

**JAMES BAY LOWLANDS  
SECONDARY SCHOOL BOARD**

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**BOARD GOVERNANCE BY-LAWS**

# BOARD GOVERNANCE BY-LAWS

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**JAMES BAY LOWLANDS  
SECONDARY SCHOOL BOARD**

**BOARD GOVERNANCE BY-LAWS**

Date Adopted	February 26, 2020
Last Revised	November 24, 2022
Board Motion	6459-11-22

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**BOARD GOVERNANCE BY-LAWS**

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**1. PURPOSE**

This document sets out the rules governing the establishment and composition of the James Bay Lowlands Secondary School Board as provided for in the *Education Act* of Ontario and regulations made thereunder, which rules shall apply to the structure and proceedings of the Board until amended by resolution of the Board.

**2. DEFINITIONS**

In these by-laws:

- a) "Board" means the James Bay Lowlands Secondary School Board
- b) "Chair" means the chair of the Board
- c) "Member" means an elected member of the school board, including the chair
- d) "Trustee" means an elected member of the Board
- e) "Committee chair" means the chair of a standing, ad hoc, or other special purpose committee
- f) "Ad hoc committee" refers to a committee set up for a specific purpose, and then disbanded when the purpose is fulfilled
- g) "Supervisory Officer" means the chief education officer, chief executive officer, and secretary of the Board
- h) "Treasurer" means the treasurer of the Board and chief financial officer
- i) "Advance notice" excludes Saturday, Sunday, and statutory holidays
- j) "Closed session" means a meeting that is closed to the public

**3. BOARD GOVERNANCE**

ARTICLE I: NAME: The official name of the corporation shall be the James Bay Lowlands Secondary School Board as confirmed by the *Education Act* and accompanying regulations.

ARTICLE II: HEADQUARTERS: The headquarters of the Board shall be the Administration Building located at 1 Pinew Street, Moosonee, Ontario P0L 1Y0

ARTICLE III: BOARD OF TRUSTEES: The affairs of the corporation shall be governed by a Board of Trustees consisting of three members elected in accordance with the *Municipal Elections Act*, or as may otherwise be provided for in the *Education Act*.

Two student trustees will be elected each year to represent the interests of students on the Board. The student trustees are not members of the Board, but have responsibilities and entitlements as provided for in the *Education Act* and in Board Policy GOV-30 Student Trustees.

**NOTE:** The structure of the Board is described in Board Operations By-Law No. 01 Administrative and Organizational Structure of the Board, pages 10-12 below.

#### 4. VACANCY IN OFFICE

4.1. The reasons for which a member of the Board is automatically considered to have vacated an elected position include, but are not limited to, the following:

- a) the member is absent without being authorized in the minutes from three consecutive regular meetings of the Board; or
- b) the member ceases to hold residence requirements or any other qualifications required to act as a member of the Board. [*Education Act, Part VII Board Members—Qualifications, Resignations, and Vacancies*]

4.2. Vacancy in office--Board member: Any vacancy in the office of a Board member shall be filled in accordance with and subject to the limitations as provided for in the *Education Act*. Should the Board choose to fill the vacancy by appointment, the Board will do so according to the provisions of the *Education Act*.

4.3. Vacancy in office—chair, vice-chair, or chair of standing committee: At the first regular meeting of the Board after a vacancy occurs in the office of chair, vice-chair, or chair of a standing committee, the Board shall elect one of its members to hold the office until the Annual Board Meeting.

#### 5. MEETINGS OF THE BOARD

5.1. Location of Meetings: Meetings will be held in Moosonee or Moose Factory Island. A minimum of three (3) meetings will be held on Moose Factory Island each year.

5.2. Annual Meeting: The annual meeting of the Board shall be held on the first Monday in December or on a date and time agreed to by a majority of Board members, or as provided for in legislation or regulation. At the appointed hour, the supervisory officer shall call the meeting to order and shall preside until a chair has been elected by the members of the Board.

5.3. Initial Meeting: In December following a municipal election, the supervisory officer shall first read into the record the official returns from the designated election officer or officers, whereupon the elected members shall take their places and subscribe to declarations of office and oaths of allegiance as provided for in legislation.

5.4. Business of the Board at the initial/annual meeting: At the annual or initial meeting of the Board, the Board shall:

- a) elect a chair;
- b) elect a vice-chair;
- c) approve Board member representation on Board committees;
- d) elect chairs for standing committees; and
- e) pass a resolution to destroy all ballots when the elections are completed and the results declared.

## 5.5. Regular and Special Meetings of the Board

### Regular Meetings:

**NOTE:** Regular meetings of the Board are conducted according to Board Operations By-Law No. 02 Conducting Meetings of the Board.

### Special Meetings:

Special meetings of the Board shall be held at the call of the chair or on the written request of two (2) members of the Board. Such request shall be submitted to the chair or in his/her absence, to the finance and human resources administrator.

