



OTTAWA-CARLETON DISTRICT SCHOOL BOARD

BY-LAWS AND STANDING RULES

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BY-LAWS AND STANDING RULES

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BY-LAWS AND STANDING RULES

PREAMBLE

The Board of Trustees is elected by constituents to govern the affairs of the Ottawa-Carleton District School Board. The Board recognizes the importance of by-laws and standing rules to govern the conduct of meetings and establishes these rules in support of its governance commitments:

- (a) The Board recognizes that it is bound by all applicable laws.
- (b) The Board is committed to providing leadership and good governance to benefit public education, and is mindful of the impact of its decisions on individual communities and society at large.
- (c) The Board shall focus decision-making on the educational outcomes of student achievement and well-being, and support programs and services that seek to provide equity of access and successful outcomes for all students.
- (d) The Board shall maintain a strategic focus on the work of the District and shall govern with long term vision.
- (e) The Board is committed to transparency, ensuring compliance with legislative requirements and making every reasonable effort to hold all deliberations, debate and decision-making in public.
- (f) The Board is committed to ensuring an effective Board culture of collaboration, respect, trust, candour and open expression of diverse and divergent viewpoints.
- (g) The Board shall render all decisions with integrity, based on available facts, and in the best interests of the entire district without undue influence from individuals or special interest groups.
- (h) The Board shall engage in board professional development to increase the collective capacity of the Board as a whole.
- (i) The Board recognizes that there is a division of responsibility between the Board and the Director of Education as the Chief Executive Officer.

BEING the rules governing the establishment and composition of the Board under the *Education Act of Ontario*, and regulations made thereunder, which rules shall apply to the structure and proceedings of the Board from 1 January 1998, unless or until amended by resolution of the Board.

1.0 INTERPRETATION

In these by-laws and standing rules:

- 1.1. **Appeal for an Improvement to the Physical Environment** means an appeal on a matter raised by a member during a meeting with respect to physical conditions which are interfering with the efficient conduct of the meeting or the member's ability to participate in the meeting, for example seating, hearing, lighting, heating, etc. [ref. K&K p. 214, § 187];
- 1.2. **Board** means the Board of Trustees of the Ottawa-Carleton District School Board;
- 1.3. **Chair** means the Chairperson of the Board;
- 1.4. **Committee Chair** means the Chairperson of a standing, statutory, ad hoc or other special purpose committee;
- 1.5. **Consent Agenda** means the portion of the agenda where items may be approved by the Board without debate;
- 1.6. **Director** means the Director of Education/Secretary of the Board and Chief Executive Officer;
- 1.7. **District** means the Ottawa-Carleton District School Board;
- 1.8. **Member** means an elected or appointed member of the Ottawa-Carleton District School Board including the Chair;
- 1.9. **Minutes** mean a record of proceedings of a meeting of the Board of Trustees, duly confirmed by the Board, and signed by the Chair or presiding member;
- 1.10. **Minute Book** means a collection of records of proceedings of every meeting of the Board of Trustees, duly confirmed by the Board, and signed by the Chair or presiding member;
- 1.11. **Notice** includes Saturday, Sunday, and statutory holidays;
- 1.12. **Point of Order** means a question by a member on any matter then before the Board as to whether the matter is in order;
- 1.13. **Point of Personal Privilege** means an appeal by a member during a meeting with respect to comments made by the previous speaker on the rights and reputation of the Board collectively, or which reflect on the position and conduct of individual members in their representative character;

- 1.14. **Property of the Board** means buildings and sites, moveable property including furniture and equipment, documents, financial assets, and information resources;
- 1.15. **Secretary** means the Secretary of the Board, and may also mean an Assistant Secretary of the Board if the Director delegates part of his or her duties as Secretary to an Assistant Secretary;
- 1.16. **Student Trustee** means a student representative elected by the Student Senate and Students' President Council to represent the interest of students on the Board;
- 1.17. **Treasurer** means the Treasurer of the Board, or the Chief Financial Officer, and may also mean an Assistant Treasurer of the Board if the Director is also Treasurer and delegates part of his or her duties as Treasurer to an Assistant Treasurer;
- 1.18. **Trustee** means a member of the Board elected or appointed in accordance with the *Municipal Elections Act* and the *Education Act*; and
- 1.19. **Vice-Chair** means the Vice-Chairperson of the Board.

2.0 NAME

- 2.1. The official name of the corporation shall be The Ottawa-Carleton District School Board (as confirmed by Ontario Regulation 185/97 issued under the *Education Act*).

3.0 HEADQUARTERS

- 3.1 The headquarters of the Board shall be located at 133 Greenbank Rd., Ottawa, Ontario.

4.0 SEAL AND SYMBOL

- 4.1 The corporate seal and the official corporate logo shall be in such form as approved by the Board, provided that the seal shall bear the full official name of the corporation.

5.0 BOARD OF TRUSTEES

- 5.1 The affairs of the corporation shall be governed by an elected Board of Trustees consisting of twelve members elected in accordance with the Ontario *Municipal Elections Act* or as may otherwise be prescribed in Ontario Regulations made under the *Education Act*.
- 5.2 The Board shall have two student trustees elected annually by the student body, who shall share in attending Board meetings to represent students in a non-voting capacity in accordance with Board Policy P.017 GOV; Student Trustees.

6.0 DUTIES OF OFFICERS

Officers of the Corporation

6.1 The officers of the corporation shall be:

- (a) The Chair;
- (b) The Vice-Chair;
- (c) The Director/Secretary; and
- (d) The Treasurer;

except that where the Director appoints an Assistant Secretary, the Assistant Secretary shall be an officer; and, where the Director is also Treasurer, the Assistant Treasurer shall be an officer.

Duties of the Chair

6.2 The Chair shall:

- (a) in consultation with the Director, prepare and approve the agenda for all regular, special or extraordinary meetings of the Board **and Committee of the Whole**;
- (b) call the meetings of the Board to order having established that quorum is present, and preside thereat; and
- (c) sign such corporate documents as require the signature of the Chair.

Duties of the Vice-Chair

6.3 The Vice-Chair shall:

- (a) fulfill the duties of Chair when the Chair is temporarily absent or otherwise unable to perform the duties of office; and
- (b) preside at meetings of the Board when meeting as Committee of the Whole **and meetings of the Board in camera**.

