

Brant Haldimand Norfolk Catholic District School Board

BOARD BY-LAWS

Relating generally to the conduct of the
operational and procedural affairs
of the Board

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Chair of the Board: Carol Luciani
Secretary of the Board: Mike McDonald

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1.0 PREAMBLE

- 1.1 As a Catholic Learning Community, the Brant Haldimand Norfolk Catholic District School Board provides faith formation and academic excellence, which enables our graduates to live a life of love and service in Christ. These bylaws ensure that the Brant Haldimand Norfolk Catholic District School Board is able to do this in an organized, equitable and fair manner. Pursuant to the provisions of the Education Act and regulations thereunder, the By-laws of the Brant Haldimand Norfolk Catholic District School Board shall regulate the powers and responsibilities of the Board, its officers and committees, and shall be observed for the procedure and dispatch of business at the meetings of the Board and its committees.
- 1.2 Procedural By-Laws of the Brant Haldimand Norfolk Catholic District School Board shall be approved by the Board and reviewed from time to time as directed by the Board or recommended by the Director of Education and Secretary.

2.0 INTERPRETATION

2.1 Definitions and Meaning of Terms

For this By-Law and all other By-Laws of the Board, unless the context otherwise requires:

- 2.1.1 the singular includes the plural;
- 2.1.2 "ACT" means the *Education Act* as amended from time to time;
- 2.1.3 "ANNUAL MEETING" means the first meeting held in December of each year, which is not a municipal election year;
- 2.1.4 "BOARD" means the Brant Haldimand Norfolk Catholic District School Board which, in accordance with the Education Act, is a Roman Catholic School Board in union with the See of Rome;
- 2.1.5 "CHAIR" means the Chair of the Board, any Committee or Sub-committee established by the Board;
- 2.1.6 "COMMITTEE" means Committee of the Whole, any special or ad hoc Committee established by the Board;
- 2.1.7 "DIRECTOR OF EDUCATION AND SECRETARY OF THE BOARD" means the Chief Executive Officer of the school Board;
- 2.1.8 "EX-OFFICIO" means by "virtue of office". The Chair of the Board, when acting as "Ex-Officio" to a committee, is counted in the quorum of any committees and has the right to make motions, discuss motions and vote on all questions;
- 2.1.9 "INAUGURAL MEETING" means the first meeting of a newly elected board to be held following a municipal election and the commencement of the term of office;
- 2.1.10 "IN-CAMERA MEETING" means a private meeting of the whole board or a committee from which the public is excluded, as per the Education Act, Section 207 (2);
- 2.1.11 "MEETING" includes a meeting of the Board and of Committees;
- 2.1.12 "OFFICERS" means the Chair of the Board, the Vice Chair of the Board, the Secretary of the Board, and the Treasurer of the Board.
- 2.1.13 "STATUTORY COMMITTEE" means any committee that, by statute, the Board is required to appoint;

- 2.1.14 “STUDENT TRUSTEE” means the person designated as a non-voting trustee of the Board, representing the interests of pupils within the Board on any matters before the Board of Trustees, including but not limited to government legislation and policies or operational practices.
- 2.1.15 “TREASURER” means the person appointed within the Act to fulfill the responsibility of the Treasurer to the Board;
- 2.1.16 “TRUSTEE” means a person elected, acclaimed or appointed to the office of Trustee of the Board pursuant to the provisions of the Municipal Elections Act;
- 2.1.17 “VICE CHAIR” means the Vice Chair of the Board; any Committee or Sub-committee established by the Board;
- 2.1.18 “YEAR” means, unless qualified by word “calendar” or “school year”, the period commencing on the first day of December, and ending on the last day of November next following.

2.2 Calculation of Majorities

Whenever in the By-laws of the Board there is provision for a majority of Trustees present or a majority of all Trustees, such majorities shall be calculated as the simple majority, unless otherwise specified.

3.0 NAME AND JURISDICTION OF THE BOARD

The name of the Board shall be the “Brant Haldimand Norfolk Catholic District School Board” and it shall have jurisdiction as is provided by the *Education Act* and Regulations.

4.0 STRUCTURE OF THE BOARD

The structure of the Board and its committees will be structured according to the descriptions that follow:

4.1 Board of Trustees

- 4.1.1 Composed of six (6) voting Trustees and two non-voting Student Trustee(s). The Board performs duties according to the Education Act and Regulations.

4.2 Executive Council

- 4.2.1 Composed of the Chair of the Board, the Vice Chair of the Board, the Director of Education and Secretary of the Board, and the Superintendent of Business and Treasurer. Functions include reviewing and assisting with the preparation of agendas for Board and Committee of the Whole meetings and system planning, coordination and communication.

4.3 Committee of the Whole

- 4.3.1 Composed of all Trustees of the Board, the Director of Education and Superintendents, as required. The Chair of this Committee will be the Chair of the Board. Functions include reviewing educational, operational, policy and financial issues and making recommendations, as necessary, to the Board for approval, unless there are strict timelines that will inherently cost the Board money by delaying passage or said motion needs to meet Provincial timelines

5.0 OFFICERS OF THE BOARD

5.1 The Officers of the Board shall consist of:

- the Chair;
- the Vice Chair;
- the Director of Education and Secretary of the Board; and
- the Superintendent of Business and Treasurer.

5.2 Election of Chair

5.2.1 Appointment of Scrutineers

The presiding officer shall name two (2) scrutineers for the election of officers.

5.2.2 Nomination and Election of Chair

The Presiding Officer shall conduct the election for the office of the Chair of the Board, which shall be as follows:

5.2.3 Nomination shall be by secret ballot.

5.2.4 The Presiding Officer shall announce the result of the nominations by declaring the names of those nominated. The nominees will declare their intention. The count shall not be declared.

5.2.5 Voting shall be conducted by secret ballot.

5.2.6 The Trustee receiving a clear majority of the votes cast by all Trustees present shall be declared elected.

5.2.7 Should no candidate receive a clear majority of the votes cast, the name of the candidate receiving the smallest number of votes shall be dropped and the Board shall proceed to vote anew and so continue until the Chair is elected.

