

By-Laws

The Operation of the Board

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Definitions

In these by-laws and policies:

- a) "Board" means the Board of the Nova Central School District
- b) "Board Member" means trustee as defined by Schools Act, 1997
- c) "Chairperson" means the Chairperson of the Board
- d) "District" means the Nova Central School District
- e) "Director" means Chief Executive Officer of the Board
- f) "in writing" includes print in hard copy and electronic form
- g) "Minister" means the Minister of Education
- h) "Parent" means a parent as defined in the Schools Act, 1997
- i) "Quorum" means more than 50% of the current membership of the Board.

Any terms used in these by-laws and policies that are also used in the Schools Act, 1997 and the regulations there under shall have the same meaning as they do in the said Act and regulations.

Pursuant to the requirement of Section 74.(1) (d) of the Schools Act 1997 to create by-laws respecting the calling and conduct of meetings of the Board and the administration and business of the Board, and in compliance with Section 74.(2) of that Act, the following by-laws are enacted to regulate the activities of the Board.

MEETINGS OF THE BOARD

Order of Business

The order of business at school board meetings shall include the following:

- i. Reflection
- ii. Presentations
- iii. Adoption of Agenda
- iv. Adoption of Minutes of Previous Meeting
- v. Business Arising from Minutes
- vi. Reports
- vii. New Business
- viii. Correspondence
- ix. Outstanding Business
- x. Date and Place of Next Meeting
- xi. Closed Session
- xii. Adjournment

Notwithstanding the above, the Chairperson may, when the circumstance of a particular meeting warrants and in consultation with the Board, rearrange the order of items at that meeting.

Rules And Procedures

- a) Meetings of the Board may be held anywhere in the District as determined by the Board.
- b) Resource persons other than senior management staff may participate in meetings of the Board only upon:
 - i. Invitation by the Chairperson through the Director; and
 - ii. Invitation by the Director with the approval of the Chairperson.
- c) Except as otherwise stated in these by-laws and the constitution of the Board, all matters will be decided by a majority vote of Board Members present. All votes at any such meeting shall be taken by ballot if requested by any member present, but if no request is made, the vote shall be taken by assent or dissent. A declaration by the Chairperson that a resolution has been carried establishes approval or rejection of the resolution. Each resolution, the names of its mover and seconder, and the declaration of the Chairperson, either carried or rejected, shall be recorded in the minutes.
- d) A decision of the Board shall be binding on all Board members.
- e) Any questions of procedure at or for any meetings of the Board or of any Committee which have not been provided for in these By-laws, the Board Constitution and the Schools Act 1997, shall be determined by the Chairperson in accordance with (Committee Chair's Recommendation on Reference Document) Rules of Order, current edition.

Board Meeting Minutes

The Director shall ensure that minutes of Board meetings, and Executive Committee meetings when it is acting in place of the Board, signed by the Chairperson and the designated recorder, are kept.

The minutes of the preceding meeting, with any changes made by motion, or as directed by the Chairperson without objection, shall be approved by the Board and become the official minutes for that meeting.

The official minutes of Board and Executive Committee meetings, when it is acting in place of the Board, shall be available to the public for inspection during regular office hours, in the presence of the Director, or designate, or a member of the Board. A copy of the official minutes of each Board and Executive Committee meeting, when it is acting in place of the Board, shall be posted for public viewing on the Board's website.

Closed Session

A session at a regular or special Board meeting may be declared by vote of Board members present to be a closed session. A closed session shall be called for the following reasons:

- a) Discussion of an individual's qualifications to hold a job or pursue training;
- b) Materials and information concerning criminal or civil actions which are not part of a public court record;
- c) Strategy sessions pertaining to collective bargaining, pending or potential litigation, when an open meeting would affect the bargaining or litigation position of the Board;

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- d) Discussions which would disclose the identity of a bona fide and lawful donor to the district, when the donor has requested anonymity;
- e) Discussion of the content of documents protected by privacy acts;
- f) The hearing of student disciplinary cases, unless the parent of the student or the student, if the student is 19 years of age or older, requests an open hearing;
- g) The hearing of employee disciplinary or dismissal cases unless the employee requests a public hearing;
- h) Personnel matters in which the names, competency and abilities of individual employees or students are discussed;
- i) Discussion of potential or actual emergencies or matter of security related to the preservation of the public peace, health, and safety;
- j) Legal advice rendered to the Board concerning an issue or matter under Board discussion, where the Board has not yet taken a public stand or reached a conclusion;
- k) Preliminary discussions of tentative information relating to school attendance zones, personnel needs, or fiscal requirements;
- l) Board committee proceedings, except for the Executive Committee when it is acting in place of the Board; and
- m) Other circumstances as determined by the Board in consultation with its legal counsel.

