



Governance Policies

of the

Nova Central School Board

Amended May 21, 2013

GOVERNANCE POLICIES

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DEFINITIONS

In these policies:

- a) "Abstention" is either a refusal to vote on a motion or refusal to vote based on a reported conflict of interest which shall be noted in the official record of a vote.
- b) "Chairperson" means the Chairperson of the Board;
- c) "Closed session" is a portion of the meeting of the Board which has been declared by a vote of the trustees to be a closed meeting from which members of the public shall be excluded;
- d) "Consensus" means all board members present at a meeting support the proposed decision;
- e) "Current year" means the twelve month period between July 1 and June 30;
- f) "District" means the Nova Central School District;
- g) "Open meeting" is a meeting of the Board which is open to the public;
- h) "Point of Information" means an item raised to correct inaccuracies or clarify an issue;
- i) "Point of Privilege" means an item raised by a board member to correct inaccuracies or explain circumstances he believes affects himself adversely or reflects improperly on the Board as a whole;
- j) "Point of Order" means an item raised when a board member believes a meeting is proceeding contrary to the Board's constitution, bylaws and/or policies and shall only be made at the time the alleged irregularity occurs.

1.0 OUTCOMES FOR EACH LINE OF BUSINESS

These policies deal with the outcomes or results that the Nova Central School Board wants to achieve.

Mission

- 1.01 **By June 30, 2017**, Nova Central School District will have improved student academic achievement by enhancing supports and services for students and promoting safe, caring and healthy schools.

Academic Achievement

- 1.02. The Nova Central School Board shall not promote, support or cause available resources to be used for school/district events that would contravene board policy.
- 1.03. Each year, the Nova Central School District demonstrates that CDLI is offered only in circumstances where direct instruction is not possible.
- 1.04. The Director of Education shall ensure that each school has a student-attendance improvement program.
- 1.05. The Director of Education shall ensure the implementation of district-wide guidelines regarding the effect of outside influences on instructional time.

Transportation

- 1.06. The District shall arrange transportation in a manner which complies with provincial legislation and guidelines, and board bylaws and policies.

2.0

BOARD OPERATIONS

These policies establish the role of the Nova Central School Board and set the rules and limitations of individual trustees, the Board as a whole and the Director of Education.

Standards of Behaviour

- 2.01. No Nova Central School Board trustee shall ignore his/her responsibility for providing leadership in educational governance by refusing to adhere to the highest standards of behaviour as stated:

Accountability	Each board member: is aware of the strategic directions of the Government and the respective department; supports the goals of the Nova Central School Board; accepts ownership of the conferred responsibilities; and, reports on the discharge of those accepted responsibilities and the results obtained.
Big Picture	Prior to making any decision, each board member takes the time to view each issue from the perspective of his/her constituents, specific groups/individuals, all of the citizens within the geographical boundaries of the board, the citizens of the province, and the provincial government.
Commitment	Each board member sets aside time to do governance work thoroughly, attends meetings, articulates his/her ideas in the designated forum, offers his/her expertise to the board, and acts in the best interest of the Nova Central School Board.
Communication	Each board member maintains a positive stance during all interactions, acknowledges divergent views, identifies areas of agreement and outstanding differences, and says what s/he actually means.
Confidentiality	Each board member permits agreed upon governance processes to take their course, honors the role of the Board's spokesperson, and leaves information which is not designated for public distribution within the boardroom.
Focus	Each board member focuses on the issues not the people involved, remains detached from personal comments, and makes the best decision possible under the current circumstances.
Leadership	Each member leads by example, accepts his/her governance role, does not try to manage the organization, evaluates his/her own activities, accepts the evaluation of others, and agrees to participate in a fair evaluation of the Director.

Listen	Each board member pays attention to all information presented and listens when others are speaking.
Objectivity	Each board member acknowledges his/her biases, consciously decides not to bring prejudices to the governance table, and declares any conflicts of interest before discussions start.
Openness	Each board member accepts the contributions of the other members, includes all members in discussions, is open to change, builds on the culture and history of the organization and respects the past, while preparing for the challenges of the future.
Read	Each board member reads the information provided, compares it to what is already known, and formulates questions to fill in the gaps.
Selflessness	Each board member puts the concerns for the greater good of the organization ahead of his/her personal interests, seeks first to understand the perspectives of others before sharing individual views, and upholds the decisions of the majority.
Team Player	Each board member demonstrates a 'win-win' philosophy, participates actively in conflict resolution, actively judges when to hold firmly to a position and when to compromise, and protects the dignity of opponents.

- 2.02. Trustees and the Director of Education shall adhere to the values outlined in the board's strategic plan.