The notice of every special meeting shall state all the business to be transacted or considered and no other business shall be considered unless all members of the Board are present and consent.

At least 48 hours' advance notice of all special meetings shall be given to each member by email or written notice at his or her official address except when an extenuating circumstance imposed on the Board requires immediate action.

## 6. ACCESS TO MEETINGS

6.1. Meetings of the Board and its committees shall be open to the public with the exception of meetings dealing with:

- a) the security of the property of the Board;
- b) the disclosure of intimate personal or financial information in respect of a member of the Board or committee, an employee or prospective employee of the Board or a student or his or her parent or guardian;
- c) the acquisition or disposal of a school site;
- d) decisions in respect of negotiations with employees of the Board; and
- e) litigation affecting the Board. [*Education Act, subsection 207 (2)*]

6.2. Recommendations from any closed session of an ad hoc or standing committee meeting shall be forwarded to the closed session of the Board. The report of the closed session of the Board shall be presented to the public Board meeting for consideration.

6.3. No person shall be excluded from a meeting that is open to the public except for improper conduct as determined by the presiding officer.

## 7. BOARD AND COMMITTEE QUORUM

7.1. Board quorum: The presence of two out of three elected trustees is necessary to form a quorum. As soon after the time of meeting as a quorum is present, the presiding officer shall call the meeting to order.

7.2. Committee quorum: A quorum of any committee shall consist of a majority of the members.

## 8. REPORTS TO BOARD

- 8.1. In order to provide a formal and consistent means by which the Board of Trustees is advised on issues, needs, and progress of the system and in order to ensure effective lines of communication and continuity in reporting, the James Bay Lowlands Secondary School Board will follow a consistent process for receiving written reports from its administrative personnel, principal, parents, and community groups.
- 8.2. All reports to the Board from any source shall be submitted through the Secretary of the Board, and will accompany the Board agenda that is forwarded to trustees at least three (3) days prior to the Board meeting.
- 8.3. In circumstances where reports do not arrive in time, the Board will decide at its discretion to receive a specific report or to have it deferred to the next regular meeting.

## 9. ADJOURNMENT AND RECESSES

- 9.1. At 10:00 p.m. the chair shall interrupt any item under discussion and conduct a vote on whether to continue the meeting. Board members will vote on a motion to continue the meeting, which may limit the continuation to the item under discussion, or may specify additional agenda items, or a time for adjournment.
- 9.2. The meeting will adjourn unless there is majority consent from those present to continue.
- 9.3. The chair shall declare a meeting adjourned when:
  - a) there is no other business to be transacted;
  - b) the chair observes lack of quorum; or
  - c) a motion to adjourn has been adopted by the Board.
- 9.4. During the course of a meeting, the chair may declare one or more recesses of up to 15 minutes, which shall not be construed as adjourning the meeting.

## 10. OFFICERS OF THE BOARD

- 10.1. The officers of the Board are the chair of the Board, the vice-chair of the Board, the secretary of the Board and the treasurer, and they shall have such duties as are assigned to them by statute and by the Board.
- 10.2. The supervisory officer shall be the chief education officer and the secretary of the Board.
- 10.3. The finance and human resources administrator shall be the treasurer of the Board.

### Duties of Officers:

- 10.4. The chair: The duties of the chair are set out in the *Education Act, section 218.4 Duties of Board Chair*. The duties are quoted as follows:

In addition to any other duties under the *Act*, the chair of a board shall:

- a) preside over meetings of the board;
- b) conduct the meetings in accordance with the board's procedures and practices for the conduct of board meetings;
- c) establish agendas for board meetings, in consultation with the board's director of education or the supervisory officer acting as the board's director of education;
- d) ensure that members of the board have the information needed for informed discussion of the agenda items;
- e) act as spokesperson to the public on behalf of the board, unless otherwise determined by the board;
- f) convey the decisions of the board to the board's director of education or the supervisory officer acting as the board's director of education;
- g) provide leadership to the board in maintaining the board's focus on the multi-year plan established under section 169.1 of the *Education Act*;
- h) provide leadership to the board in maintaining the board's focus on the board's mission and vision; and
- i) assume such other responsibilities as may be specified by the board.

10.5. The vice-chair: The role of the vice-chair is to assist the chair.

10.6. The supervisory officer: The duties of the supervisory officer, as secretary of the Board, are described in Board Operations By-Law No. 01 Administrative and Organizational Structure, pages 10-12 below.

A detailed description of the role of the supervisory officer is found in Board Policy GOV-03 Role of the Supervisory Officer.

10.7. The finance and human resources administrator/treasurer: The duties of the finance and human resources administrator/treasurer of the Board are described in Board Operations By-Law No. 01 Administrative and Organizational Structure.

## 11. EXECUTION OF BOARD DOCUMENTS

11.1. Documents shall be executed on behalf of the Board by the appropriate Officers. Deeds, transfer documents, contracts, leases and other documents required to be executed under the Corporate Seal of the Board may only be signed by the chair or vice-chair of the Board, and the secretary of the Board.

