responsible for communicating with students from their area (North/South/Indigenous). Student Senate meetings, and the Grand Erie District School Board website are available to the Student Trustees as a means of communicating with all students.

GOVERNANCE POLICY Policy #1

Public Concerns

Board Received: May 2022 **Review Date:** May 2026

Policy Statement
Grand Erie District School Board is committed to developing strong relationships with families, students and the community. Together, we create safe, positive climates for learning and working. The Grand Erie District School Board will address public concerns in a fair, respectful and effective manner.

Process
If a parent/caregiver/community member has a concern about a school matter, they are advised to follow the process below, also outlined in the flow-chart provided on page 2, in resolving the issue. In the case of a concern expressed by a community member, contact should be initiated with the Principal of the school rather than classroom teachers.

i. **Classroom Concern: Review the issue with the child's teacher:**
The parent/caregiver should discuss a concern or issue with the classroom teacher at a mutually convenient time. If the parent/ caregiver and the teacher are not able to resolve the issue, it should be discussed with the school Principal (or designate). If the parent / caregiver and the school Principal are not able to resolve the issue, they may request that the matter be reviewed by the Family of Schools Superintendent.

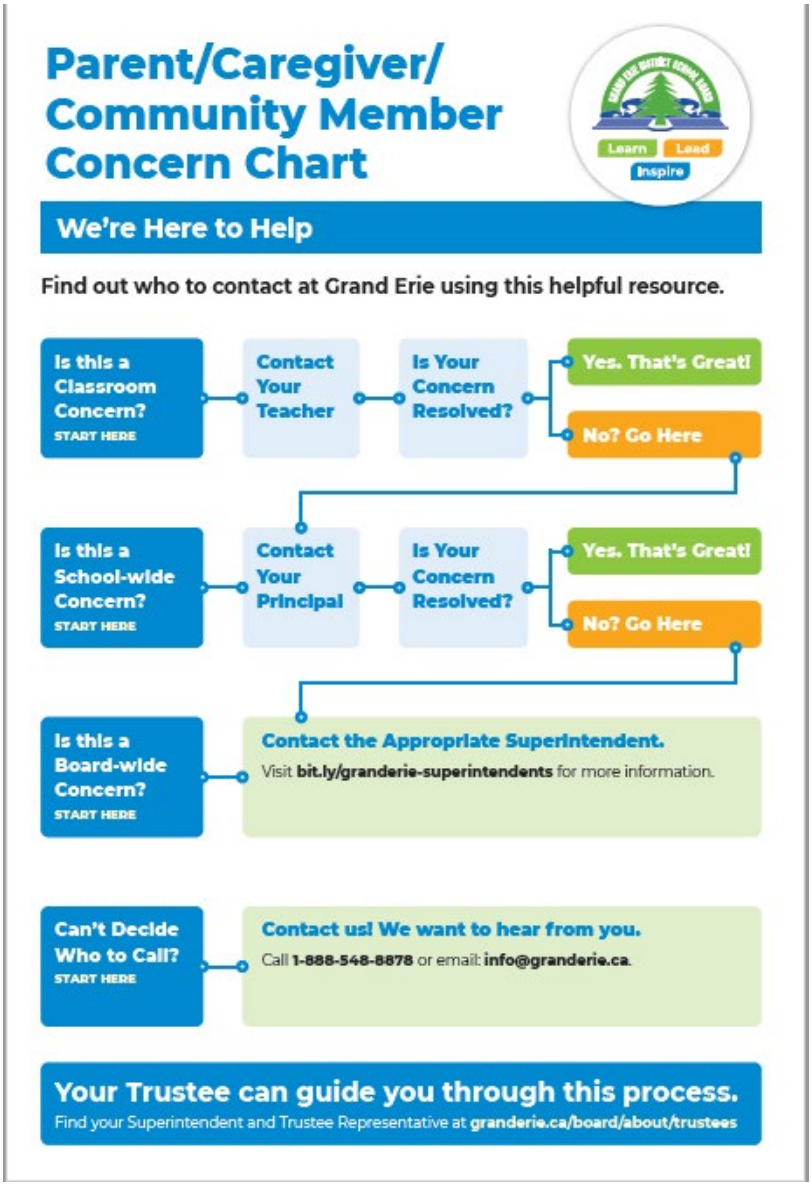
ii. **School-Wide Concern: Review the issue with the school Principal**:
The Principal (or designate) will gather facts from everyone involved to clarify the problem and work to resolve the matter as quickly as possible. Basic to every investigation is the Board's expectation that employees and students will follow school and Board policies and procedures. If the parent/caregiver/community member and the school Principal are not able to resolve the issue, they may request that the matter be reviewed by the Family of Schools Superintendent.

iii. **Board-Wide Concern: Review the issue with the Superintendent:**
The Superintendent will review the matter as it relates to established policies and procedures and will respond to the concern. A list of Superintendents with contact information and areas of responsibility can be found on the Grand Erie District School Board website www.granderie.ca under the About tab.

iv. **Role of Trustees:**
Parent/caregiver/community members who require assistance with the above process may contact their local Trustee. A list of Trustees with their contact information can be found on the Grand Erie District School Board website www.granderie.ca under the About tab.