Code of ethics

- 2.03. No trustee or the Director of Education shall violate any part of the Code of Ethics. Therefore, each person shall, at all times:
- i. adhere to the Standards of Behaviour in their dealings with the Board, members of the school community and citizens of the district;
 - ii. relay to other trustees information needed to make responsible decisions;
 - iii. refrain from representing the Board, except when the Board authorizes such representations;
 - iv. ensure that all official correspondence complies with the Standards of Behaviour and this Code of Ethics;
 - v. refrain from using his position as a trustee to benefit materially either himself or any other individual or group;

- vi. think about how decisions will affect each stakeholder and only make decisions after all relevant facts and research has been presented and discussed;
- vii. make no disparaging remarks in or out of the board meetings about other members or about their opinions, and graciously support a decision once it has been made by the majority of the board;
- viii. remember that as an individual s/he has no legal authority outside the meetings of the board and refrain from making promises as to how s/he will vote on a matter that should properly come before the Board as a whole;
- ix. govern and manage risks to ensure the organization is well managed and operated;
- x. seek to provide programs and services based on the needs of the constituents within the Board's mandate, provincial guidelines provided by the Department of Education, and the Board's mission and goals;
- xi. not criticize staff publicly but refer such matters to the Director for investigation and action, if necessary, and refer all management concerns to the Director and discuss same only at a regular meeting on referral by the Director;
- xii. encourage co-operation and participation by stakeholders in developing policies that affect their welfare; and,
- xiii. recognize at all times that the Board is an agent of the Government and as such will abide by the relevant legislation and the constitution, by-laws and policies of the organization.

- 2.04. Any breach of the Code of Ethics by a trustee, may, after investigation by the Board, result in a request to the Minister of Education to remove a trustee from the Board by a vote of two-thirds of the remaining members of the Board.

Attendance

- 2.05. Board members shall inform the Director of Education's office and/or the Board Chair, a minimum of 48 hours prior to the meeting unless emergency conditions exist, if they are unable to attend any scheduled meeting of the Board or board committees.
- 2.06. Board member attendance at each meeting shall be recorded in the minutes of the meeting as present or absent.

Board member travel

- 2.07. Board member travel costs shall be reimbursed in accordance with provincial government travel policies and guidelines only.
- 2.08. Board members shall adhere to 2.07 and use the following criteria when submitting financial claims:
- i. standard distance when filing travel claims;
 - ii. standard per kilometer rate as published by the Provincial Government;
 - iii. provincial government per diem rate for meals which are not provided by the District;
 - iv. substantiate all claims by accompanying receipts, where required;
 - v. hotel rooms rates approved shall be based on single-room rates;
 - vi. the option to stay over night exists only when one of the following conditions prevail:
 - a. the board members reside in island communities or are attending a meeting more than 90 km from their place of residence;
 - b. the meeting extends past 10pm;
 - c. the driving conditions are hazardous; or
 - d. the trustee deems it is unsafe to drive.

Committees of the Board

1. Executive Committee of the Board

- 2.09. The term of office for these officers shall not exceed one year unless re-elected.
- 2.10. No decision shall be rendered unless it is based on the outcome of the vote of the majority of the current membership of the executive committee. Where there are less than two thirds of the current membership voting either in favour or not-in-favour, the issue is brought to the full board table for discussion and decision.
- 2.11. No meetings of the Nova Central School Board executive requiring the passing of motions shall be conducted without at least two-thirds of the executive members present.
- 2.12. The Executive shall appoint members to the Teacher Liaison Committee and the standing committees of the Board.
- 2.13. The Executive shall rotate members on the Teacher Liaison Committee and the standing committees of the Board, where possible.
- 2.14. Prior to placing a trustee on a second committee, the Executive shall ensure each trustee who expressed an interest in serving on a committee, is assigned to a committee.

Committees of the Board (continued)

2. Ad Hoc

- 2.15. The Nova Central School Board shall only structure committees, other than the standing committees named in the constitution and bylaws, for specific mandates as per motions of the Board.

Confidentiality, Access to Information and Protection of Privacy

- 2.16 Trustees and employees of the Board shall keep confidential documentation or oral information pertaining to committee matters, closed sessions and other business of the Board.
- 2.17 Notwithstanding 2.16, the Board shall ensure that information is made available to the public in accordance with applicable legislation.
- 2.18 The Board shall take reasonable steps to protect the privacy of its students, employees, parents, volunteers, retirees and others whose personal information is in the Board's custody or control.
- 2.18.1 The Director of Education is designated as the head of Nova Central School District for the purpose of implementation of *Access to Information and Protection of Privacy* legislation.
- 2.18.2 The Director shall ensure that personal information is collected, used, disclosed and disposed of in accordance with applicable legislation.

Conflict of interest

- 2.19 Each trustee shall adhere to all laws regarding conflict of interest, to be alert to situations that have the appearance of a conflict of interest, and to avoid actions that might place himself or the Board in a negative situation or conflict with any stakeholder.
- 2.20 A trustee who declares a conflict of interest shall abstain from participation and leave a meeting room while the matter is being discussed.
- 2.21 A trustee who abstains from participation and leaves a meeting because of his declared conflict of interest shall be included as present when determining whether there is a quorum.
- 2.22 The Board shall determine whether a board member is in conflict of interest when the board member states his case and asks the Board to make a determination.
- 2.23 Declarations of conflict of interest shall be recorded in the minutes.

- 2.24 A trustee who has declared a conflict of interest shall not ask for copies of evidence used by the Board to make the decision, and shall refrain from asking other trustees or executive personnel who voted for or against a motion.
- 2.25 A trustee shall resign from the Board upon seeking employment with Nova Central School District.

Employee Recognition

- 2.26 The Board shall recognize employees' years of service and retirement from the board as per a motion of the Board.

Endowments

- 2.27 The Board as a not-for-profit organization shall, subject to the provisions of the *Schools Act, 1997* and other applicable legislation, invest to protect the principal of all endowment monies bequeathed in trust to the Board, for the use of the Board in the provision of scholarships or in acquisition of other designated assets which were approved by the initial motion of the Board.
- 2.28 Each entity, operated under the Nova Central School Board, which seeks charitable status or sets up foundations shall operate within the financial and reporting policies of the Board and shall present an annual accountability report to the Board.