Minutes of closed sessions will be recorded in the same manner referenced in subsection Board Meeting Minutes, except that these minutes are not made available to the public.

Public Participation

Individuals who wish to address the Board must seek approval at least two (2) weeks in advance of a board meeting. The request shall be in writing. In the case of a delegation the request shall name the spokesperson for the group.

DUTIES OF THE OFFICERS OF THE BOARD

The Chairperson

The Chairperson shall:

- a) preside over all Board and Executive Committee meetings;
- b) be an ex officio voting member of all Committees of the Board; and
- c) be responsible for ensuring Board representation at public or official functions unless otherwise directed by the Board.

The 1st Vice-Chairperson

The 1st Vice-Chairperson shall:

- a) act as Chairperson and have all the powers and perform all the duties of the Chairperson in the absence of the Chairperson;
- b) chair the Programs Committee of the Board; and
- c) perform such other duties, if any, as may be delegated by the Board or the Chairperson.

The 2nd Vice-Chairperson

The 2nd Vice-Chairperson shall:

- a) act as Chairperson and have all the powers and perform all the duties of the Chairperson in the absence of the Chairperson and the 1st Vice-Chairperson;
- b) chair the Student Support Services Committee of the Board; and
- d) perform such other duties, if any, as may be delegated by the Board or the Chairperson.

The Treasurer

The Treasurer shall:

- a) act as Chairperson and have all the powers and perform all the duties of the Chairperson in the absence of the Chairperson, the 1st Vice-Chairperson, the 2nd Vice-Chairperson;
- b) present the annual financial statement of the Board;
- c) chair the Finance/Property Committee of the Board; and
- e) perform such other duties applicable to the office as required by the Board or the Chairperson.

The Secretary

The Secretary shall:

- a) act as Chairperson and have all the powers and perform all the duties of the Chairperson in the absence of the Chairperson, the 1st Vice-Chairperson, the 2nd Vice-Chairperson and the Treasurer;
- b) chair the Personnel Committee of the Board; and
- f) perform such other duties applicable to the position as required by the Board or the Chairperson.

COMMITTEES

A board appoints committees to assist in its functioning. All standing committees shall receive their mandates (terms of reference) from the board, and shall not assume any additional responsibilities unless conferred upon it by the board. Other committees, required by the board from time to time, shall have its mandate, term of office and membership established by resolution of the board. Each trustee shall serve as a member of at least one of the standing committees.

Committee Protocol:

The executive committee is the only board committee required by the Schools Act, 1997, and as such must comply with the conditions stated therein pertaining to its designated role within the Act.

The following statements apply to operation of all committees with the noted exceptions that apply specifically to the executive committee only:

- a) All committees, except the executive committee when it acts in compliance with subsection 56(2), Schools Act 1997, shall record agreement on all recommendations being offered for consideration by the Board.
- b) The committee chairperson shall report on the proceedings of committee meetings at a subsequent regular board meeting, and present any recorded recommendations for the Board's consideration and vote.
- c) When the executive committee is acting in place of the board in compliance with subsection 56(2), Schools Act 1997, the minutes of these proceedings shall be made available to the public.
- d) Committee meetings will be at the call of the committee chairperson, or otherwise with unanimous consent of the committee.
- e) The Director or designate will be responsible for recording and maintaining the minutes of the proceedings of all committees of the board.

Executive Committee

The establishment of an Executive Committee is a requirement of Section 56 of the Schools Act, 1997. The following by-law sets out further the composition and the terms of reference for the Executive Committee established by the Nova Central School Board.

Membership

Board Chair (committee chair); 1st Vice-Chair of the Board;
2nd Vice-Chair of the Board; Treasurer of the Board; Secretary of the Board; and
Director of Education (non-voting)

Terms of Reference

1. Exercise the full powers of the Board in all matters in accordance with Section 56 of the Schools Act, 1997 ;
2. Ensure the development of a strategic education plan to facilitate the delivery of educational services within the School District, and monitor its implementation;
3. Review the Board constitution, and all Board by-laws and policies directing the operation of the Board;
4. Ensure the effective operation of the Board and Board Committees;
5. Ensure the effective operation of School Councils;
6. Act as the search committee to recruit the Director of Education;
7. Conduct annual performance evaluations of the Director;
8. Review the communications policy of the School Board; and
9. Study and advise the Board on any matter as directed by the Board.

Finance/Property Committee

The following by-law sets out the composition and the terms of reference for the Finance/Property Committee established by the Nova Central School Board.