Trustees shall only facilitate and not participate in discussions between persons and Board staff as outlined above. To the extent permitted, staff will brief the local Trustee on the resolution of the matter.

Reference:
The following information is available on the Grand Erie District School Board website under the Parent/ Caregiver Information section. Trustees are seen as guiding this process.



GOVERNANCE POLICY Policy #2

Delegations

Board Received: May 2022 **Review Date:** May 2026

Policy Statement
The Grand Erie District School Board is committed to providing members of the public with a process for delegation on matters that are relevant to the board.

1. Receipt of Delegations

a) Individuals or groups who wish to address the Board of Trustees or one of its committees shall submit no later than 7 days prior to the Board Meeting, a written application to the - Director of Education through the Executive Assistant to the Board of Trustees. The application shall include a concise summary of the content of the delegation. Before the delegation is placed on the agenda, the Director of Education shall decide whether to ask the Board to exercise discretion under section b of this section.
b) The Board may refuse to hear a delegation if it considers it to be frivolous, vexatious, or defamatory; to contain hate speech; or for any reason it decides to be contrary to the public interest. The Board's decision will be made in-camera and the decision shall be made public.
c) If the Board of Trustees has assigned tasks to a Statutory or Special Ad Hoc Committee, it is expected that delegations relating to those matters will make their presentation to the respective committee. Delegations to the Board will only be received after the committee has presented its report to the Board and before the decision of the Board.
d) Individuals or groups wishing to address the Board of Trustees on a matter before the Board will be heard at a standing committee meeting whenever possible.
e) Delegations are an appropriate form of presentation for members of the public but are not suitable for employees of the Board or representatives of employee groups who wish to address matters related to their employment.
f) The Board of Trustees may at its discretion hold a special meeting for delegations if warranted.

2. Advance Notice

a) Delegations wishing to speak to the Board are required to submit their presentation by Thursday, 12:00 noon of the week preceding the meeting of the Board or Committee. The presentation shall be in writing and include the name of the spokesperson.
b) The Board or Committee, at its discretion, may hear delegations with less than the required notice, if written submissions are available to the Board of Trustees by 4:00 p.m. on the day of the meeting. At the beginning of the meeting, a motion must be made by simple majority and approved to accept any late delegations.

3. Delegation Process

a) When an individual or a group appears before the Board or Standing Committee, the following procedures shall apply:
   i. The Chair of the meeting will invite the spokesperson to make their presentation to the Board of Trustees.

ii. The time allowed for presentations will not exceed ten (10) minutes, except at the discretion of the Board of Trustees.
iii. The spokesperson shall read the delegation as submitted and confine their remarks to the subject matter of the presentation.
iv. The Trustees, through the Chair of the Board, may ask the delegate questions of clarification on the delegation.
v. The delegate shall be thanked for coming to the meeting and invited to stay for the remainder of the evening.

If the item the delegate is addressing is on the meeting's agenda, then the Board will discuss the matter at the appropriate time. If the issue is not listed on the agenda, then the Board may opt to:

- Formally receive and file the submission of the delegation, or
- Refer it to staff for follow-up, or
- Request that it be included on a future meeting agenda, or
- Add the item to the meeting agenda.

b) The Board shall carry on with its regular order of business.
c) Individuals or groups shall not be permitted to take part, in any way, during Board discussions concerning any particular presentation.

4. Notice of Process to Delegate

All delegates shall be provided with a copy of this Policy by the Executive Assistant to the Board of Trustees. The Executive Assistant will also notify the delegation that their presentation will be made public on the school board's website and be part of the school board's permanent record.

GOVERNANCE POLICY Policy #3

Municipal Elections Compliance Audit Committee

Board Received: May 2022 **Review Date:** June of an election year

Policy Statement

The purpose of this policy is to comply with the *Municipal Elections Act*.

Background:
Under *Subsection 88.37* of the *Municipal Elections Act, S.O. 1996, c. 32, Sched.*, as amended, a Municipal Elections Compliance Audit Committee must be established before October 1 of an election year for the purposes of the *Act*.

This function may be organized and implemented by the City of Brantford in collaboration with the County of Brant, Haldimand County and Norfolk County, and the members of the City of Brantford. Municipal Elections Compliance Audit Committee can also serve in this capacity for concerns brought forward regarding Board of Trustee candidates. In the event that some applicants for the City of Brantford Municipal Elections Compliance Audit Committee opt out of performing this function for the Board of Trustees, it is incumbent on Board of Trustees to establish a Municipal Elections Compliance Audit Committee (MECAC)

Additional Information:

Under *Subsection 6 (1) of the Municipal Elections Act,* the terms of office for the Municipal Elections Compliance Audit Committee are four (4) years beginning on November 15 in the year of a regular election. The powers and functions of Municipal Elections Compliance Audit Committee are set out in subsections *88.33 through 88.37 of the Municipal Elections Act*.

