



## INDEX

## **BY-LAW 1**



addition to the usual requirements for quorum, the physical presence in the meeting room at the Catholic Education Centre shall be required of:

- (a) The Chair or designate of the Board;
- (b) Not less than one other Trustee, other than the Student Trustee; and,
- (c)

3.1.6 Quorum

A majority of all the members of the Board shall constitute a quorum for the transaction of business at any meeting of the Board. Members declaring a Conflict of Interest as per the

Session. Matters discussed during the Private Session shall not be communicated to any person who is not in attendance at the time of the Private Session, with the exception of a Trustee, unless disclosure is expressly authorized by the Board. The duty of confidentiality survives a Trustee's term of office. An unauthorized breach of confidentiality shall be considered to be improper conduct.

3.1.9 Motion to Rise and Report (Committee of the Whole)

A motion to rise and report shall specify the resolutions, reports, or records of votes, and other information which is to be brought into the public meeting. Resolutions, discussions, opinions, records of votes, and material which are not specified to be brought into the public meeting shall continue to be confidential.

3.1.10 Agenda for Board Meetings

Minutes of the Public and Private Session, Board and Committee meetings will note when Trustees leave and return to the meeting.

Public Session

1. Opening Prayer
2. Land Acknowledgement
3. Roll Call
4. Approval of New Material
5. Approval of the Agenda
6. Declarations of Conflict of Interest for Current Meeting
7. Declarations of Conflict of Interest from Previous Meeting
8. Approval of the Previous Minutes
9. Business Arising from Minutes of Previous Meeting
10. Chair's Report/Update/Inspirational Messages
11. OCSTA Board of Director's Update
12. Director's Report/Update
13. Student Trustees' Report
14. Recognitions/Outside Presentations
15. Delegations
16. Journey Towards Our Vision – Staff Presentations
17. Action

6. Declarations of Conflict of Interest from Previous Meeting PART A
7. Approval of the Previous Minutes PART A
8. Business Arising from the Minutes PART A
9. (a) Outside or (b) Staff Presentations
10. Action Items (PART A) including Committee Reports
11. Discussion Item] TJETQq0.00000912 0 612 792 reW\*nBT/F2 11.04 Tf1 0 0 1 129] TJETQq0.00000



seven days at the call of the Chair; provided that questions that are not urgent may be postponed to the next regular meeting of the Board, otherwise a meeting is adjourned and a new meeting called.

3.1.14 New Business Brought Forward by Trustee(s) – Notices of Motions

All notices of motion must be provided in writing to all Trustees prior to start of the meeting.

- (a) Matters of new business or action items need to be processed by the Board in an efficient, fair and timely manner. There needs to be sufficient time to allow for information gathering, report writing and discussion prior to Board action. As such, items submitted in writing as notices of motion by a Trustee, either through Executive Committee or at a Board meeting, will return to the subsequent meeting as an information item, the following meeting as a discussion item, and finally as an action item on the next Board meeting agenda. Trustees are encouraged to ask questions toETQq0.00000912 0 612 792 reW\*nBT/F2 11

## 3.2 Special Board Meetings

### 3.2.1 How Called

A special meeting of the Board shall be called forthwith by the Secretary as instructed by Board resolution, or on the instructions of the Chair, or on the written instructions of one-half of the trustees of the Board, such instructions to contain a concise statement of the matters to be dealt with at such meeting.

### 3.2.2 Notice

Notice to the trustees of such meeting and notice of the matters to be dealt with shall be affected by verbal notification to the trustees, or by electronic 48 hours in advance. Given the short timeline, an agenda and all related materials are to be emailed as soon as possible.

### 3.2.3 Notice Waived

Provided however that the restrictions as to 48 hours' notice shall not apply to any special meeting of the Board for which the Secretary obtains approval of at least two thirds of the trustees to the holding of such meeting, and to the subject matter to be dealt with thereat.

### 3.2.4 Agenda

Special meetings shall be restricted to the items set out in the notice. No other business shall be considered unless all trustees are present at the meeting and unanimously agree thereto.

### 3.2.5 Cancellation

The Chair of the Board may cancel a special meeting by notice of cancellation given verbally in writing or by electronic means:

(a) in the case of a meeting called by the Chair, if t

the Committee.

4.1.3 Chair of the Board is ex-officio to all Board Standing Committees.

4.1.4 Terms of Reference

Annually, all established Committees shall, at th

4.1.8 Notice and Delivery of Agenda

The resource staff in consultation with the Committee Chair shall be responsible for

throughout the year).

As an aid to produce accurate minutes any public meeting of the board may be recorded. Upon final approval of the minutes at a Regular Board Meeting, the recording will be destroyed thereafter. PROVIDED that the minutes of a meeting held in Private Session shall be kept separate and apart from other minutes, and except as otherwise permitted by the Chair or Director of Education, access thereto restricted to a Trustee, and the Director of Education or designate.