5.2.8 In case of equality of votes (with only two candidates remaining), one more vote shall be taken. If after this vote there is still a tie, the candidates shall draw lots to fill the position as per Section 208(8) of the Education Act.

5.2.9 The Presiding Officer shall announce the result of the ballot by declaring the name of the Trustee who has received a clear majority of the votes cast and shall not declare the count.

5.3 Election of Vice Chair

5.3.1 The Chair shall then take the Chair and shall conduct the election for the office of Vice Chair using the same procedures as set out for the election of the office of the Chair.

5.3.2 At the first meeting after a vacancy occurs in the office of Vice Chair, the vacancy shall be filled by the same method used for the election at the inaugural meeting

5.4 Officers' Duties and Rights

5.4.1 Duties of the Chair (as per Education Act 218.4, 2009, c. 25, s. 25)

- (a) preside over meetings of the board;
- (b) conduct the meetings in accordance with the board's procedures and practices for the conduct of board meetings;
- (c) establish agendas for board meetings, in consultation with the board's director of education or the supervisory officer acting as the board's director of education;

- (d) ensure that members of the board have the information needed for informed discussion of the agenda items;
- (e) act as spokesperson to the public on behalf of the board, unless otherwise determined by the board;
- (f) convey the decisions of the board to the board's director of education or the supervisory officer acting as the board's director of education;
- (g) provide leadership to the board in maintaining the board's focus on the multi-year plan;
- (h) provide leadership to the board in maintaining the board's focus on the board's mission and vision; and
- (i) assume such other responsibilities as may be specified by the board.

In addition to the duties assigned under provincial legislation, and these By-Laws, the Chair shall:

- (j) be a signing officer of the Board as prescribed in the By-Laws; and
- (k) call special meetings of the Board.
- (l) If eligible by law to vote on a matter, the Chair of the Board, when present, shall:
 - be an ex-officio member of all Committees;
 - be counted in determining the quorum; and
 - have the right to vote at all Committee Meetings; however, the intention to vote must be declared when the item is first on the floor.
- (m) In the limited circumstances where the Chair engages legal counsel for Board business, the Chair in consultation and consensus with the Vice-Chair, shall consult with the Director and if appropriate the Board of Trustees.

5.4.2 Duties of the Vice Chair

The Vice Chair, in addition to those duties assigned under provincial legislation and the By-laws, shall:

- in the absence of the Chair, or in the event of the inability of the Chair to act, assume any or all of the duties of the Chair, except those that are precluded by law, By-law, or regulation;
- be a signing officer of the Board as prescribed by the By-laws; and
- perform duties as outlined from time to time by the Chairperson.

5.4.3 Rights of the Vice Chair

The Vice Chair, when delegated by or in the absence of the Chair, shall have all powers of the Chair, including the right to vote, if eligible by law to vote on a matter, provided that whenever the Vice Chair exercises any of the powers of the Chair, the absence of, or the delegation by, the Chair shall be presumed.

5.4.4 Duties of the Secretary of the Board

The Secretary of the Board, in person or by designate, in addition to those duties assigned under the provincial legislation and the By-laws, shall:

- attend all meetings of the Board and meetings of Committees;
- prepare minutes of all meetings;
- keep records as required by law and subject to the directions of the Board;
- conduct the official correspondence of the Board;
- receive and pass on to the Board, Committee of the Whole, or the

relevant Committee, all correspondence, petition and reports of other officials;

- prepare, in consultation with Executive Council, the draft agenda of all Board, Committee of the Whole, and Committee meetings;
- maintain an up-to-date policy register;
- maintain charge of all correspondence, reports, and other documents;
- promulgate all orders, policies and other directions of the Board and other matters in accordance with requirements of the law;
- bring to the attention of the Board any matter in respect of which, in the opinion of the Secretary, it may be necessary or useful for the Board to be aware; and
- issue verbal or written statements on administrative matters coming under his/her duties and responsibilities; press releases may be issued.

5.4.5 Duties of the Treasurer of the Board

The Treasurer of the Board, in addition to those duties assigned under provincial legislation and the By-laws, shall:

- submit to the Board annually a statement of estimated revenue and expenditures;
- have prepared for submission to the Board the annual financial statements and the auditor's report;
- report annually to the Board particulars of existing insurance bonds expiring during such year with recommendations for renewal; and
- report to the Board from time to time and as required by the Board on all financial matters.

6.0 MEETINGS OF THE BOARD

6.1 Inaugural and Annual Meetings

6.1.1 Presiding Officer

The Presiding Officer at the Inaugural Meeting and Annual Meeting shall be the Director of Education and Secretary of the Board or designate until the Chair is elected.

6.1.2 Meeting Proceedings

6.1.2.1 Inaugural Meeting

- The Inaugural Meeting to be held in the calendar year in which all Trustees are elected or acclaimed at the regular Municipal Election under the Municipal Elections Act shall be held in accordance with the Act.
- The Inaugural Meeting shall include an Inaugural Liturgy
- At the Inaugural Meeting of the Board, the Chief Executive Officer shall read the returns of the election as certified by the Municipal Clerks.
- At the Inaugural Meeting of the Board, every Trustee elected to the Board shall make and sign the Declaration of Office and Oath of Allegiance before the Secretary of the Board or before such person authorized to administer an oath.

6.1.2.2 Annual Meeting

- The Annual Meeting of the Board, to be convened in the years between Municipal Elections, shall be held in accordance with the Act.

- The Annual Meeting shall include a Liturgy.

6.1.3 Additional Business

The Inaugural and Annual meetings shall include further business as follows:

- 6.1.3.1 the appointment of the Auditors for the Board;
- 6.1.3.2 any urgent business of the Board.

6.2 **Regular Meetings of the Board**

6.2.1 Board Meeting

6.2.1.1 Schedule and Location of Meetings

Unless otherwise ordered by special motion, the Brant Haldimand Norfolk Catholic District School Board will conduct regular meetings of the Board at 6:30 p.m. on the fourth Tuesday of each month at 322 Fairview Drive, in the City of Brantford.