Duties of the Director/Secretary

6.4 The Director/Secretary shall:

- (a) collaborate with the Chair in the preparation of agendas for meetings of the Board and ensure the preparation of timely and accurate staff reports as may be required;
- (b) render such advice and assistance to the Chair and members as may be required during meetings;
- (c) ensure that the decisions and the policies of the Board are implemented;

- (d) be responsible for circulating notices, agendas and reports, and minutes of meetings to the Board and others who are entitled to receive such materials;
- (e) ensure that accurate minutes are prepared of all Board meetings, and that the minutes, when confirmed, are signed by the Chair or presiding member and are safeguarded in a Minute Book provided for that purpose; and
- (f) produce the Minute Book at any reasonable time during normal business hours to anyone entitled to see the Minute Book.

Duties of the Treasurer

6.5 The Treasurer shall:

- (a) receive and account for all money of the Board, and deposit all money received on account of the Board into a bank account or accounts opened in the name of the Board in such place of deposit as may be approved by the Board;
- (b) disburse all money as directed by the Board in accordance with the annual budget plan or by other resolutions or directions;
- (c) prepare and submit to the Board or a Committee or Committees of the Board such financial reports as the Board may direct by policy or by resolution; and
- (d) produce, when required by the Board, the auditors, or other competent authority, all papers and money in the Treasurer's possession, power or control belonging to the Board.

7.0 SIGNING OFFICERS

- 7.1 The Board may, by resolution or in policy, appoint any officer, officers or other persons to sign contracts, documents or instruments in writing generally, or to sign any specific contract, document or instruments, or class thereof; may amend or repeal such signing authority from time to time by resolution; and attach such conditions to signing authority as it deems appropriate.

8.0 MEETINGS OF THE BOARD

Location

- 8.1 The meetings of the Board shall be held at the headquarters of the Board, unless otherwise determined by resolution of the Board, or by the Chair of the Board with the consent in writing, by electronic means or by voice, of a majority of Board members.

Organizational Meeting

- 8.2 (a) Annually, the Board shall hold a meeting in the first week of December which shall be known as the organizational meeting.

- (b) The organizational meeting of the Board shall be held on such date and at such time as agreed by a majority of Board members, as prescribed in legislation or by regulation.
- (c) At the appointed hour, the Director shall call the meeting to order and, in the year following a municipal election, shall read into the record the official returns from the designated municipal election officer, whereupon the elected members shall take their places and subscribe to declarations of office and oaths of allegiance as prescribed in legislation. The Director shall preside until a Chair has been elected.

Election or Appointment of Members

- 8.3
- (a) The Director shall appoint such assistants to conduct the election as necessary, but no fewer than two.
 - (b) The Board shall proceed to elect the following in order and by separate elections:
 - i. Chair of the Board;
 - ii. Vice-Chair of the Board;
 - iii. Chairs of Standing Committees (if required); and
 - iv. Chair of Committee of the Whole Budget.
 - (c) The Board shall then proceed to elect or appoint members or other persons to such standing, statutory, ad hoc, special purpose, or other committees as have been established, and its representatives to other organizations and agencies. Where it has been determined that selection to committee membership or as Board representative is by means of election, the procedure outlined in 8.3 (d) shall be followed.
 - (d) Nominations shall be received from the floor and shall be seconded. A member may move or second his or her own nomination. In the event a member nominated for office is not present, the nominator or nominators shall satisfy the presiding officer that the member's consent to nomination has been obtained. The vote shall take place by closed ballot.
 - (e) Election shall require a majority of valid votes cast. If no member receives a clear majority, a second ballot shall be held. Should no member receive a clear majority on the second ballot, the name of the person receiving the fewest votes shall be dropped from the ballot and the members shall vote anew and so continue until a member receives a majority vote. The Director shall announce the results of the vote for the election of the Chair, but shall not declare the count. The Chair shall announce the results of the votes for all subsequent offices, but shall not declare the count.
 - (f) Where during an election a tie vote occurs, a second ballot shall be held between or amongst the members involved in the tie, to break the tie. If a vote results

again in a tie, the members involved shall draw cards to determine the results, using Bridge Convention to determine ranking of cards.

- (g) To ensure continuity of the work of an ad hoc committee, the trustee membership of any ad hoc committee that has not completed its mandate as of the date of the Board's annual organizational meeting shall remain the same until the mandate of the committee has been completed, with the proviso that trustee members shall be replaced at the time of the annual Board organizational meeting if:
 - i. the basis for their membership in the ad hoc committee changes as a result of the election or appointment of the Chair or Vice-Chair of the Board and Chairs of Standing Committees, thereby creating a vacancy among the non-ex *officio* trustee members, or
 - ii. a member tenders his or her resignation from the ad hoc committee as of the date of the annual Board organizational meeting.

Notwithstanding the principle of continuity noted herein, the appointment of members to an ad hoc committee must be confirmed by the newly elected board at the start of a new term of office.

- (h) By resolution of the Board, all ballots shall be destroyed after the elections have been completed and the results declared.
- (i) If a vacancy should arise in any of the above offices during the course of the term of office, the Board shall elect another member to fulfill the unexpired term in the manner set out above.

Regular Meetings

- 8.4 (a) Unless otherwise directed by resolution of the Board, the regular meetings of the Board shall normally be held on the fourth Tuesday of each month, except for the months of July and August where regular meetings of the Board shall be held at the call of the Chair as required, or as pre-determined by resolution of the Board. Meetings shall regularly be scheduled to commence at 6:30 p.m. for an in camera session, and at 7:30 p.m. for an open public session. Where a meeting would fall on a recognized statutory holiday, it shall normally be held on the closest available date.
- (b) The times and sequencing of Board meetings may be varied in advance of the meeting by the Chair, provided always that each member shall be notified of such change 48 hours in advance of the meeting.
- (c) The Secretary shall notify each member of regular meetings of the Board, by written notice delivered to his or her residence and/or by electronic mail, at least 48 hours in advance of the meeting, together with the agenda for such meeting and, insofar as is practicable, all reports and other written documentation to be considered thereat.

Special Meetings

- 8.5 (a) Special meetings of the Board shall be held at the call of the Chair, or on the written request of at least six members filed with the Secretary, subject to confirmation that a quorum will be present. The printed notice of every special meeting shall state all the business to be transacted or considered thereat, and no other business shall be considered unless all members of the Board are present and consent.
- (b) At least 48 hours' written notice of all special meetings shall be given to each member at his or her residence and/or by electronic mail.

