

Policy 7

BOARD OPERATIONS

The Board's ability to discharge its obligations in an efficient and effective manner is dependent upon the development and implementation of a sound organization design. In order to discharge its responsibilities to the electorate of the District, the Board shall hold meetings as often as necessary. A quorum, which is a simple majority of the number of trustees, must be present for every duly constituted meeting.

The Board has adopted policies so the business of the Board can be conducted in an orderly and efficient manner. All points of procedure not provided for in this Policy Handbook shall be decided in accordance with Robert's Rules of Order.

The Board's fundamental obligation is to enhance, the public trust in education, generally, and in the affairs of its operations in particular. Consistent with its objective to encourage the general public to contribute to the educational process, Board meetings will be open to the public. Towards this end, the Board believes its affairs must be conducted in public to the greatest extent possible.

There are times when public interest is best served by private discussion of specific issues in "Closed" sessions. The Board believes it is necessary to protect individual privacy and the Board's own position in negotiating either collective agreements or contracts and therefore expects to go into Closed session for issues dealing with individual students, individual employees, land, labor, litigation or negotiation.

In order to carry out its responsibilities effectively, the Board will hold periodic meetings of several types. Formal meetings, at which all formal and legal business of the Board as a corporate body shall be done, may be designated as inaugural, regular, special, or closed. The Board may also hold informal meetings from time to time for the purposes of general discussion, meeting with other individuals or groups, or for information gathering and sharing.

The Board has adopted specific policy governing the conduct of its formal meetings.

1. Board Composition and Elections

1.1 Seven trustees are elected at large to the Board of Education for a four-year term.

2. Inaugural Meeting and Subsequent Annual Meeting

2.1 Inaugural Meeting

2.1.1 After the general local election of trustees, the Secretary-Treasurer for the District shall convene a first meeting of the Board as soon as possible and, in any event, within thirty (30) days from the date that the new Board begins its term of office.

2.1.2 At the first meeting of the Board, the Secretary-Treasurer shall announce the results of trustee elections and confirm that all trustees have taken the Oath of Office as required by the *School Act*, or shall administer, or cause to be administered, the Oath of Office to all trustees present who have not taken it.

- 2.1.3 At the first meeting of the Board, the Secretary-Treasurer shall call for nominations for Board Chair, and, if there is more than one nominee, conduct a vote by secret ballot. If more than two nominations are made and if from the first ballot no nominee receives a clear majority, the nominee receiving the fewest votes shall be eliminated from the ballot. This procedure shall be continued until one candidate receives a clear majority, and that person shall preside for the ensuing year or until a new Chair is elected.
- 2.1.4 The Chair so elected shall assume the chair for the remainder of the meeting.
- 2.1.5 The Board shall proceed to elect a Vice-Chair in the same manner as the election of the Chair.
- 2.1.6 Following the elections of the Chair and Vice-Chair the order of business shall include:
 - 2.1.6.1 Passage of banking resolutions and appointment of signing officers;
 - 2.1.6.2 Setting of Regular Board Meeting dates; and,
 - 2.1.6.3 Preliminary discussion of appointments of trustees to committees and as representatives to outside organizations.

2.2 Annual Meeting

- 2.2.1 Each year thereafter during the term of office the Board of Education shall hold an annual meeting in November. The order of business shall include:
 - 2.2.1.1 Election of Chairperson and Vice Chairperson;
 - 2.2.1.2 Passage of banking resolutions and appointment of signing officers; and
 - 2.2.1.3 Preliminary discussion of appointments of trustees to committees and as representatives to outside organizations.

3. Regular Meetings

- 3.1 The purpose of the regular Board meeting is for the Board to conduct its business. Meetings will be open to the public and representatives of the press.
- 3.2 Board meetings generally shall be held on the first Tuesday of each month except for July and August. Meetings shall be held not less than once in every three months. All trustees, staff, and members of the public are required to conduct the business of the Board with proper decorum and in a respectful manner.
- 3.3 No business shall be conducted by the Board unless upon a motion of a trustee, seconded by another trustee.
- 3.4 One or more trustees may participate in or attend a meeting by telephone or other means of communications provided that all trustees and other persons participating in or attending the meeting are able to communicate with each other. A trustee participating in or attending a meeting as provided above will be counted for the purposes of establishing a quorum.
- 3.5 Public meetings will begin at 4:30 p.m. if a quorum is present. If a quorum has not been reached by 5:00 p.m. the meeting shall be postponed until a date and time determined by the Chair.