11.2. The secretary of the Board shall have custody of the Board's Corporate Seal and shall be responsible for affixing the Corporate Seal of the Board to such documents as may require the same.

11.3. Documents covering routine matters and not requiring execution under the Corporate Seal of the Board may be signed by the secretary or the treasurer, as appropriate, or such other persons as the secretary or treasurer may designate from time to time in writing.

11.4. Documents required to be executed by, or on behalf of, the Board shall be approved as to form and content by the Board's solicitor when deemed necessary by the supervisory officer.

## 12. COMMITTEES OF THE BOARD

- 12.1. The Board may establish by resolution such standing, special purpose, and ad hoc committees as it deems appropriate or as required under legislation or through contractual obligations, and subject to any relevant legislation or contract:
- a) determine their composition and the manner of selecting chairs and members;
  - b) fix their terms of reference, reporting relationships and expected date of completion of mandate;
  - c) alter their composition, terms of reference, reporting relationships and expected date of completion of mandate, as it may deem appropriate from time to time; and
  - d) dissolve committees.
- 12.2. Board Committees: Board policy related to standing committees, statutory committees, legislated committees, and ad hoc committees is set out in Board Operations By-Law No. 03 Committees of the Board.

## 13. RULES OF ORDER

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the meetings of the Board in all cases to which they are applicable and in which they are not inconsistent with the Board's by-laws, approved special rules of order, and the *Education Act*.

## 14. AMENDMENT TO BY-LAWS

- 14.1. The by-laws and rules that are governed by statutes and regulations made thereunder are not subject to amendment that would subvert or conflict with the statute or regulation.
- 14.2. No amendment, alteration or addition to the by-laws shall be made unless due notice thereof in writing setting forth the proposed amendment, alteration or addition, shall have been given at a meeting previous to that at which the proposed change comes before the Board for consideration.
- 14.3. The amendment, alteration or addition must then be confirmed by a two-thirds majority of all members of the Board present at that meeting.

## 15. BOARD POLICIES AND PROCEDURES

- 15.1. Board policies may be made under these by-laws, including a policy to define the process for making policy under these by-laws. The process for making policy is described in Board Policy GOV-06 Board Policy Development and Review.
- 15.2. Administrative Procedures: The Board, in Board Policy GOV-04 Delegation of Authority, delegates to the supervisory certain powers and responsibilities, including full authority for the day-to-day management of the school system. The Board also delegates the right to develop administrative procedures to implement Board policy and to address all issues not governed by Board policy.



## REFERENCE DOCUMENTS

### **Legal:**

*Education Act and Regulations*

*Education Act, Part III School Authorities—Public*

*Education Act, Part VI Boards—Duties and Powers*

*Education Act, Part VII Board Members—Qualifications, Resignations and Vacancies*

*Education Act, Section 55 Student Trustees*

*Education Act, Paragraph 218.1 (f): Day to Day Management: Chief Executive Officer*

*Education Act: Subsection 283 (2) Chief Executive Officer: Develop and maintain an effective organization*

*Municipal Conflict of Interest Act*

*Municipal Freedom of Information and Protection of Privacy Act*

Ontario Regulation 7/07 Student Trustees

### **Board:**

Board Governance Policies

Administrative Procedures

### **Resources:**

The current edition of Robert's Rules of Order Newly Revised



<b>BOARD OPERATIONS BY-LAW NO. 01</b>	
Date Adopted	February 23, 2016
Last Revised	November 24, 2022
Board Motion	6459-11-22

**BOARD OPERATIONS: BY-LAW NO. 01  
ADMINISTRATIVE AND ORGANIZATIONAL STRUCTURE**

**A. BOARD STRUCTURE**

1. The Board of Trustees, which is responsible for providing quality education programs for its students, acknowledges the practical necessity of discharging its responsibility through the assistance of a professional staff and through a well-ordered management structure.
2. The Board therefore endorses a functional organizational structure, headed by a Supervisory Officer/Secretary of the Board and a team of supervisory and administrative personnel to ensure competent leadership and the efficient management and operation of its school system.  
[See Board Policy GOV-04 Delegation of Authority.]

**B. GUIDELINES**

**1. The Board of Trustees – Composition and Role**

- 1.1. In the school system the final authority lies in the elected body of officials, the Board of Trustees, which is answerable to its electorate for the management and operation of all school affairs. The James Bay Lowlands Secondary School Board consists of three (3) trustees who are elected for a term of four (4) years. The composition of the Board includes:
  - 1.1.1. Three (3) trustees who are elected in accordance with Section 3 (1) of Regulation 294, James Bay Lowlands Secondary School Board, under the Education Act.
- 1.2. As representatives of the ratepayers, trustees must be sensitive to the educational needs of the community. These community needs will be reflected in the Board’s approach to its major function which is to establish the philosophy, purpose, and objectives of the system. This in turn will influence Board decisions, educational policies, programs, and innovations in the school.  
[See Board Policy GOV-01 Values, Vision, and Mission]
- 1.3. Through its policy-making function, the Board is able to direct the education operation. Board policies are formulated to set out terms of reference, limitations, and operational guidelines for all to follow. [See Board Policy GOV-06 Policy Development and Review.]
- 1.4. Trustees are required to make decisions on a wide range of issues and problems pertaining to the system (e.g., budgeting, personnel, curriculum, transportation, plant and maintenance etc.)