Extraordinary Meetings

- 8.6 (a) Provided a resolution has been previously adopted by the Board authorizing the calling of extraordinary meetings and stating the nature of the business to be transacted thereat, the Chair may call extraordinary meetings without the normal 48 hours' written notice, but with no less than six hours' notice by telephone, facsimile transmission or electronic mail to all Board members.
- (b) Notwithstanding the provision of an enabling resolution, the Chair may convene an Extraordinary meeting of the Board following the minimum six (6) hours' notice as required under 8.6 (a) to cover emergency situations for which no pre-authorization was possible, provided that the first item of business at such meeting will be to confirm a resolution enabling the meeting and stating the business to be transacted, with the approval of a two-thirds majority of all Board members.
- (c) Recognizing that it may not be possible to contact all Board members by telephone, records of all telephone calls shall be kept, including date and time of call, name of caller, and whether or not the caller spoke with the Board member, left a message, or was unable to reach the Board member. Records shall similarly be kept of e-mail or facsimile transmissions, together with Board members' acknowledgement thereof.
- (d) A quorum being present, all business transacted at such meeting which is within the scope of the authorizing Board resolution, shall be binding on the Board, its officers and employees.

Alternate Chair of Board Meetings

- 8.7 Where the Chair is not able to preside over a Board meeting, the Vice-Chair shall preside over the meeting. In the event that neither the Chair nor Vice-Chair is able to preside over a Board meeting, the Chair of the Board may appoint another member to preside over the meeting. The Chair shall select the member for appointment from a schedule of alternate chairs.

- 8.8 **Agenda Planning**
The Board recognizes the importance and value of the planning the annual agenda cycle with respect to governance priorities, including monitoring the application of Board governance policies, reviewing meeting agendas for compliance, timing and content, reviewing monthly feedback and meeting effectiveness, and responding as necessary to emerging Board issues.

The Board shall annually appoint one trustee elected at large and one alternate who will work with the Chair and the Vice-Chair to discuss agenda planning matters and ensure effective agenda planning.

9.0 COMMITTEES

Committees - General

- 9.1 (a) The Board may establish by resolution such standing, statutory, special purpose and *ad hoc* committees as it deems appropriate or as required under legislation or through contractual obligations, and subject to any relevant legislation or contract:
- i. determine their composition and the manner of selecting Chairs and members;
 - ii. fix their terms of reference, reporting relationships and expected date of completion of mandate;
 - iii. alter their composition, terms of reference, reporting relationships and expected date of completion of mandate, as it may deem appropriate from time to time; and
 - iv. dissolve committees.
- (b) The Director of Education shall assign appropriate staff and other resources to support the work of standing, statutory, special purpose and *ad hoc* committees of the Board in accordance with Board policy where applicable.
- (c) The rules of the Board with respect to the delivery of notices, agendas and supporting documentation shall apply, with necessary changes only (*mutatis mutandis*), to standing, statutory, special purpose and *ad hoc* committees.
- (d) With the Board's approval, standing and special purpose committees may establish sub-committees, determine their composition which may include Board members and non-Board members, and fix their terms of reference.
- (e) Staff resources will not normally be assigned to support sub-committees but may be authorized by the Board.
- (f) Sub-committees shall provide written reports to the committee that established them and shall be stood down at the conclusion of their work.

Committee Structure

9.2 The Board's committee structure consists of the following:

- (a) Standing committees - A standing committee is a regular permanent committee established by the Board to consider and make recommendations to assist the Board in fulfilling its obligations (see Section 9.3);
- (b) Statutory committees - A statutory committee is a committee established in accordance with the Education Act, regulations or other legislation for the purpose specified (Section 9.4);
- (c) Special purpose committees are committees that are established to provide advice in a specific area (Section 9.5); and
- (d) Ad hoc committees are established for a limited time to complete a specific mandate (Section 9.6).

Standing Committees

9.3 (a) The Board shall establish the following standing committee:

i. Committee of the Whole

The Committee of the Whole shall meet to discuss and consider any matters referred to it by the Board including, but not limited to, policy development and evaluation; educational programs and services; facilities and sites; student transportation; demographic planning; capital construction programs; safety and security; budgeting; human resource management; collective bargaining; strategic planning and corporate goal setting.

- (b) The Board, by resolution, may create additional standing committees and may appoint a trustee member other than the Vice-Chair of the Board to fulfill the duties of Chair.
- (c) All members of the Board shall be members of the Committee of the Whole and shall be entitled to attend meetings of the committee, to receive all materials circulated to the committee, and to participate fully in debates including the making of motions and voting.
- (d) Non-voting representatives shall be appointed to the Committee of the Whole in accordance with Policy P.010: GOV Community Involvement in Board Standing Committees. Non-voting representatives shall be entitled to receive materials circulated to the committee, and to participate fully in debates at public meetings. Only Board members may make and vote on motions.
- (e) A quorum for a standing committee is a majority of its voting members.
- (f) The Vice-Chair of the Board shall ~~be the Chair of~~ **preside over** Committee of the Whole meetings. Where the Vice-Chair is not able to preside over a Committee of the Whole meeting, the Vice-Chair may appoint another member to preside over the Committee of the Whole meeting. The Vice-Chair shall select the

member for appointment from a schedule of alternate Committee of the Whole chairs.

- (g) Meetings of Committee of the Whole shall normally be held on the first and third Tuesday of each month except for the months of July and August, commencing at 6:30 p.m. for the in camera session, and at 7:30 p.m. for the open public session.

Statutory Committees

9.4 The Board shall establish the following statutory committees:

- (a) Special Education Advisory Committee (in accordance with Ontario Regulation 464/97, and as per Board Policy P.019.GOV);
- (b) Parent Involvement Committee (PIC) (in accordance with Ontario Regulation 330/10, and as per the By-Laws and Standing Rules of the Parent Involvement Committee);
- (c) Audit Committee (in accordance with Ontario Regulation 361/10, R.R.O. 2010 as per Board Policy P.016.GOV); and
- (d) Supervised Alternative Learning (SAL) (in accordance with Ontario Regulation 374/10, and as per Board Policy P.044.CUR).