6.2.1.2 School Holidays

During the months of March and December, school holidays impact on the regularly scheduled meeting dates. In December, there will be two meetings: The last and second last Tuesday prior to Christmas break. In March, both the Committee of the Whole Meeting and the Board Meeting will be scheduled after the planned March Break.

6.2.1.3 Summer Meetings

The Board will recess from its regular meeting schedule from July 1st to August 31st of each year. The Chair of the Board is authorized to schedule any meetings during July and August as required.

6.2.2 Committee of the Whole Meeting

6.2.2.1 The Committee of the Whole shall be composed of all six trustees and will meet at 4:30 p.m. on the fourth Tuesday of each month prior to the board meeting at 322 Fairview Drive, in the City of Brantford, other than the exceptions noted in section 6.2.1.2.

6.2.2.2 The Committee of the Whole will report directly to the Board on a monthly basis during the school year, except for the month of November in years with an Inaugural meeting and the month of December in years with an Annual meeting.

6.2.3 Board meetings between a municipal election resulting in the acclamation/election of new Trustees constituting one-third or more of the total number of Trustees, and the Inaugural Meeting of the Board.

6.2.3.1 In the instance that one-third or more of the total number of trustees is new to the Board as a result of the acclamation/election from a municipal election, the Board shall cancel all regular meetings of the Board of Trustees between the election and the Inaugural Meeting of the Board. This does not preclude the Board from calling a Special Meeting of the Board as per Section 6.3.

6.3 **Special Meetings of the Board**

6.3.1 Special meetings of the Board shall be held by order of the Board, on the written request of three (3) Trustees to the Chair or the Director; on the call of the Chair; or at the request of the Director of Education.

- 6.3.2 The Trustees shall be given a 24-hour notice for special meetings, except in emergency situations.
- 6.3.3 Such meetings shall be called for specific reasons. Such subjects shall be stated in the notice calling the meeting. Notwithstanding any other provisions to the Board's By-laws, no other business shall be considered.

6.4 Electronic Meetings

(as per Education Act s.208.1, O. Reg. 463/97, O. Reg. 268/06, O. Reg. 234/04)

- 6.4.1 The Board may hold a meeting of the board or committee meetings (including Committee of the Whole) using electronic means.
- 6.4.2 The public will be notified about electronic meetings at Board designated sites through postings on the Board's website.
- 6.4.3 The electronic means by which the meeting will be held may be one of teleconference, videoconference or webconference. The electronic means must provide for a manner to verify that a trustee has left the meeting in the case that the trustee declares a conflict of interest.
- 6.4.4 At the request of any board member or student trustee, the board shall provide the member or student trustee with electronic means for participating in meetings of the board or of a committee of the board. The electronic means shall permit the member or student trustee to hear and be heard by all other participants in the meeting.
- 6.4.5 Subject to any conditions or limitations provided for under the Education Act or under Regulations, a member of a board who participates in a meeting through electronic means shall be deemed to be present at the meeting.
- 6.4.6 Roll call for all electronic meetings will be taken verbally and duly recorded to ensure Board members and the student trustee are recognized as in attendance.
- 6.4.7 Board members or the student trustee participating in an electronic meeting will notify the Chair of their departure (either temporary or permanent) from the meeting before absenting themselves in order to ensure a quorum is maintained.
- 6.4.8 Whatever the electronic means, where a trustee declares a conflict of interest, the trustee shall excuse himself from the meeting and follow the procedures noted in the Trustees' Code of Conduct policy 100.04 by leaving the electronic conference.
- 6.4.9 At every meeting of the board or of a committee of the whole board (including electronic meetings), the following persons be physically present in the meeting room of the board:
 - a) The chair of the board or his or her designate.
 - b) At least one additional member of the board.
 - c) The director of education of the board or his or her designate.
- 6.4.10 At every meeting of a committee of the board, except a committee of the whole board, the following persons are to be physically present in the meeting room of the committee:
 - a) The chair of the committee or his or her designate.
 - b) The director of education of the board or his or her designate.
- 6.4.11 The meeting room of the board or of a committee of the board, as the case may be, shall be open to permit physical attendance by members of the public at every meeting of the board or of the

committee of the board.

- 6.4.12 The chair of the board, in consultation with the director of education, shall determine whether electronic means should be provided at one or more locations within the area of jurisdiction of the board, to permit participation by members of the public in meetings.
- 6.4.13 Where the board determines that electronic means should be provided under this section, the board shall:
- a) provide for the extent and manner of participation by members of the public through electronic means; and
 - b) ensure that members of the public who are participating through electronic means do not participate in any proceedings that are closed to the public in accordance with the Act.
- 6.4.14 Should there be technical difficulties and the electronic portion of the meeting is interrupted, the meeting shall be recessed for a period not exceeding thirty (30) minutes as determined by the chair of the meeting.
- 6.4.15 Should there be technical difficulties and the electronic portion of the meeting cannot be reconvened before the end of the recess provided in subsection 6.4.15:
- 6.4.15.1 Subsection 6.5.3 shall apply if there is no quorum;
 - 6.4.15.2 The minutes of the meeting shall indicate the time of any electronic disruption and the recess determined by the chair of the meeting, and the name of any trustee who thereby ceases to be present.
- 6.4.16 All trustees will be required to be physically present for every regular Meeting of the Board and every meeting of the Committee of the Whole in each year of the term of office, unless one of the exceptions to the requirement for in-person attendance applies. Failure to attend in person as required would result in the trustee's seat being vacated pursuant to the clause 228(1)(e) of the Education Act. Trustees are eligible to attend a regular Board Meeting or Committee of the Whole Meeting electronically/ virtually when they receive prior written approval from the Chair when;
- 6.4.16.1 The distance from the Trustee's primary residence to the meeting location is 125 kilometers or more;
 - 6.4.16.2 Weather conditions do not allow the Trustee to travel to the meeting location safely;
 - 6.4.16.3 The Trustee cannot be physically present at a meeting due to health-related issues;
 - 6.4.16.4 The Trustee has a disability that makes attending meetings in person more challenging; or
 - 6.4.16.5 The Trustee is unable to attend in person due to family responsibilities.
 - 6.4.16.6 If the Trustee making a request is the Chair of the Board, the Chair shall submit the request and reasons to the Vice-Chair of the Board.

