

## POLICY 7

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### BOARD GOVERNANCE AND OPERATIONS

The Board shall conduct itself in accordance with the Education Act, provincial and federal legislation and regulations, and the operations outlined in this policy so that the business of the Board can be conducted in an orderly and efficient manner.

All operations in this policy will apply to all regular and special meetings of the Board, and all activities and actions of the Board.

#### 1. Elections/Appointment

##### 1.1 Wards

The Division was initially established on September 25, 1980 by Ministerial approval (RCS150 - 0). Within the stipulations of Ministerial Order 014/2010 dated February 8, 2010, the Board through Bylaw No. 01-09 has decided to provide for the nomination and election of Trustees within the Division by wards.

Copies of all related Ministerial Orders are available from the Division Office.

1.1.1 Three (3) wards have been established within the Division.

1.1.2 Three (3) Trustees are to be elected in wards 1 (Bonnyville) and 2 (Cold Lake); one (1) Trustee is to be elected in ward 3 (West area).

##### 1.2 Wards may be revised from time to time as determined by the Board.

1.2.1 The Board must pass any desired revision, by bylaw, by December 31 of the year prior to the year in which a general election is to be held in order to have the revision in effect following that general election.

1.2.2 In the determination of revised ward boundaries, the Board must take into consideration representation by population, trading areas, school attendance areas and growth/depopulation forecasts.

1.2.2.1 In balancing representation by population, the common representation rule that can be used is +/- 25% of the average ward population.

1.2.3 Further, in the determination of revised ward boundaries, the Board must utilize a community engagement process.

##### 1.3 The provisions of the Local Authorities Election Act respecting the election of Trustees shall apply to every election in each ward.

##### 1.4 By-elections may be held as determined by the Board.

1.4.1 During the three (3) year period immediately following a general election, a by-election need not be held if there is only one (1) vacancy on the Board and during the fourth year following a general election, a by-election need not be held unless the number of vacancies on the Board reduces the Board to a

number that is less than the quorum of the Board plus one (1).

## 2. Organizational Meetings

The annual organizational meeting shall be held in public in August, except in any year in which a general election takes place, at which time it shall be within 4 weeks following the date of the official statement of the election results.

- 2.1 The Superintendent shall ensure that each Trustee has received notice of the organizational meeting as if it was a special meeting.
- 2.2 The Superintendent shall call the meeting to order and preside as Chair until a Board Chair is elected, at which time the meeting will be turned over to the newly elected Board Chair.
- 2.3 The agenda for the organizational meeting shall include:
  - 2.3.1 Election of Board Chair
  - 2.3.2 Election of Board Vice-Chair
  - 2.3.3 Election of Board committees and representatives
  - 2.3.4 Dates, times and location of regular Board meetings
  - 2.3.5 Appointment of an auditor
  - 2.3.6 Appointment of signing authorities
- 2.4 All elections shall be conducted by secret ballot unless there is unanimous agreement among Trustees to use a show of hands.

## 3. Regular Meetings of the Board

Regular meetings of the Board are required to ensure the efficient operation of the Division.

- 3.1 All regular meetings of the Board will be held in accordance with section 64, of the Education Act and the Board Procedures Regulation (A. R. 82/2019).
- 3.2 The dates of regular meetings of the Board will be determined at the annual organizational meeting.
- 3.3 Regular meetings shall not continue beyond four hours unless a resolution has been passed, by a simple majority of the Trustees in attendance, to extend the meeting adjournment deadline.
- 3.4 The date of a regular meeting can only be changed at a regular or special meeting by a resolution passed by a simple majority of Trustees in attendance.
- 3.5 Meeting procedures will be in accordance with Robert's Rules of Order.
- 3.6 The Superintendent shall ensure that the meeting agenda and supporting material for all regular Board meetings are issued to Trustees at least three working days prior to such meetings.

#### 4. Special Meetings of the Board

Occasionally unanticipated or emergent issues require immediate Board attention and/or action. In such cases, a special meeting of the Board will be held in accordance with the provisions of Section 3 of the Board Procedures Regulation.

- 4.1 Special meetings will not normally be held without the Superintendent and Secretary-Treasurer in attendance.
- 4.2 The Superintendent or Board Chair shall ensure that the appropriate notice is given or, alternatively, that every Trustee waives the requirement of notice.

