

Comox Valley Schools

School District No. 71

INAUGURAL BOARD MEETING AGENDA

Tuesday, November 13, 2018 School Board Office 6:30 pm

A copy of the Agenda is available on the School District website at: http://www.comoxvalleyschools.ca.

Alternatively, copies are available on request from the Office of the Secretary-Treasurer.

- 1. Call to Order Secretary-Treasurer
- 2. Traditional Welcome and Blessing

Fran Prince, K'omoks First Nation

- 3. Declaration of 2018 Trustee Election Results (attachment)
- 4. Trustee Oaths of Office (attachment)
- 5. Adoption of Agenda

Recommendation:

THAT the Board of Education of School District No.71 adopt the November 13, 2018 Inaugural Board Meeting agenda as presented.

6. Appointment of Scrutineers

Appointees:

Candice Hilton, Director of Finance Geoff Manning, Director of Instruction

7. Election of Board Chairperson

Chairperson assumes the Chair for the remainder of the meeting

8. Election of Board Vice-Chairperson

9. Election of Board Representatives

- A. British Columbia School Trustees Association Provincial Council (attachment)
- B. British Columbia Public School Employers Association

10. Signing Authority

Recommendation:

THAT the statutory bank authority forms be duly executed, naming the Chairperson or alternately the Vice-Chairperson, jointly with the Secretary-Treasurer or alternately the Director of Finance, as signing officers for the Board of Education of School District No. 71 (Comox Valley);

AND THAT the Secretary-Treasurer be authorized to transact all other official financial and legal business for and on behalf of the Board.

11. Information Items (attachments)

- A. Board Procedural Bylaw
- B. Board Policy 1-2 Role of the Board
- C. Board Policy 1-3 Trustee Rights and Responsibilities
- D. Board Policy 1-6 Trustee Conflict of Interest
- E. Board Policy 1-7 Trustee Code of Conduct
- F. 2018-19 Board Meeting Schedule

12. Destruction of Ballots

Recommendation:

THAT the ballots of the November 13, 2018 Inaugural Board Meeting be destroyed.

13. Adjournment

Recommendation:

THAT the November 13, 2018 Inaugural Board Meeting be adjourned.

DECLARATION OF OFFICIAL ELECTION RESULTS

OFFICE OF SCHOOL TRUSTEE

I, SHELLY RUSSWURM, Chief Election Officer, do hereby declare elected for the Office of School Trustee, the following candidate who received the highest number of valid votes:

TONIA FRAWLEY

Dated at COMOX, BC this 23rd day of October, 2018.

Shelly Russwurm, Chief Election Officer



2673 Dunsmuir Avenue P.O. Box 340 Cumberland, BC VOR 1S0 Telephone: 250-336-2291 Fax: 250-336-2321

> Form No. 6-4 LGA s.146(2)(b)

cumberland.ca

Declaration of Official Election Results 2018 General Local Election

The following candidates for the offices shown below, who received the highest number of valid votes, are hereby declared elected.

Office of Mayor:

Baird, Leslie

Office of Councillor (four to be elected):

Brown, Vickey Ketler, Jesse Anne Sproule, Gwyn Sullivan, Sean

School Trustee for School District 71, Electoral Area 3, Cumberland

Sarah Jane Howe - elected by acclamation

Dated at Cumberland, BC this 24th day of October, 2018.

Rachel Parker

Chief Election Officer



THE CORPORATION OF THE CITY OF COURTENAY

2018 LOCAL GENERAL ELECTION

DECLARATION OF CANDIDATES

ELECTED BY ACCLAMATION

Pursuant to section 98(3) of the Local Government Act, I hereby declare the following candidates elected by acclamation.

OFFICE OF SCHOOL TRUSTEE - TWO (2) TO BE ELECTED

Surname

First or Usual Name

Residential Address

Caton

Janice

City of Courtenay

Hawksby Kathleen (Kat)

City of Courtenay

Dated at Courtenay, B.C. this 24th day of September, 2018 at 4:00 p.m.

John Ward

Chief Election Officer

COMOX VALLEY REGIONAL DISTRICT

DECLARATION OF ELECTION BY ACCLAMATION

I, James Warren, Chief Election Officer for the Comox Valley Regional District do hereby declare, pursuant to section 98 of the *Local Government Act*, the following candidate(s) elected by acclamation:

Office of School Trustee for Electoral Area A

Name	Address	Comox Valley
		Trustee Area
McDonnell, Sheila	5325 Porpoise Crescent, Hornby Island, BC	SD71 Area A

Office of Local Trustee for Denman Island

Name	Address	Islands Trust
		Trustee Area
Busheikin, Laura	5351 Denman Road, Denman Island, BC	Denman Island
Critchley, David	2850 Swan Road, Denman Island, BC	Denman Island

Given under my hand at Courtenay, British Columbia, this 24th day of September 2018.

J. Warren		
lames Warren		
Chief Election Office	۲r	

COMOX VALLEY REGIONAL DISTRICT

DECLARATION OF ELECTION BY VOTING

I, James Warren, Chief Election Officer for the Comox Valley Regional District, do hereby declare, pursuant to section 98 of the *Local Government Act*, that an election by voting is to be held for the following offices:

Office of Director of Electoral Area A - one to be elected.

The candidates for the office of Director of Electoral Area A are:

Name	Address	Electoral Area
Arbour, Daniel	5530 Seawright Road, Hornby Island, BC	Α
Elliottt, Jim	5089 Beaufort Frontage Road, Union Bay, BC	Α

Office of Director of Electoral Area B – one to be elected.

The candidates for the office of Director of Electoral Area B are:

Name	Address	Electoral Area
Hamir, Arzeena	2641 Kirby Road, Courtenay, BC	В
Nichol, Rod	1798 Fern Road, Courtenay, BC	В

Office of Director of Electoral Area C – one to be elected.

The candidates for the office of Director of Electoral Area C are:

Name	Address	Electoral Area
Grieve, Edwin	6701 Rennie Road, Courtenay, BC	С
Oddleifson, Jay	4871 Greaves Crescent, Courtenay, BC	С

Office of School Trustee Electoral Area B - one to be elected.