Quorum for Meetings

- 6.4.17 Subject to the Municipal Conflict of Interest Act, a majority of the Trustees of the Board shall constitute a quorum for meetings of the Board and of the Committee of the Whole Board.
- 6.4.18 A majority of Trustees eligible to vote who are members of the Committee shall constitute a quorum for Meetings of the Committee when a committee is composed of only Trustees.

6.4.19 If a quorum is not present within fifteen (15) minutes after the time appointed for any Meeting (or such longer time as may be agreed upon by the Trustees eligible to vote then present), the person assigned as Recording Secretary shall record the names of the persons present and the meeting shall stand adjourned, to be reconvened within seven (7) days at the call of the Chair.

6.5 Notice of Meetings

6.5.1 Written notices of all meetings of the Board shall be transmitted, along with the Agenda of the Meeting, at least forty-eight hours before the time of meeting. The agenda may be amended at the opening of a meeting with the consent of the majority of Trustees present at the meeting.

6.5.2 Agendas for the regular meetings shall be made available on the board website and also provided to the following:

- Supervisory Officers of the Board;
- Principals;
- President or Chairs of the local employee groups who have requested the public agenda;
- Upon request, members of the local news media; and
- public in attendance -

6.5.3 Portions of the agenda dealing with in-camera shall be distributed only to Trustees and, to senior staff and to the Manager of Communications.

6.6 Maximum Length of Meetings

No meeting shall continue in session for more than three and one-half (3½) hours. A meeting may be extended beyond the limits established with consent of two-thirds of Trustees present.

6.7 Seating Arrangements

As far as practical, at all Board and Committee of the Whole Meetings the seating arrangement will be as follows:

- Horseshoe configuration
- At the head table the seating is from left to right, Vice-Chair, Chair, Director, Superintendent of Business
- At the table to the right will be the trustees and student trustees
- At the table to the left will be the senior administration
- The setting plan will be determined by the Chair and Vice-Chair of the board.

6.8 Access to Meetings

6.8.1 In accordance with the Education Act, Section 207(2), a meeting of the Board may be closed to the public (in camera) when the subject matter under consideration involves:

- the security of the property of the Board;
- the disclosure of intimate, personal or financial information in respect of:
 - a member of the Board,
 - an employee or prospective employee of the Board,
 - a pupil or his or her parent or guardian;
- the acquisition or disposal of a school site;
- decisions in respect of negotiations with employees of the Board; or

- litigation affecting the Board.

6.8.2 The Presiding Officer may expel or exclude from any meeting any person who, at the determination of the Presiding Officer, has exhibited improper conduct at the meeting; for example, use of profanity, threatening language and/or action(s), etc.

6.9 Delegations

6.9.1 Any Catholic School elector or group may request to address the Board as a delegation.

6.9.2 The delegation must provide the request in writing to the Director of Education or the Chair of the Board 7 days prior to the meeting which the Delegation wishes to be heard.

6.9.2.1 The request shall contain the topic to be discussed and the identity of the Spokesperson(s).

6.9.2.2 The person(s) wishing to address the Board or Committee shall be notified of the date, time and location of the meeting at which the presentation will be made.

6.9.2.3 Delegations will, upon notification, have these regulations shared with them prior to their presentation.

6.9.2.4 Copies of the presentation shall be shared with the Board or Committee 7 days in advance of the proposed date of presentation, failure to do so will result in the cancellation of the scheduled presentation. The board may also cancel said meeting request should the proposed content of the presentation should it be deemed inappropriate or contrary to the Catholic values of the Board.

6.9.2.5 In any case, the subject matter of the Delegation will not be discussed, or debated, nor will a decision be made at the meeting at which the presentation is made unless the matter is on the agenda as pre-determined.

6.9.2.6 Delegations will be advised that the Chair will not allow content or language which is not consistent with the values of the Board, and any violations or inappropriate conduct will result in the immediate cessation of the presentation at the discretion of the Chair.

6.9.2.7 Following the presentation by the Delegation, questions of clarification only will be allowed through the Chair.

6.9.3 A delegation's presentation will be limited to 10 minutes. Amendments as to the length of time are at the discretion of the Chair.

6.9.4 In-Camera rules shall apply to Delegations of an In-Camera nature.

6.9.5 Notwithstanding the above, the Board retains discretion to decide all matters concerning delegations.

7.0 CONDUCT OF BUSINESS FOR REGULAR BOARD AND COMMITTEE OF THE WHOLE MEETINGS

7.1 Order of Business

The order of business for meetings of the Board that are open to the public shall appear as follows:

1. Opening Business
 - 1.1 Land Acknowledgement- (Committee of the Whole only)
 - 1.2 Opening Prayer
 - 1.3 Attendance *
 - 1.4 Approval of the Agenda
 - 1.5 Declaration of Conflict of Interest
 - 1.6 Approval of Minutes from Previous Meetings(s)
 - 1.7 Business Arising
2. Presentations
3. Delegations
4. Consent Agenda
 - 4.1 Any Reports/Minutes that are information only.
5. Committee and Staff Reports
6. Information and Correspondence
7. Notices of Motion for Consideration at Next Board Meeting (Board meetings only)
8. Notices of Motion Being Considered for Adoption (Board meetings only)
9. Business In-Camera
10. Report on the In-Camera Session
11. Future Meetings and Events
12. Closing Prayer
13. Adjournment

* Late arrivals or early departure times of Trustees will be noted by the recording secretary