The requirements of the Grand Erie Municipal Elections Compliance Audit Committee are as follows:

1.0 Municipal Elections Compliance Audit Committee will be required to:

a) Should the Grand Erie District School Board be required to form a Municipal Elections Compliance Audit Committee, the term of the MECAC will be four (4) years and will consist of not fewer than three (3) and not more than seven (7) members with the Superintendent of Business serving as staff liaison.
b) Review and consider a compliance audit application submitted by an elector and decide whether it should be granted or rejected;
c) Appoint an auditor to conduct a compliance audit if the application is granted;
d) Receive the Auditor's Report;
e) Consider the Auditor's Report and, if the report concludes that the candidate appears to have contravened a provision of the *Municipal Elections Act* relating to election campaign finances, the Municipal Elections Compliance Audit Committee, only after approval by the Board of Trustees, may commence legal proceedings against the candidate for the apparent contravention;
f) Review and consider any reports prepared by the Clerk pursuant to Subsection *88.34 or 88.36* of the *Education Act;* and

g) In the case where the Clerk's report identifies that a contributor has contravened the *Education Act* as described in Subsections 88.34 or 88.36, the Municipal Elections Compliance Audit Committee, may commence legal proceedings against the contributor for the apparent contravention.

2.0 In accordance with the *Education Act*, Subsection 88.37(2), membership shall not include:

a) Employees or Officers of the municipality or local school board;
b) Members of the council or local school board;
c) Any persons who are Candidates in the election for which the Municipal Elections Compliance Audit Committee is established; or
d) Any persons who are registered third parties in the municipality in the election for which the Municipal Elections Compliance Audit Committee is established.

3.0 In addition to the legislated restrictions established for the composition of the Municipal Elections Compliance Audit Committee MECAC, in order to avoid a conflict of interest, an individual shall be deemed ineligible to be a member of the MECAC if the individual:

a) Gives financial advice or prepares the financial statements of a candidate in an election for which the Municipal Elections Compliance Audit Committee is established;
b) Is a family member or employee of a candidate in an election for which the Municipal Elections Compliance Audit Committee is established, or any person connected to a candidate through an employment, contractual, business or partnership relationship; or
c) Is a volunteer or seeks employment to assist any candidate in the election for which the Municipal Elections Compliance Audit Committee is established.

Reference

Grand Erie Municipal Compliance Audit Committee Terms of Reference
Municipal Elections Act, 1996

GOVERNANCE POLICY Policy #4

Trustee Code of Conduct

Board Received: May 2022 **Review Date:** May 2026

TABLE OF CONTENTS

Policy Statement 2
Introduction 2
1. Code of Conduct 2
1.1 Integrity 2
1.2 Respect 2
1.4 Responsibility 3
1.5 Relationships 3
1.6 Conflict of Interest 4
1.7 Social Media 5
1.8 Annual Review 5
2. Trustee Code of Conduct Summary 5
3. Trustee Declaration of Conflict of Interest 7
4. Code of Conduct Complaints by Members of the Board 7
4.1 Informal Resolution Process 7
4.2 Formal Resolution Process 8
4.3 Assessment and Investigation 8
4.4 The Decision 8
4.5 Obstruction 9
4.6 Reprisal 9
4.7 Sanctions 9
5. Reporting of Wrongdoing by Individuals not on the Board of Trustees 9
5.1 General 9
5.2 Definitions of Wrongdoing and Reprisal 10
5.3 The Report of Wrongdoing 11

5.4 Content and Anonymous Report of Wrongdoing....11
5.5 Assessment and Investigation....11
5.6 Receipt of Investigative Report....11
5.7 Report to Board....12

Policy Statement
The purpose of the policy is to establish and promote ethical, respectful, and appropriate conduct of the Trustees.

Introduction

Grand Erie District School Board Trustees are elected community leaders who realize the future welfare of our communities, of the Province, and of Canada, depends in the largest measure on the quality of education we provide in public schools to meet the needs of every learner.

Grand Erie District School Board Trustees also recognize that they should deliberate in many voices and govern in one. We uphold the Board's vision and mission as articulated in the Multi-Year Strategic Plan.

Trustee(s)' where it appears, shall be deemed to include elected and appointed Trustees and Student Trustees where applicable. It is recognized that the roles and responsibilities of all Trustees are set out in the *Education Act* and Regulations.