The candidates for the office of School Trustee are:

Name	Address	Comox Valley
		Trustee Area
Derry, James	65 Salsbury Road, Courtenay, BC	SD71 Area B
Waite, Michelle	2522 Dunsmuir Avenue, Cumberland, BC	SD71 Area B

COMOX VALLEY REGIONAL DISTRICT

DECLARATION OF ELECTION BY VOTING

Office of School Trustee Electoral Area C – one to be elected.

The candidates for the office of School Trustee are:

Name	Address	Comox Valley Trustee Area
Hargreaves, lan	1490 10 th Street East, Courtenay, BC	SD71 Area C
Purden, Terrence	1925 Miracle Beach Drive, Black Creek, BC	SD71 Area C

Office of Islands Trust Local Trust Area Trustee for Hornby Island – two to be elected.

The candidates for the office of Local Trustee are:

Name	Address	Islands Trust
		Trustee Area
Allen, Alex	3315 Gunpowder Trail, Hornby Island, BC	Hornby Island
Buvyer, George	4740 Porpoise Crescent, Hornby Island, BC	Hornby Island
Emerson, Ron	950 Mount Road, Hornby Island, BC	Hornby Island
Law, Tony	2435 St. Johns Point Road, Hornby Island, BC	Hornby Island
Kimmerly, Peter	4605 Roburn Road, Hornby Island, BC	Hornby Island

Given under my hand at Courtenay, British Columbia, this 24th day of September 2018.

<i>3. ••• 6.</i> 10. 10. 10. 10. 10. 10. 10. 10. 10. 10.		
James Warren		
Chief Election Officer		

I. Warren



Issue 06: October 18, 2018

School Trustee Oath of Office

Below please find some frequently asked questions about the school trustee oath of office.

Q: Where do I find the oath of office?

The oath of office can be found in the <u>School Trustee Oath of Office Regulation</u> (see page D-81 of the Ministry of Education's <u>Manual of School Law</u>). Please note that the trustee oath of office differs from the oaths of office used by local governments.

Q. When must a trustee elected in the 2018 general election take the oath of office?

If a trustee is elected by voting, the official election results are declared on October 24 and there are no pending applications for judicial recount, the trustee must take the oath of office between October 30 and December 8, 2018.

If a trustee is **elected by acclamation**, they must take the oath sometime between the date they are declared elected and **December 10**, 2018.

If a trustee fails to take the oath by the above-noted deadlines, then their seat will be deemed to be vacant and the individual will be disqualified from holding office as a trustee until the next general school election.

See section 50 of the School Act for more information about the timing of the oath.

Q: What if a trustee-elect cannot attend the inaugural board meeting?

It is not necessary to take the oath at the inaugural meeting. Accordingly, the trustee-elect could take the oath at another time. The trustee-elect cannot take office until the written certificate is delivered to the secretary treasurer.



Q: Can we ask our Board lawyer or a notary public to attend and administer the oath of office to the trustees?

No. Section 50 of the School Act states that the oath must be made before:

- the secretary treasurer of a board;
- a local government corporate officer;
- a justice of the peace; or,
- a judge of the Court of Appeal, Supreme Court or Provincial Court.

Lawyers and notaries are **not** authorized to administer the oath of office under the *School Act*. This is different from the oaths for local government elected officials which may be administered by a commissioner for taking affidavits for British Columbia (lawyers and notaries public may be commissioners for taking affidavits in BC).

Disclaimer: This Bulletin provides general information and should not be relied upon as legal advice.



Comox Valley Schools

Board of Education of School District No. 71 (Comox Valley)

CERTIFICATE OF SCHOOL TRUSTEE OATH OF OFFICE

I, XXXXXXXXXXX, do solemnly affirm that:

- I am qualified to hold office as a trustee for the Board of Education of School District No. 71 (Comox Valley) and meet the trustee qualification requirements set out in the School Act;
- I have not, by myself or any other person, knowingly contravened the *School Act* respecting vote buying, intimidation or other election offences in relation to my election as a trustee;
- I will abide by the School Act and I will faithfully perform the duties of my office, and will not allow any private interest to influence my conduct in public matters;
- I will comply with the requirements of the School Act that relate to conflict of interest and, in particular,
 I will comply with the requirements relating to disclosure of pecuniary and indirect pecuniary interest in a matter.

Affirmed before me at Courtenay, BC, this 13 th day of November, 2018.	}	
Nicole Bittante, Secretary-Treasurer	}	XXXXXX, Trustee
OATH	l OF C	ONFIDENTIALITY
		fidential information to which I am privy, as contained mox Valley) Procedural Bylaws, unless explicitly
Affirmed before me at Courtenay, BC, this 13 th day of November, 2018.	<pre>} } } } }</pre>	
Nicole Bittante, Secretary-Treasurer	}	XXXXXX. Trustee



PROVINCIAL COUNCIL GUIDE

I. PROVINCIAL COUNCIL: AN OVERVIEW

History

BCSTA's Provincial Council was established in 1987. It was formed to ensure that the interests of all Boards are represented in the governance of BCSTA and to facilitate an ongoing dialogue around issues facing the Association and its member Boards across the province.

The usual format for fall and winter Provincial Council meetings starts with Standing Committee meetings on Thursday and Friday, a guest speaker on Friday evening, then oral Standing Committee reports and Provincial Council business on Saturday followed by our afternoon Issues Forum.

Membership

The Provincial Council consists of the Board of Directors plus one representative elected by each member Board of the Association.

Election to the Council

Annually, between December 1 and the following January 15, each member Board elects one trustee as its Provincial Councillor and one trustee as its alternate. Councillors take office immediately following the election, and hold office until successors are elected.

If at any time a Provincial Councillor either ceases to be a trustee or resigns from the Council, the Board must elect a new representative.

Powers and Duties

- a) Provincial Council must approve:
 - The annual budget of the Association, which reflects:
 - the total fees to be collected from member Boards, and the criteria for the determination of individual fees (note: these criteria are to establish the individual fees for each member Board);
 - the payment of honoraria to the president, vice-president, directors, and the immediate past president;
 - the criteria for payment of out-of-pocket expenses of BCSTA officers, committee members, Provincial Council members, and staff when incurred on Association business.
- b) The Provincial Council has the power to:
 - establish interim policies of the Association between general meetings;
 - provide financial and other assistance to nonprofit organizations with goals and objectives similar to those of the Association.
- c) The Provincial Council may
 - · meet, adjourn, and otherwise regulate its meetings as it sees fit;
 - authorize the Board of Directors to acquire or lease real or personal property;



PROVINCIAL COUNCIL GUIDE

 direct the Board of Directors regarding the investment of funds in the forms permitted by Article 14a of the BCSTA Bylaws and establish limits on the Board of Directors' borrowing powers in accordance with Article 14b of the Bylaws.