7.2 Rules of Order

- 7.2.1 The rules of order to be observed at meetings shall be in accordance with the provision of these By-laws.
- 7.2.2 In all cases for which no specific provision is made in these By-laws, the rules and practice of Robert's Rules of Order, Newly Revised 11th Edition, (Henry M. Robert III, William J. Evans, Daniel H. Honeyman, Thomas J. Blach, Perseus Publishing 2000) shall govern so far as applicable.
- 7.2.3 The Chair or other Presiding Officer shall preserve order and decorum and decide upon all question of order.
- 7.2.4 In the absence of the Chair and Vice Chair for any case, the Board may, from the members present thereof, appoint a Presiding Officer who, during such absence, shall have the powers of the Chair of the Board.
- 7.2.5 The Chair or person presiding may vote on all questions and shall declare this intention after the motion is put to the floor.
- 7.2.6 A tie vote is a lost motion.
- 7.2.7 Should the Chair elect to vacate the chair to take part in any debate or discussion or for any other reason, he/she shall call upon the Vice Chair or in his/her absence, one of the members to fill his/her place until he/she resumes it.
- 7.2.8 Where a question is before the Board, the mover may speak first and the

seconded may speak next, and the Chair will make every attempt to allow each person wishing to speak, the opportunity to speak once before any member may speak for a second time. The mover also has the prerogative to be the last speaker before the question is decided and the seconder shall be the second to last speaker.

7.2.9 No member shall speak for more than five minutes or more than three times on the same question without the permission of the Chair.

7.2.10 Whenever an adjournment takes place in consequence of there not being a quorum present, the time of adjournment and the names of the members present shall be entered in the records of the Board.

7.3 Motions and Debate

7.3.1 All motions shall be recorded in the minutes of the meeting and shall be seconded before being stated by the Chair, whereupon the Chair shall ask if there is any further discussion on the motion before the vote.

7.3.2 When a motion has been stated by the Chair, it shall be open to debate and shall be disposed of only by a vote, unless the mover, by permission of the seconder, withdraws it, in which case such motion shall not appear in the minutes of the meeting.

7.3.3 Any Trustee of the Board may require the question under discussion to be read at any part of the debate, but not so as to interrupt a speaker.

7.3.4 A Trustee, prior to speaking to any question or motion, shall address the Chair. The Trustee shall confine remarks to the question at hand.

7.3.5 When two or more Trustees wish to speak at the same time, the Chair shall name the Trustee who is to speak.

7.3.6 No Trustee shall be interrupted while speaking, except in a case where the Trustee is called to order by another Trustee for a transgression of rules of the Board, in which case the Trustee shall remain silent until the point of order has been decided by the Chair.

7.3.7 Where a Trustee wishes to make a point of order or to seek clarification, he or she should so indicate in addressing the Chair and the Chair will rule on such matters before the next speaker is allowed to speak.

7.3.8 When the question under consideration contains two or more distinct propositions, any particular proposition, upon the request of any member, shall be considered and voted upon separately.

7.3.9 No question, once decided by the Board at a regular meeting, shall be reconsidered during that meeting unless someone on the affirmative side requests by motion that Trustees reconsider the pass motion, which is seconded and will take a two-thirds majority to reconsider.

7.3.10 If it is desired to defer action on a question until a particular time, the proper motion to make is "to postpone it to that time". This motion allows limited debate, which must be confined to the propriety of the postponement to that time; it can be amended by altering the time, and this amendment allows the same debate.

7.3.11 Whenever a motion has been made and seconded, it is the duty of the Chair, if the motion is in order, to state the question, so that the members may know what question is before them.

7.3.12 In stating the question on an amendment, the Chair should read the passage to be amended; the words to be struck out, if any, the words to be inserted, if any; and the whole passage as it will stand if the

amendment is adopted.

7.3.13 The motion to adjourn is not debatable, it cannot be amended, or have any other subsidiary motion applied to it, nor can a vote on it be reconsidered.

7.3.14 If a Trustee does not put new motions or amendments in writing for the Chair, the motion as stated by the Chair and recorded by the secretary shall be the motion.

7.3.15 When a motion is under debate, the only motion in order shall be:

- to adjourn,
- to lay on the table,
- to put the previous question,
- to postpone,
- to refer,
- to amend, and
- to vote on the present motion.

Such motion shall have precedence in the order above named; and the first, second and third shall be decided without debate.

A question having been postponed indefinitely shall not be taken up again at the same meeting without a two-thirds (2/3) vote in favour.

7.4 Amendment(s) to Motion:

7.4.1 An amendment may be in any of the follow forms:

- a) to “add” or “insert” certain words or paragraphs;
- b) to “strike out” certain words or paragraphs, and if this fails it does not preclude any other amendment than the identical one that has been rejected;
- c) to “strike out certain words and insert others”, which motion is indivisible, and if lost does not preclude another motion to strike out the same words and insert different ones;
- d) to “substitute” another resolution or paragraph on the same subject for the one pending; or
- e) to “divide the question” into two or more questions as the mover specifies, so as to get a separate vote on any particular point or points;

If an amendment is defeated, vote on the motion. If an amendment is carried, vote on the amended motion.

7.4.2 No more than three (3) amendments can be made to a motion.

7.5 Notices of Motion

7.5.1 Notices of motion on new matters are required from trustees to give trustees the benefit of advance consideration by themselves and administration before any decision is to be made. No new decisions will be entertained unless a written notice of motion has been provided on new matters at a previous meeting or by way of inclusion in the agenda, at least seven days in advance of the Board meeting. Notices of Motion will be given to the Secretary and Chairperson of the Board to include as an item in the agenda of the next regular Board meeting.

7.5.2 A Notice of Motion may be brought directly to the next regularly

scheduled Board meeting, verbally or in writing, and may be passed by unanimous decision. If the decision is not unanimous, the motion may be brought forward to the next regularly scheduled Board meeting for further discussion.