Indemnification

- 2.29 Every board trustee, and the heirs, executors, estate and effects of every board trustee shall be indemnified and saved harmless out of the funds of the Board with respect to all costs, charges and expenses that the board trustee incurs in relation to any action or other proceeding brought or prosecuted against the board trustee in connection with the duties of the person as a board trustee.

Instruction

- 2.30 School administrators shall normally provide for 2.5 hours of instruction per day for students attending kindergarten, and 5 hours of instruction per day to students attending Grades 1 to Level III.

Negotiations

- 2.31 The Nova Central School Board shall meet its obligations to provide support and input into the collective bargaining process;
- i) the Board shall define areas of current collective agreements for which it desires protection, deletions, modifications and/or additions;
 - ii) the Board shall comply with requests of NLSBA regarding an

- iii) appointment of a trustee to a bargaining team;
- iv) the Board shall ensure input relevant to the collective bargaining process is communicated to the designated party;
- v) The Chair shall ensure that trustees are aware of conduct which could be detrimental to the negotiation process; and
- v) The Board shall communicate its willingness to ratify the relevant collective agreement.

Notification of criminal charges or conviction

- 2.32 The Board shall notify the Minister of Education where a trustee has been charged or convicted of a criminal offence involving minors or any matter that interferes with the orderly functioning of the Nova Central School Board.

Policy development

- 2.33 The Board shall develop, delete and/or change governance policies.
- 2.34 The Board shall accept proposals for new governance policies or changes to existing governance policies from any stakeholder.
- 2.35 Any person submitting an addition, modification or deletion to board governance policies shall make the request in writing to the Director of Education's office to be placed on the agenda of the Board for consideration.
- 2.36 The Board shall determine whether the addition, deletion or modification will be deferred to the Policy Committee or considered by the Board as a whole.
- 2.37 The Board shall receive a report from the Policy Committee and review options for changes as suggested by the committee.
- 2.38 All governance policies shall be reviewed on an annual basis.
- 2.39 No operational issues shall be contained in governance policies.

Professional development sessions and conferences

- 2.40 Each year the Board, by way of motion, shall set the areas of spending within the Trustee Travel Budget for meetings and conferences.
- 2.41 Each year the Board shall budget for attendance of all trustees at the provincial NLSBA AGM and Conference.
- 2.41.1 The Board shall identify the voting five delegates to include the chairperson, and four other voting delegates and two alternates by a draw of names.

- 2.42 Each year, in accordance with the approved annual budget the Executive Committee will recommend, and the Board shall determine by way of a motion, the number of representatives for attendance at each of the Atlantic School Boards Association (ASBA), and the Canadian School Boards Association (CSBA) conferences.
- 2.43 The Board shall grant permission for the Chairperson, accompanied by the Director of Education, to attend each conference.
- 2.43.1 The costs of the Chairperson's attendance shall be funded through the board trustee travel budget.
- 2.44 The Chairperson shall notify trustees of the scheduled annual general meetings and conferences of the NLSBA, ASBA, and CSBA and set a deadline for submission of names of trustees who are interested in attending each.
- 2.45 The Board shall endeavor to approve the attendance, at least once, of each trustee to each of the Atlantic and national conferences during his/her four-year term of office where the trustee has indicated interest in attending.
- 2.46 In the event that the number of names submitted for attendance at a conference requires funding that is greater than the funding provision in the approved annual budget for that particular conference, selection of attendees shall occur as follows:
- 2.46.1 Priority #1: Trustees who have not attended an out-of-province conference during their current term.
- 2.46.2 Priority #2: Trustees who have not attended a conference at that particular level (i.e. Atlantic level, national level) during their current term.
- 2.46.3 Priority #3: Trustees who rank last in conference attendance on a chronological basis during their current term.
- 2.47 In the event of a tie or in the event that the Board cannot determine a priority ranking, the names of the interested persons shall be placed in a box and the appropriate number of names, as approved by the Board, will be drawn for attendance at the conference.
- 2.48 A first and a second alternate shall be selected, in accordance with procedures in 2.46 for attendance at each conference in the event a previously selected trustee is not able to attend and provided additional costs are not incurred for NCSD.
- 2.49 Any request for individual trustee professional development shall be directed to the Executive Committee for approval. The Executive Committee decision is final.
- 2.50 Reimbursement for expenses shall be made in compliance with the board's travel policy 2.07-2.08.

Property

- 2.51 The Board shall determine the title, usage and disposal of school property in accordance with Section 84 of the *Schools Act, 1997* and related agreements.

Public complaints

- 2.52 Public concerns shall be dealt with through communication with designated staff members and officials of the district.
- 2.53 Only the following shall be used as the procedure to be followed by persons with questions or complaints:
- i) Matters concerning individual students are first to be addressed to the teacher;
 - ii) Unsettled matters from (i) above or problems and questions concerning individual schools are directed to the principal of the school;
 - iii) Unsettled matters from (ii) above or problems and questions concerning the District are directed to the Director;
 - iv) Where a matter cannot be settled satisfactorily by the Director, it shall be brought to the Board; and
 - v) Questions and comments submitted to the Chairperson of the Board in writing shall be brought to the attention of the Board only after the process outlined in (i) to (iv) has been followed.