Article 14a)	The Board of Directors shall have the power to invest funds of the Association in accordance with the policies of the Provincial Council, as such funds from time to time accumulate, in investments authorized under the Trustee Act.
Article 14b)	The Board of Directors shall have the power to borrow from time to time and on the credit of the Association, amounts which at no time shall exceed in the aggregate a sum which can be fully secured by investments made in pursuance of bylaw 14.a) plus one-fifth (1/5) of the annual budget.

- advise the Board of Directors with respect to its conduct of the business of any other organization of which it acts as Board of Directors.
- d) Should the office of Director on the Board of Directors fall vacant during the course of the year, the Provincial Council elects one of its members to fill this vacancy.

Meetings

The Provincial Council must meet three times a year: once in conjunction with the Annual General Meeting and twice between Annual General Meetings.

See the current Council schedule below.

DATES	LOCATION
February 16 –17, 2018 (PC)	SFU Wosk Centre for Dialogue, Vancouver
April 26-29, 2018 (AGM)	Sheraton Hotel Vancouver Airport, Richmond
October 26-27, 2018 (PC)	Cancelled
November 29-Dec.1, 2018 (Trustee Academy)	Hyatt Regency Vancouver, Burrard St, Vancouver,

Additional Council meetings will be held if:

- a) called for by one-third (1/3) of Provincial Councillors; or
- b) called for by the Board of Directors.

Quorum for Provincial Council is two-thirds (2/3) of Councillors.



PROVINCIAL COUNCIL GUIDE

II. PREPARING FOR PROVINCIAL COUNCIL

Motions

Motions to Provincial Council may be submitted by member Boards, branches, the Board of Directors, and the Education and Aboriginal Education Committees. Motions are normally due five weeks prior to a meeting.

Motions <u>must</u> be emergent and should clearly indicate an action requested of BCSTA, (rather than an action for some other body or organization). Wording should be as succinct as possible. BCSTA provides a template for drafting motions. Staff will also assist in preparing appropriate wording.

Legislative Committee

The Legislative Committee's role is to "examine, correlate, amend, reject, and report on motions." For Provincial Council meetings, the Legislative Committee determines whether the motions submitted to the Committee are emergent. Emergent shall be defined as "business that, if delayed until the Annual General Meeting, will impact negatively on Boards' ability to influence public policy, or a public education issue."

The Provincial Council, rather than the Legislative Committee, will determine whether motions submitted by member Boards, Branches, the Education Committee or the Aboriginal Committee after the motion submission deadline are emergent.

As per the Association's bylaws, the Board of Directors may put forward motions to Provincial Council without receiving prior approval of the Legislative committee or Provincial Council.

Meeting Materials

Prior to Council, Councillors will receive an agenda package containing support materials. This package may include:

- Agenda
- 2. Minutes of the previous Council
- 3. Committee Reports
 - Minutes of the meetings of the Board of Directors and Standing Committees
- 4. Miscellaneous
 - Tracking of past resolutions
 - Reports
- 5. Motions to Provincial Council

The Role of Provincial Councillors

Each Councillor serves as a representative of their Board. It is, therefore, essential that Councillors familiarize themselves with agenda items requiring discussion or action by the Council, and that they know their Board's positions regarding these issues.

School District No. 71 (Comox Valley) Board Procedural Bylaw

WHEREAS the *School Act* requires that the Board of Education establish procedures governing conduct of its meetings;

THEREFORE this Bylaw provides rules and regulations for governing the procedure at meetings of the Board of Education, School District No. 71 (Comox Valley) and matters relating thereto.

1. **Definitions**

For purposes of this Bylaw the words used shall have their ordinary meaning save and except the words following, which shall have the meaning herein set out, namely:

"Act"	-	shall mean the School Act and amendments thereto;
"Board"	-	shall mean the Board of Education, School District No. 71 (Comox Valley);
"Chairperson" or "Chair"	-	shall mean the Chairperson of the Board, or the Chairperson of any committee of the Board;
"Closed" or "In-Camera"	-	shall mean any meeting from which the public and the media are excluded as the matter(s) to be considered are of a confidential nature.
"Committee of the Whole Board"	-	shall mean any closed or in-camera meeting from which the public and the media are excluded as the matter(s) to be considered are of a confidential nature.
"Meeting"	-	shall mean any regular meeting of the Board;
"Regulation"	-	shall mean the School Regulation;
"Secretary-Treasurer"	-	shall mean the Secretary-Treasurer of the Board;
"Special Meeting"	-	shall mean any meeting of the Board which is not a regular meeting of the Board;
"Superintendent"	-	shall mean the Superintendent of Schools for School District No. 71 (Comox Valley)
"Senior Leadership"	-	shall mean the Superintendent of Schools (CEO), Assistant Superintendent, Secretary Treasurer, Director of Operations, Director of Finance, Director of Information Technology, Director of Human Resources, Director of Instruction (Student Services), Director of Instruction (Health and Safety), Director of Instruction (K-12).

Wherever the singular or masculine is used in this Bylaw, it shall be considered as if the plural or feminine has been used where the context so requires.

Meetings—Generally

<u>Board Quorum</u>—a Quorum of the Board shall be a majority of the trustees holding office at the time of the meeting.

<u>Rules of Order</u>—Where these Rules are silent and where not consistent with these Rules, the most recent edition of *Robert's Rules of Order* shall apply to the conduct of meetings, provided, further, that where both these Rules and *Robert's Rules of Order* are silent, the *School Act* shall apply over the Rule in question.

The board may adopt a procedural Rule for one or more meetings by resolution of a majority of two-thirds of the trustees present at the meeting. A Rule other than the requirement for notice of meetings may be suspended by unanimous consent of the trustees present.