Special Purpose Committees

9.5 The Board may establish the following special purpose committees by resolution or policy:

- (a) Committee of the Whole Budget

The Board may establish a special purpose Committee of the Whole Budget for budget deliberations comprised of all twelve trustee voting members and such non-voting representatives in accordance with Policy P.010: GOV Community Involvement in Board Standing Committees. The Board may appoint a trustee member(s), other than the Vice-Chair of the Board, to fulfill the duties of the Committee of the Whole Budget Chair;

- ~~(b) Agenda Planning Committee~~

~~The Board shall establish an Agenda Planning Committee to facilitate the development of the annual agenda cycle and governance priorities, monitor the application of Board governance policies, review meeting agendas for compliance, timing and content, review monthly feedback and meeting effectiveness, and respond as necessary to emerging Board issues.~~

~~The Agenda Planning Committee shall be comprised of the Chair and Vice-Chair of the Board, one trustee elected at large, and the Director of Education.~~

~~The Agenda Planning Committee shall normally meet twice per month, two weeks prior to the scheduled Committee of the Whole meeting;~~

- (c) Committee of the Whole (Special Purpose)
For the specific purpose of accommodation reviews or other special purposes, the Committee of the Whole may be constituted as an accommodation review or other special purpose committee and shall be chaired by the Vice-Chair or by another trustee elected by the Committee;
- (d) Advisory Committees to the Board (***as per Board policies P.065.GOV for the Advisory Committee on the Arts and the Alternative Schools Advisory Committee; P.008.GOV for the Advisory Committee on Equity; P.111.GOV for Advisory Committee for Extended Day and Child Care Programs; and P.140.GOV for the Indigenous Education Advisory Council***);
- (e) Appeals Hearing Panels (in accordance with the *Education Act* and as per Board policy P.022.SCO) ***to hear appeals of cross boundary transfer decisions, and suspension decisions***;
- (f) Expulsion Hearing Panels (in accordance with the *Education Act* and as per Board policy P.023.SCO); and
- (g) Such other special purpose committees as the Board may from time to time determine by resolution or policy.

Ad Hoc Committees

9.6 The Board may, from time to time, establish ad hoc committees.

- (a) An ad hoc committee shall have a specific, defined mandate and be expected to complete its mandate by a date specified by the Board at the time of establishing the ad hoc committee.
- (b) The Chair of the Board shall be, ex officio, a member of all ad hoc committees of the Board with full privileges of committee membership.
- (c) The membership of an ad hoc committee shall include one or more trustees in addition to the Chair of the Board, and may include such members of staff and/or members who are neither trustees nor staff, as determined by the Board at the time of establishing the ad hoc committee.
- (d) An ad hoc committee shall be expected to complete its mandate by a date specified by the Board at the time of establishing the ad hoc committee.
- (e) An ad hoc committee shall automatically be stood down when the Board determines it has completed its assigned task in accordance with its terms of reference.

10.0 ORDER OF AGENDA

Agenda for Regular Board Meetings

- 10.1 The agenda for the regular meetings of the Board shall be in the order set out in Annex 1.

Agenda for Regular Meetings of Committee of the Whole

- 10.2 The agenda for the regular meetings of the Committee of the Whole shall be in the order set out in Annex 2.

11.0 DELEGATIONS

- 11.1 Any citizen or group within the area of jurisdiction of the Board may appear as a delegation before the Board or Committee to express their concerns, provide comments or ask questions on any matter within the mandate of the Board or Committee. The delegation will be allocated time as follows:

- (a) Up to four minutes for a first appearance where the request was made in advance of the meeting and in accordance with these rules; and
- (b) Up to two minutes if the delegation has already appeared before a Committee, or if the request was made after the publication of the agenda and prior to the start of the meeting and in accordance with these rules.

Requests to Appear as a Delegation:

- 11.2
- (a) A delegation shall be granted up to four minutes where the delegation has registered with the Secretary and provided a written submission outlining the delegation's concerns or views and any remedies sought from the Board or Committee not later than 4:00 p.m. on the Thursday prior to the meeting for inclusion in the printed agenda for the meeting.
 - (b) A delegation shall be granted up to two minutes where the delegation has registered prior to the start of the meeting using a sign-up sheet provided at the meeting to state their topic.
 - (c) A delegation which has appeared previously at Committee on a particular topic may be provided with a further opportunity of up to two minutes to address the Board when the matter comes forward for a Board decision. Substantial repetition of the previous presentation will be ruled out of order.
 - (d) The Chair of the Board may, in advance of the meeting, direct that a delegation requesting a hearing before the Board be heard instead by an appropriate Committee of the Board.
 - (e) Notwithstanding the requirement for notice, a delegation shall be permitted to circulate printed material to the Board or Committee members at a meeting.

- (f) Once the Board has made a decision on a matter raised by a delegation, the Board will not entertain a further delegation on substantially the same issue within the ensuing six-month period unless the Chair is of the opinion there is sufficient new information to warrant a review or unless the Board has agreed to re-open the matter.

Scheduling Delegations at Regular Board or Committee Meetings

- 11.3 (a) At regular Board or Committee meetings, a maximum of 20 minutes will be allotted for delegations. Where the number of requests for delegations exceeds the time available, the Chair may increase the time allotted for delegations.
- (b) To ensure that delegations on various topics, or with different points of view on the same topic, can be heard, the Chair, may limit the number of delegations and/or the time for each delegation.

Appearing as a Delegation

- (a) Delegations may appoint up to two spokespersons to address the Board or Committee. Board or Committee members may ask a maximum of three questions for clarification only and will not enter into debate or discussion.
 - (b) Where appropriate, the Chair may respond immediately, or request a response through the Director, to questions posed by a delegation. Where a response cannot be given at the meeting, the delegation's name and address will be recorded, and a written or verbal response provided as soon as possible, but normally within two weeks. Written responses to questions posed at a committee meeting may be posted to the Board's website and/or attached to a subsequent agenda as supplemental information.
 - (c) Questions or comments concerning the performance or character of identifiable individuals will not be allowed in public meetings. If inappropriate remarks are made about Trustees or staff, the Chair will immediately rule the remarks "out of order" and will request a retraction. If a retraction is not forthcoming and the inappropriate behavior continues, the Chair may expel the speaker(s) from the meeting.
- 11.4 Delegations will be provided with a copy of the rules before the meeting at which they are to appear.