- 3.6 After a meeting has commenced, if notice is drawn to a lack of quorum, the presiding officer shall ascertain whether there is a lack of quorum and, if so found, adjourn the meeting until a date and time determined by the Chair.
- 3.7 The agenda and notice of meetings shall be prepared by the Secretary-Treasurer under the direction of the Chair who shall consult with the Superintendent. Written notice of each meeting, together with the proposed agenda, must be given at least forty-eight (48) hours in advance to each trustee by delivery to the place designated by him or her. Notice of meetings may be provided by email to an email address designated by a trustee. Non-receipt of notice of a meeting by a trustee shall not void proceedings taken at such meeting.
- 3.8 The order of business at all regular meetings shall generally be:
- 3.8.1 Call to Order
 - 3.8.2 Territorial acknowledgement
 - 3.8.3 Adoption of Agenda
 - 3.8.4 Minutes
 - 3.8.5 Petitions and Delegations
 - 3.8.6 Report of Closed Meetings
 - 3.8.7 Old Business
 - 3.8.8 Superintendent of Schools
 - 3.8.9 Personnel
 - 3.8.10 For Board Information
 - 3.8.11 For Board Action
 - 3.8.12 Secretary-Treasurer
 - 3.8.13 Personnel
 - 3.8.14 For Board Information
 - 3.8.15 For Board Action
 - 3.8.16 Committees and Outside Organizations
 - 3.8.17 Upcoming Meetings and Events
 - 3.8.18 Correspondence
 - 3.8.19 New Business
 - 3.8.20 Question Period
 - 3.8.21 Adjournment
- 3.9 A change to the order of business after the agenda has been adopted may be proposed by any trustee and shall require two-thirds (2/3) consent of trustees present.
- 3.10 Except for minutes of a meeting or portion of a meeting from which persons other than trustees or officers of the Board, or both, were excluded, the minutes shall be open for inspection at all reasonable times by any person, who may make copies and extracts on payment each time of a fee not exceeding twenty-five cents per page.
- 3.11 All public meetings shall end by 6:00 p.m. except by resolution of the Board approved by a two-thirds vote.
- 3.12 Except as provided herein, meetings of the Board shall be open to the public.
- 3.13 All meetings of the Board will normally be held in the School Board Office, 2557 Beverly Street, Duncan, B.C.
- 3.14 The Board may change the time, date or location of a Board meeting by resolution.
- 3.15 The Chair of the Board, when in his or her opinion it is a case of necessity or urgency, may change the time, date or location of a Board meeting.

- 3.16 The Secretary-Treasurer, or another employee designated by the Board if the Secretary-Treasurer is unable to attend the meeting or if the meeting concerns the work performance or employment of the Secretary-Treasurer, must be present at the time a decision of the Board is rendered and must record any decision.
- 3.17 Regular meetings of the Board will not be held without the Superintendent in attendance unless the Superintendent has agreed.
- 3.18 The Chair or any other trustee presiding at a meeting may expel from the meeting a person, other than a trustee, that the chair or other trustee presiding at the meeting considers guilty of improper conduct.
- 3.19 A majority of the trustees present at a meeting of the Board may expel a trustee from the meeting for improper conduct.

4. Special Meetings

- 4.1 Meetings other than regular meetings will be termed "special" meetings, including special Closed meetings.
- 4.2 A special meeting of the Board may be called by the Chair or, upon written request by a majority of trustees, shall be called by the Secretary-Treasurer. No business other than that for which the meeting was called shall be conducted at that meeting.
- 4.3 Written notice of a special meeting and the business to be conducted at that meeting shall be given to each trustee at least forty-eight (48) hours in advance of the meeting. The trustees may, by majority vote, waive the forty-eight (48) hour notice requirement, provided all reasonable steps have been taken to notify trustees of the meeting.