## **2. Meetings of the Board of Trustees**

- 2.1. The Board of Trustees will meet on the first Wednesday of each month, except in January, where the meeting will be held on the second Wednesday. The Board of Trustees will meet from September to August inclusive, unless otherwise determined by the Board by special motion.
- 2.2. Meetings will be held in Moosonee or Moose Factory Island. A minimum of three (3) meetings will be held on Moose Factory Island each year.
- 2.3. When meetings are in Moosonee, they will be held in the board room of the Board.
- 2.4. Special meetings of the Board shall be held at the call of the chair or on the written request of two (2) members of the Board. Such request shall be submitted to the chair or in his/her absence, to the finance and human resources administrator.
- 2.5. The chair of the Board may cancel the regular Board meeting for the month of July and August, and if it is required, may change the date of any monthly meeting in special circumstances.
- 2.6. The Board of Trustees meets to address matters relating to education, personnel, finance, legal issues, strategic planning, and administration. It also attends to routine issues, reports, and recommendations from its committees.
- 2.7. The chair's responsibilities include conducting Board meetings in an orderly fashion and acting as the official spokesperson for the Board of Trustees. It is also the chair's responsibility to convey the corporate views and sentiments of the Board to the public, media, and to various organizations.
- 2.8. Neither the chair nor any individual trustee has power vested solely in himself or herself. The Board, by majority vote, makes decisions and gives direction to its administrative staff.
- 2.9. Board meetings shall be conducted in the manner identified in Board Operations By-Law No. 02 Conducting Meetings of the Board.

## **3. Board Committee Functions**

- 3.1. Board Committees meet the requirements of the *Education Act* or assist the Board in dealing with particular issues. Committees are appointed by the Board and may also be dissolved by the Board when their work is complete or they are no longer needed.
- 3.2. Committees have no decision-making powers, nor can they direct any action by themselves.
- 3.3. After reaching a conclusion on a specific matter, a committee recommends certain action(s) to the Board as a whole. The Board has the power to adopt, amend, or reject the recommendation by majority vote. Only Board-approved recommendations from committees can be implemented by the administration.  
[See Board Operations By-Law No. 03 Committees of the Board]

#### **4. Supervisory Officer / Secretary of the Board**

##### 4.1. The Supervisory Officer:

- 4.1.1. interprets Ministry of Education requirements and policy;
- 4.1.2. assists the Board in decision-making and policy development;
- 4.1.3. interprets, communicates, and implements Board policies and decisions;
- 4.1.4. provides a forum for the finance and human resources administrator/treasurer to discuss current issues and seek input; and
- 4.1.5. has responsibility for all aspects of the administration of the system: curriculum, student services, business, and human resources.

[A detailed description of the role of the supervisory officer is found in Board Policy GOV-03 Role of the Supervisory Officer.]

##### 4.2. The Secretary of the Board:

- 4.2.1. is legally responsible for the accurate records of all Board proceedings and decisions;
- 4.2.2. is the official custodian of all legal documents and seals of the Board; and
- 4.2.3. develops official Board correspondence.

#### **5. Finance and Human Resources Administrator/Treasurer**

##### 5.1. The Finance and Human Resources Administrator:

- 5.1.1. acts as a formal link between the Board and the school;
- 5.1.2. acts as an advisor to the Board;
- 5.1.3. provides financial information and guidance for effective Board decisions;
- 5.1.4. oversees the financial operation of the school system, delegating authority wherever possible;
- 5.1.5. interprets and implements Board policies, and
- 5.1.6. ensures that the Board's decisions are executed promptly and efficiently.

##### 5.2. The treasurer of the Board is legally responsible for ensuring that:

- 5.2.1. the Board budget is prepared and all financial requirements are met;
- 5.2.2. proper procedures are followed for all revenues and expenditures;
- 5.2.3. proper accounting and internal controls are followed; and the
- 5.2.4. required records and documents are appropriately maintained in preparation for the annual audit



<b>BOARD OPERATIONS BY-LAW NO. 02</b>	
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## **BOARD OPERATIONS: BY-LAW NO. 02 CONDUCTING MEETINGS OF THE BOARD**

### **A. AGENDA**

1. The finance and human resources administrator/treasurer, supervisory officer and the chair or vice-chair shall be responsible for preparing the agenda for each meeting of the Board.
2. A copy of the agenda for the regular meetings of the Board shall be transmitted by the finance and human resources administrator/treasurer to the address of each member of the Board by email. Board members shall receive the agenda at least three (3) calendar days in advance of the Board meeting.
3. The agenda may be amended at the opening of the meeting with the consent of two-thirds (2/3) of the members present. A notice of the Board's meeting schedule shall be posted on the Board website, and the agenda for each meeting of the Board will be posted on the website.