Public relations

- 2.54 Public statements on behalf of the Board shall be made only by the Chairperson or the Director or such other persons who have been expressly authorized by the Board.

Replacing a member of the executive

- 2.55 The Board shall hold an election to replace a member of the Executive where the Executive has determined that the member has:
- a. not been able to attend a total of four consecutive board and executive meetings in one fiscal year of the Board; or
 - b. failed to fulfill the commitments outlined by his role on the Executive;
 - c. resigned from the Executive and/or Board.

Request to remove a board member

- 2.56 The Chair of the Board shall verifiably notify any board member who is absent for three consecutive regular-board meetings that the Board shall

discuss the circumstances surrounding the board member's absence, decide on a definite course of action to be taken, and, where deemed appropriate, notify the member of the Board's decision to notify the Minister of Education.

Rules of Order

- 2.57 Unless otherwise stated in the bylaws, constitution or policies, the Board shall follow *Robert's Rules of Order*.

Safe and respectful environments

- 2.58 The Nova Central School Board is committed to the principles of the Safe and Caring Schools Policy of the Department of Education, Government of Newfoundland and Labrador. The Board shall ensure that it promotes safe and respectful working and learning environments, and that the District has a safe and caring schools policy which is reviewed regularly, and a committee to facilitate its implementation. All schools are expected to:
- a) Promote safe and caring learning environments; and,
 - b) Establish, communicate and consistently practice school-wide expectations for behaviour, and consequences for inappropriate behaviour.
- 2.59 The Nova Central School Board shall investigate any written complaint against the Director, or against another employee AND the Director.
- 2.59.1 The investigation of all other written complaints against an employee of Nova Central School Board shall be delegated to the Director.

School Growth and Development

- 2.60 The Nova Central School Board is supportive of the provincial school development model. The Board shall ensure that the district has a school development process for promoting continuous improvement in the teaching and learning environment.

Scheduling, length and notice for regular board meetings

- 2.61 The regular board meeting shall take place as decided by a motion, which outlines the dates of meetings for the year, at the September meeting of the Board:
- 2.61.1 Notwithstanding the above, the Board shall agree to reschedule a subsequent meeting to occur on a day different from the noted occurrence.
- 2.62 A regular board meeting shall be commenced at 7:00 P.M. or before and end no later than 10:00 P.M.
- 2.63 The Director shall ensure the proposed agenda of all regular board meetings are distributed to all trustees at least seven (7) days prior to the meeting date.

- 2.64 The minutes of the previous meeting and any materials in support of the agenda, which are available, shall be included with the minutes.
- 2.65 Materials required by the board members to make decisions regarding specific agenda items shall be forwarded to board members 7 days prior to the meeting date or time shall be granted on the agenda to read the materials; where such materials are unavailable the Chair shall call a special meeting.

Schools: Naming and Renaming of Schools

- 2.66 The Nova Central School Board shall approve by way of motion the naming or changing of names of schools.
- 2.67 The Director shall establish a process to invite members of the school community to submit suggestions for the naming of a school. Information will be summarized and presented to the Board for consideration and approval.
- 2.68 Preference in the naming of schools will be given as follows:
- (i) The historical or current name of the community or local area in which the school is located.
 - (ii) Historical or geographical features of the community or local area in which the school is located.
 - (iii) Consideration may be given to the names of deceased persons who have made outstanding contributions to the country or province or who otherwise have significant meaning to the members of the school community.

School Restructuring and Closure

- 2.69 The Board shall:
- (i) analyze its current organization of schools for effectiveness, efficiency and contribution to the education of students; and
 - (ii) follow *The Schools Act, 1997* and the consultation process approved by the Board before closing or changing the designation of a school.

Sessions of the Board and Committees

CLOSED Sessions of the Board

- 2.70 Where the Board passes a resolution to move to a CLOSED board session, the Board with the Director shall decide if any senior executive personnel are required to attend and the order of business shall be:
- (i) Approval of the agenda and minutes
 - (ii) Determine if members are potentially in a conflict of interest
 - (iii) Presentations with review of options and the related pros and cons; give advice; present a situation

- (iv) Review of relevant board bylaws and policies
- (v) Notice of motion
- (vi) Adjournment

COMMITTEES

2.71 The order of business for COMMITTEES shall be:

- i) Call to order
- ii) Approval of the agenda and minutes
- iii) Determine if members are potentially in a conflict of interest
- iv) Presentations and delegations
- v) Reports
- vi) Drafting of options and the related pros and cons and/or recommendations
- vii) Review of relevant board bylaws and policies
- viii) Notice of motion
- ix) Adjournment

2.72 The committees of the Board, other than the Executive Committee, are not mandated to make decisions on behalf of the Board. These committees are mandated to bring written options, with supporting information, for consideration to the board table for decisions unless a motion of the Board directs otherwise.

Staff Treatment

2.73 Nova Central School Board is committed to the principles outlined in the Canadian Employment Equity Act and the Canadian Charter of Rights and Freedoms. The Board shall:

- 2.73.1 Implement equitable and inclusive employment and promotion practices to ensure that no person shall be denied opportunities or benefits for reasons unrelated to ability; and,
- 2.73.2 Be proactive in identifying and removing barriers to employment with the district for disadvantaged groups.