5. Closed Meetings

- 5.1 A closed meeting will be held on a date and time determined by the Board, may be called by the Chair or, upon written request by a majority of trustees, shall be called by the Secretary-Treasurer.
- 5.2 If, in the opinion of the Board, the public interest so requires, persons other than trustees may be excluded from a meeting, or a part of a meeting. The Secretary-Treasurer, or other employee designated by the Board, must be present at the time that a decision of the Board is rendered and must record any decision.
- 5.3 Closed meetings of the Board will not be held without the Superintendent in attendance, unless the Superintendent's contract is being discussed, or unless the Superintendent agrees.
- 5.4 No trustee shall disclose to the public the proceedings of a closed meeting, except as may be required by law, unless a resolution has been passed by the Board to allow such disclosure.
- 5.5 The Board shall prepare a record containing a general statement as to the nature of the matters discussed and the general nature of the decisions reached at a meeting from which persons other than trustees or officers of the Board or both were excluded, and the record shall be presented at the next meeting of the Board open to the public and shall be open for inspection at all reasonable times by any person, who may make copies and extracts on payment of any applicable fee.
- 5.6 All matters coming before the Board shall be considered in public unless, in the opinion of the Board, the public interest requires otherwise. The following matters shall be

considered in a closed meeting unless the Board determines otherwise:

- 5.6.1 Personnel matters including contracts and collective agreement negotiations; matters pertaining to individual employees including medical matters, appointment, promotion, demotion, transfer, conduct, competence, discipline, suspension, termination or retirement; grievances and requests of employees, Board officers or their bargaining agents or representatives; plans that relate to the management of personnel or the administration of the Board and that have not yet been implemented or made public;
 - 5.6.2 Legal matters, accident claims and other matters where Board liability may arise; legal opinions and advice respecting the liability or interest of the Board or respecting any matter to be considered in a closed meeting; information or action regarding legal actions brought by or against the Board;
 - 5.6.3 Matters pertaining to individual students including medical matters and the conduct, discipline, suspension or expulsion of students;
 - 5.6.4 Acquisition and disposition of real property prior to finalization including: future site planning and designation; negotiations regarding purchase, lease, sale or exchange of real property; purchase lease, sale or exchange of real property; consideration of appraisal reports and claims by owners; determination of Board offers; expropriation procedures;
 - 5.6.5 Matters pertaining to the safety, security or protection of Board property; and,
 - 5.6.6 Other matters where the Board decides that the public interest so requires.
- 5.7 Notwithstanding any rule limiting reconsideration of the agenda, a trustee may make a motion to move a matter from the agenda of a closed meeting to the agenda of the open meeting, or the reverse. The motion requires a seconder, is debatable, and requires a simple majority to pass.

6. Minutes

The Board shall maintain and preserve by means of minutes a record of its proceedings and resolutions.

6.1 The minutes shall record:

- 6.1.1 Date, time and place of meeting;
- 6.1.2 Type of meeting (inaugural, regular or special);
- 6.1.3 Name of presiding officer;
- 6.1.4 Names of those trustees and administration in attendance;
- 6.1.5 Approval of preceding minutes;
- 6.1.6 Only motions will be recorded in the minutes. Preamble, rationale, or discussions will not be recorded in the minutes, unless directed by the Board through resolution;
- 6.1.7 Points of order;
- 6.1.8 Appointments;
- 6.1.9 Recommended motions proposed by Committees; and,

6.1.10 Trustee declaration pursuant to Section 56, 57 or 58 of the School Act.

6.2 The minutes shall:

6.2.1 Be prepared as directed by the Superintendent;

6.2.2 Be considered an unofficial record of proceedings until such time as adopted by a resolution of the Board; and

6.2.3 Upon adoption by the Board, be deemed to be the official and sole record of the Board's business.

6.3 The Superintendent shall ensure that, upon acceptance by the Board, appropriate initials are appended to each page of the minutes, and that appropriate signatures and the corporate seal of the District are affixed to the concluding page of the minutes.

6.4 The Superintendent shall establish a codification system for resolutions which will:

6.4.1 Provide for ready identification as to the meeting at which it was considered;

6.4.2 Provide for cross-referencing with resolutions of similar nature adopted by the Board at previous meetings; and

6.4.3 Establish and maintain a file of all Board minutes.

6.5 All Committees of the Board, unless otherwise directed, shall prepare and submit minutes or a report including any recommendations to the Board.