- 7.5.3 A member of the Board must give notice of motion if he/she wishes to:
- a) repeal or make permanent amendment to any of the Board's By-laws;
 - b) recommend an action, which has not been considered and recommended to the Board by a Committee of the Board;
 - c) consider a matter by the Board without reference to a Committee.
- 7.5.4 Regulations regarding Notice of Motion
- 7.5.4.1 A Notice of Motion shall not be seconded at the meeting at which it is initially presented.
- 7.5.4.2 A Notice of Motion is not debatable.
- 7.5.4.3 Before any discussion shall take place at the meeting at which a Notice of Motion is presented as a Proposed Resolution, a Trustee must second it. The number of Notices of Motion, which are presented as Proposed Resolutions at any single meeting, shall be limited in number at the discretion of the Chair.
- 7.5.4.4 Notices of Motion, which are not presented for discussion as Proposed Resolutions at the meeting, shall be presented at the next regular meeting.
- 7.5.4.5 Notices of Motion, which require reports or information, shall be presented to the Board without any written reports by any of the senior officials. However, such persons may be permitted to make oral statements relating to these Notices of Motion at the time of presentation.
- 7.5.4.6 The officials may make written reports and/or recommendations supporting or opposing Notices of Motion, when they are presented as Motions, and which if carried will require direct action by the Board or its officials.

7.6 Protocol for Debate

- 7.6.1 When, at a meeting, any member wishes to speak in debate, the member shall raise a hand and await recognition by the Chair.
- 7.6.2 Trustees may speak when recognized by the Chair and may not speak to the issue again:
- unless the Chair of the meeting allows further debate; and
 - only after all other Trustees who wish to speak have been recognized by the Chair.
- 7.6.3 After recognition by the Chair, a member shall at all times during debate:
- maintain a courteous tone;
 - avoid personalities;
 - avoid allusion to motives of other members;
 - address all debate, remarks, questions and the like to the Chair;
 - confine all remarks, questions and the like to the motion, which is the subject of debate.
- 7.6.4 No Trustee who does not have the floor shall interrupt a Trustee who does have the floor except:

- on a point of order;
- on a question of privilege;
- to request permission to withdraw a motion;
- to appeal a ruling of the Chair;
- on a motion to extend the time limit; and
- in the event that a Trustee interrupts a speaker pursuant to the authority given in this section, the Trustee shall confine all remarks to the particular point.

7.6.5 A Trustee may rise on a point of information, that is, a request for information relevant to the matter on the floor but not related to preliminary procedure, only if the member then speaking consents to the interruption, in which case the time consumed in responding to the point of information will be included as part of the speaker's allotted time.

7.6.6 Any member of the Board may require the question/motion under discussion to be read at any time in the debate, but not so as to interrupt any member while speaking.

7.7 Voting Procedures

7.7.1 Every matter considered by the Board shall be disposed of by a vote of all those present and eligible to vote on the matter in one of the following ways, with preference being given in the following sequence:

- a) By general or unanimous consent, in which the Chair, exercising discretion, states that the motion will be adopted in the absence of objection.
- b) By show of hands, in which each Trustee present and eligible to vote raises a hand in response to the request of the Chair for the votes, in the affirmative and in the negative, as the case may be, until the votes are counted.
- c) By rising, in which each Trustee present and eligible to vote stands in response to the requests of the Chair for the votes, in the affirmative and in the negative, as the case may be, until the votes are counted.
- d) By individual recorded vote, in which each Trustee present and eligible to vote raises a hand or stands in place in response to the request of the Chair for the votes in the affirmative and in the negative, as the case may be, until the Chair has called the name of each Trustee as voting, respectively.
- e) By ballot, in which each Trustee eligible to vote shall mark on a ballot provided by the Secretary of the Board, the Trustee's choice from among the available alternatives, the ballots being collected and counted immediately thereafter.

7.7.2 Although the method requested by any Trustee eligible to vote should be used to the extent practicable, the particular method of voting to be used to dispose of any matter shall be governed by the following rules:

- a) Determination by general or unanimous consent will be used only when no trustee eligible to vote objects or requests another method.
- b) Notwithstanding that a show of hands vote has been called for and has been taken, on the request of any Trustee eligible to vote, including the Chair, a rising vote will be taken whenever there is any doubt as the accuracy of the count on the show of hands; and

c) Voting by ballot shall be used only when ordered by majority vote or general consent.

7.7.3 Votes Lost on Equality

Any motion on which there is an equality of votes, is lost.

7.7.4 Declaration of Votes

The Chair shall declare the result of all votes.

7.7.5 Recording of Votes

The vote on any question shall be recorded in the minutes as “carried” or “defeated”.

8.0 GOVERNANCE, AD-HOC AND ADVISORY COMMITTEES OF THE BOARD

- a) All Governance, Ad-Hoc and Advisory Committees shall be established by the Board or by statute or regulation. Trustee representation for each Governance, Ad-Hoc and Advisory Committee shall be determined by the Chair of the Board. The Chair of the Board, after the annual or inaugural meeting of the Board, will request and receive within a reasonable amount of time requests from each Trustee on which committees they wish to be members of and/or Chair. The Chair of the Board will assign the trustees membership and/or the position of Chair of the committee, as decided by the Chair each year after the annual or inaugural meeting of the Board. Each Governance, Ad-Hoc and Advisory Committee of the Board shall have a staff resource assigned by the Director of Education.
- b) Governance, Ad-Hoc and Advisory Committees of the Board shall be composed of not less than one (1) nor more than three (3) Trustees, unless otherwise provided by resolution of the Board. Committees that are composed of more than (3) Trustees are the Policy Committee, Accommodations Committee In the instance where there is an option for more than three (3) Trustees on a committee, it will be the discretion of the Chair to determine the number of trustees to serve on that committee.
- c) Sub-Committees may be established by any Committee to consider any matter within the Terms of Reference of the Committee.
- d) Only members of a Governance, Ad-Hoc and Advisory committee are required to attend that committee’s meeting. However, all members of the Board shall receive notice of all Governance, Ad-Hoc and Advisory committee meetings, if requested. All Board members shall be permitted to attend Governance, Ad-Hoc and Advisory committee meetings except for:
- Audit Committee
 - Student Discipline Committee
 - Supervised Alternative Learning Committee
 - Director of Education Performance Appraisal Committee

For all other Governance, Ad-Hoc, and Advisory Committees of the Board, all trustees may attend and may take part in discussion, but only members of the Committee and the Chair of the Board or ex-officio designate, if present, shall have voting power.