#### 4.1.15 Committee Procedures

Subject to the provisions of this by law, the committee shall be responsible for the establishment of internal procedures. The committee(s) may:

- (a) Request and receive reports from the department concerned. The Trustee will request the format of the requested information;
- (b) Hear delegations in accordance with the Board's Delegation Policy; and,
- (c) Receive and consider communications and petitions addressed to the Board on any subject within the terms of reference of such committee, as processed in accordance with the Board's Delegation Policy.

#### 4.1.16 Sub Committees

Sub committees may be established by a Committee(s) to consider any matter within the terms of reference of the committee. A sub committee is dissolved upon submission of its final report to the committee.

#### 4.1.17 Reporting Procedure

- (a) A committee's report to the Board will identify action items first, with recommendations, followed by information items.
- (b) The report will be included with the agenda of the Board meeting.
- (c) The report will be attached as an integral part of the minutes of the Board meeting.
- (d) The report of a committee's in camera session will be submitted to the Executive Committee for inclusion in the agenda for Committee of the Whole.
- (e) A committee shall submit a Report as outlined above for each area of jurisdiction dealt with by the Committee.
- (f) SAL (Supervised Alternative Learning) and the Board Safe Schools Committee do not regularly report to the Board, but will produce an annual Committee report summarizing their work.

### 4.2 Executive Committee

#### 4.2.1 How Constituted

The Executive Committee shall be constituted as follows: (a) The Chair of the Board

- (b) The Vice Chair of the Board
- (c) Minimum of One (1) Trustee-at-large

The Chair of the Board shall be the Chair of the Executive Committee. The Director of Education shall be a resource to the Committee.

#### 4.2.2 Right of Attendance

All trustees may attend the meetings of the Executive Committee.

#### 4.2.3 Responsibilities of Executive

To:

- (a) Set Board agendas;
- (b) Set Board calendars;
- (c) Organize retreats and Trustee faith developmW\*nBT/F2 11.04 Tf1 0 0 1 132.02 98.424 Tm0 G[( )

#### 4.2.4 Meetings

The Executive Committee shall meet approximately one week prior to a Board meeting, or at the call of the Chair, at the Catholic Education Centre, in Aurora.

#### 4.3 Joint Board (YRDSB/YCDSB) Consortium

The Joint Board Consortium is created by agreement with an outside body, and its terms of reference are constructed by consensus with that outside body (the co-terminus Board).

##### 4.3.1 Membership

The core membership of the consortium shall be two trustees from each Board plus the Chair from each Board. The quorum shall be three members, which shall include at least one trustee from each Board.

##### 4.3.2 Responsibilities

The Joint Board Consortium shall have the following responsibilities:

- (a) To govern and direct the operation of common services for the York Catholic District School Board and its Coterminous Board;
- (b) To report and provide recommendations to each Board relating to areas within its mandate;
- (c) To administer policies as approved by each Board;
- (d) To make recommendations to each Board on the following topics with regard to transportation:
  - General policy and communications
  - Procurement of service and establishing rates
  - Annual budget estimates
  - Cost allocation formula
  - Financial controls
  - Operational reviews

##### 4.3.3 Co-Chairs

The members shall at the first meeting elect from among themselves a Co-Chair. The consortium shall have two co-Chairs, one representing each Board.

##### 4.3.4 Meetings

Unless otherwise determined by a motion of the respective Boards (YRDSB/YCDSB), the regular meeting of the Joint Board Consortium shall be held no less than 3 times per year, and alternating yearly between the offices of the York Catholic District School Board and the York Region District School Board, in Aurora on such day and at such time as the YRDSB/YCDSB shall from time to time determines.

#### 4.4 Statutory Committees

##### 4.4.1 How Established

At the first meeting of a newly elected Board, the Board shall establish the following statutory committees in accordance with the terms of the *Education Act* and the regulations there under:

- (a) Audit Committee
- (b) Safe Schools Committee
- (c) SAL (Supervised Alternative Learning)
- (d) SEAC (Special Education Advisory committee)
- (e) YCPIC (York Catholic Parent Involvement Committee)

##### 4.4.2 Composition of Statutory Committees

The composition of statutory committees shall be for:

- (a) The Special Education Advisory Committee, the persons prescribed and selected in the manner set out in

- (b) The Supervised Alternative Learning Committee, the persons prescribed and selected in the manner set out in *Ontario Regulation 308*, as amended from time to time;
- (c) The Safe Schools Committee, three (3) trustees selected by the Board as set out in the *Education Act* and *YCDSB Policy 202 Safe Schools Student Discipline* as amended from time to time;
- (d) The York Catholic Parent Involvement Committee, one trustee (1). *Ontario Regulation 612/00*, states that a meeting of a parent involvement committee cannot be held unless one trustee (1) is present and it is the responsibility of the appointed trustee to designate a member of the Board to attend in their stead if they are unable to be present in a meeting;
- (e) The Audit Committee, three (3) trustees selected by the Board, and 2 external members identified by the selection committee as per *Ontario Regulation 361/10*, as amended from time to time, and selected/appointed by the Board.