6.6 As part of its ongoing effort to keep staff and the public fully informed concerning its affairs and actions, the Board directs the Superintendent to institute and maintain effective and appropriate procedures for the prompt dissemination of information about decisions made at all Board meetings.

6.7 The approved minutes of a regular or special meeting shall be posted to the website as soon as possible following approval. The Superintendent or designate is responsible to distribute and post the approved minutes.

6.8 Upon adoption by the Board, the minutes of meetings other than Closed meetings shall be open to public scrutiny.

7. Motions & Debate

7.1 No decision shall be made by the Board unless upon a motion of a trustee, seconded by another trustee and approved by majority vote.

7.2 A motion is to be worded in a concise, unambiguous and complete form and, if lengthy or complex, shall be submitted in writing.

7.3 The presiding officer may divide a motion containing more than one subject, and it shall be voted on in the form in which it is divided.

7.4 An amendment is a motion to modify the wording of a pending motion. An amendment must be closely related to or have a bearing on the subject of the pending motion. A motion may be amended more than once; however, there can be only one amendment on the floor at a time. An amendment to an amendment must be germane to the first amendment and cannot be amended.

7.5 A motion to reconsider a decision can be made the day on which the original motion was voted upon by a trustee who voted on the prevailing side. This motion may be seconded by any trustee. If the original motion was debatable, the motion to reconsider is debatable

and the debate can be on the merits of the original question. No question can be reconsidered twice.

- 7.6 Motions to rescind or to amend something adopted at a previous meeting will be considered only if notice has been given at the previous meeting or in the call for the present meeting, and if no action has been taken which it is too late to undo.
- 7.7 Motions to rescind or to amend something previously adopted require the same majority, simple or two-thirds, that the original motion required.
- 7.8 A motion defeated at a previous meeting can be moved again at a subsequent meeting only if notice is given in the call of the meeting.
- 7.9 Where the number of votes on a motion is equal, the motion is defeated and the Chair shall so indicate.
- 7.10 The Chairperson or other presiding officer shall determine all points of procedure except that any ruling may be challenged by any trustee and decided by a majority vote of the trustees present. Where a ruling of the chair is challenged, a motion to sustain the chair shall be made and a vote shall be taken forthwith without debate.
- 7.11 In regard to decorum, trustees must keep their comments germane to the issues at hand. Trustees must remain civil and courteous, avoid offensive language or personal attacks, and abide by the Presiding Officer's instructions.
- 7.12 Remarks or questions to other trustees, staff members or a public delegation shall be directed through the Chair.
- 7.13 The Chair may enter debate or propose or second a motion and may vote as any other trustee.
- 7.14 The Chair may temporarily vacate the chair for any reason in which case the Vice-Chair, if present, or another trustee appointed by the Chair shall preside.
- 7.15 If the Chair is absent or unable to act, the Vice-Chair shall preside at meetings of the Board. If the Vice-Chair is absent or unable to act the trustees present shall elect one of their number to preside.
- 7.16 Each trustee has the right to speak twice on the same question but cannot make a second speech so long as any trustee who has not spoken on that question desires to speak. No trustee shall speak for more than five minutes at one time. The mover of a motion shall have the right to close debate.
- 7.17 Debate shall be strictly relevant to the question before the meeting. The presiding officer shall warn speakers who violate this rule or who persist in tedious or repetitious debate.
- 7.18 A matter of privilege may be raised at any time and shall be dealt with forthwith before resumption of business.
- 7.19 No trustee shall interrupt another trustee who has the floor except to raise a point of order, a point of privilege, or to disclose a conflict of interest.

8. Voting

- 8.1 All trustees present at a meeting and entitled to vote will vote on each resolution or bylaw. A trustee not voting on any question will be deemed to have voted in the negative unless the trustee has a conflict of interest, in which case the trustee must not vote and his or her abstention will not be counted.
- 8.2 Voting shall be by show of hands. The Secretary-Treasurer shall record in the minutes the mover and seconder of a motion and, upon the request of a trustee, shall record the names of the trustees voting against the motion.
- 8.3 All questions shall be decided by a majority of the votes of the trustees present unless otherwise provided by in this bylaw or the *School Act*.