### **B. QUORUM**

1. At all regular and special meetings of the Board, the participation of a majority of all members constituting the Board shall be necessary to form a quorum. A minimum of two (2) trustees must be physically present at the meeting, but a quorum may be achieved where one trustee joins by telephone due to inclement weather or the lack of safe transportation.
2. In the event there is not a quorum when the meeting is called to order, a thirty (30) minute waiting period will be allowed to elapse. At the end of that time, if there is not a quorum achieved, the meeting will stand adjourned until the next regular or special meeting. The secretary of the Board shall record the names of those present.

### **C. ELECTRONIC MEETINGS AND MEETING ATTENDANCE REGULATION**

1. Open, accessible public meetings where members of the public, community partners and stakeholders can see, hear or otherwise engage in-person with their representatives is a fundamental part of how Ontario school boards demonstrate transparency and accountability as democratic institutions.
2. The Board may provide for the use of electronic means for the holding of meetings of the Board and/or meetings of committees of the Board, including In-Camera (closed) meetings. [Education Act, Section 208.1]

3. Amendments to O. Reg. 463/97: Electronic Meetings and Meeting Attendance made on July 29, 2024, revised expectations to the physical presence requirement for Trustees at board meetings. These changes include expanding eligibility for all trustees to attend a regular board meeting electronically where:
  - the distance from the trustee's primary residence to the meeting location is 125 kilometers or more;
  - weather conditions do not allow the trustee to travel to the meeting location safely;
  - the trustee cannot be physically present at a meeting due to health-related issues;
  - the trustee has a disability that makes attending meetings in-person more challenging;
  - or the trustee is unable to attend in person due to family responsibilities.
4. At every electronic meeting of the Board and/or meetings of committees of the Board, the following persons must be physically present in the meeting room:
  - a) the Chair of the Board and/or designate and/or the chair of a committee of the Board and/or designate;
  - b) at least one additional member of the Board and/or committee of the Board; and
  - c) the supervisory officer or designate.[Ontario Regulation 463/97—Electronic Meetings]
5. Members of the board need to be physically present in the meeting room of the board for at least three (3) regular meetings of the board during each 12-month period beginning November 15, 2022.
6. The electronic means shall permit the Board member to hear and be heard by all other participants in the meeting.
7. A member of the Board who participates in a meeting through electronic means shall be deemed to be present at the meeting.
8. The rules governing conflict of interest of members shall apply to electronic meetings.
9. The Board may provide, at one or more locations within its jurisdiction, electronic means to permit participating in meetings by members of the public, excluding closed meetings.
10. For the purpose of complete disclosure, at every electronic meeting of the Board, members participating through electronic means shall be made aware of the Board members physically present in the room, the Board members participating electronically, and whether or not the public and/or media are present.
11. Board members who participate in In-camera meetings by electronic means, must participate from a room which is closed to any other person so that no other person can hear that member or other members of the Board. Board members must maintain rules of confidentiality and are subject to Board Policy No. GOV-15 Code of Conduct: Board Members.

#### **D. TRUSTEE ATTENDANCE**

1. Trustees are to attend Board and Committee meetings (of which they are members) in order to fulfill their mandate. [Education Act, Section 229: Attendance Required]

2. Trustees who are unable to attend Board meetings must inform the Board office prior to the meeting in order to have the leave of absence recorded in the minutes.
3. Trustees who are unable to attend committee meetings (of which they are members) must make every effort to contact the Board office prior to the meeting in order to assure a quorum.

#### **E. TRUSTEE HONORARIA**

The Board will determine the amount of annual allowances or honoraria to be paid to trustees in accordance with provincial legislation.

[Ontario Regulation 357/06—Honoraria for Board Members]

#### **F. PUBLIC AND CLOSED MEETINGS**

1. The meetings of the Board, including meetings of any committee of the Board and a committee of the whole board, shall be open to the public except when the subject under consideration involves:
  - a) the security of the property of the board;
  - b) the disclosure of intimate, personal or financial information in respect of a member of the board or committee, an employee or prospective employee of the board or a pupil or his or her parent or guardian;
  - c) the acquisition or disposal of a school site;
  - d) decisions in respect of negotiations with employees of the board; or
  - e) litigation affecting the board.[Quoted from subsection 207 (2) of the *Education Act*.]
2. A meeting of a **committee of the whole board in open session** uses modified procedural rules based on those of a committee. The purpose of a committee of the whole is to relax the usual limits on debate, allowing a more open exchange of views without the urgency of a final vote.