2.74 With respect to treatment of employees, the Board shall not cause or allow conditions which are inhumane, unfair or undignified. Accordingly, it shall:

- 2.74.1 Not discriminate among employees on other than clearly job-related, individual performance or qualifications;
- 2.74.2 Take reasonable steps to protect staff from unsafe or unhealthy conditions;
- 2.74.3 Provide staff with a due-process grievance procedure, able to be used without bias; and
- 2.74.4 Acquaint staff with their rights under the policy.

Succession Planning

- 2.75 For all short-term emergency replacement requirements of the Director of Education, the Nova Central School Board shall identify either the Assistant Director of Education (Programs) or Assistant Director of (Human Resources), whoever has the most seniority as an Assistant Director and is in good standing at the Assistant Director level with the Nova Central School District, as the acting Director of Education.
- 2.76 For all short-term non-emergency and permanent replacement requirements of the Director of Education, the Nova Central School Board shall either internally and/or externally advertise for a suitable replacement.
- 2.77 The Nova Central School Board shall establish an open competition by advertising the vacancy in designated provincial and national media and the Nova Central School Board's website for a period of not less than a three week period and not more than a six-week period.
- 2.78 For board trustee vacancies that occur during the mandate of the present board, the Board shall advise the Minister of Education.
- 2.79 The Nova Central School Board shall follow statutory requirements and the terms of the signed contract when proceeding with the dismissal of the Director of Education.

Trustee orientation

- 2.80 Trustees shall participate in a board-approved orientation which shall take place following a general election and prior to the first regular meeting of the newly elected Board.
- 2.81 Trustees shall participate in board-approved professional development.

Use of schools

- 2.82 Each principal shall provide users with the limits of the Board's insurance coverage.
- 2.83 Each principal shall ensure that school facilities are available for community use.

Vacancies

- 2.84 In the event the position of chairperson becomes vacant, the vice-chairperson shall assume office until an election is held at the AGM.
 - 2.84.1 The position of vice-chair shall be filled by election at the next regular meeting of the board.

2.84.2 Where one of the members of the Executive is elected as vice-chair, an election shall be held to fill that vacancy.

2.85 All vacancies of the offices of the Board shall be filled by election.

3.0 ROLES AND RESPONSIBILITIES

Role of the board

- 3.01. The governing body of the Nova Central School Board shall provide leadership and direction to the organization through its constitution, by-laws and policies by:
- i. ensuring that each trustee's performance is evaluated within the context of the Board's mandate, policies, standards of behaviour and code of ethics;
 - ii. ensuring all decisions are made by no less than a majority vote;
 - iii. ensuring that board members are apprised of their risks and liabilities;
 - iv. acting as one voice;
 - v. exercising powers and duties vested in it by legislation and operating within statutory limitations and other relevant authorities;
 - vi. ensuring that decisions rendered support the vision, mission, values and are within the resource capabilities of the organization;
 - vii. advising the Minister of Education of relevant emerging, potentially sensitive, and/or legal issues;
 - viii. ensuring potentially sensitive and/or legal issues are addressed in accordance with relevant protocols;
 - ix. exercising fiduciary responsibilities;
 - x. ensuring that the organization's staff operates within an ethical and legal manner;
 - xi. setting strategic goals of the organization through the approved strategic planning process;
 - xii. monitoring and reporting organizational performance;
 - xiii. developing policy processes and approving and monitoring policies;
 - xiv. negotiating and signing the contract with the Director of Education and submitting it for Ministerial approval;
 - xv. ensuring that the Director of Education's performance is evaluated through the board's approved process which determines how well his/her performance reflects the organization's values, vision, mission, mandate and policies, and how well his/her performance contributes to the achievement of the Board's strategic goals;
 - xvi. establishing priorities for school construction and capital renewal applications, and making recommendations to the Minister of Education;

- xvii. making known to the public, via electronic means, and enlisting the support of the public for the Board's constitution, bylaws and governance policies;
- xviii. approving the contracts of the Assistant Directors and submitting them for Ministerial approval;
- xix. ensuring that all employees are effective practitioners who shall refrain from participating in any practice that is discriminating, outdated, unproven, unjust or ineffective; and
- xx. ensuring personnel new to the district, school or assignment area are provided with the required job-specific knowledge available within the district's resource allocation and the on-site expertise;
- xxi. ensuring that parents/guardians, students, employees and visitors are treated in a fair, dignified and non-discriminatory manner; and
- xxii. ensuring that schools demonstrate the achievement of the annual objectives identified in their school development plan which also contribute to the objectives in the school board's strategic plan.

Role of the chairperson of the board

3.02. The Chairperson shall:

- i. ensure that orientation sessions are held for any new trustee following a by-election or an appointment;
- ii. ensure that a trustee from the Nova Central School Board acts as a director of the provincial school boards association;
- iii. develop an effective liaison with the appropriate minister, community groups and other associations/stakeholders;
- iv. ensure that the notices and agenda of board meetings are distributed to all board members;
- v. ensure that board members are given the opportunity to participate in continuing education opportunities in accordance with board policies, available resources and legal responsibilities;
- vi. ensure that all board trustees are evaluated as per Board policy;
- vii. convene and preside over meetings of the executive and the full board;
- viii. fulfill commitments either as a member or as an ex-officio member of all committees;
- ix. ensure the Board conducts an annual evaluation of itself and the Director of Education via the board approved process; and
- x. fulfill other duties specified in the Board's bylaws and governance policies.