- e) Governance, Ad-Hoc and Advisory Committee reports shall be considered public documents, except reports presented to the In-Camera session.
- f) In dealing with Governance, Ad-Hoc and Advisory Committee reports at the Board meeting, it shall be the prerogative of the Chair to rule on a request by a Trustee to have the recommendations dealt with item by item or as a whole.

- g) Governance, Ad-Hoc and Advisory Committee minutes shall be considered public documents except when the subject matter under consideration involves:
- the security of the property of the Board;
 - the disclosure of intimate, personal or financial information in respect of a member of the Board, an employee or prospective employee of the Board, a pupil or his/her parent or guardian;
 - the acquisition or disposal of a school site;
 - decisions in respect of negotiations with employees of the Board; and
 - litigation affecting the Board.
- h) With the exception of meetings of the Student Discipline Committee and Supervised Alternative Learning Committee, which are called by the Director of Education or designate, meetings of a Governance, Ad-Hoc and Advisory Committee shall be called by the Chair of the Committee in consultation with the Director of Education. All meetings shall be called or cancelled through the Office of the Director of the Board. In the absence of the Chair, providing there is a quorum, the members present will elect an interim Chair for that meeting.
- i) The Chair of the Board shall be an ex-officio member of all Governance, Ad-Hoc and Advisory Committees of the Board. The Chair may delegate some of the ex-officio duties to the Vice Chair of the Board.

8.1 Governance Committees of the Board

All Governance Committees of the Board report to the Committee of the Whole with a report of their minutes and motions for approval for the Board of Trustees except:

- Student Discipline Committee, and
- Supervised Alternative Learning Committee

8.1.1 Accommodations Committee

Composed of three (3) or more Trustees, the Superintendent of Business and the Director of Education or designate. Functions include providing recommendations to the Board regarding the use of pupil places for schools in the Board.

8.1.2 Audit Committee

Composed of two (2) trustees, the Superintendent of Business & Treasurer, and two external members (3-year term). Established as per Section 253.1(1) of the Education Act and Regulation 361/10. Meets three times annually, at a minimum. Functions include assisting the Board of Trustees in fulfilling its duties related to governance and oversight. Duties fall under the following key areas: financial reporting process, internal control framework, risk management practices, performance and function of the Board's internal and external auditors, and the Board's compliance with its obligations under legislation.

8.1.3 Budget Committee

Composed of three (3) Trustees, the Superintendent of Business, and the Manager of Finance. Functions include to review the budget and refer the budget to the Board for approval.

8.1.4 Policy Committee

Composed of three (3) or more Trustees and the Director of Education or designate. Functions include reviewing and referring Board policies to the Board for approval.

8.1.5 School Year Calendar Committee

One (1) Trustee, the Director of Education or designate, union representation, the Chair of the RCPIC, and other staff representation as determined by the Director of Education. Function includes making recommendations to the Board for approval of the school year calendar as per the Education Act.

8.1.6 Student Discipline Committee

Composed of three (3) trustees and the Director of Education or designate that acts as a resource for the committee. Established annually and meets as necessary. Functions include hearing suspension appeals and expulsion requests as per the Board Policy.

8.1.7 Student Transportation Services Brant Haldimand Norfolk Board of Directors

Terms of reference and membership are determined by the Student Transportation Services Brant Haldimand Norfolk (Consortium) By-Laws and Board policy. One (1) Trustee and the Superintendent of Business represent the interests of the Board at the Transportation Consortium. The Consortium makes recommendations to the Board regarding Policy and Procedures related to student transportation.

8.1.8 Supervised Alternative Learning (S.A.L.) Committee

Composed of at least one (1) Trustee of the Board, one (1) Supervisory Officer or designate, and one (1) Community Representative (non-employee) appointed by the Supervisory Officer. In accordance with Ontario Regulation 374/10, the function of the S.A.L. Committee is to make decisions at meetings regarding Supervised Alternative Learning by pupils of the Board.

8.2 **Advisory Committees of the Board**

All Advisory Committees of the Board report to the Committee of the Whole with a report of their minutes for the Board of Trustees

8.2.1 Faith Advisory Committee

Composed of at least one (1) or more Trustees, the Director of Education or designate and community members as determined by the Director of Education or designate as per the terms of reference for the committee. Functions include advising the Board on matters of Catholic faith formation and catechesis.

8.2.2 Special Education Advisory Committee

Composed of one Trustee of the Board, Superintendent of Education (responsible for Special Education), and community representatives. (The composition of the Special Education Advisory Committee is outlined in Reg. 464/97, Section 2). Functions include examining, reviewing and making recommendations, as appropriate, relative to the provision of special education programs and services.

8.3 Ad-Hoc Committees of the Board

The Board may establish ad-hoc committees as deemed appropriate. The establishing motion shall indicate the mandate of the committee, the membership of the committee, and the due date of the final report.

- 8.3.1 All Trustees shall be entitled to notice of, to attend and to speak at all meetings of all Committees composed only of Trustees, except those Ad-Hoc committees that deal specifically with salary negotiations and collective bargaining.

9.0 DISTRICT AND INTERJURISDICTIONAL COMMITTEES WITH TRUSTEE REPRESENTATION

- a) District and Interjurisdictional Committees with Trustee Representation are staff or community committees that require trustee representation at the request of the Chair of the committee according to statute, regulation, policy or committee bylaws. These committees are advisory in nature and report to the Committee of the Whole, Board, or to Executive Council (as indicated), for information.
- b) Trustee representation for each District and Interjurisdictional Committee shall be determined by the Chair of the Board. The Chair of the Board, after the annual or inaugural meeting of the Board, will request and receive within a reasonable amount of time requests from each Trustee on which committees they wish to be representatives of and/or Chair. The Chair of the Board will assign the trustees as decided by the Chair each year after the annual or inaugural meeting of the Board.
- c) Only Trustee representatives of a District and Interjurisdictional Committees are required to attend that committee's meeting.