1. Code of Conduct

1.1 Integrity

a) Trustees shall ensure that students are considered first as the basis for decision-making.
b) Trustees shall render all decisions based on available facts and their independent judgement and shall refuse to surrender that judgement to individuals or special interest groups.
c) All Trustees of the Board shall accept that authority rests with the Board of Trustees, and that a Trustee has no individual authority other than that delegated by the Board.

1.2 Respect

a) Trustees shall express their individual opinions on issues under consideration by the Board. When expressing individual views, Trustees shall respect the differing points of view of colleagues, staff, students, and the public.
b) Trustees shall treat other Trustees and staff of the Grand Erie District School Board with respect and in a cordial and professional manner, in writing and in action.

1.3 Confidentiality

a) Trustees shall maintain confidentiality of privileged information discussed in closed sessions. Such information includes, but is not limited to:

- The security of the property of the school board;
- Intimate, personal, or financial information about an identifiable individual or an identifiable group;
- The acquisition, disposal, or development of a school site;
- Negotiations with employees of the school board;
- All legal issue affecting the school board.

1.4 Responsibility

a) Once the Board has voted, Trustees are bound by the majority decision. Trustees shall uphold the implementation of such decision after it has passed. Any Trustee who undermines the implementation of any school board decision risks having their seat vacated.
b) Trustees shall fulfill all duties as set out in *Section 218.1 of the Education Act.*
c) Trustees shall refuse, directly or indirectly, hospitality, financial or other forms of gifts other than those of a nominal value.
d) Trustees shall carefully review all Board packages in preparation for discussion at all scheduled meetings of the Board.
e) Trustees shall base their actions on unimpeachable conduct, acting at all times with utmost good faith in accordance with their fiduciary duty to act with a view to the best interests of Grand Erie District School Board.
f) Trustees shall ensure that their comments are issue-based and not personal, demeaning or disparaging with regard to school board staff, fellow Board members and/or the broader community.
g) Trustees shall endeavor to participate in Trustee development opportunities to enhance their ability to fulfill their obligations.
h) 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 of the Board or Board of Trustees to do so. When individual Trustees express their opinions in public, they must make it clear that they are not speaking on behalf of the Board.

1.5 Relationships

a) Trustees shall speak as the voice of their entire community at the Board table, including people who do not have children in the school system.
b) Trustees shall work with other Trustees in a spirit of respect, openness, courtesy, cooperation, and proper decorum, despite differences of opinion that may arise during debate.
c) Trustees shall refrain from exerting any pressure on any Grand Erie District School Board staff that might result in any infringement, favored or unequal application

of rules, regulations, policies or procedures, in respect of the management of the Grand Erie District School Board's assets, opportunities, human resources, or financial transactions.

d) Trustees shall not intervene personally or express a position that might limit Grand Erie District School Board Management.

e) Trustees are not permitted to attend any School or facility within the Grand Erie District School Board without the prior approval of the Director of Education or direction of the Board. This does not apply to the Grand Erie District School Board's Education Centre.

f) Trustees are not permitted to communicate with Senior Board staff, without the prior approval of the Director of Education or direction of the Board. Senior Board staff includes Supervisory Officers, Principals, Vice-Principals and Managers.

g) The Director of Education's approval in e) and f) will not be unreasonably withheld.

Sections e) and f) above do not apply to communications between Trustees and Senior Board staff that are congratulatory, expression of condolence, school events, matters covered by the Governance Policy 1 Public Concerns, forwarding a parent/caregiver/community member email, or work involving Board committees. For further clarity, nothing in subsections e) and f) shall impede a trustee from fulfilling the duties set out *Section 218.1* of the *Education Act*, where such duties include attending a Board school and/or communication with Senior Board staff.

1.6 Conflict of Interest

a) Trustees shall declare any pecuniary conflict of interest (direct, indirect, or deemed) in accordance with the *Municipal Conflict of Interest Act, RSO, 1990, c.M-50* provisions.

b) Where a Trustee has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the Board at which the matter is the subject of consideration, the Trustee:

   i) Shall, prior to any consideration of the matter at the meeting, disclose the interest and the general nature related to the interest; and

   ii) Shall not take part in the discussion of, or vote on any question in respect of the matter; and

   iii) Shall not attempt in any way before, during or after the meeting to influence the voting on the matter

c) Where the meeting is in private session (in-camera), in addition to complying with the requirements listed in above, the Trustee will leave the meeting or the part of the meeting during which the matter is under consideration and the fact that the Trustee has left the meeting will be recorded in the minutes.

d) At the next meeting that is open to the public, the declaration of conflict of interest shall be recorded in the minutes but not the general nature of that interest.

e) At a meeting at which a Trustee discloses a conflict of interest, or as soon as possible afterwards, the Trustee shall file a written statement of the conflict of interest and its general nature with the Director of Education and Secretary of the Board (Section 3)

f) All written statements of conflict of interest shall be maintained in a Declaration of Interest Registry on granderie.ca for four years.