In Camera Delegations

- 11.5 (a) Delegations regarding issues which must be heard in camera will be heard in a closed session. Meetings of the Board and its Committees shall be open to the public except when the subject matter under consideration involves:
 - i. the security of the property of the Board;
 - ii. the disclosure of intimate, personal or financial information in respect of a member of the Board or Committee, an employee or prospective employee of the Board or a pupil or his or her parent or guardian;

- iii. the acquisition or disposal of a school site;
- iv. decisions in respect of negotiations with employees of the Board; or
- v. litigation affecting the Board.

Special Meetings for Delegations

- 11.6 Special meetings of the Board or Committees may be scheduled from time to time for the purpose of hearing delegations on a particular item, for example, the Board's budget or an accommodation review.

Presentations

- 11.7 Presentations of up to 15 minutes on a matter of interest to the Board may be scheduled with the permission of the ~~Agenda Planning Committee~~ **Chair** or by decision of the Board at the time of approval of the agenda.

12.0 RULES OF ORDER

Interpretation

- 12.1 In any situation for which there is no specific provision in these rules of order, or for matters of interpretation, the Board shall adopt as its parliamentary authority the latest edition of *Procedures for Meetings and Organizations* by M. K. Kerr and H. W. King, Carswell Legal Publications, Toronto. As a secondary source, reference may be made to the latest edition of *Roberts Rules of Order, Newly Revised*.

Call to Order and Presiding Officer

- 12.2 (a) At the appointed hour, the Chair shall call the meeting to order, a quorum of a majority of Board members being present, and shall preside at the meeting. In the absence of the Chair, the Vice-Chair shall preside. In the absence of both the Chair and Vice-Chair, the Director or Acting Director shall call the meeting to order and the Board shall, by resolution, appoint another member to preside at the meeting.
- (b) If a quorum is not present after one-half hour beyond the appointed time for the meeting, the Chair shall order the Secretary to record the names of those members present, and may determine a time at which to convene the meeting again.
- (c) A Board member who participates in a meeting by electronic means is considered to be present at the meeting and will be recorded in the attendance for the meeting.

Approval of Agenda

- 12.3 (a) The Chair may alter the regular pattern of business as circumstances warrant, subject to confirmation by the Board under the item "Approval of Agenda". Any Board member may request changes to the proposed order of business prior to the vote to approve the agenda.

- (b) A majority vote of the members present shall be required to add a non-substantive item, including the addition of a delegation, to the agenda provided that the item does not require a decision of the Board.
- (c) To safeguard the rights of members who may be absent from a meeting, a three-quarters majority vote of the elected or appointed members shall be required to add any item(s) of a substantive nature to the agenda prior to approval of the agenda. The addition of a substantive item(s) to the agenda is debatable.
- (d) A three-quarters majority vote of the elected or appointed members shall be required to add an urgent substantive item to the approved agenda during the course of a meeting because a matter of extreme urgency has arisen. The addition of a substantive item(s) to the agenda is debatable.
- (e) Such a proposed addition to an agenda during the course of a Special Meeting of the Board is not permitted unless all members of the Board are present and consent (see 8.5 (a), By-laws and Standing Rules).
- (f) Notwithstanding the above, any member may bring forward a motion that was defeated at a committee meeting when the committee report comes forward to the Board. At the Approval of the Agenda, the member shall indicate his or her intent to bring forward a motion that was defeated at a committee meeting. The motion shall be added to the agenda as a non-consent item.
- (g) Substantive items, including motions and staff reports that are urgent or time sensitive, as determined by the Chair of the Board in consultation with the Director, may be dealt with at Board meetings. For the purpose of this by-law, urgent or time sensitive is defined as a matter which cannot be completed if not dealt with at a Board meeting prior to the next scheduled meeting of the appropriate committee. If a motion or staff report comes directly to Board, without first going to committee, the rules of committee, on the topic of the motion or staff report will apply, as outlined in section 12.15.

Consent Agenda

- 12.4 (a) The Board may utilize a consent agenda to approve recommendations from a committee report without debate.
- (b) The Chair shall ask for a motion to receive a report from committee and call for errors or omissions. Upon the adoption of a motion to receive the committee report, the Chair shall ask whether any of the listed recommendations are non-consent and require debate. Any item that requires debate shall be moved to the non-consent section of the agenda. The Chair shall call the question on the remaining items with a single motion.
 - (c) Any member may request an item be debated and moved to the non-consent section of the agenda.

- (d) The consent agenda items shall be separately recorded in the minutes as items carried by consent.

Adjournment

- 12.5 (a) At 10:30 p.m., the Chair shall interrupt any item under discussion to call a vote on whether to continue the meeting. The vote is subject to limited debate on whether to continue the meeting, which may limit the continuation to the item under discussion, or may specify additional agenda items, or a time for adjournment. The meeting will adjourn unless two-thirds of those Board members present for the vote cast a vote in favour of continuing the meeting.
- (b) At 11:00 p.m., the Chair shall interrupt any item under discussion for Board members to vote on whether to continue the meeting past 11:00 p.m. Board members will vote to continue the meeting, which may limit the continuation to the item under discussion, or may specify additional agenda items, or a time for adjournment. The meeting will adjourn unless there is unanimous consent from those Board members present to continue.
- (c) The Chair shall declare a meeting adjourned when:
 - i. there is no other business to be transacted;
 - ii. the Chair observes lack of quorum; or
 - iii. a motion to adjourn has been adopted by the Board.
- (d) During the course of a meeting, the Chair may declare one or more recesses of up to fifteen minutes, as circumstances warrant, which shall not be construed as adjourning the meeting.

Moving In Camera

- 12.6 (a) The Board shall meet *in camera* to deal with the following matters in accordance with the *Education Act*:
 - i. the security of the property of the Board;
 - ii. the disclosure of intimate, personal or financial information in respect of a member of the Board or Committee, an employee or prospective employee of the Board or a pupil or his or her parent or guardian;
 - iii. the acquisition or disposal of a school site;
 - iv. decisions in respect of negotiations with employees of the Board; or
 - v. litigation affecting the Board.
- (b) At any time during a meeting a member may move a motion "That the Board move in camera". The motion shall be put without debate. If resolved in the affirmative, the Board shall immediately move in camera, with the Vice-Chair presiding. The rules of committee shall be applied once a motion to move in camera has been carried (Section 12.15 below).