#### **G. ORDER OF BUSINESS**

1. The public meeting of the Board commences at 6:00 P.M.
2. The closed meeting of the Board is held directly after the public meeting, a closed meeting will be approved by Board motion to deal with any of the items listed in Section F above.
3. The order of business shall be according to the standard agenda as follows:
  - 3.1. Call to Order
  - 3.2. Excuse Absences
  - 3.3. Approval of the Agenda
  - 3.4. Declarations of Conflict of Interest
  - 3.5. Approval of Minutes of Previous Meeting(s)
  - 3.6. Financial Reports
  - 3.7. Student Trustee's Report
  - 3.8. Principal's Report
  - 3.9. Director or Education's Report

- 3.10. Facilities Manager's Report
- 3.11. Policy Review
- 3.12. Correspondence and Other Information
- 3.13. Date, Place and Time of Next Regular Meeting
- 3.14. Other Business
- 3.15. Adjournment

## **H. MEETINGS**

The Regular Board meeting is held on the first Wednesday of each month, except for January, and special meetings are held when called. The Board shall not remain in session later than 10:00 P.M. unless so determined by a vote of two-thirds (2/3) of those members in attendance.





<b>BOARD OPERATIONS BY-LAW NO. 03</b>	
Date Adopted	February 26, 2020
Last Revised	November 24, 2022
Board Motion	6459-11-22

**BOARD OPERATIONS: BY-LAW NO. 03  
COMMITTEES OF THE BOARD**

**1. PURPOSE**

- 1.1. The James Bay Lowlands Secondary School Board may establish by resolution such standing, legislated, and ad hoc committees as it deems appropriate or are required by law or through contractual obligations, and subject to any relevant legislation or contract.
- 1.2. The Board may determine the composition of the standing and ad hoc committees and the manner of selecting chairs and members. The Board may fix their terms of reference, reporting relationships, and expected date of completion of their mandate. The Board may alter the composition of committees, their terms of reference, reporting relationships and expected date of completion of their mandate, as the Board may deem appropriate from time to time. The Board may also dissolve committees.

**2. DEFINITIONS**

**Ad Hoc Committee:** An ad hoc committee is appointed to make recommendations on a particular issue. The Board shall dissolve the committee once the final report to the Board has been made.

**Committee of the Whole—Open Meeting:** A committee of the whole is a meeting of an assembly according to modified procedural rules based on those of a committee. The purpose of a committee of the whole is to relax the usual limits on debate, allowing a more open exchange of views without the urgency of a final vote.

**Committee of the Whole—Closed Meeting:** A closed meeting is closed to the public as provided by subsection 207 (2) of the *Education Act*.

**Legislated Committee:** A committee required by legislation/law.

**Majority Vote:** A majority vote shall be fifty percent of the members, plus one.

**Standing Committee:** A standing committee is a committee established by the Board to perform a continuing function, dealing with work of an ongoing or recurring nature.

**Statutory Committee:** A statutory committee is a committee required by the *Education Act*.

### 3. POLICY

- 3.1. Board committee meetings shall be open to the public except when the subject matter under consideration is covered by section 207(2) of the *Education Act*.
- 3.2. The rules of order contained in the current edition of Robert's Rules of Order Newly Revised shall govern committee meetings of the Board in all cases to which they are applicable and in which they are not inconsistent with the Board's by-laws, approved special rules of order, and the *Education Act*.
- 3.3. A quorum of any committee shall consist of fifty percent of the members. It is the duty of the chair of the committee to determine that a quorum is present.
- 3.4. A report of a committee is that of a majority of the committee.
- 3.5. Committees shall report to the Board in writing after each meeting and the chair of the committee, or where the chair is not a Board member, a Board member appointed to the committee shall present the committee's report to the Board.
- 3.6. A committee report shall not be amended by the Board, but the Board may refer the report back to the committee for further consideration or with instructions to amend the report in some way.
- 3.7. Committee recommendations may be acted on separately when they are presented with the committee report or be postponed to a definite time.
- 3.8. The motion shall be stated in a form that will allow the Board to vote directly on the proposal itself, rather than a motion to agree or disagree with the recommendation of the committee. A motion embodying a committee recommendation is considered and acted on as any other main motion.
- 3.9. The secretary of the Board, in consultation with the chair of the Board, determines whether items of business go directly to the Board or to a committee for study, investigation, and recommendation. This decision is generally based upon the urgency of the issue and the depth of investigation required. Nothing in this process prevents the Board from referring a matter to a committee for investigation and recommendation.
- 3.10. Resource staff to the committees shall include the appropriate system or school administrators or designates.

### 4. BOARD COMMITTEES

This document describes the purpose, powers and duties, membership, and meetings of committees that the Board has established in order to govern the district in an effective and efficient manner.

## STANDING COMMITTEES

### COMMITTEE OF THE WHOLE BOARD

#### 1. PURPOSE:

When it is required by law or when the Board, on motion of a member, decides that it would be appropriate to discuss a matter in the Committee of the Whole Board, the Board, by resolution, shall move into a Committee of the Whole Board.