1.7 Social Media

a) Trustees shall take all reasonable steps to ensure that their personal social media usage:

i) Is accurate;
ii) Is not in breach confidentiality (refer to Section 1.3 herein);
iii) Respects all applicable laws and regulation, including but not limited those pertaining to copyright, disclosure and privacy;
iv) Does not reflect negatively on the work of the Board of Trustees;
v) Would not cause reputational harm to other Trustees, the Grand Erie District School Board, or any employee of the Grand Erie District School Board;

b) Trustees shall refrain from using social media during a Board or committee meeting unless requested or permitted.

1.8 Annual Review

a) This Code of Conduct shall be reviewed annually by the Governance Committee, for review and approval by the Board of Trustees.
b) Training on this Code of Conduct shall be provided to each new Trustee as part of the new Trustee's orientation.
c) The Code of Conduct Summary, as outlined at Section 2, shall be read at each Inaugural meeting.

2. Trustee Code of Conduct Summary

1. Integrity
   a) I will ensure that students are considered first as the basis for decision making.
   b) I will render all decisions based on available facts and their independent judgement and shall refuse to surrender that judgement to individuals or special interest groups.
   c) I will accept that authority rests with the Board and that a Trustee has no individual authority.

2. Respect

   a) I will express my individual opinions on issues under consideration by the Board. When expressing individual views, I will respect the differing points of view of colleagues, staff, students, and the public.
   b) I will treat other Trustees and staff of the Grand Erie District School Board with respect and in a cordial and professional manner, in writing and in action.

3. Confidentiality

a. I will maintain confidentiality of privileged information discussed in closed sessions. Such information includes but is not limited to:

- The security of the property of the school board;
- Intimate, personal, or financial information about an identifiable individual;
- The acquisition or disposal of a school site;
- Negotiations with employees of the school board;
- Litigation affecting the school board.

4. Responsibility

a) Once the Board of Trustees has voted, I will be bound by the majority decision. I will be prepared to explain the rationale for the decision and ensure that it is understood, implemented, and monitored. If I wish to explain the minority position on a decision, I may do so provided it does not in any way undermine the implementation of the resolution.
b) I will refuse direct or indirect hospitality, economic expressions of gratitude and/or gifts other than those of a nominal value which would be reasonably accepted as a courtesy in a business relationship from individuals, agencies or organizations doing business with the Board.
c) I will declare any pecuniary interest (direct, indirect, or deemed).
d) I will carefully review all information packages in preparation for discussion at all scheduled meetings of the Board.
e) I will base my actions on unimpeachable conduct, acting at all times with utmost good faith in accordance with my fiduciary duty.
f) I will ensure that my comments are not personal, demeaning or disparaging with regard to board staff or fellow board members.
g) I will endeavor to participate in Trustee development opportunities to enhance my ability to fulfill my obligations.
h) I will ensure that when I express my opinions in public, I make it clear that I am not speaking on behalf of the Board of Trustees, and that such opinions in no way undermine the work of the Board.

5. Relationships

a) I will represent my constituents (including people who do not have children in the school system) at the Board table.
b) I will work with other Trustees in a spirit of respect, openness, courtesy, cooperation, and proper decorum, despite differences of opinion that may arise during debate.
c) I will refrain from exerting any pressure on any Grand Erie District School Board staff that might result in any infringement, favored or unequal application of rules, regulations, policies or procedures, in respect of the management of the Grand Erie District School Board's assets, opportunities, human resources, or financial transactions.
d) I will never intervene personally or express a position that might limit Grand Erie District School Board Management.

e) I will refrain from unannounced, unsanctioned or otherwise unapproved visits to a school or to another operational premise, or direction of non-Director of Education staff that was not approved by the Chair of the Board.

3. Trustee Declaration of Conflict of Interest

Pursuant to subsection 5.1 of the *Municipal Conflict of Interest Act*, a Trustee must file a written statement in the form set out below, with the Secretary of the Board when making a declaration of conflict of interest, at any Meeting.

To: Secretary of the Board

I, Trustee Name, declare a potential (deemed, direct or indirect) conflict of interest with respect to:

Subject Matter/Agenda Item:

Meeting Date & Name:

I am making this declaration because (state the general nature of the conflict):

I confirm that I will not vote on the matter, I will not take part in discussion in respect to the matter, and I will not attempt in any way, whether before, during or after the meeting to influence the voting on the matter.

Trustee Signature: Date:

Secretary of the Board Acknowledgement:

Received on:

Secretary of the Board Signature:

4. Code of Conduct Complaints by Members of the Board

4.1 Informal Resolution Process

A Trustee, who has reasonable grounds to believe that another Trustee of the Board has breached the Code of Conduct may bring the breach to the attention of the Chair of the Board informally. If the issue involves one (1) Trustee, the Board Chair may counsel that Trustee individually and decide whether the formal resolution process needs to be commenced. If the issue involves more than one (1) Trustee, then the Chair of the Board may counsel only those Trustees involved and decide whether the formal procedure needs to be commenced. Notwithstanding the above, a complainant Trustee may elect to proceed to the formal resolution stage.