#### 4.4.3 Membership

- 4.4.3.1 Trustee membership on Statutory Committees will be as per 4.4.2. The names of Trustee members for all committees shall be recommended to the Board on an annual basis.
- 4.4.3.2 Non-Trustee members on Statutory Committees shall be appointed by the Board as required by legislation.

#### 4.5 General Committees

##### 4.5.1 How Constituted

The Board will establish the membership and role of other Committees as required

##### 4.5.2 Right of Attendance

All Trustees may attend meetings of other Committees.

##### 4.5.3 Chair and Vice Chair

The members of the committee shall, at their first meeting, elect from among themselves, a Chair and if required a Vice Chair.

##### 4.5.4 Joint Committees with Other Organizations

The Board may establish committees with other organizations. Trustee membership on these committees shall be approved by the Board.

##### 4.5.5 Trustee Membership on Staff Committee

Trustee participation on staff committees may be requested by the Director of Education, but must be approved by the Chair and reported to the Board.

#### 4.6 Board Referral Power

Notwithstanding anything contained in this By Law, the Board shall have the power to refer any matter to any committee or Ad Hoc Committee it deems necessary/appropriate.

### 5 **AMMENDMENTS TO BY-LAWS**

#### 5.1 Amendments to By-Laws

By Laws of the Board may be amended at a regular meeting of the Board up on the affirmative vote of a majority of all the trustees present, provided that a notice with the the proposed amendment has been presented at a previous Board meeting. By-Law No. 1

5.2 Suspension of a Rule

A provision or rule of this by law may be suspended by a vote of a two-third majority of all the trustees eligible to vote whether present or absent.

**6 RULES OF ORDER**

In all cases not provided for by this By Law, the rules and practice of Robert's Rules of Order shall govern as far as applicable at meetings of the Board and committees.

6.1 Protocol for Debate

6.1.1 Address of the Chair

As much as possible, the Chair of any meeting shall be addressed in accordance with the preferences of the person occupying the position.

6.1.2 Member to Await Recognition

When any Member wishes to speak in debate, the Member shall raise a hand and await recognition by the Chair

6.1.3 Conduct of Member in Debate

After recognition by the Chair, a Member shall at all times during debate:

- (a) Respect the Trustee Code of Conduct;
- (b) Address all debate, remarks, questions and the like to the Chair; and
- (c) Confine all remarks, questions and the like to the motion/issue which is the subject of debate.

6.1.4 Interruption of Speaker by another Member

No Member who does not have the floor shall interrupt a Member who does have the floor except:

- (a) On a point of order;
- (b) On a question of privilege;
- (c) To request permission to withdraw a motion;
- (d) To appeal a ruling of the Chair;
- (e) On a motion to extend the time limit; and
- (f) In the event that a Member interrupts a speaker pursuant to the authority given in this section, the Member shall confine all remarks to the particular point.

6.1.5 Motion May Be Read

Any Member may require a question under discussion to be read at any time in the debate, but not so as to interrupt any Member while speaking.

6.1.6 Rulings of the Chair

Whenever the Chair is called upon to decide a point of order or procedure, the Chair shall, before deciding, state the rule applicable to the case, without comment, and the ruling of the Chair shall, subject to the right of appeal provided in 6.1.11 be final and binding.

6.1.7 Challenges to Rulings of the Chair

Any person entitled to vote on the main motion on the floor may move a motion appealing any ruling of the Chair on a point of order or procedure; such a motion must be seconded and may not be amended; the vote on such motion shall be taken without debate, and the result shall be final and binding.

6.2 Voting

6.2.1 Right to Vote/Board of Trustees

Every member present, including the Chair, but excluding those who declare a conflict of interest as required by the *Municipal Conflict of Interest Act*, shall vote on all questions on which the Member is entitled to vote (noting the



specific restrictions on statutory committees, (i.e.: Audit Committee, Safe Schools Committee, Special Education Advisory Committee, Supervised Alternative Learning Committee, YCPIC Committee). An abstention is not considered a vote. Only Members present at a meeting or participating via teleconference call when a vote is taken shall have the right to vote.

#### Right of Vote/Student Trustees

Student Trustee votes do not count; however, a Student Trustee has the right to have their vote recorded in the minutes.