#### 5. In-Camera Meetings of the Board

The Board may hold a meeting, or part of a meeting, in-camera to discuss sensitive issues where a majority of the Trustees are of the opinion that it is in the public interest to do so. An in-camera meeting shall be held in accordance with Section 64 of the Education Act.

- 5.1 The Board does not have the authority to pass by-laws or resolutions while in-camera with the exception to return to the open meeting. The resolution shall be recorded in the minutes of the Board, and specify those individuals eligible to attend.
- 5.2 Meetings held in-camera will generally be held to discuss sensitive matters pertaining to:
  - 5.2.1 Individual students
  - 5.2.2 Individual Division employees
  - 5.2.3 Collective bargaining/negotiations and salary reviews
  - 5.2.4 Acquisition and disposal of real property
  - 5.2.5 Litigation brought before or against the Division
  - 5.2.6 Legal advice (client-solicitor privilege)
  - 5.2.7 Other topics that the majority of Trustees present feel is to be held in private, as it would be in the best interest of the public to do so.
- 5.3 In-camera meetings may precede the regular meeting of the Board.
- 5.4 Trustees and other persons attending an in-camera meeting of the Board shall not discuss the details of the meeting after it has concluded. All details of the meeting are, and shall be, confidential.
- 5.5 The Board may invite staff members or any others to attend an in-camera meeting at its discretion.

#### 6. Participation by Electronic Means

- 6.1 Notwithstanding Section 5 of the Board Procedures Regulation, it is the preference of the Board to meet in person at a common location to conduct Division business.
- 6.2 Notwithstanding 6.1 above, in exceptional circumstances, a regular Board meeting may be conducted by means of electronic or other communication facilities where weather conditions or specific needs prohibit a Trustee from being physically present.

- 6.3 Trustees participating in a Board meeting via electronic communication shall be deemed to be present at the meeting.
- 6.4 Trustees participating via electronic communications shall have all meeting documents and handouts at their disposal.
- 6.5 The electronic communication means must enable all participants, including public members present, to hear all communications.
- 6.6 One (1) facility will be determined by the Superintendent or designate to be the central and public-accessible site, and this site will be communicated to the public with the Board agenda.
  - 6.6.1 Barring extenuating circumstances, at minimum the Board Chair or Vice-Chair and the Superintendent or designate must participate from the central and public-accessible site.
- 6.7 Reasonable steps must be taken to notify the public of locations from which members of the public may participate.
- 6.8 A Trustee may participate from a location to which the public does not have access.
- 6.9 A Trustee must ensure the means and location used to participate in the meeting will allow moving in-camera, and will meet all requirements of an in-camera session.
- 6.10 Unless there are mitigating reasons, approved in advance by the Board Chair, a Trustee may not attend two consecutive meetings via electronic means.

## 7. Agenda

- 7.1 The Superintendent, in consultation with the Board Chair and Vice-Chair, shall develop the agenda for all Board and committee meetings.
- 7.2 Items on the agenda will generally be given preference in the following order:
  - 7.2.1 Delegations or presentations
  - 7.2.2 Action items (items requiring Board decision)
  - 7.2.3 Information items
- 7.3 The agenda for regular Board meetings shall generally follow the order outlined below:
  - 7.3.1 Opening Prayer
  - 7.3.2 Approval of the Agenda
  - 7.3.3 Minutes of Previous Regular Meeting
    - 7.3.3.1. Modifications, additions, deletions
    - 7.3.3.2. Approval
    - 7.3.3.3. Business arising out of the minutes

- 7.3.4 Delegations and Presentations
- 7.3.5 Action Items
- 7.3.6 Committee Reports
- 7.3.7 Superintendent's Report and Follow-up on Action Items
- 7.3.8 Information Items
- 7.3.9 Set Committee Meeting Dates
- 7.3.10 Adjournment

- 7.4 The Superintendent shall generally prepare and include in the supporting material an administrative recommendation for each action item on the agenda.
- 7.5 The Superintendent shall ensure that the agenda, and supporting/background material, is prepared and available to all Trustees at least three working days prior to the meeting.
- 7.6 Copies of the agenda will be distributed in advance of Board meetings to senior administrative staff in the Division Office and the local media. Other individuals may receive copies of the agenda upon request.
- 7.7 Trustees wishing to have an item placed on the agenda must inform the Board Chair within eight working days prior to the meeting. Items received after this time period will normally be placed on the agenda of the next regular meeting.