Under the order of "Question Period", questions may be put to the Chair or, through the Chair, to any other board member or executive officer of the board, relating to any matter connected with the business of the board.

Meetings of the board shall be either regular meetings or special meetings. The Chairperson shall preside, when present, at all meetings of the board and generally shall fulfill the duties usually performed by a Chairperson. If the Chairperson is absent from the meeting, the Vice-Chair shall preside.

If both the Chairperson and the Vice-Chair are absent from the meeting, the members present at the meeting shall elect one of their number to act as Chairperson of the meeting.

<u>Regular Meetings</u> of the board shall be held on the fourth Tuesday of the month, provided that the board may, with two-thirds majority vote of members present at any meeting of the board, dispense with the holding of any regular meeting of the board or arrange for the holding of such regular meeting at some other time.

The Education Committee shall meet on the second Tuesday of the month, provided that the board may, with two-thirds majority vote of members present at any meeting of the board, dispense with the holding of any Education Committee or arrange for the holding of such Education Committee at some other time.

<u>Special Meetings</u> of the board may be called by the Chairperson or, in the absence of the Chairperson, the Vice-Chair, or by the Secretary-Treasurer on request of a majority of the board. Only the business for which the meeting was called shall be conducted at the meeting. The secretary-treasurer will be responsible for advising all members of the board and the public of date, time and location of special meetings.

The board expects the superintendent of schools, assistant superintendent and secretary-treasurer to attend all regular and special meetings.

2. Inaugural Meeting

After the general local election of trustees in the school district, the secretary treasurer must convene a first meeting of the board as soon as possible and in any event within 30 days from the date that the new board begins its term of office. The first order of business shall be to elect a Chairperson and Vice-Chairperson of the board. During an election year the board will delay board elections until the completion of appeal timelines by using an extraordinary meeting for selection.

The inaugural meeting shall be convened by the secretary-treasurer, who shall be interim Chairperson until such time as the board Chairperson has been elected.

The secretary-treasurer shall call for nominations for board Chairperson and conduct a vote by ballot in which that person receiving a clear majority shall be elected board Chairperson. If no person receives a clear majority, further ballots shall be taken until the same is achieved.

The newly-elected board Chairperson shall assume the chair and call for nominations for the election of a board Vice-Chair in the same manner as for the election of the Chairperson.

3. Regular Board Meetings and Education Committee Meetings

All regular In-Camera Board Meetings shall commence at the hour of 6:00 pm, with the public portion of the meeting to commence at 7:00 pm. All Education Committee Meetings shall commence at 6:30 pm and both shall adjourn not later than the hour of 9:00 pm. Meetings may continue to a specified or unspecified time, provided that the members present at the meeting unanimously resolve continuation.

All regular meetings and Education Committee meetings shall be open to attendance by the media and by the general public.

At least forty-eight (48) hours prior to the time of commencement of the regular meeting, the secretary-treasurer shall provide all members of the board with the agenda. The agenda will include the following items:

- minutes of the previous meeting;
- minutes of any special meetings held since the previous regular meeting;
- copies of Senior Leadership Reports;
- copies of Board Committee Reports;
- notice of which Board appointees to other bodies will be reporting;
- notice of items of new business to be considered;
- copies of correspondence to be considered.

The Order of Business—for any regular meeting of the Board shall be as follows, namely:

- Attendance
- Call to Order
- Adoption of Agenda
- Board Meeting Minutes
- Report of In-Camera Meeting

- Presentation/Delegation
- Education Committee Meeting Report
- Strategic Direction (Senior Leadership Reports)
- Board Committee Reports
- Board Business / Board Appointees to Other Bodies / Correspondence
- Public Question Period
- Adjournment

provided that the board may, by resolution at any regular meeting, suspend the regular order of business or alter or vary the regular order of business.

<u>New business</u> shall not be considered at any regular meeting unless it arises directly out of correspondence, reports, or other matters arising during the regular order of business, provided that the members present at any regular meeting of the board may, by unanimous resolution, waive the giving of notice. New business may only be introduced by a member as provided herein through a *Notice of Motion*.

<u>Referral to Committee</u> of any matter arising during the course of any regular meeting may be made upon resolution of the meeting.

<u>Committee of the Whole Board</u> (Closed / In-Camera) may be called at any regular meeting of the board upon resolution of the meeting, and the regular order of business shall thereupon be suspended until return to regular order of business has been resolved. It is expected that the superintendent of schools, assistant superintendent and secretary-treasurer shall attend meetings of the Committee of the Whole Board. The board may invite other persons to attend all or part of a meeting of the Committee of the Whole Board.

Except for a record containing a general statement of the nature of the matters discussed, no business transacted at any meeting of the Committee of the Whole Board shall be published, reported, or otherwise communicated to anyone not present at the meeting without the consent of the meeting to such publication, reporting, or communication being first obtained.

<u>Unfinished business</u> at the time of adjournment shall be dealt with by the board:

- at the next regularly scheduled meeting; or
- at a special meeting of the board called in the manner provided in this Bylaw.

4. Special General (Open) and Special Confidential (Closed / In-Camera) Meetings

Notice of, and the agenda for, special meetings shall be provided by the secretary-treasurer to all members of the board at least forty-eight (48) hours in advance of the meeting. Should the matter be of an emergent nature, this requirement may be waived by a vote of a majority of all of the members of the board, which will be considered as the first item of business at the special meeting.

All special meetings of the board shall be called in accordance with this Bylaw, shall be limited to the purposes set out herein, and shall follow the procedures for regular meetings insofar as those procedures may be applicable.

<u>Special general (open) meetings</u> are called to consider matters that the Chairperson of the Board (or in the absence of the Chairperson, the Vice-Chair), or a majority of the board, consider desirable to be dealt with prior to the next regularly scheduled meeting. Such meetings are open to the public, and all the media normally receiving a copy of the agenda for regular board meetings will be advised.

<u>Special confidential (closed / in-camera) meetings</u> are meetings from which the public and the media are excluded as the matter(s) to be considered are of a confidential nature. No board member shall disclose to the public the proceedings of a confidential meeting unless a resolution has been passed at the confidential meeting to permit disclosure.