4.2 Formal Resolution Process

a) If the informal resolution process does not resolve the matter, the Trustee may forward to the Chair of the Board, a written, signed complaint setting out the following:

i. The name of the Trustee who is alleged to have breached the Code;
ii. The alleged breach or breaches of the Code;
iii. Information as to when the breach came to their attention;
iv. The grounds for the belief that a breach of the Code has occurred;
v. The names and contact information of any witnesses to the breach or any other persons who may have relevant information regarding the alleged breach.

b) The complaint must be submitted no later than six (6) weeks after the breach becomes known to 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. c)The Chair of the Board shall provide to all Trustees of the Board a confidential copy of the complaint within ten (10) days of receiving it.

4.3 Assessment and Investigation

a) All written complaints will be directed to a third party, who will make an initial assessment whether the complaint is frivolous, vexatious or more appropriately refer it to another venue for resolution.
b) The preliminary assessment will be provided to the Chair or Vice-Chair as the case may be, in writing and, if warranted, an investigation will be conducted by a third party or legal counsel, in accordance with the principles of fairness, due process and natural justice.
c) If the third party or legal counsel deems an investigation is not warranted, the trustee, who filed the complaint, will be so notified.
d) All documentation of any kind generated by an investigation, or any other action taken under this policy is confidential, and such documentation will be securely retained by the third party or legal counsel who investigates the complaint.

4.4 The Decision

a) The report of the third party shall outline the finding of facts but no opinion as to whether the Code of Conduct has been breached. This will be determined by the Board of Trustees as a whole with the advice of legal counsel if necessary.
b) The report shall be delivered to the Board of Trustees, and a decision by the Board of Trustees as to whether the Code of Conduct has been breached and the sanction, if any, for the breach shall be made as soon as practical after receipt of the report by the Board.
c) Trustees shall consider only the findings in the final report when voting on the decision and sanction. No Trustee shall undertake their own investigation of the matter.
d) The determination of a breach of the Code of Conduct and the imposition of a sanction 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.

e) If the breach involves matters that need to be discussed in-camera as per *207(2) (a) to (e) of the Education Act*, then the meeting shall be in-camera.

f) The Trustee who was alleged to have breached the Code of Conduct may be present during the deliberations but shall not participate, answer questions, or vote.

4.5 Obstruction

Anyone who intentionally interferes with or obstructs any investigation undertaken under this section will be subject to appropriate discipline and/or other available legal sanctions.

4.6 Reprisal

Any person who commits or attempts to commit any act of reprisal, as defined at Subsection 5.2 b) below, will be subject to appropriate discipline and/or available legal sanctions, and a report to the Board shall occur on such reprisal.

4.7 Sanctions

a) Sanctions will follow the philosophy of progressive discipline with consequences of increasingly serious steps being imposed in order to correct unacceptable behavior or conduct.

b) If the Board determines that the Trustee has breached the Trustee Code of Conduct, the Board may impose one or more of the following sanctions:
   i. Public Censure of the Trustee;
   ii. Barring the Trustee from attending all or part of a committee meeting or Board meeting;
   iii. Barring the member from sitting on one or more committees of the Board, for the period of time specified by the Board.

c) A Trustee who is barred from attending all or part of a meeting 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.

d) The Board will give the Trustee written notice of the determination and sanction imposed by the Board which will inform the Trustee that they may appeal the decision within 14 days.

e) The Board will consider any appeal and shall confirm or revoke the decision within 14 days after receiving the appeal.

5. Reporting of Wrongdoing by Individuals not on the Board of Trustees

5.1 General

a) The Trustees, individually and as members of the Grand Erie District School Board, are committed to ensuring that actions and operations are performed, with

transparency to the extent permitted by law, accountability, honesty, and integrity.

b) To that end, this section of the Trustee Code of Conduct imposes a duty on every Board Trustee, employee, independent contractor, agent, and volunteer to Report, in confidence, any reasonable knowledge or suspicion of wrongdoing of any Trustee as defined herein. If warranted, the alleged wrongdoing will be investigated, and appropriate action will be taken on the report of the investigation.

c) This section also encourages members of the public to report any knowledge or suspicion of wrongdoing.

d) This section establishes that any person or legal entity reporting any wrongdoing reasonably and in good faith, ("Reporting Party"), shall not be subject to any reprisal as defined herein.

e) For greater clarity, the role and relationships between the Board and the Reporting Party shall not, in any way, be adversely affected by any Report made pursuant to this section reasonably and in good faith.