Membership

Treasurer of the Board (committee chair); Two Non-executive Trustees; Board Chairperson (ex-officio voting member); Director (non-voting); and Assistant Director Finance (non-voting)

Terms of Reference

1. Ensure the preparation of the annual budget for the District and make recommendations to the Board regarding its acceptance;
2. Monitor the implementation of the approved annual budget of the Board, making reports and/or recommendations to the Board thereon;
3. Review policies relating to matters of property, student conveyance and financial operations;
4. Review, on a timely basis, all audits pertaining to business operational matters of the District, making reports and/or recommendations to the Board thereon;
5. Review, on an annual basis, the capital construction needs of the District and all associated priorities and offer for the consideration of the Board all related recommendations;
6. Review, on an annual basis, the student conveyance needs of the District and offer for the consideration of the Board all related recommendations;
7. Examine and recommend to the Board on any requests for the sale and purchase of real properties; and
8. Study and advise the board on any other matter as determined by the board.

Personnel Committee

The following by-law sets out the composition and the terms of reference for the Personnel Committee established by the Nova Central School Board.

Membership

Secretary of the Board (committee chair); Two Non-executive Trustees; Board Chairperson (ex-officio voting member); Director (non-voting); and Assistant Director Personnel (non-voting)

Terms of Reference

1. Ensure the preparation of the annual staffing plan for the District and make recommendations to the Board regarding its acceptance;
2. Monitor the implementation of the approved staffing plan for the District, making reports and/or recommendations to the Board thereon;
3. Review policies and direction relating to matters of labor relations, human resources and collective agreement negotiations;
4. Act as board representatives on the Board-Teacher Liaison Committee; and
5. Study and advise the board on any other matter as determined by the board.

Programs Committee

The following by-law sets out the composition and the terms of reference for the Programs Committee established by the Nova Central School Board.

Membership

1st Vice-Chair of the Board (committee chair); Three Non-executive Trustees; Board Chairperson (ex-officio voting member); Director (non-voting); and Assistant Director Programs (non-voting)

Terms of Reference

1. Monitor the implementation of the prescribed curriculum in the District;
2. Monitor and promote the implementation of co-curricular and extra-curricular programs in the District;
3. Review policies and direction relating to matters of school curriculum, instruction and student assessment;
4. Review, on a timely basis, all external student achievement data for the District, making reports and/or recommendations to the Board thereon;
5. Monitor the work of schools in the area of School Development;
6. Collaborate with School Councils to advance goal setting in the area of student achievement within the context of its School Development Plan; and
7. Study and advise the board on any other matter as determined by the board.

Student Support Services Committee

The following by-law sets out the composition and the terms of reference for the Student Support Services Committee established by the Nova Central School Board.

Membership

2nd Vice-Chair of the Board (committee chair); Three Non-executive Trustees; Board Chairperson (ex-officio voting member); Director (non-voting); and Senior Education Officer, Student Support Services (non-voting)

Terms of Reference

1. Monitor the implementation of provincially mandated policies and guidelines relating to special education programming and related support systems in the District;
2. Monitor initiatives that are created to enhance educational opportunities and supports for the challenged student;
3. Review policies and direction relating to matters of program planning, student safety and security, and supports and services for students with exceptionalities; and
4. Study and advise the board on any other matter as determined by the board.

ADMINISTRATIVE STAFF

- a) The Director and Assistant Directors shall be appointed by the Board in accordance with section 79 of the Schools Act 1997.
- b) The Director of Education shall be the Chief Executive Officer of the Board.
- c) The Director shall be responsible for administering the education system in accordance with the Schools Act, 1997 and related Regulations, and the Constitution, By-laws and Policies of the Board.
- d) To assist the Director, the Board shall approve an organizational structure in which the authority and responsibilities of all senior officials are defined.
- e) The Director shall assign the duties of the Assistant Directors in accordance with the position descriptions approved by the Board and they shall be responsible to the Board through the Director.

FISCAL YEAR

The fiscal year of the Board shall commence on July 1 and shall terminate on June 30.

ANNUAL REPORT

An annual report shall be compiled covering each year's activities and future plans. The report shall be available to the public.

BANKING

The Board shall designate a chartered bank, a trust company or a credit union to provide required banking services. The designated banker will be determined through a public call for banking proposals at five (5) year intervals.

AUDITOR

An auditor shall be appointed for the purpose of auditing and verifying the accounts of the Board for the current fiscal year and the report shall be submitted to the Board. The Auditor will be selected following an invited Public Tender Call for auditing services and may be retained for a maximum of five (5) years.

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AMENDMENTS

Amendments to these by-laws must be made in the form of a Notice of Motion at a regular Board meeting to be debated and voted upon at the next regular Board Meeting. Amendments shall require a majority of 2/3 of the trustees that make up the current board membership.

Date of Board Approval: July 26, 2005
Date of Ministerial Approval: September 9, 2005