9. Public Participation

The Board welcomes and provides for a variety of forms of public participation by members of the community. Public participation may be through presentations by a delegation, through formal question/comment periods in regular Board meetings or in the form of written communications. Such opportunities shall not be used to address matters which must be dealt with in Closed meetings as noted elsewhere in this policy. For example, individual student matters must not be dealt with in a public setting. In addition, structures have been defined in legislation and collective agreements to deal with labour management issues. The public participation opportunities noted below are not to be used to deal with such matters. The Board respects and honors employee groups' contracts and official representatives and will therefore deal with labour management issues through defined legislated and collective agreement processes.

Delegations

- 9.1 Parties wishing to appear as a delegation must notify the Secretary-Treasurer before Tuesday noon of the week prior to the Board Meeting for their presentation to be considered for inclusion in the agenda.
- 9.2 All delegations appearing before the Board shall present a written brief for inclusion in the agenda.
- 9.3 The Chair shall rule on the propriety of all presentations and questions and may decline to have a matter heard from a delegation or terminate any presentation or question or refer it to an "in camera" meeting of the Board if that is deemed to be appropriate by the Chair.
- 9.4 The Board will recognize an official spokesperson from each delegation.
- 9.5 Trustees may ask questions for clarification but no recommendations or motions concerning the presentation will normally be made at the same meeting.
- 9.6 Presentations by delegations must be limited to ten minutes unless this time limit is waived by the Board.
- 9.7 The Chair of the Board may determine the number of delegations that will be heard at any one Board meeting and shall inform all trustees regarding delegation requests that have been made, considered, and either included on the Board agenda or denied.
- 9.8 The Chair may deny a request to appear as a delegation to the Board for any of the following reasons:
 - 9.8.1 If a request to appear as a delegation is relevant to a particular committee, that

request is referred to the committee. For example, if an individual wants to address a new education program idea, he or she is referred to the Board Education and Business committee.

- 9.8.2 If the individual or group has already presented to the Board on the same topic, the request is denied.
- 9.8.3 If it is a full agenda, the number of delegations may be limited and the person denied is advised that they will be considered for the next meeting.
- 9.8.4 A request to appear as a delegation may be denied if the topic is unclear. The person requesting to appear is asked for more information. Once more information is received, the request is considered again.

Comment and Question Periods

- 9.9 During the Question Period section of the Agenda, individuals may ask a question and supplemental questions of the Chair on School Board matters. The total time for each question, including supplemental questions and the response is five minutes.

Correspondence

- 9.10 Correspondence is at times sent to the Board and at other times to individual trustees. Even when correspondence is addressed to an individual trustee the contents may be more appropriately addressed by the corporate Board. Where correspondence is addressed to the Board or its contents are more appropriately addressed by the corporate Board the following processes shall be adhered to. The intended outcomes of these processes are: to ensure Board correspondence is acknowledged in a timely fashion, the corporate Board is aware of the public input provided and where required, a corporate response is provided in a timely manner.
- 9.11 Where non-routine correspondence is received that appears to require a formal Board response, that correspondence shall be placed on the agenda of the next regular Board meeting.
- 9.12 Where non-routine correspondence is received that does not appear to require a formal Board response, that correspondence, together with any response issued by the Superintendent, shall be circulated to the trustees.
- 9.13 Where an individual trustee receives correspondence that in the trustee's judgement is more appropriately a corporate Board matter, the correspondence will be directed to the Chair who will acknowledge the correspondence, and act in accordance with 9.11 or 9.12 above.

10. Audio/Video Recording Devices

The Board requires that anyone wanting to use recording devices at a public Board meeting shall obtain prior approval of the Board Chair. This shall be communicated by the Board Chair at the beginning of the Regular Meeting.

11. Trustee Remuneration and Expenses

11.1 Annual Remuneration

- 11.1.1 Under Section 71 of the School Act, a Board may authorize the payment of remuneration to be paid to trustees by annual resolution of the Board of Education. The Income Tax Act allows part of this remuneration to be declared as a tax-free expense allowance.
- 11.1.2 Trustee remuneration shall be reviewed annually.