Unless otherwise determined by the board, the following matters shall be considered in a closed / in-camera session:

- salary claims and adjustments, and the consideration of requests of employees and board officers with respect to collective bargaining procedures;
- accident claims and other matters where board liability may arise;
- legal opinions respecting the liability or interest of the board;
- the conduct, efficiency, discipline, suspension, or termination of employees;
- medical examiners or examinations and medical reports;
- matters pertaining to individual students including the conduct, discipline, suspension, or expulsion of students, truancy, and indigent students;
- personnel matters of a sensitive nature;
- purchase of real property including the designation of new sites, consideration of appraisal reports, consideration of accounts claimed by owners, determination of board offers and expropriation procedures;
- lease, sale, or exchange of real property prior to finalization thereof;
- matters pertaining to the safety, security, or protection of board property;
- such other matters where the board decides that the public interest so requires.

5. Rules of Order

A Bylaw may be proposed at either a regular meeting of the board or at a special meeting called for the purpose of considering the Bylaw.

Resolutions may be proposed during the meeting for items properly included in the agenda, provided that any resolution proposed shall relate to the matter under discussion and consideration.

A member of the board shall provide a written Notice of Motion, which includes background information and the resolution wording, at the meeting prior to consideration of the motion. Notice of Motion is required to rescind a board motion, amend something previously adopted, to amend these Procedural Bylaws, to discharge a committee, or to postpone an event already scheduled. New business, which is not germane to an agenda item, may only be introduced by a member through written Notice of Motion, as provided herein, at the meeting prior to consideration of the new business. The board may suspend the Notice of Motion requirement by simple majority vote.

Notice of Motion, as provided herein, is the preferred method for a member to introduce new business. Notwithstanding that in some cases, new business may be added to the agenda provided forty-eight (48) hours notice has been provided through the Chairperson to members, and that members agree by simple majority vote to suspend the Notice of Motion requirement.

A resolution shall be presented by motion of a member of the board and shall be seconded by another member of the board before acceptance for discussion or vote. The Chairperson may not move or second a resolution.

Each member of the board shall normally be entitled to speak only once to any resolution proposed at any regular meeting, and every member of the board present at the meeting shall be entitled to speak before the question is called. The Chairperson shall allow each member of the board a maximum of five (5) minutes to speak per resolution.

Notwithstanding the foregoing, the mover of the resolution shall have the right to close debate.

The Chairperson shall put the vote when the question is called.

Any member who does not vote for or against the resolution when the vote is put shall be deemed to have abstained, and shall not be counted for purposes of the vote.

The Chairperson has the same right to vote as the other members of the board; in the case of an equality of votes for and against a motion, the question is resolved in the negative, and the Chairperson shall so declare.

All motions are debatable except:

- a motion for adjournment of debate;
- a motion for adjournment of a meeting;
- a motion to recess:
- a motion to table;
- a motion to suspend rules;
- a motion to limit debate; and,
- a motion to go into Committee of the Whole or closed / in-camera session.

Reconsideration

A question previously dealt with will only be reconsidered if a board member gives Notice of Motion, as provided herein, that a motion to reconsider will be presented at the next regular meeting.

The Notice of Motion, complete with supporting documentation, must be given to all members of the board either in writing through the secretary-treasurer four (4) days in advance, or with the agenda. A motion for the board to reconsider must be passed by having a majority of all its members cast an affirmative vote. Provided the motion to reconsider is approved, the original question can be dealt with forthwith.

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

Bylaws

Bylaws shall only be proposed when at least forty eight (48) hours notice of the intention to propose the bylaw has been given to all members of the Board, provided that the members present at a regular meeting of the board may, by unanimous resolution, waive the giving of notice.

A bylaw shall receive three (3) readings before being finally passed and adopted. A proposed bylaw shall not be considered for amendment until it has passed its first reading, and shall not be amended save and except by a new amending bylaw after it has been finally considered and adopted.

A bylaw may receive its three (3) readings at a single regular meeting or special meeting of the Board and shall be reconsidered and adopted or rejected at the regular meeting next following the meeting at which it passes its second reading, or at a special meeting called for that purpose, provided that the board may, by unanimous resolution of the members present at the regular or special meeting of the board at which it passes its second reading, suspend the requirements of this regulation and reconsider or adopt or reject the bylaw at the same regular or special meeting at which it passes its second reading.

Notwithstanding the foregoing, consideration of money bylaws in the form specified by the Minister of Education may receive all required readings and be reconsidered and adopted at the same meeting.

6. Policies (Formation and Revision)

The creation of any new policy must come at either the direction of the board or through a need identified by senior management as a result of the ongoing revision and review of policy.

A trustee wishing to recommend a new policy or an amendment to an existing policy shall give notice of motion for the new policy or amendment to policy for placement on a subsequent board meeting agenda.

Should any external agency or partner group wish to suggest a district policy, the request for the development of that policy should be in writing to the Board of Education. The request should be a brief statement of philosophy and direction which would enable the board to understand the need and adjustments required to district practice if the new policy was adopted. The board may refer the request to the superintendent of schools to consider the development of an administrative procedure, rather than a board policy.

7. Standing Committee

Standing committees of the board shall be established by the board Chairperson, following consultation with each board member and in compliance with the Committee's of the Board policy.

The Chairperson of the Board shall annually appoint such members of the board and management staff as he/she deems advisable to the standing committees of the board. The membership of such committees may be revised by the Chairperson of the Board, who will so inform the board at the next regular board meeting.

Each of the standing committees shall be under direct supervision of a Chairperson or responsible board member, and, where deemed advisable, a Vice-Chair may be appointed. The Chairperson of the board may attend meetings of standing committees of which he/she is not an official member, and shall not be entitled to vote at such meetings.

No standing committee, other than the Education Committee and Governance – Policy Committee of the Whole shall include more than three (3) members of the board. The Education Committee is a committee of the whole board and is chaired by the Vice-Chair of the board. The other rules that pertain to standing committees shall pertain to the Education Committee and the Governance – Policy Committee of the Whole.

Committee meetings may be called at any time by the Chairperson of the committee for the purpose of dealing with the business of such committee, and the committee may adopt its own Terms of Reference for the dispatch of its business, provided that no resolution shall be passed at any committee meeting, but matters of recommendation for the board shall be brought from the meeting by way of report to a regular meeting for consideration and such action as is deemed advisable. No one other than committee members shall be entitled to attend such meetings without invitation of the Chairperson of the committee.