Role of the Vice-Chair of the Board

3.03. The Vice-Chairperson of the Board shall assume the role of the Chairperson in that person's absence and/or accept special assignments at the request of the Chairperson.

3.04. Role of Trustees

The Trustee shall:

- i. act in accordance with the Code of Ethics and the Standards of Behaviour
- ii. familiarize him/herself with applicable legislation as specified in the orientation process;
- iii. know and support the vision, mission, values and goals of the strategic plan;
- iv. come to meetings prepared, ask informed questions, make a positive contribution to discussions, make decisions based on evidence and keep confidential business within the Board context;
- v. work harmoniously with other board members without either dominating the board or neglecting an appropriate share of the work;
- vi. contribute personal expertise to the Board as needed;
- vii. support decisions and policies of the Board at all times;
- viii. fulfill fiduciary responsibilities;
- ix. disclose potential or declared conflict of interest;
- x. demonstrate that the role of the Trustee is one of governance and not of operations;
- xi. participate in continuing professional development about the role of trustees; and
- xii. engage in evaluation of him/herself, the Board as a whole and the Director of Education.

Role of the Director of Education

General Responsibilities

3.05. The Director shall:

- i. be responsible to the Board for the organization and management of the District in accordance with governance policies established by the Board and subject to direction of the Board;
- ii. ensure appropriate systems and structures are in place for the effective management and control of the District and its resources including the employment, development, direction and discharge of all employees of the Board;
- iii. ensure structures and systems for the development, review and recommendation of new programs, program expansion or changes;
- iv. set priority for the use of schools;
- v. establish an organizational structure to ensure accountability of all schools and staff for fulfilling the mission, objectives and strategic plan of the Board;
- vi. support the Board during the development and review its strategic plan;
- vii. follow the risk management procedure, and inform the Board, on a timely basis, of all events which place the Board at risk;

- viii. communicate with other agencies to promote coordination and/or planning of services and programs that relate to students;
- ix. forward copies of each press release to each trustee;
- x. be responsible for the payment by the Board of all salaries and amounts due from and owing by the Board which fall within the scope of the approved annual budget or otherwise as may be established from time to time by resolution of the Board;
- xi. be responsible to approve emergency expenditures where the safety and well-being of students, staff and/or property is at immediate risk;
- xii. be responsible to the Board for taking such action as considered necessary to ensure compliance with the *Schools Act* and the *Transparency and Accountability Act*, related regulations, these by-laws and all other statutory and regulatory requirements;
- xiii. ensure the minutes of all meetings to be kept and recorded and be the custodian of all minute books, the Board seal documents, and registers that the Board is required to keep by law;
- xiv. attend to all correspondences to the Board and cause notices of meetings of the Board and Committees of the Board to be issued in accordance with these by-laws;
- xv. keep copies of all documents and trust instruments by which benefits are given, bequeathed, or devised for the use of the Board;
- xvi. evaluate the performance of the Senior Management Team;
- xvii. perform such other related duties as directed from time to time by the Board; and implement an employee attendance-management process.

Personnel

- 3.06 The Director shall ensure that policies and procedures ensure that personnel are treated fairly and equitably.
- 3.07 The Director shall ensure that there is a Code of Ethics for all employees.

Policies

- 3.08 The Director shall develop management policies and operate the District within the framework of the governance policies.
- 3.09 The Director shall establish an orderly plan for preserving and making accessible copies of the policies adopted by the Board.
- 3.10 Policies adopted by the Board shall be filed in the administrative office of the District and made available to the public.
- 3.11 The Director shall advise the Policy Committee of information which would render specific governance policies out-of-date or in need of revision.

Professional Development

- 3.12 The Director of Education shall ensure that employees are provided with opportunities to participate in continuing education in accordance with the Board's strategic priorities, available resources and statutory responsibilities.

Reporting to the Board

- 3.13 The Director of Education shall report to the Board, at times agreed upon with the Board, information related to programs, personnel, risks, finances, schools, school councils which is required for decision-making or information purposes.

Student Transfers

- 3.14 The Director of Education shall transfer a student where: the reason(s) for the transfer are compelling, such as, the program and/or service requested not available at the zone school or there is a special circumstance, and there is available space in the class of the requested new school, the class size will not be compromised, and the move would result in no additional costs to the School Board.
- 3.15 The Director shall convey the decision, in writing, to the parents and send copies to both school principals.
- 3.16 Where the decision does not favor the parent's request, the Director shall inform the parent of the parent's right to appeal this decision to the School Board.
- 3.17 Where a parent is not in agreement with the decision of the Director, the parent shall appeal the decision to the School Board as outlined in the *Schools Act* (1997) and the bylaws of the Board.
- 3.18 The student shall attend the zone school until such time that a decision granting a transfer is determined.

Trustee Orientation

- 3.19 The Director shall arrange for trustees to participate in an orientation session as outlined in the board-approved orientation process.
- 3.20 The Director shall ensure that trustees are familiar with the process of accessing board policies, minutes of board meetings, and other information that will acquaint them with the powers and duties of the Board and the operation of the district.
- 3.21 After the orientation session, the Director shall call the inaugural meeting of a new Board following a general election and the first order of business of such a meeting shall be the election of the officers of the Board.