#### 6.2.2 Declaration of Conflict of Interest

Where a trustee identifies a direct, indirect or deemed conflict of interest in a matter and is present at a meeting of the board or committee of the board in which the matter is being discussed, he or she must take the following measure to recuse themselves:

1. Publicly declare the conflict of interest before any discussion of the matter begins, stating the general nature of the interest and having the declaration recorded in the minutes of the meeting.
2. File a written statement of the interest and its general nature with the secretary of the committee or board.
3. Do not vote on any question in respect to the matter.
4. Do not take part in any discussion of the matter.
5. Do not attempt to influence the voting on any question related to the matter; and
6. In a closed (i.e., in camera) session of a committee or board of trustees meeting, the trustee with conflict should leave the room for as long as the matter is discussed and have that fact recorded in the minutes.

#### 6.2.3 Voting (Public Session)

Every vote shall be so conducted that the Chair and all other person's present may observe or hear (as repeated by the Chair from those attending via teleconference call) how each member votes.

#### 6.2.4 Equality of Votes

Any motion on which there is an equality of votes is lost [*Education Act*, s. 208 (12)]

#### 6.2.5 Method of Voting

Unless otherwise specified herein, all votes at any meeting of the Board shall be by simple majority of the votes cast. Unless otherwise specified herein, all votes at any meeting of the Board shall be called by a show of hands or expressed verbally by those attending via teleconference, unless a secret ballot is demanded, in which case such vote shall be by secret ballot in the same manner as is provided for in the election of the Chair and the Vice Chair.

When the vote is taken by a show of hands or expressed verbally by those attending via teleconference call, any member has a right to require a division of the assembly by having the affirmative raise their hands and then the negative, a second time, so that all may know how members vote.

A majority vote is required to order a vote by secret ballot (with number of votes on both sides officially entered in the minutes). A member's vote shall be recorded upon the member's request.

6.2.6 Recorded Votes

### 7.3

- 7.3.1 The remaining elected members shall appoint a qualified person to fill the vacancy within 60 days after the office becomes vacant, if a majority of the elected members remain in office; or
- 7.3.2 A by-election shall be held to fill the vacancy, in the same manner as an election of the board, if a majority of the elected officers do not remain in office.
- 7.3.3 Where the Board is appointing a qualified person to fill a vacancy: Applications will be invited from separate school electors within the Region of York.
- 7.3.4 Advertisements will be placed in a newspaper having circulation within the Region of York; and announcements will be made through parish churches.
- 7.3.5 Candidates will be requested to submit written applications with background information and qualifications, to the Secretary of the Board for inclusion in the Board agenda.
- 7.3.6 All applicants will be interviewed by the Board as to their reasons for wishing to become a trustee on the Board.
- 7.3.7 Election shall be by secret ballot in the same manner as for the election of the Chair and Vice Chair of the Board, with the Chair of the Board presiding.

## 8.0 DUTIES OF THE CHAIR OF THE BOARD

### 8.1 The Chair Shall:

In addition to those duties assigned under provincial legislation:

1. Preside at all meetings of the Board and the Executive Committee and conduct them according to the by laws of the Board.
- 2.

1. In the absence of the Chair, or in the event of the inability of the Chair to act, assume any or all of the duties of the Chair except those which are preclude

- 11.6.1 Chair;
- 11.6.2 Vice-Chair;
- 11.6.3 Director of Education and Secretary;
- 11.6.4 Associate Director;
- 11.6.5 Chief Financial Officer and Treasurer;

Or, by any of the foregoing together with an Assistant Secretary. Any document so signed is binding upon the Board without any further authorization or formality.

11.7 Signing Authority

The Board shall establish an Approval Authority Schedule (AAS). This schedule will outline the signing and approval authorities on behalf of the Board.

11.8 Additional Authority

In addition to the authority provided by Section 11.6 and 11.7, the Board may from time to time appoint any Officer or Officers or any person or persons on behalf of the Board, either to sign documents generally or to sign a specific document.

**13 REPEAL of PRIOR BY-LAWS**

13.1 Repeal of Prior By-laws

Subject to the provisions of 13.2 [exception] and 13.3 [proviso] hereof, all prior by laws, resolutions and other enactments of the Board heretofore enacted or made are repealed.

13.2 Exception

The provisions of 13.1 [repeal] shall not extend to any by law or resolution heretofore enacted for the purpose of providing to the Board the power or authority to borrow.

13.3 Proviso

The repeal of prior by laws, resolutions and other enactments shall not impair in any way the validity of any act or thing done pursuant to any such repealed by law, resolution or other enactment.

**REVISED this 20<sup>th</sup> day of December, 2022**

Frank Alexander, Chair of the Board  
Domenic Scuglia, Director of Education

**Revisions to By-Law 1 (former 99):**