The Board may approve by majority votes amendments to the Board agenda, including adding items to the agenda.

## 8. Motions

Motions do not require a seconder except in rare instances as described below.

### 8.1 Notice of Motion

- 8.1.1 The notice of motion serves the purpose of officially putting an item on the agenda of the next or future regular meeting and gives notice to all Trustees of the item to be discussed. A notice of motion is not debatable and may not be voted on.
- 8.1.2 A Trustee may present a notice of motion for consideration at the next regular meeting of the Board or may specify another meeting date. The notice of motion shall include in writing the wording of the motion, or the intent of the motion, and any supporting documentation. The actual wording of the motion must appear in the agenda package of the regular meeting at which it is to be considered.
- 8.1.3 A Trustee may also provide the Superintendent with a written notice of motion and ask that it be placed on the agenda of the next regular meeting and read at the meeting. The Trustee need not be present during the reading of the motion, however if the Trustee is not present, a seconder is required at the meeting at which the notice is given, otherwise the item will be dropped.

## 8.2 Discussion on Motions

- 8.2.1 The custom of addressing comments to the Board Chair should be followed by all persons in attendance.
- 8.2.2 A recommendation for a motion from Administration must be placed before the Board prior to any discussion taking place on an issue. When a motion originates from the floor, the mover of the motion shall provide a written copy of the motion to the Board Chair. Once a motion is before the Board and until it is passed or defeated, all speakers shall confine their remarks to the motion or to the information pertinent to the motion.

## 8.3 Speaking to the Motion

- 8.3.1 The mover of a motion first and every Trustee shall have an opportunity to speak to the motion before any Trustee is allowed to speak a second time. The mover of the motion is permitted to close debate on the motion.
- 8.3.2 As a general guide, a Trustee is not to speak longer than five minutes on any motion. The Board Chair has the responsibility to limit the discussion by a Trustee when such a discussion is repetitive or digresses from the topic at hand, or where discussion takes place prior to the acceptance of a motion.
- 8.3.3 No one shall interrupt a speaker, unless it is to ask for important clarification of the speaker's remarks, and any such interruption shall not be permitted without permission of the Board Chair.
- 8.3.4 Should a Trustee arrive at the meeting after a motion has been made and prior to taking a vote, the Trustee may request further discussion prior to the vote. The Board Chair shall rule on further discussion.

## 8.4 Reading of the Motion

- 8.4.1 A Trustee may require the motion under discussion to be read at any time during the debate, except when a Trustee is speaking.

## 8.5 Recorded Vote

- 8.5.1 The recording secretary shall, whenever a recorded vote is requested by a Trustee before the vote is taken, record in the minutes the name of the Trustees who voted for or against the matter. The recording secretary shall, immediately after a vote is taken and on the request of a Trustee, record in the minutes the name of that Trustee and whether that Trustee voted for or against the matter or abstained.

## 8.6 Required Votes

- 8.6.1 The Board Chair, and all Trustees present, unless excused by resolution of the Board or by the provisions of the section 88 of the Education Act or section 8 of the Board Procedures Regulation, shall vote on each question. Each question shall be decided by a majority of the votes of those Trustees present. A simple majority of a quorum of the Board will decide in favor of the question. In the case of an equality of votes, the question is defeated. A vote on a question shall be taken by open vote, expressed by show of hands, except the vote to

elect the Board Chair or Vice-Chair, which is by secret ballot.

## 8.7 Debate

8.7.1 In all debate, any matter of procedure in dispute shall be settled, if possible, by reference to *Robert's Rules of Order*. If this reference is inadequate, procedure may be determined by motion supported by the majority of Trustees in attendance.

## 9. Minutes and Records

The Superintendent shall ensure that:

- 9.1 An accurate record of all proceedings of the Board is maintained, including regular and special Board meetings and committee meetings.
- 9.2 All minutes and records are maintained in a safe, secure manner and appropriate back-up procedures are undertaken.
- 9.3 Draft minutes from the previous regular and special Board meetings are provided to each Trustee for adoption at the next regular Board meeting.
- 9.4 The Board Chair signs the minutes upon their adoption and the Secretary-Treasurer initials every page prior to signing and filing them in the official minute book.
- 9.5 Copies of all regular Board meeting highlights ("Board News") are forwarded to each school Principal, local media and relevant stakeholders.
- 9.6 Procedures are in place to respond to requests from electors for public documents and records.