#### 2. POWERS AND DUTIES

- a) Discussion in the Committee of the Whole Board shall be strictly limited to the subject referred to the Committee of the Whole Board.
- b) If the Committee of the Whole Board is meeting in open session, the rules of procedure are less formal than in a Board meeting. The usual limits on debate are relaxed; there is a more open exchange of views; and there is no final vote. The matter under discussion is then referred to the corporate Board for a final decision.
- c) If the Committee of the Whole Board is meeting in closed session, the discussion must be related to the subjects set out in subsection 207 (2) of the *Education Act*. [See section 6 of the Board Governance By-Laws.]
- d) The Committee of the Whole Board shall, at the conclusion of its business and on a motion of one of its members duly resolved, rise and report its findings to the Board, which shall deal with such report in the same fashion as any committee report.

#### 3. MEMBERSHIP:

All members of the Board are voting members of the Committee of the Whole Board.

#### 4. MEETINGS:

- a) Meetings of the Committee of the Whole Board may be in public or closed session upon resolution of the Board.
- b) Closed meetings, as approved by Board resolution, will be held directly after the public Board meeting.

## **STANDING COMMITTEES**

### **BUSINESS AND BUILDING MAINTENANCE COMMITTEE**

#### **1. PURPOSE:**

The Business and Building Maintenance Committee shall review and make recommendations to the Board on matters related to operations of facility services, the maintenance of buildings, and procurement.

#### **2. POWERS AND DUTIES:**

- a) The committee will make decisions that reflect the Board's values, vision, and mission.
- b) The committee shall support the achievement of the Board's major areas of responsibility that relate to board operations and maintenance as described in Board Policy GOV-02 Role of the Corporate Board.
- c) The committee will provide for the maintenance of Board buildings and property with special regard to student and staff safety, in accordance with legislation.
- d) The committee shall review and make recommendations to the Board on the scope of capital projects and contracts for construction.
- e) The committee shall keep the Board informed regarding all facility matters and make recommendations to the Board about facility work plans and capital planning.

#### **3. MEMBERSHIP:**

- a) The membership consists of a Trustee, Director of Education, Finance & HR Administrator, Principal, and the Facilities Manager.
- b) Membership is appointed each year at the initial/annual meeting held in December.
- c) The chair of the committee is a trustee, elected each year at the initial/annual meeting of the Board.

#### **4. MEETINGS:**

- a) The committee shall schedule regular meetings at the call of the chair.
- b) Any change in meeting dates shall require advance notice to be posted at least seventy-two hours in advance.
- c) In the absence of the chair, a trustee designate shall preside at the meeting.

## STANDING COMMITTEES

### POLICY COMMITTEE

#### 1. PURPOSE:

The Policy Committee shall make recommendations to the Board on matters related to Board policies and Governance By-Laws, and set up a system of regular review of Board policies.

#### 2. POWERS AND DUTIES:

The committee shall make recommendations to the Board on all matters of governance policy:

- a) The committee shall set the overall direction for the Board by establishing and reviewing the Board values, vision, and mission statement.  
[Board Policy GOV-01 Values, Vision, and Mission]
- b) The committee will support the development of a multi-year plan aimed at achieving the Board's goals.  
[Board Policy GOV-05 Multi-Year Strategic Plan]
- c) The committee will develop governance policies that outline how the Board and district will successfully function, and that promote the Board's values.
- d) The committee will approve policy statements that meet the criteria identified by the Board in Board Policy GOV-06 Policy Development and Review.
- e) The committee will monitor and evaluate the effectiveness of Board policies in achieving the Board's goals, and the efficiency of the implementation of those policies.

#### 3. MEMBERSHIP:

- a) Membership is appointed each year at the initial/annual meeting held in December.
- b) The chair of the committee is elected each year at the initial/annual meeting of the Board held in December.

#### 4. MEETINGS:

- a) The Policy Committee shall schedule regular meetings.
- b) Any change in meeting dates shall require advance notice to be posted at least seventy-two hours in advance.
- c) In the absence of the chair, a trustee designate shall preside at the meeting.

## STATUTORY COMMITTEES

### SPECIAL EDUCATION ADVISORY COMMITTEE

#### 1. PURPOSE:

- a) The James Bay Lowlands Secondary School Board recognizes the right of all exceptional students to appropriate special education programs and services and acknowledges the responsibility of the Board to provide such programs and services.
- b) The Board will avail itself of the advice, expertise, and concerns of a broad spectrum of the community that is associated with the needs of exceptional students. The Board shall maintain a Special Education Advisory Committee in accordance with the *Education Act* and Ontario Regulations in conjunction with Board policies and prescribed guidelines.