5.2 Definitions of Wrongdoing and Reprisal

a) "Wrongdoing" is defined as any action or inaction, past, present, or intended, by a Trustee which is contrary or prohibited by any Federal or Provincial Legislation, or Regulations enacted thereunder, Common Law, or Municipal Bylaw.

Wrongdoing also includes but is not limited to:

i) Professional Misconduct as defined by relevant Professional Organizations;
ii) Intentional breach of Board Policies, Practices and Procedures;
iii) Instructing, counselling, or extorting anyone to commit an act of wrongdoing;
iv) Statutory or Common Law Conflicts of Interest;
v) Mismanagement or maladministration of Board operations;
vi) Dishonest or unethical behaviour; and
vii) Sexual misconduct of any nature or description.

b) "Reprisal" is defined as any action, inaction, or threat of any such action or inaction against a Reporting Party by reason of a Report made under this section, including but not limited to:

i) Employment status;
ii) Working conditions;
iii) Legal relationship with the Board;
iv) Discipline; and
v) Threats, intimidation or bullying.

5.3 The Report of Wrongdoing

a) Unless as otherwise provided herein, reports of reasonable knowledge or reasonable suspicion of wrongdoing by a Trustee will be made promptly to the Chair of the Board. The Chair of the Board may designate an independent third party to receive such Report(s).
b) In the event the Chair of the Board is the subject of the complaint, the Vice-Chair will assume all of the responsibilities in this section previously delegated to the Chair of the Board.

5.4 Content and Anonymous Report of Wrongdoing

a) The Report will be sent in writing or in electronic form to the Chair of the Board.
b) The Report should contain the details of the alleged wrongdoing including specifics with regard to dates, times and potential witnesses to the wrongdoing. The Chair of the Board may decide not to proceed with an anonymous Report of Wrongdoing.

5.5 Assessment and Investigation

a) All reports will be directed to a third party, who will make an initial assessment regarding whether the stated wrongdoing satisfies the definition of wrongdoing and is not vexatious, frivolous or more appropriately directed to another venue for resolution, such as legal counsel, police, or another statutory authority.
b) The preliminary assessment will be provided to the Chair of the Board in writing, and if warranted, an investigation will be conducted by the third party or legal counsel, in accordance with the principles of fairness, due process and natural justice.
c) If the third party or legal counsel deems an investigation is not warranted, the complainant will be so notified.
d) The Report and the identity of the Reporting Party will not be disclosed unless required by law.
e) All documentation of any kind generated by an investigation, or any other action taken under this Policy, is confidential, unless disclosure is required by law, and such documentation will be securely retained by the independent third party who investigates the Report.

5.6 Receipt of Investigative Report

a) Upon receipt of the Report of the investigation, the Board of Trustees will determine, on the advice of legal counsel, whether any other legal authorities should be notified, to what extent the reporting party can be informed of the results of the investigation, and whether any other action under this section or otherwise should be taken.

b) Where the Board of Trustees has determined a wrongdoing has occurred, the Board shall decide available legal sanctions including those within section 4.7 of this Code.

5.7 Report to Board

The Chair of the Board will report to the Board of Trustees annually if applicable on any investigation(s) of Reports of Wrongdoing.

GOVERNANCE POLICY Policy #5

Director of Education Performance Review

Board Received: May 2022 **Review Date:** May 2026

1. **Policy Statement**

In accordance with the authority granted to the Board of Trustees (Board) *under* *Section 169.1 (1) (h) of the Education Act, R.S.O. 1990, c. E.2*, the Board shall conduct an annual written performance review of the Director of Education.

Duties of the Director of Education include those enumerated at *Section 283.1 (1) of the Education Act*.

2. **Accountability**

Section 169.1 (1) (h) of the Education Act includes the Board's duty to evaluate the performance of the Director of Education. Specifically:

> Every board shall, ...
>
> h. monitor and evaluate the performance of the board's director of education or the supervisory officer acting as the board's director of education, in meeting,
> i. their duties under this Act or any policy, guidelines or regulation made under this Act, including the multi-year plan aimed at promoting student achievement and well-being, the effective stewardship of the board's resources, and effective and appropriate education programs to its pupils; and
> ii. any other duties assigned by the board. *(Education Act, Ontario)*

3. **Process**

1. On an annual basis, the Board of Trustees shall conduct a written performance review of the Director of Education (Director) in meeting the duties of the Director of Education under the *Education Act*, the Director of Education's contract, and the Board Multi-Year Strategic Plan.

2. A written performance review of a new Director of Education shall not occur within the new Director of Education's first year of employment.

3. This written performance review of the Director of Education shall be managed by the Director of Education Performance Review Committee.

4. The Director of Education Performance Review Committee will consist of two (2) Trustees in addition to the Chair and Vice-Chair of the Board. The Chair of the Board shall Chair the Director of Education Performance Review Committee.