- (c) At the conclusion of debate, the committee shall rise and report with the proviso that, with the consent of the majority of members present, a recommendation from the in camera session may be withheld for presentation to the Board at either of its next two meetings.

Adopting the Rules of Committee

- 12.7 (a) At any time during a Board meeting a member may move a motion “to adopt the rules of committee” in order to allow more discussion on an item. The motion shall be put without debate. If resolved in the affirmative, the rules of committee shall be immediately applied (Section 12.15 below) and the Chair will continue to preside.
- (b) At any time during discussion or at the conclusion of debate, a member may move to “end the rules of committee”. When the Board meeting resumes, the Chair shall summarize the discussion and clarify the status of the item. If a vote was taken, the Chair may ask the mover to summarize the action taken. Any motion carried during the rules of committee shall require ratification by the Board.

Substantive Motions

- 12.8 (a) Substantive or main motions include propositions to act upon proposals, policies, statements of opinion, recommendations and modifications to previous decisions. Examples of a substantive motion include the following:
 - i. To approve the minutes of a previous meeting;
 - ii. To approve, accept or adopt a stated action, opinion or policy;
 - iii. To approve in principle;
 - iv. To establish an ad hoc committee;
 - v. To receive or accept a report;
 - vi. To concur with decisions made in the committee of the whole;
 - vii. To renew a previously rejected substantive motion;
 - viii. To amend a previously approved substantive motion;
 - ix. To rescind a previously approved substantive motion; and
 - x. To set the date, time and place of the next meeting.
- (b) Every substantive issue shall be decided by motion, moved and seconded by members of the Board.
- (c) A substantive motion, once read to the meeting by the Chair and then recorded in the minutes as duly moved and seconded, belongs to the meeting, and its movers can only withdraw it by making a procedural motion to withdraw (see 12.11 (h) iii below).
- (d) Substantive issues may only be moved at a meeting arising from reports circulated with the agenda as action items, or by way of notice from individual Board members duly filed with the Secretary, or by approval of the Board in accordance with Section 12.3.

Notices of Motion

- 12.9 (a) A Board member may provide notice of motion on any topic at least one full working day before the agenda is posted electronically, or by notice of motion filed by a member at a previous meeting.
- (b) Notices of Motions from Trustees and staff reports will normally be considered at the appropriate Committee meeting prior to consideration by the Board.

Debate

- 12.10 (a) A member wishing to speak shall raise his or her hand to be acknowledged by the Chair. Those members participating by electronic means shall indicate their wish to speak by voice. Members shall normally be called on in the order of their requests to speak.
- (b) A member must wait until he or she is assigned the floor to begin debate, and shall not be interrupted except on a point of order, a point of personal privilege, or an appeal for an improvement to the physical environment.
- (c) At Board meetings, members shall be entitled to speak once on each debatable motion, amendment or sub-amendment. Members may speak for up to five minutes to each main motion, three minutes to an amendment and two minutes to each sub-amendment. The Board, may, by resolution, establish rules for an extended debate on an issue. The mover of the motion shall, additionally have the right to speak a second time to conclude debate.
- (d) If a motion or staff report comes directly to Board, without going to committee, then the rules of committee with respect to speaking times will apply, as outlined in section 12.15.

Sequence of Debate on Substantive Motions

- (e) The Board shall debate and vote upon motions in the reverse order of their movement, as follows:
- i. Motion to sub-amend;
 - ii. Motion to amend; and
 - iii. Main motion.
- i. Motion to Amend or Sub-Amend
1. An amendment must be germane to the motion it seeks to amend. Such an amendment may be contrary to the intention of the main movers, that is, provide an alternative to part of the substantive motion before the meeting, but it must not convert this motion into its direct negative, that is, be directly hostile to the main motion. An amendment that is the direct negative of the main motion is not in order because this intention can be achieved directly by defeating the motion as it stands.

2. If the proposed alternative alters the intention of the movers' motion to the extent that they wish to withdraw it, unanimous consent of the meeting is required to do so (see 12.10 (h) below), as the motion belongs to the meeting not the movers, and all members have the right to propose changes to make it more generally acceptable before proceeding to a vote. [ref. K&K p. 115 § 95].
3. A sub-amendment shall likewise be germane to an amendment. Only one amendment and one sub-amendment may be on the floor at the same time.
4. An amendment may be accepted as friendly when it meets all of the following conditions:
 - it clarifies the main motion but does not change its substance or intent;
 - the mover and seconder of the main motion accept the amendment as friendly; and
 - no other member objects to the amendment being accepted as friendly.Otherwise, the amendment should be moved, seconded, debated and voted on as a formal amendment.

(f) Procedural Motions

A Board member may move a procedural motion at any time during the debate or decision on a substantive motion to modify the conditions for debate or decision, or the conditions for the conduct of a vote on a motion or election.

Procedural motions include the following:

- i. To close or limit debate;
- ii. To divide a compound motion;
- iii. To consider a complex motion clause by clause;
- iv. To request that a named person be heard;
- v. To defer to another stated time;
- vi. To postpone indefinitely;
- vii. To postpone temporarily;
- viii. To withdraw a substantive motion;
- ix. To refer to a committee;
- x. To require an open quantitative vote;
- xi. To require a written vote;
- xii. To reveal a vote count after a quantitative vote;
- xiii. To require a particular multiple choice voting method;
- xiv. To require approval by other than a majority of votes cast; and
- xv. To make a previously decided vote unanimous.

(g) Regulatory Motions

A Board member may move a regulatory motion to control the agenda of the meeting, the form of the meeting, and the adjournment of the meeting.

Regulatory motions include the following:

- i. To approve the agenda;
- ii. To amend the agenda;
- iii. To resume consideration of a temporarily postponed motion;
- iv. To reconsider a motion previously approved during the meeting;
- v. To consider a matter in a closed, informal or committee session;
- vi. To rise from a special session;
- vii. To take a recess;
- viii. To set or change the time of adjournment;
- ix. To adjourn the meeting to another day and time; and
- x. To adjourn.

Order of Precedence for Procedural and Regulatory Motions

- (h) A procedural or regulatory motion shall take precedence over the main motion and any pending amendments, and shall be decided before the debate on the main motion and amendments resumes.