4.0. PLANNING AND REPORTING

- 4.01. The Nova Central School Board shall engage in a strategic planning process that includes the following: the confirmation of the vision; the review/renewal of the mission, goals, objectives and related measures and indicators.
- 4.02. The Nova Central School Board shall work towards the achievement of the annual objectives identified in its Strategic Plan.
- 4.03. The Nova Central School Board shall report to the public on progress toward achieving the goals outlined in the Strategic Plan.
- 4.04. The Board shall compile an Annual Performance Report which meets the requirements of the provincial government specified in the *Transparency and Accountability Act*.
- 4.05. The Board shall not release the annual report until it has been tabled in the provincial House of Assembly.

5.0. GOVERNANCE OF RISKS

Risk Management Procedures

- 5.01 The Board shall develop appropriate risk management strategies for the organization.
- 5.02 The Director shall implement appropriate risk management strategies as developed by the Board and report on the management of identified risks to the Board.

Student Appeals Hearing Procedures

- 5.03 Once it has been determined that an appeals hearing is necessary, the Chair shall ensure that the parties are advised of the time, date, place and procedures for the appeals hearing.
- 5.04 It is expected that all parties will treat committee members and each other in a respectful manner at all times. Badgering or threatening behaviour and profane language will not be tolerated.
- 5.05 The parent(s)/guardian(s) who make an appeal on behalf of a student can attend the appeals hearing. The student on whose behalf the appeal is being made may also participate at the discretion of the parent/guardian. The appellant may also have an advisor or advocate present, including a legal advisor.
- 5.06 At the appeals hearing, the Chair:
 - i. Will introduce the parties, outline the procedure for the appeals hearing and state that this is a closed session of the board.
 - ii. Will conduct the hearing in an expeditious manner and has the authority to move the hearing along in the event that that information is repetitious or not relevant to the matter under appeal.
 - iii. Will ensure that each party is given the opportunity to speak to its side of the issue.
 - iv. Will ensure that all parties have an opportunity to hear all relevant information presented.
 - v. Will ensure that only one person speaks at a time.
 - vi. Will ensure that the question and response period is conducted without interruption and does not become a debate.
 - vii. Has the authority and shall excuse any person whose behaviour is considered inappropriate.
 - viii. Will require a person to leave the room if there is an occurrence of negative verbal or non-verbal communication or personal attacks.
- 5.07 After the Chair has ensured that all relevant information to the appeal has been heard, the appeals hearing will be adjourned.

- 5.08 The Committee will deliberate and submit a written decision to the appellant within five (5) calendar days.
- 5.09 The decision of the Committee is final.

Code of Conduct for Public Presentations

- 5.10 The Chair of the meeting shall inform the presenter and their delegation of the following rules:
- i. there is a time limit on the presentation;
 - ii. only one person will speak at a time;
 - iii. negative verbal or non-verbal communication or personal attacks are just cause for the Chair to close the meeting;
 - iv. if the issue is management in nature and the presenter has not followed appropriate communication channels, the Chair will inform the presenter that the issue is referred to the Director of Education for resolution;
 - v. if the issue is governance in nature, board members will be given an opportunities to ask questions at the end of the presentation;
 - vi. if a decision is requested, it will not be made immediately after the presentation;
 - vii. copies of the presentation and any supporting documentation are to be left with the board members;
 - viii. copies of the presentation and any supporting documentation will be made available to the general public upon request; and
 - ix. the Chair will inform the presenter of the decision of the board.

Decision Making

- 5.11 Decisions rendered shall be evidence-based and in accordance with legislation, provincial policies and the vision, values, mission and resource allocations of the board.

Finances

- 5.12 The Board shall adhere to statutory financial regulations; the Department of Education's reporting requirements; and Generally Accepted Accounting Principles.
- 5.13 The Board shall approve annually: an operating budget; capital renewal applications; its auditing firm; and audited financial statements.
- 5.14 The Board shall not engage in any activity which would affect the ability of the Board to provide the Minister of Education and the Minister of Finance with the required budget preparation information within the time requested.

- 5.15 The Board shall not incur expenditures in areas which are not funded.
- 5.16 After the budget is approved, the Board shall not approve expenditures which do not support the strategic priorities.
- 5.17 The Board shall settle its payroll and debts in a timely manner.
- 5.18 Signing officers for amounts over \$50,000.00, excluding utilities and employee benefits, shall include the Director of Education or the Assistant Director of Finance and Administration as one of the two signing officers.
- 5.19 The Board shall not enter into any loan agreement without the approval of the Minister of Education and the Minister of Finance, as outlined in the *Transparency and Accountability Act*, and without an affirmative motion of the board.
- 5.20 No loan shall be entered into without the signatures of the Director of Education or the Assistant Director of Education (Finance and Administration) and one other of the approved signing officers.
- 5.21 The Director shall monitor and report on its financial position at least once every three months.
- 5.22 The Chairperson of the Board shall ensure that the Board engages an auditor after first considering the timing for tabling of the Board's annual performance report.
- 5.23 The Board shall provide the Comptroller General for the Province with a copy of the audited financial statements, together with other requested information related to the audited financial statements, within the timelines established by the Comptroller General.
- 5.24 The Board shall not engage in any activity which would prevent the provision of interim financial statements and related information within the timeframe required by the Comptroller General where requested to do so.
- 5.25 Where directed to do so by the President of the Treasury Board, the Board shall not engage in any activity which would prevent the Comptroller General for the Province from reviewing the books of account and other financial records.
- 5.26 The Board shall not engage in any activity which would prevent the Auditor General for the Province from reviewing the books of account and other financial records.
- 5.27 The Board shall not enter into a lease agreement which is considered to be a

borrowing, for anything other than minor repairs or minor equipment, without attaining the approval of the Minister of Education and the Minister of Finance, and an affirmative motion of the board.