8. Reports and Records

Reports and recommendations shall be made to the board at regular meetings by:

- Senior leadership, or;
- for committee matters, the committee Chairperson or a member delegated.

All reports to the board for recommendation or action shall be accompanied by all relevant information. Reports for information only need not be complete.

Minutes of the meetings shall be in summary form and shall contain the form of the motion, and results of the vote: Carried or Defeated. Discussion preceding the vote need not be recorded. In matters of general discussion or report where no vote is taken, a brief statement summarizing the purpose of the matter shall suffice unless the meeting otherwise directs.

9. General

This Bylaw is to be read in conjunction with the provisions of the *School Act* governing School Board meetings. In the event of conflict between this Bylaw and the *Act*, the *Act* shall take precedence.

Read a first time this	25	day of	Septe	mber 2018		<u> </u>
Read a second time this	25	day of	Se	ptember 2018		_
Reconsidered, finally pas	sed, and	d adopted this	25	day of	September 2018	<u> </u>
			 Cha	irperson		
			Secr	etary-Treasure	r	

Board Policy Manual

School District No. 71 (Comox Valley)

Board Operations 1 – 2

Role of the Board of Education

The Board of Education, School District No. 71 (Comox Valley) is a corporate body elected by citizens of the Comox Valley. The board is responsible for the development of goals and policies to guide the provision of educational services to students residing within the district that satisfies the requirements of government legislation and the values of the constituents. The board has a public responsibility to carry on the work of the board in good faith and with due diligence.

The Legislature of the Province of British Columbia has approved the School Act assigning certain powers and duties to locally elected boards of education.

The Board of Education of School District No. 71 (Comox Valley) is comprised of seven members elected for a four (4) year term by the electors of the Comox Valley to govern educational affairs of the school district.

The Province of BC's Statement of Education Policy Order (Mandate for the School System) Mission Statement establishes the primary focus for locally-elected boards of education:

"The purpose of the British Columbia school system is to enable learners to develop their individual potential and to acquire the knowledge, skills, and attitudes needed to contribute to a healthy society and a prosperous and sustainable economy."

The statutory powers and duties of the board are set forth in the sections of the *School Act* cited below. In general, the board works with staff to perform these important functions:

- formulating and interpreting policies and bylaws
- delegating administrative duties
- making decisions on educational and budget matters
- making continual appraisals of the educational, administrative, and planning processes in light of the board's stated goals and objectives
- > administering public funds
- participating with senior staff in assessing community values and interests and incorporating them into the school system's mission and vision for students.
- helping create a climate which engages teachers, administrators, parents and the wider community in developing and supporting the vision.

Legal References:

School Act, Section 73-87, Regulations, Order of Council

The board shall govern and exercise its decision-making authority within duly called and legally conducted board meetings. All meetings will conform to the policy and procedures set out in Board Policy Board: Education – Meetings.

The board shall elect a Chair and a Vice-Chair with duties and responsibilities as described in the administrative procedures associated with this policy.

Guidelines and Procedures

Accountability to Provincial Government

- 1. Act in accordance with all statutory requirements to implement provincial and educational standards and policies.
- 2. Perform board functions required by governing legislation and existing board policy.

Policy Development, Implementation and Evaluation

The Board of Education shall:

- determine local policy in conformity with this Act for the effective and efficient operation of schools in the school district;
- approve policy statements that meet the criteria identified by the district;
- govern the district through board adopted policies and resolutions;
- monitor and evaluate the effectiveness of policies developed by the board in achieving the board's goals and the efficiency of the implementation of those policies;
- delegate those specific and general administrative duties that require delegation to one or more employees of the board; and
- hold the superintendent accountable for the implementation and review of board policies.

Accountability to Community

- 1. Make decisions that reflect both individual community interests and values, and those of the entire school district.
- 2. Engage community members and stakeholder groups in discussions to better inform the board and the superintendent of schools.

- 3. Establish processes and provide opportunities for public input.
- 4. Report district outcomes and accomplishments, and make them accessible to parents and the public.
- 5. Develop procedures for and hear appeals of decisions and procedures as required by statute and/or board policy.
- 6. Model a culture of respect, integrity, openness and transparency.

Planning

- 1. Establish board priorities and strategic directions through a strategic plan.
- 2. Provide overall direction for the district by establishing a mission, vision, universal guiding principles and operational guiding principles in consultation with stakeholders.
- 3. Approve system planning processes and timelines.
- 4. Monitor and evaluate progress towards the achievement of student outcomes, established goals, and other desired results, including reviewing and approving annual education results.

Board / Superintendent Relations

- 1. Select the superintendent of schools.
- 2. Provide the superintendent with clear corporate direction.
- 3. Delegate responsibility and authority subject to the provisions and restrictions in the School Act.
- 4. Respect the authority of the superintendent to carry out executive action and support the superintendent's actions which are exercised in good faith and within the delegated powers of the position.
- 5. Hold the superintendent accountable for management of the district.
- Evaluate the superintendent in accordance with the board adopted evaluation process, criteria and timelines.
- 7. Develop, in consultation with the superintendent, an integrated annual work plan.
- 8. Promote a positive working relationship with the superintendent.

- 9. Promote the professional growth of the superintendent in continuing to provide quality district leadership.
- 10. Ensure ongoing capacity building and succession planning for key positions.
- 11. Develop processes for regular assessment of the work of the board and superintendent.

Advocacy and Outreach

- 1. Advocate for public education.
- 2. Plan for advocacy including focus, key messages and mechanisms, to be reviewed annually.
- 3. Participate in provincial and/or national school board associations as deemed appropriate.

Board Development

- Complete a skills matrix within 3 months of election that identifies the skills the board requires to
 provide effective governance, as well as an assessment of the collective skills that trustees
 possess. For identified gaps in required skills and demonstrated skills, the board shall develop a
 strategy to gain those skills.
- 2. Develop, fund, implement and update on an annual basis, a formal board continuing education plan that is specific to the needs of the trustees. The plan will consider the training requirements of newly elected trustees and returning trustees.
- 3. Ensure those new to the board are provided appropriate orientation opportunities at the local and provincial levels.