When a motion is on the floor, no other motion shall be in order except, in reverse order of precedence

- i. Postpone indefinitely;
- ii. Amend;
- iii. Sub-amend;
- iv. Refer to Committee;
- v. Postpone to a certain time;
- vi. Limit or extend debate;
- vii. Lay on the table (temporary postponement);
- viii. Withdraw;
- ix. Adjourn; and
- x. Fix the time to which to adjourn.

i. Postpone Indefinitely

A motion to postpone indefinitely is a procedural motion that is debatable, but not amendable. If carried, the motion to which it applies and any pending related motions shall be laid aside, and may only be reintroduced by way of notice of motion at some future meeting.

ii. Refer or Postpone

A motion to refer or to postpone to a certain time is a procedural motion that shall be debatable and amendable only with respect to the place and conditions of referral, or the time and conditions of postponement. Remarks about the substance of the motion to be referred or postponed will be ruled out of order.

iii. Limit or Extend Debate

A motion to limit or extend debate is a procedural motion. Since any limitation of the time of the debate on a particular motion may prevent some members from speaking, this motion requires a two-thirds majority vote which may be amended only with respect to the stated time or numbers of speakers, and is not debatable. [K&K §152]

iv. Lay on the Table (temporary postponement)

A motion to lay on the table is a procedural motion that is not debatable or amendable. This motion requires a two-thirds majority and, if carried, the motion to which it applies and all pending related motions shall be laid aside immediately, and may be taken up again only by motion "To take from the Table" after some other business shall have intervened.

v. Withdraw

A motion to withdraw a substantive motion is a procedural motion that is not debatable or amendable, can only be moved by the original movers, and requires the unanimous consent of the meeting. [ref. K&K p.194, § 159 and p. 103, § 86 d)].

vi. Adjourn

A motion to adjourn is a regulatory motion that shall be in order at any time and shall be put without debate. If rejected, no second motion to adjourn may be made until another item of business on the agenda has been reached.

vii. Fix the time to which to adjourn

A motion to adjourn the meeting to another time and/or date is a regulatory motion that suspends the meeting to another stated day or to a later time on the same day. The proposed day must be such that there is no time to give notice for another regular meeting. If this motion is approved, the meeting takes an extended recess. No new items can be added to the agenda upon resumption because there was not time to give proper notice. Debate is restricted to amendments as to stated time and dates; approval is by majority of votes cast. [ref. K&K p. 209, §178]

viii. Raise a question under point of order, privilege or question

A Board member may make an appeal to the Chair on a point of order or privilege, or the admissibility or inadmissibility of motions, or the conduct of a member or members, without debate, having first stated the applicable rule or rules. The Chair shall provide a rationale and rule immediately on an appeal.

The member who raised the point of order has the right to appeal the ruling of the Chair. The Chair shall ask the members "is the ruling of the Chair upheld?" and shall call the vote immediately and without debate.

The Chair does not vote on the appeal. The decision of the Chair is upheld on a tie or majority of votes cast.

- (i) Debate on motions, including amendments and sub-amendments to substantive motions, shall address the issue or issues under debate and no individual shall make speeches or comments which reflect on the character, reputation or integrity of other members, or of staff. If inappropriate remarks are made, the Chair will immediately rule the remarks "out of order" and will request a retraction.
- (j) A member has the right to request that a motion be read clearly and completely before a vote is taken, but not so as to interrupt a speaker.
- (k) A member has the right, for the purpose of voting, to have a multi-part motion divided into parts where the various parts of the motion can stand alone.
- (l) Once a question has been put by the Chair, members may not speak to the motion or make another motion until the result is declared.
- (m) Once a question has been decided by the Board, members shall not speak again to the issue or reflect on the decision of the Board, except to file a motion of reconsideration or rescission as provided in Section 12.13 below.

Voting

- 12.11 (a) All motions shall be decided by majority vote, by show of hands of those members present and/or by voice of those members participating by electronic means and voting. A motion on which there is a tie vote is defeated, with the exception of the vote regarding an appeal against a ruling of the Chair.

In limited circumstances, where a Board member is participating by electronic means, he or she may communicate his or her vote to a voting proxy as appointed by the Director/Secretary or designate.

- (b) The Chair or presiding member of the Board may vote with the other members, but shall not have a casting or deciding vote after the other members have voted.
- (c) When in doubt as to the outcome of a vote, the Chair or presiding member may immediately call for a second vote, without debate.
- (d) Votes on all substantive motions at board meetings shall be recorded.
- (e) Notwithstanding section (d) votes on the following motions shall be recorded only at the request of a member made before voting commences:
 - i. substantive motions presented in the form of:
 - amendments;
 - sub-amendments;

- approval of minutes;
 - receipt of reports; and
 - ii. procedural motions and regulatory motions.
- (f) During a recorded vote, members shall vote at the same time when the chair calls for those in favour, those opposed and those abstaining. Members present in the room shall keep their hands raised, and members participating by electronic means shall vote by voice, until their names have been read by the Director/Secretary or designate, who shall record them as being in support of or against the motion, or abstaining.

Reconsider

- 12.12 (a) A motion to reconsider a previous vote, duly moved and seconded, may be made:
- i. during the meeting at which the previous vote was taken;
 - ii. at a subsequent meeting with due notice in writing. Such notice must include the rationale(s) for moving the motion to reconsider.
- (b) A motion to reconsider can be made with respect to a motion which was either adopted or defeated in the previous vote.

The purpose of a motion to reconsider is to allow second thoughts on a vote when a decision on an issue has been made in haste, or some further relevant information comes to light later in the same meeting. However, staff work towards implementation of an adopted motion will not be suspended by the Notice of Motion to reconsider. The procedural motion to reconsider is open to limited debate, in order to give its movers a chance to explain why they wish the meeting to re-examine the substantive issue. The motion is not amendable. A motion that has been reconsidered once during a meeting cannot be reconsidered again. [K&K p. 205 § 172]

- (c) This rule does not prevent a motion to reconsider a previously defeated motion at a subsequent meeting [ref. K&K p. 205 § 172]. However, such a subsequent motion to reconsider is not in order when the results of the previous vote have already been substantially put into effect.
- (d) Any member may introduce a motion to reconsider, regardless of which way he or she voted on the original motion.
- (e) If adopted, a motion to reconsider returns the original motion to the status it held immediately prior to the previous vote.
- (f) A motion to reconsider may only be made once in any six-month period.