## 10. Delegations to Board Meetings

The Board will receive representation and delegations from parents, staff or other interested persons provided the item has been placed on the agenda or has received the approval of the Board. Such presentations will normally occur at a regular public meeting unless there is a reason to hold it in private. If the Board is of the view that an emergency situation exists, the following procedures may be modified by means of a Board motion.

- 10.1 Individuals or groups wishing to make a formal presentation to the Board must provide a written request to the Superintendent at least fourteen (14) calendar days prior to the meeting at which the presentation is to be made. The written request must identify the spokesperson and provide the terms of reference for the presentation.
- 10.2 The Superintendent will inform the designated spokesperson of the time and place of the meeting and provide a copy of the Board's procedures regarding presentations. The spokesperson will also be advised of the timeframe for the presentation and follow-up discussion.
- 10.3 The Board at its discretion will not debate the matter presented to it at the meeting. Questions of clarification directed through the Board Chair may be asked of the

spokesperson or the Superintendent. The latter may refer the question to the appropriate senior administrator.

- 10.4 Unless the matter is critical, the Board will not make a decision on the matter at the same meeting at which the presentation is made.
- 10.5 The Superintendent will be required to prepare a recommendation for the Board's consideration at the next regular meeting.
- 10.6 The Superintendent shall be responsible for informing the spokesperson of the Board's decision regarding the matter raised in the presentation.
- 10.7 Further, the Board will receive any petitions as specified in the Petitions and Public Notices Regulation (A. R. 91/2019).

## 11. Trustee Honoraria and Expense Reimbursement

Trustees will be required to attend various conferences, conventions, seminars and meetings in their capacity as school Trustees.

- 11.1 Rates for Trustee honoraria and expense reimbursement will be established at the Board's annual organizational meeting. Approved activities include regular and special Board meetings, Board committee meetings, conventions, conferences, seminars, workshops, meetings with government officials and the conduct of Board-related business.
- 11.2 The Division shall pay or reimburse Trustees for the expenses related to registration fees, transportation, parking, meals, and accommodation.
- 11.3 The Division shall pay or reimburse Trustees for travel when it is determined that the purpose for travel cannot be adequately met through telephone, correspondence, facsimile, electronic mail or videoconferencing.
- 11.4 Trustees will be responsible for their own expenses and will be required to stay within the budgeted amounts.
- 11.5 Trustee honoraria and expense claims will be submitted to the Secretary-Treasurer on at least a quarterly basis.
- 11.6 Trustees shall use the Division's claim form that has been adopted for use by Trustees.
- 11.7 The Board shall act as the appeal body should a difference of opinion arise on any matter referred to it in regard to Trustee honoraria and/or expense reimbursement.

## 12. Signing Authorities for the Board

- 12.1 The Board Chair (Vice-Chair as alternate), Superintendent and Secretary-Treasurer shall be the cheque-signing authorities for the Board.
- 12.2 Contracts of employment with the Superintendent will be approved by the Board and



signed by the Board Chair.

### 13. Conflict of Interest

The Board believes that Trustees, or their families, should not gain benefits or monetary rewards because of their position as a Trustee except for any allowances, honorarium or remuneration approved by the Board for duties performed.

The Board expects:

13.1 Each Trustee will accept sole responsibility for declaring a conflict of interest.

13.1.1 Each Trustee will be knowledgeable with Sections 85-96 of the Education Act.

13.1.2 Each Trustee will limit a declaration of conflict of interest to those matters specified in Section 86 of the *Education Act*.

13.2 Each Trustee will advise the recording secretary of the declaration.

13.2.1 The Trustee will declare any personal conflict of interest at the point in the agenda where the matter arises.

13.2.2 The Trustee will absent himself/herself from the Board table when in conflict, and shall leave the meeting room until the discussion and voting on the matter are concluded.

13.3 Each Trustee will refrain from participating in discussion, debate or voting on any issues in which a personal conflict of interest is declared.

13.3.1 The recording secretary will record in the minutes:

13.3.1.1. The Trustee's declaration;

13.3.1.2. The Trustee's abstention from the debate and the vote.

Legal Reference: Sections 33, 34, 51, 52, 53, 64, 65, 66, 67, 69, 73, 75, 81, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 112, 114, 138, 139, 222 Education Act  
Local Authorities Election Act  
Income Tax Act (Canada)  
Board Procedures Regulation 82/2019  
Petitions and Public Notices Regulation 91/2019