11.2 Expenses

- 11.2.1 Trustees are expected to exercise discretion in incurring expenses within the limit of the annual budget appropriation.

Conference and Travel Expenses

- 11.2.2 Effective execution of Board responsibilities requires that trustees represent the Board at various meetings and conferences, and that they remain informed through attendance at periodic seminars, conventions and workshops related to their responsibilities. The Board encourages such attendance, and shall include funds in the annual budget to cover expenses.
- 11.2.3 The Board of Education of School District No. 79 (Cowichan Valley) supports trustees attending conferences, conventions, seminars and courses of an education nature, within the budget limitations established by the Board.
- 11.2.4 The Board does not expect that such attendance to be at the personal expense of the trustee. Trustees will submit expense claims in accordance with per diem rates. In exceptional circumstances, charges beyond the per diem rates shall be submitted for board approval or rejection.
- 11.2.5 Trustees will inform the Board, in advance, of their intention to attend a conference/seminar or travel on Board business and shall obtain prior approval of the Board for such attendance. Trustees shall not book registrations, travel and accommodations without consultation with the Superintendent's office.
- 11.2.6 For travel by private automobile, trustees may claim the District rate in effect at the time. The maximum amount claimable is limited to the cost of economy airfare between points travelled, when air transportation is available and practical.
- 11.2.7 Cost of airfare is limited to the cost of economy airfare.
- 11.2.8 There shall be no reimbursement for alcoholic beverages.

11.3 Payment of Expenses

- 11.3.1 Expenses must be submitted on a timely basis to the Secretary-Treasurer at least once a month.
- 11.3.2 The Secretary-Treasurer shall review trustee expenses. Any concerns shall be referred to the trustee designated to authorize payment. The Chair will authorize expense claims for all trustees except the Vice-Chair. The Vice-Chair will authorize expense claims of the Chair and the Chair of the Audit Committee will authorize expense claims for the Vice-Chair.

11.4 Accommodation

Hotel accommodation at provincial government rate or negotiated convention rate, less personal charges (receipts required). If staying with friend(s) or relative(s), \$25.00 per night may be claimed without a receipt. When a trustee or an employee can receive a preferred flight rate due to Saturday layover, the District will cover the cost of accommodation for one additional night upon approval.

11.5 Meals and Incidental Expenses

The per diem expense ceiling for meals and incidentals shall be \$57.00 per day, allowing \$10.00 per breakfast, \$15.00 for lunch, \$25.00 for dinner and \$7.00 for incidentals. A claim for incidental expenses will be paid for each night that a trustee claims overnight accommodation. Incidentals include the cost for personal calls home, tips to porters and valets, local telephone calls, etc. Where a meal is provided, deduct value of each meal limit from the total per diem meal allowance.

11.5.1 Meals may be claimed as follows:

11.5.1.1 On day of departure:

11.5.1.1.1 To claim breakfast - depart from home/work before 7:00 a.m.

11.5.1.1.2 To claim lunch - depart from home/work before 12:00 noon

11.5.1.1.3 To claim dinner - depart from home/work before 6:00 p.m.

11.5.1.2 On day of return:

11.5.1.2.1 To claim breakfast - arrive at home/work after 7:00 a.m.

11.5.1.2.2 To claim lunch - arrive at home/work after 12:00 noon

11.5.1.2.3 To claim dinner - arrive at home/work after 7:00 p.m.

11.6 Vehicle Expenses

Kilometrage shall be at the rate of 55 cents per kilometer traveled when using personal automobile and the rate shall be adjusted annually to match the BCSTA mileage allowance. When private vehicles are used, compensation will be based on map distance and the currently approved rate and cannot exceed an amount equal to the economy airfare for the trip. When private vehicles are used in lieu of air transportation, meals and accommodation en route will be paid for one 24-hour period.

11.7 Hospitality Expenses

It may be necessary or beneficial to the School District if a trustee(s) were to host a meal or non-alcoholic refreshments for one or more persons.

In this case the meal allowance does not apply, and the Board will cover the cost of reasonable expenses incurred and a gratuity of not more than 20%. Claims for expenses incurred for hosting purposes shall be supported by receipts and clearly state the purpose of the expense, and the names of those hosted.