#### 2. POWERS AND DUTIES:

- a) The powers and duties of the Special Education Advisory Committee are mandated by Ontario Regulation 464/97 Special Education Advisory Committees.
- b) The Special Education Advisory Committee shall provide and make recommendations to the Board of Trustees in respect to any matter affecting the establishment, development, and ongoing review of special education programs and services of the Board.
- c) The Special Education Advisory Committee is advisory in nature only.
- d) The Committee shall report to the Board, in writing, at least once each calendar year, and more frequently if desired and/or at the request of the Board.
- e) The effectiveness or performance of employees of the Board shall not be subject to discussion by the Special Education Advisory Committee.

#### 3. MEMBERSHIP:

- a) The Committee shall consist of:
  - A maximum of two (2) representatives of “local associations” as nominated by the associations and appointed by the Board;
  - A maximum of one (1) representative of ratepayers, appointed by the Board;
  - One (1) trustee appointed by the Board. (The trustee is the chair of the Committee).
- b) All members of the Special Education Advisory Committee must hold the qualifications required of a trustee of the Board.
- c) “Local Associations” means an association or organization of parents that operates locally within the area or jurisdiction of the Board and that is affiliated with an association or organization that is not an association or organization of professional educators but that is incorporated and operates throughout Ontario to further the interests and well-being of one or more groups of exceptional students.

- d) The Board chair shall be the ex-officio member of the Special Education Advisory Committee.
- e) A member of the Special Education Advisory Committee who misses three (3) consecutive meetings of the Committee without notification shall forfeit his/her rights of membership.
- f) Any member of the Special Education Advisory Committee is eligible for reappointment by the Board subject to qualifications.
- g) Members of the Committee shall be appointed by the Board for a four-year (4) term of office to coincide with the term of office for trustees.

#### 4. MEETINGS:

- a) The initial meeting of the Special Education Advisory Committee shall be called by the Secretary of the Board or his/her delegate within one (1) month following the appointment of the members of the Committee by the Board of Trustees, and the Board Secretary or delegate shall act as chair of the meeting until a chair has been duly elected by the Committee.
- b) Thereafter, the annual or inaugural meeting of each term of the Special Education Advisory Committee shall be called by the Secretary of the Board or designate in the month of December.
- c) The Special Education Advisory Committee shall meet no less than three (3) times a year (i.e. spring, fall and winter) and no more than twenty (20) times in a school year.
- d) Written notice of any change in date is to be sent to each member of the Committee by the Committee Secretary at least one (1) week in advance of the meeting.
- e) Meeting dates shall be determined by the Committee at the end of each Committee meeting.
- f) Voting privileges are restricted to:
  - Members of local associations appointed by the Board;
  - Trustees appointed by the Board; and
  - Ratepayers appointed by the Board.
- g) A majority of the voting membership of the Special Education Advisory Committee shall constitute a quorum.
- h) The chair, and in his/her absence the vice-chair, or in his/her absence the supervisory officer, shall cancel any meeting that lacks a quorum twenty (20) minutes after its scheduled starting time or if a prior poll of members indicates that there will not be a quorum.

#### 5. OPERATING PROCEDURES

- a) The Committee shall function according to the Board's procedural by-laws and parliamentary procedure based on Robert's Rule of Order.

- b) The supervisory officer shall serve as a permanent advisor to the Special Education Advisory Committee.
- c) The supervisory officer shall prepare the annual report to the Board at the direction of the Committee.
- d) All reports to the Board shall be made in writing and shall be submitted through the Secretary of the Board.
- e) The Board shall formally receive the annual report of the Special Education Advisory Committee at a public meeting within one (1) month of the receipt of the report by the Secretary of the Board.
- f) In addition to the annual report identified above, the Board may request additional reports.
- g) The Board may deal with other reports requested by the Board from the Special Education Advisory Committee in committee of the whole, or in public session as determined by the Board chair.

## **LEGISLATED COMMITTEES**

### **1. PURPOSE:**

The Board shall establish legislated committees as required by the *Education Act* or other legislation.

### **2. PROCESS:**

Examples of legislated committees are as follows:

- Identification, Placement, and Review Committee (IPRC)  
[Board Policy GOV-19 Special Education]
- Student Discipline Committee  
[Board Policy GOV-21 Appeals and Hearings Regarding Student Discipline]
- Occupational Health and Safety Committee  
[Board Policy GOV-24 Occupational Health and Safety Committee]

## **AD HOC COMMITTEES**

### **1. PURPOSE:**

The Board shall establish ad hoc committees, by resolution, from time to time as it deems appropriate for one or more special purposes or as required under legislation or through contractual obligations, and subject to any relevant legislation or contract.

### **2. PROCESS:**

- a) In each case the Board shall determine the composition, terms of reference, reporting relationships and expected date of completion of the mandate of the committee.
- b) An ad hoc committee shall elect a chair.
- c) The Board shall dissolve by motion an ad hoc committee when it has completed its task.



- d) Examples of ad hoc committees that the Board may establish include, but are not limited to, the following:
- Selection Committee  
[Board Policy GOV-07 Selection of the Supervisory Officer]
  - Housing Committee
  - Grievance Committee
  - Negotiating Teams: Collective Agreements