9.1 Accessibility Steering Committee

One (1) Trustee representative and staff as determined by the Director of Education or designate. This committee is chaired by the Director of Education or designate. Its functions include overseeing compliance with the Accessibility for Ontarians with Disabilities Act in accordance with the AODA and Board Policy. This committee reports to the Committee of the Whole with minutes and reports for information.

9.2 Joint Use Committee

The Superintendent of Business, the Director of Education or designate, and the two City of Brantford Trustees are asked, from time to time, to meet with City officials and the Grand Erie District School Board related to the joint use protocols for which the Boards and the City are parties. This committee reports to Executive Council, for information.

9.3 Mental Health Steering Committee

One (1) Trustee representative and the Director of Education or designate, staff and community members as determined by the Director of Education or designate. Functions as an advisory group related to initiatives of the Board's mental health strategy. This committee reports to the Committee of the Whole with minutes and reports for information.

9.4 Regional Catholic Parent Involvement Committee

One (1) or more Trustees and the Director of Education or designate, parent council representatives and other members as determined by the Director of Education or designate. Functions include disseminating information, program information for parents, and seeking advice for education initiatives (see Board Policy). This committee reports to the Committee of the Whole with minutes and reports for information.

10.0 ACCESS TO RECORDS

- 10.1 Any person may, at all reasonable hours, at the Catholic Education Centre, inspect the minute book, the audited annual financial report and the current accounts of the Board and, upon written request by any individual or group, a copy of a requested section of minute books, audited financial reports, and the current accounts of the Board will be furnished at a cost as determined under the Freedom of Information and Protection of Privacy Act, 1990.
- 10.2 All other materials made available to the public under the Freedom of Information and Protection of Privacy Act will be made available at a similar fee.

11.0 EXECUTION OF DOCUMENTS

11.1 Signing Authorities

- 11.1.1 All deeds, conveyances, mortgages, bonds, debentures, agreements, documents, and contracts approved by the Board shall be sealed with the seal of the Board and signed by:
- the Director of Education/Secretary of the Board
- together with one of:
- the Chair of the Board; or
 - the Vice Chair of the Board; or
 - the Superintendent of Business and Treasurer of the Board.
- 11.1.2 In the event of a prolonged absence by the Director of Education / Secretary of the Board, a delegate can be appointed by the Director in charge.

11.2 Bank Signing Officers

- 11.2.1 The signatures of the Superintendent of Business and Treasurer, together with one of:
- the Chair of the Board;
 - the Vice Chair of the Board; or
 - the Director of Education and Secretary
- are required when:
- making, drawing, accepting, endorsing, negotiating, lodging, depositing or transferring all or any cheques, promissory notes, drafts, acceptances, bills of exchange, order for payment of money, contracts for letters of credit and foreign exchange;
 - issuing cheques, drafts or orders for payment drawn on the bank accounts of the Board.
- 11.2.2 The Treasurer of the Board, by signature or by rubber stamp endorsement, may negotiate or deposit with or transfer to the bankers for the Board, but for the credit only of the account of the Board, all or any cheques, promissory notes, drafts, acceptances, bills of exchange and orders for the payment of money.
- 11.2.3 Signatures of persons authorized to sign may be printed, lithographed or otherwise mechanically reproduced as provided by the regulations.

11.3 Board Seal

11.3.1 The Seal of the Board shall be in custody of the Treasurer of the Board who shall be responsible for affixing it to such documents as may be required.

11.3.2 The Treasurer shall keep a record in a special book of the date and the particulars of each use of the seal.

11.4 Board Minutes

The Chair or other presiding member and the Secretary shall sign the minutes of all Board meetings.

12.0 OTHER PROFESSIONAL SERVICES

The Board will periodically issue calls for proposals for various professional services. The call for proposals will specify the term and specifications of the proposal, which will be presented for approval to the Board.

13.0 CONFLICT OF INTEREST GUIDELINES

According to current Provincial Legislation regarding the Municipal Conflict of Interest Act.

14.0 BY-LAW AMENDMENTS

14.1 By-laws of the Board may be amended from time to time at a meeting of the Board (such meeting, hereinafter referred to as the "later meeting") upon the affirmative vote of a two-thirds (2/3) majority of all members of the Board, provided:

- a) written notice of motion proposing the amendment shall have been given at a meeting held prior to the later meeting; and
- b) the text and a brief statement of intended purpose of the amendment shall have been included in the notice of motion.

14.2 At any time the By-laws may be amended without notice upon the unanimous vote of all the members of the Board entitled to vote thereon.

14.3 In the absence of a By-Laws Committee, the Policy Committee may serve as a mechanism for by-law amendments to be proposed prior to being recommended to the Committee of the Whole and subsequently to the Board for consideration.

15.0 DIRECTOR OF EDUCATION PERFORMANCE APPRAISAL

The Directors performance appraisal will be conducted annually as per the process outlined in Director of Education Performance Appraisal Regulation 83/24.

16.0 POLICY RENEWAL PROCESS

16.1 Policies and Procedures are to be reviewed on a four-year schedule.

16.2 The meeting sequence for policy revision is Executive Council, Policy Committee, Committee of the Whole, then Board Meeting.

16.3 Prior to any policy going out for circulation to stakeholders it is brought to the Executive Council for review along with legal consultation if required.

16.4 Any policy being reviewed will go out to stakeholder input for 30 days. The superintendent with oversight of the policy will consider feedback and make changes prior to coming to the policy committee. By-laws are not circulated for input.

- 16.5 Revised policies are presented at policy committee then brought Committee of the Whole then Board meeting for approval.
- 16.6 If it has been determined that the review has resulted in significant changes to the policy, it will go back out for stakeholder input again then come back to Policy Committee.
- 16.7 Once a policy has been approved it will be communicated to staff and the community via the website and posted in a prominent location with executive summaries to ensure the policies are accessible and user-friendly.
- 16.8 At policy committees there will be a standing agenda item called policy considerations.

17.0 REVIEWS

In consultation with the Director of Education, the Superintendent of Business and the Chair of the Board, the Board will hire a third-party company to conduct an expense and governance review every two years.