11.8 Other Expenses

Other expenses, such as taxi, parking, ferries, etc. will be reimbursed on submission of receipts.

11.9 Advances

Upon application an advance against the anticipated travel expenses shall be issued, but in no circumstances shall the advance exceed 75% of the budgeted cost of the trip.

11.10 Claims

A detailed claim for expenses shall be filed within ten (10) days of the return from the program/event.

12. Bylaws

12.1 Unless expressly required to be exercised by bylaw, all powers of the Board may be exercised by bylaw or by resolution

12.2 The following matters shall be dealt with only by bylaw:

12.2.1 Adoption of the budget

12.2.2 The acquisition or disposal of property

12.2.3 Amendments to bylaws

12.2.4 Where the Minister approves a capital plan or a capital plan with modifications, the Board shall prepare a capital bylaw as required by the *School Act*

12.2.5 Where required by the *School Act*

12.3 Every bylaw shall be dealt with in the following stages

12.3.1 First reading: no debate or amendment

12.3.2 Second reading: discussion of the principle of the bylaw

12.3.3 Third reading: consideration of amendments and final decision

12.4 At each of the three readings of a bylaw the bylaw must be read in full, however, a reading of a bylaw may, if a written or printed copy of the bylaw is in the possession of each trustee and is available to each member of the public in attendance at the meeting at which the bylaw is to be read, consist of a description of the bylaw by its title and a summary of its contents

12.5 The Board shall not give a bylaw more than two readings at any one meeting unless the trustees who are present at the meeting unanimously agree to give the bylaw all three readings at that meeting.

12.6 The Secretary-Treasurer shall certify the accuracy of each bylaw and show the date of each of its readings and adoption.

12.7 Permission to withdraw a proposed bylaw may be given at any stage by majority vote of the Board. A motion to grant permission to withdraw a proposed bylaw requires a seconder.

12.8 A bylaw, once passed, may only be amended by the passage of an amending bylaw, and this passage must employ the procedures given above in this section.

1. Conflict of Interest

13.1 "Pecuniary interest" means, with respect to a trustee, an interest in a matter that could monetarily affect the trustee and includes an indirect pecuniary interest referred to in section 56 of the *School Act*.

- 13.2 If a trustee has any pecuniary interest in any matter and is present at a meeting of the Board at which the matter is considered, the trustee:
- 13.2.1 Shall at the meeting disclose his or her pecuniary interest and the general nature of the pecuniary interest;
 - 13.2.2 Shall not take part in the discussion of or vote on any question in respect of the matter; and
 - 13.2.3 Shall not attempt in any way, whether before, during or after the meeting, to influence the voting on any question in respect of the matter. [SA s. 58(1)]
- 13.3 If the meeting is not open to the public, in addition to complying with these requirements (see 12.02) the trustee shall immediately leave the meeting or the part of the meeting during which the matter is under consideration. [SA s. 58(2)]
- 13.4 If the pecuniary interest of a trustee is not disclosed as required above by reason of the trustee's absence from the meeting, the trustee shall disclose the pecuniary interest and otherwise comply with the requirements at the first meeting of the Board attended by the trustee after the meeting referred to above. [SA s. 58(3)]
- 13.5 The requirements of paragraphs 12.01 - 12.03 do not apply to any pecuniary interest referred to by the *School Act* as exempt from the disclosure requirements of the *School Act*. [SA s. 59]
- 13.6 The pecuniary interest of spouse or of a parent or child of the trustee shall, if known to the trustee, be deemed to be also a pecuniary interest of the trustee. [SA s. 57]
- 13.7 If a meeting is open to the public, every disclosure of pecuniary interest and the general nature of it shall be recorded in the minutes of the meeting. If the meeting is not open to the public, the fact that a disclosure of pecuniary interest was made, but not the general nature of that interest, shall be reported to, and recorded in the minutes of, the next meeting that is open to the public.

Legal Reference: Sections 50, 56, 57, 58, 59, 66, 67, 68, 69, 70, 71, 71(1), 72 School Act
 Financial Disclosure Act
 Income Tax Act