Rescind

- 12.13 (a) A motion to rescind something previously adopted may be made only with due notice in writing, which should set out new information or reasons in support of the motion. Such a motion enables repeal of a previously approved substantive motion if it has outworn its usefulness or is demonstrated not to achieve its intended purpose. [K&K p. 181 § 145]
- (b) A motion to rescind something previously adopted may not breach a contractual or other legal obligation entered into by or on behalf of the Board on the strength of the previous motion.

Amend Something Previously Adopted

- 12.14 (a) A motion to amend something previously adopted may be made only with due notice in writing, which should set out new information or other reasons in support of the motion. A motion which does not accomplish precisely what was intended by its movers and supporters, to correct its weaknesses, may be moved at a subsequent meeting provided proper notice has been given. A motion to amend a previously adopted motion cannot be made at the same meeting, because in this instance the correct procedure would be to move a motion for reconsideration (see 12.12 above) [K&K p. 181, § 144].
- (b) A motion to amend something previously adopted may not breach a contractual or other legal obligation entered into by or on behalf of the Board on the strength of the previous motion.

Rules of Committee

- 12.15 (a) These rules shall be observed in meetings of Committees of the Board, insofar as they are applicable, except that:
- i. no motion made in committee shall require a seconder;
 - ii. members may speak more than once to an issue and for up to five minutes each time, subject to such reasonable limitations as the Chair of the committee may determine in the interest of expediency and with due and fair consideration to the rights and privileges of all members;
 - iii. Where the Board adopts the rules of committee, a member may, upon request, seek clarification or ask a question of a non-voting representative where the representative is in attendance;
 - iv. votes shall not be recorded in committee except by request of a trustee at Committee of the Whole Budget; and
 - v. at Audit Committee in the event of a tie vote, the chair is entitled to cast a second and deciding vote.
- (b) Except as provided in the By-laws or by Board resolution, the members of a Committee shall elect one of their members as Chair of the Committee.

- (c) The Special Education Advisory Committee and the Board's other Advisory Committees are exempted from the requirement to provide prior notice to move substantive issues arising from reports circulated with the agenda as action items, or by way of notice from individual Committee members filed with the Secretary at least one full working day before the agenda is to be circulated to members, or by notice of motion filed by a member at a previous meeting.

13.0 AMENDMENTS TO BY-LAWS AND STANDING RULES

- 13.1 These By-laws and Standing Rules may be amended only by approval of two-thirds of all members present and voting, at a regular or special meeting of the Board, provided that at least two weeks' notice in writing has been given to all Board members.

14.0 RELATED POLICIES

- P.008.GOV: Advisory Committee on Equity
- P.010.GOV: Community Involvement on Board Standing Committees
- P.012.GOV: Board Governance
- P.016.GOV: Audit Committee
- P.017.GOV: Student Trustees
- P.018.GOV: Electronic Meetings of the Board and Committees
- P.019.GOV: Special Education Advisory Committee
- P.025.GOV: Board Member Conflict of Interest
- P.048.GOV: Board Guiding Principles
- P.050.GOV: Board Member Removal/Resignation from Office
- P.065.GOV: Advisory Committees to the Board
- P.073.GOV: Board Member Code of Ethics
- P.110.GOV: Consultation by the Board, Schools and School Councils with Constituent Groups and the Wider Community
- P.130.GOV: Evaluation Process for the Board of Trustees
- Parent Involvement Committee: By-Laws and Standing Rules

APPROVED BY THE BOARD: 17 December 1997
LAST REVISED: 28 January 2014

ANNEX 1

Agenda for Regular Board Meetings

The agenda for the regular meetings of the Board shall be in the order set out below.

In-Camera Agenda Items:

1. Call to Order – Chair of the Board
2. Resolve into In Camera Session – (Vice-Chair assumes the Chair)
3. Approval of In Camera Agenda
4. Briefing from the Chair
5. Briefing from the Director
6. Confirmation of In Camera Minutes
7. Business Arising from In Camera Minutes
8. Matters for Action
 - a. Receipt of Committee of the Whole In Camera Minutes
 - i. Approval of Resolutions (by consent)
 - b. Non-Consent Items
 - c. Other Reports
9. Matters for Discussion
10. New Business – Information and Inquiries
11. Motion to Rise and Report

Public Agenda Items:

1. Call to Order – Chair of the Board
2. Report from In Camera Session
3. Approval of Agenda
4. Briefing from the Chair
5. Briefing from the Director
6. Delegations
 - a. Registered in Advance of the Meeting – Four Minutes
 - b. Registered in Advance of the Meeting – Two Minutes (for delegations who previously appeared at committee on the same topic)
 - c. Registered at the Meeting - Two Minutes
7. Confirmation of Board Minutes
8. Business Arising from Board Minutes
9. Unfinished Business from Previous Meetings
10. Matters for Action
 - a. Receipt of Committee of the Whole Minutes
 - i. Approval of Resolutions (by consent)
 - b. Non-Consent Items
 - c. Other Reports
11. Strategic Priorities Discussion
12. New Business – Information and Inquiries
13. Adjournment

ANNEX 2
Agenda for Regular Meetings of Committee of the Whole

The agenda for the regular meetings of the Committee of the Whole shall be in the order set out below.

In-Camera Agenda Items:

1. Call to Order – Vice-Chair of the Board
2. Approval of In Camera Agenda
3. Briefing from the Chair
4. Briefing from the Director
5. Matters for Action
6. Reports from Statutory Committees
7. Matters for Discussion
8. Long Range In Camera Agenda (second monthly meeting only)
9. New Business – Information and Inquiries
10. Adjournment

Public Agenda Items:

1. Call to Order – Vice-Chair of the Board
2. Approval of Agenda
3. Briefing from the Chair
4. Briefing from the Director
5. Delegations
 - a. Registered in Advance of the Meeting – Four Minutes
 - b. Registered at the Meeting - Two Minutes
6. Matters for Action
7. Reports from Statutory Committees
8. Matters for Discussion
9. Information Items
10. Long Range Agenda (second monthly meeting only)
11. New Business - Information and Inquiries
12. Adjournment