Fiscal

- Establish an Audit and Finance Committee of the Board. Terms of Reference for this committee
 will include oversight of audit and financial reporting, including review and approval of quarterly
 and annual financial statements, transfer of surplus between funds, financial risk management
 and internal controls. At least one member of this committee to include a financial expert.
- 2. Establish budget principles and budget priorities, ensure resources are allocated to achieve desired results, and adopt an annual budget.
- 3. Receive monthly financial reports from February to June each year, including year to date results and financial projections for the balance of the year.

- 4. Receive quarterly results and projections as at September 30 and December 31 of each year to allow the board to monitor the districts financial position throughout the year.
- 5. Adopt a Capital Plan as required by government.
- 6. Receive quarterly reports on actual results which will include updates on capital spending against the budget.
- 7. For significant capital projects receive regular status reports that set out progress on spending against budget, achievement of key milestones and risks related to delivering the project on time, on budget and against project specifications.
- 8. Appoint the auditor.
- 9. Receive a listing of the tenders for contracted work.
- 10. Receive a listing of all leases and agreements.
- 11. Approve allocations of one time exceptional funding.
- 12. Establish Trustee honoraria and reimbursement.

Human Resources

- 1. Ratify Memoranda of Agreement with bargaining units.
- 2. Participate in the selection and appointment of the secretary treasurer and the assistant superintendent.
- 3. Approve, under recommendation of the superintendent of schools; employment / recruitment incentives on a case by case basis.
- 4. Authorize, under recommendation of the superintendent of schools, the appointment of employees, in addition to teachers, considered necessary by the board to secure the efficient operation of the public schools of the school district, fix wages or remuneration and, by lawful process, dismiss a person so appointed.

In addition, the Board of Education may:

1. Make bylaws, not inconsistent with this *Act* or the regulations, for example regulating and controlling the use of property owned or administered by the board, relative to the organization

- of meetings of the board and to any matter over which power or authority is by this *Act* expressing vested exclusively in the board, and a copy of each bylaw shall be filed with the Ministry.
- 2. Provide, with respect to a school in its district, under rules of the board approved by the council of the municipality in which the school is situated, a system of school patrols by which pupils may assist in the control of motor vehicle traffic on highways or elsewhere so far as the traffic may affect pupils going to or from the school.
- Become a member of the British Columbia School Trustees Association (BCSTA), and any branch of
 it, and pay all fees, levies, and dues properly chargeable to the board by reason of that
 membership and shall assume, as its obligation, the annual payment of those fees, levies and
 dues.

Board Operations 1 – 3

Trustee Rights and Responsibilities

The Board of Education of School District No. 71 is a corporate body elected by citizens of the Comox Valley. The complexities involved in the direction a board wishes to take and the decisions it is obliged to make require thoughtful and careful analysis. Students, parents, employees and citizens are best served by both dedicated individuals and a purposeful corporate entity.

A. Trustee Rights

Within the parameters of board policy and bylaws, trustees have a right to:

- 1. voice opinions and perspectives in an open and respectful manner, and have such opinions and perspectives respected by fellow trustees and district staff;
- represent the interests of their constituents while maintaining a district-wide perspective;
- 3. vote on issues free from pressure or lobbying by other trustees and/or district staff;
- 4. receive remuneration and expense allowances as determined by the Board and in compliance with the *School Act*;
- 5. be provided with an orientation session when newly elected;
- 6. request and receive information from the Superintendent of Schools or designate pertinent to district policy and operations; previous, current or pending board or board committee activities; and any other legitimate assistance pertaining to the role of the trustee or the business of the board; and,
- 7. attend well-organized and purposeful meetings.

В. **Trustee Responsibilities**

Within the parameters of board policy and bylaws, trustees have a responsibility to:

- 1. regularly attend board meetings and appropriate board committee meetings (School Act – see below);
- 2. be aware of and knowledgeable about the issues that require board decisions, and attend orientation sessions for new trustees conducted by district staff and the B.C. School Trustees' Association (BCSTA);
- 3. commit to the importance of the public education system in a democratic society;
- 4. adhere to the direction of the chair of the board, of a board committee, while attending meetings;
- 5. commit to confidentiality regarding personnel and property issues as well as other matters discussed and determined at in-camera meetings; and,
- 6. respect that the chair of the board or appropriate district staff communicate on behalf of the board, and when making statements to the media, PACs or employee groups make it clear that these are individual statements only and not necessarily the opinion of the board;

School Act

Disqualification for failure to make oath or attend meetings

52 (2) If a trustee is continuously absent from board meetings for a period of 3 consecutive months, unless the absence is because of illness or with the leave of the board, the office of the member is deemed to be vacant and the person who held the office is disqualified from holding office as a trustee until the next general school election.

Board Adopted: October 28, 2014

Board Policy Manual

School District No. 71 (Comox Valley)

Board Operation

1-6 Trustee Conflict of Interest

Trustees shall act at all times in the best interest of the district, fulfilling their responsibilities and obligations as elected public officials in a manner that inspires confidence and trust in the integrity, objectivity and impartiality of the Board.

Definition:

A conflict of interest exists when an individual trustee's personal interests or those of family members, business partners or close personal associates, financial or otherwise, interfere with or compromise the trustee's ability to act in the best interests of the district and the constituents whom it serves. Such conflict of interest may be real, potential or perceived.

In addition to the provisions of the *School Act* concerning monetary conflicts of interest, trustees are also considered to be in a conflict of interest in the following circumstances:

- When they, members of their family, business partners or close personal associates may benefit financially or professionally, either directly or indirectly, from the trustee's position on the board.
- When circumstances arise that compromise, or appear to compromise, independence and ability to make fair and unbiased decisions (i.e. employment or professional status, political affiliations, community connections).
- When they appropriate district financial or other resources for personal use (i.e. information, equipment, supplies).
- When they are involved in staffing and student issues involving family members, business associates or personal friends (i.e. contracting for services, hirings, promotions, evaluations, disciplinary actions).