5. At the commencement of the review period, the Director of Education Performance

Review Committee and the Director of Education shall have a meeting to mutually establish written goals and objectives for the Director of Education Performance Review for the coming year. The goals and objectives shall be achievable, clearly defined, measurable, time-based, and relate directly to the Director of Education's responsibilities to implement the Multi-Year Strategic Plan. The number of goals and objectives should not normally be greater than five (5) in number. The goals and objectives may be prioritized. A personal goal or objective may be included as one of the five goals and objectives. The goals and objectives shall be reported to the Board of Trustees for review and approval by the **second (2nd) month of the review period**. The report shall include a timeline by month depending on the hiring date or subsequent years' Director's Performance Review.

6. Should unusual or unpredictable circumstances arise that would result in the need to revise the Director of Education's goals and objectives, the Director of Education Performance Review Committee and the Director of Education shall meet to discuss any necessary revision(s), and report to the Board of Trustees if/or when, such revisions occur, for review and approval, and the rationale for the change.

7. The Director of Education shall provide a written status report, assessment materials, and a self-assessment in the **eleventh (11th) month** of the review period to the Board of Trustees, on progress made towards the achievement of the goals and objectives. This written status report, assessment materials, and self-assessment, together with written reports provided to the Board of Trustees at regular meetings, and the Evaluation Report, shall comprise the Director of Education Performance Review with input from the Board of Trustees completed by the **twelfth (12th) month.**

8. The Evaluation Report shall inform successive goals and objectives in the next performance review of the Director of Education.

9. Annually, by the **twelfth (12th) month** of the review period, at a public meeting of the Board of Trustees, the Board of Trustees will publicly confirm the goals and objectives that have been recommended by the Director of Education Performance Review Committee to the Board of Trustees for review and approval, for the coming year, and confirm the completion of the Director of Education's Performance Review.

10. The deadlines set out in paragraphs 5, 7 and 9 above may be extended with the written consent of the Director of Education.

4. Confidentiality

The Director of Education Performance Review is confidential and shall be conducted in private. In accordance with the *Education Act, Section 207(2) (b)*, permitting closed committee meetings, in respect of an employee or prospective employee of the board. As such, details and materials related to the performance review will remain confidential. Only information about the completion of the process and identification of goals and objectives shall be made public. All members of the Board shall maintain this confidentiality.

5. Use of a Consultant

The Director of Education Performance Review Committee may seek the assistance of an independent consultant to manage or facilitate the above process.

6. Dispute Resolution

Should the Board of Trustees, as represented by the Director of Education Performance Review Committee and the Director of Education fail to agree on the goals and objectives, the Evaluation Report, the Performance Improvement Plan (below), or the manner in which the Review is conducted, the following process will be followed.

A three-member panel composed of the following individuals will be established:

a. One (1) member of the panel will be selected by the Director of Education in consultation with the Council of Ontario Directors of Education (CODE).
b. The second member of the panel will be selected by the Chair of Director of Education Performance Review Committee in consultation with the Ontario Public School Boards Association (OPBSA).
c. The third member of the panel, an independent consultant, with expertise in mediation, suitable to both CODE and OPSBA, will be selected, and will Chair the panel.

This panel will consider all relevant information presented by the Director of Education Performance Review Committee, the Director of Education, and the independent consultant (if one was utilized by the Director of Education Performance Review Committee), and any oral submissions made by any of the participants. After full consideration the panel shall render a decision on the matter in dispute. The panels' decision shall be final and binding on the Director of Education and the Board of Trustees.

7. **Performance Improvement Plan**

In situations where the Board of Trustees determine the performance of the Director of Education to be materially deficient, a written Director of Education Performance Improvement Plan shall be created by the Director of Education Performance Review Committee and the Director of Education and approved by the Board of Trustees that identifies:

a) The criteria for the materially deficient rating;
b) The identification and explanation of the area(s) or issue(s) of concern;
c) The area(s) or issue(s) requiring attention, with association to the specific expectations of the position;
d) Steps to be taken to correct the performance;
e) Any coaching, development, or mentoring; and
f) Indicators of success.

The time to remedy or improve the materially deficient performance area(s) or issue(s) should be at least twelve (12) months unless otherwise agreed.

The Director of Education Performance Review Committee will monitor the Director of Education's progress on the overall area(s) or issue(s) of concern and take all reasonable steps to ensure that such area(s) or issue(s) are addressed in accordance with the terms agreed upon within the Plan.

If the Director of Education fails to meet the terms outlined in the Plan by the timelines outlined, the Board of Trustees may take further action, including, but not limited to coaching, remediation and dismissal.

8. **Definitions**

1. **Review Period**
   The Review Period is as follow:
   (i) a 12-month period commencing from the date of the most recent performance review, or
   (ii) in the case of a new Director of Education, a 12-month period commencing from one year beyond the date of the commencement of the Director of Education in the role.