Minutes

- 5.28 The Board and its committees shall not engage in any activity which would prevent the recording of minutes of proceedings.
- 5.29 The Board shall not engage in any activity that would prevent inspection of the minutes of open meetings by an official of the Department of Education designated by the minister, and on request, to members of the public.
- 5.30 As per Section 62 of the *Schools Act, 1997* the Board shall not permit the inspection of minutes of a closed meeting by any member of the public.
- 5.31 The chair of each subcommittee of the Board shall ensure minutes of each meeting are duly recorded, signed and stored in perpetuity with the Director of Education.
- 5.32 The minutes which are made public shall not fail to be the officially-approved documents.

Tobacco and Drugs

- 5.33 All schools and all other school board facilities, inclusive of grounds and board-owned vehicles shall be designated as smoke-free areas.
- 5.34 The Principal, in the case of schools and associated grounds, and the Assistant Director of Education (Finance and Administration), in the case of other school board facilities, associated grounds and board owned vehicles, shall undertake to ensure that appropriate communication and/or signage are in place to inform students, employees and visitors of this ban.
- 5.35 The use of alcohol and illegal drugs is not permitted on school property.
- 5.36 The Director shall establish a workplace drug and alcohol policy, including:
 - (i) Employee training and awareness.
 - (ii) The process for dealing with employees who report to work under the influence of alcohol or illicit drugs or who use alcohol or illicit drugs on the job.
 - (iii) Mandatory alcohol testing.

Use of Board Owned Technology

- 5.37 No person shall use board-owned technology or personal technology on board property or worksites to harass, to bully, to engage in illegal activity, to engage in on-line gambling, to view pornography, or to engage in any activities which violate the values and ethics of the Board.

Voting

- 5.38 Each member shall have no more than one vote and there shall be no absentee or proxy voting.
- 5.39 The recorder shall ensure that the names of voters are not recorded in the minutes.
- 5.40 Except where a secret ballot is required, each person who is deemed to be unable to attend in person and is permitted to be in attendance via electronic means shall not be denied the right to verbally vote on motions while that board member was deemed to be in attendance.
- 5.41 Where there is a secret ballot, the Board shall appoint a scrutineer and the scrutineer shall accept a ballot via an agreed upon electronic means; where the vote is verbal there shall be a second person present.

6.0. FINANCES

Audited Financial Statement

- 6.01. The Board shall include an audited financial statement and a comparison of that financial statement with the amount voted by the House of Assembly, in the Annual Report.

Signing Officers

- 6.02. The signing officers of the Board are limited to the Director of Education, the Assistant Director of Education (Finance & Administration), the Assistant Director of Education (Programs), the Assistant Director of Education (Human Resources), the Manager of Financial Operations and the Accountant.
- 6.03. Two officers, the Chairman or Vice-Chairman, and (ii) Director and Assistant Director of Education (Finance and Administration), shall sign all deeds and other documents of the Board.

7.0. REPRESENTATION

Trustees

- 7.01. Trustees as individuals, have no legal authority to represent the Board, except when the Board authorizes such representations.
- 7.02. A board trustee shall not compromise the Board's ability to deliver its overall mandate by failing to consider the broader context of the trustee's role to represent all the stakeholders and to make decisions in the best interest of the total population served.
- 7.03. No trustee shall represent the decisions of the Board made in closed sessions until it has been deemed appropriate by the board.
- 7.04. Trustees shall refrain from public comments on operational issues, unless authorized by the Board.

Director of Education

- 7.05. The Director shall assist the Chairperson in representing the Board.
- 7.06. The Director of Education shall represent the best interests of the Nova Central School District when dealing with all stakeholders.
- 7.07. The Director of Education shall implement management policies which advise personnel of the representation responsibilities.

8.0. EVALUATION OF THE BOARD, BOARD MEMBERS AND DIRECTOR OF EDUCATION

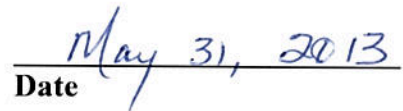
- 8.01. The Board shall fulfill its obligation to evaluate the Director of Education as agreed in board-approved Director's performance appraisal process.
- 8.02. The Board shall evaluate its effectiveness every 18 months.
- 8.03. The Board shall implement a process whereby board members evaluate their contribution to the board every 18 months.

9.0 ACCOUNTABILITY

- 9.01. The Nova Central School Board shall report to the public progress toward achieving the goals outlined in the Strategic Plan.
- 9.02. The Board shall compile an Annual Performance Report which meets the requirements of the provincial government specified in the *Transparency and Accountability Act*.
- 9.03. The Board shall not engage in any activity which will affect its ability to meet the deadlines and standards for the annual report set by the provincial Government.
- 9.04. The Board shall not release the annual report until it has been tabled in the provincial House of Assembly.
- 9.05. The Board shall attach any amendments to the constitution or bylaws to the original document, making it part of the document.



John George, Board Chair



Date