Board Revision Date:

Board Adopted:

June 20, 2017

Disclosure:

- A trustee must openly disclose a real, potential or perceived conflict of interest as soon as the issue arises and before the board or its committees deal with the matter.
- Where uncertain about whether or not the issue constitutes a conflict of interest, the trustee may consult with the board chair or the secretary treasurer for advice and guidance.
- Where any trustee is aware of a real, potential or perceived conflict of interest not declared by any other trustee, he/she has the responsibility to raise the issue for clarification with the individual, and if unresolved, then with the board.
- Full disclosure does not remove or eliminate a conflict of interest.

Decision-Making Process:

- Where there is a question or uncertainty about a conflict of interest circumstances, the board by vote shall make a final determination. The trustee potentially in conflict shall be absent from the discussion and the vote.
- Where a conflict of interest is declared/confirmed, the trustee so affected will be absent from any discussion of the issue and vote upon it. Further, the trustee shall not attempt to personally influence the board's decision in regards to the issue.
- Conflict of interest disclosure and decisions shall be duly recorded in the official minutes of the meeting at which the disclosure/decision occurred.

Conflict of Interest Test Questions:

- 1. Peer Standard Would the community accept and approve of this person's or organization's actions?
- 2. Reputational Test What impact will it have on our credibility and leadership?
- 3. Reasonable Person Test What would a reasonable, prudent person or board do under the circumstances?
- 4. Best Interests Test Is this in the best interest of the students, the Board and the community?

6 P's for Conflict of Interest:

1. Public duty vs private interests

Do I have personal or private interest that may conflict, <u>or be perceived</u> to be in conflict with my public duty?

2. Potentialities

Could there be benefits for me now, in the future that could cast doubts upon my objectivity?

3. Perception

How will my involvement in the decision/action be viewed by others?

4. Proportionality

Does my involvement in the decision appear fair and reasonable in all of the circumstances?

5. Presence of mind

What are the consequences if I ignore a conflict of interest? What if my involvement was questioned publicly?

6. Promises

Have I made any promises or commitments in relation to the matter? Do I stand to gain or lose from the proposed action/decision?

Board Operations 1 - 7

Trustee Code of Conduct

Trustees as members of the corporate Board of Education shall act prudently, ethically and legally, in keeping with the requirements of provincial legislation. This includes proper use of authority and appropriate decorum in terms of group and individual behaviour.

Guidelines and Procedures

Integrity and Dignity of the Office

Trustees of the Board Shall:

- discharge their duties loyally, faithfully, impartially and in a manner, that will inspire public confidence in the abilities and integrity of the board;
- act as a trustee of this district and work carefully to ensure that it is well maintained, fiscally secure, and operating in the best interest of those we serve;
- recognize that the expenditure of school board funds is a public trust and endeavour to see that the funds are expended efficiently in the best interests of students in the district;
- work together with fellow trustees to communicate to the electorate accurate information about the district and our schools;
- do their utmost to attend regular board meetings, meetings of the board committees to which they have been appointed, and meetings for which they have been appointed to serve as board representatives;
- provide leadership to the community through setting goals and policies for district operations and educational programs and by regularly evaluating to determine if intended results are achieved; and
- not use the position of trustee for personal advantage or to the advantage of any other individual apart from the total interest of the district, and resist outside pressure to so use the position.

Compliance with Legislation

Trustees of the Board Shall:

- observe bylaws and rules of order, the policies and procedures of the district, and the laws, rules and regulations governing education in British Columbia; and
- respect and understand the roles and duties of the individual trustees, board of education, superintendent of schools and the chair of the board.

Civil Behaviour

Trustees of the Board Shall:

- represent the board of education responsibly in all board-related matters and act with decorum
 at all times. (<u>Decorum</u>: behaviour that is controlled, calm, and polite);
- work with fellow trustees, the superintendent of schools and the district as a whole, in a spirit of
 respect, openness, harmony and co-operation, encouraging the free exchange of diverse views on
 any topic at all times and expressing any contrary opinions in a respectful and constructive
 manner;
- not make disparaging remarks in or outside board meetings, about other board members or their opinions, and be respectful of staff, students and the public;
- use social media responsibly, including an acknowledgment that opinions expressed are those of the individual not the board.

Upholding Decisions

Trustees of the Board Shall:

- base their decisions on all available facts, data and perspectives of an issue, respect the opinions
 of others and diligently pursue what they believe to be in the best interest of the students and
 others of the district;
- accept that authority rests with the board and that no trustee has individual authority to direct district staff other than that delegated by the board;
- uphold publicly the majority decisions of the board of education and the implementation of any board resolutions; and
- accept that 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 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.

Board Revision Date: March 2017

Board Review: March 2019

Respect for Confidentiality

Trustees of the Board Shall:

- keep confidential any information disclosed or discussed at a meeting of the board or committee
 of the board, or part of a meeting of the board or committee of the board that was closed to the
 public, and keep confidential the substance of deliberations of a meeting closed to the public
 unless required to divulge such information by law or authorized by the board to do so;
- not use confidential information for personal gain or to the detriment of the board or district; and
- not divulge confidential information, including personal information about an identifiable individual or information subject to lawyer-client privilege that a trustee becomes aware of because of his or her position, except when required by law or authorized by the board to do so.



Comox Valley Schools

Board of Education of School District No. 71 (Comox Valley)

2018-19 Board Meeting Schedule

DATE	TIME	MEETING	VENUE
November 27, 2018	6:00	In-Camera Meeting	School Board Office
	7:00	Regular Board Meeting	School Board Office
December 18, 2018	6:00	In-Camera Meeting	School Board Office
	7:00	Regular Board Meeting	School Board Office
January 22, 2019	6:00	In-Camera Meeting	School Board Office
	7:00	Regular Board Meeting	School Board Office
February 26, 2019	6:00	In-Camera Meeting	School Board Office
	7:00	Regular Board Meeting	School Board Office
April 2, 2019	6:00	In-Camera Meeting	School Board Office
	7:00	Regular Board Meeting	School Board Office
April 30, 2019	6:00	In-Camera Meeting	School Board Office
	7:00	Regular Board Meeting	School Board Office
May 28, 2019	6:00	In-Camera Meeting	School Board Office
	7:00	Regular Board Meeting	School Board Office
June 25, 2019	6:00	In-Camera Meeting	School Board Office
	7:00	Regular Board Meeting	School Board Office