

## **POLICY 7: BOARD OPERATIONS**

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### **BOARD OPERATIONS**

In order to discharge its responsibilities to the electorate of the division, the Board of Trustees shall hold meetings as often as is necessary. The Board has adopted policies and procedures so that the business of the Board can be conducted in an orderly and efficient manner.

The Board's fundamental obligation is to preserve and enhance the public trust in education, generally, and in the affairs of its operations in particular. Consistent with its objective to encourage the general public to contribute to the educational process, Board meetings will be open to the public. Towards this end, the Board believes its affairs must be conducted in public to the greatest extent possible.

There are times when public interest is best served by private discussion of specific issues in "in camera" sessions. The Board believes it is necessary to protect individual privacy and the Board's own position in negotiating either collective agreements or contracts and therefore expects to go in camera for issues dealing with individual students, individual employees, land, labour, litigation or negotiation.

#### **1. Elections/Appointment**

##### **Wards**

- a. Within the stipulations of Ministerial Orders XX/ZZ and XY/ZZ dated DATE/YEAR, and subsequent Ministerial Orders AA/DD and BC/EE, the Board has decided to provide for the nomination and election of Trustees within the Division by wards. Copies of the Ministerial Orders are available from the Division Office.
- b. Three (3) wards have been established within Canadian Rockies School Division.
- c. Two (2) Trustees are to be elected in each of the Banff and Mount Rundle wards and one (1) Trustee is to be elected in the Exshaw ward.
- d. Wards may be revised from time to time as determined by the Board.
- e. The Board must pass any desired revision, by bylaw, by December 31 of the year prior to the year in which a general election is to be held in order to have the revision in effect following that general election.
- f. In the determination of revised ward boundaries the Board must take into consideration representation by population, trading areas, school attendance areas and growth/depopulation forecasts.
- g. In balancing representation by population, the Alberta Elections Act Review recommendation of +/- 25% of the average ward population may be used.
- h. Further, in the determination of revised ward boundaries, the Board must utilize a community engagement process.
- i. The provisions of the Local Authorities Election Act respecting the election of Trustees shall apply to every election in each ward.

- j. By-elections may be held as determined by the Board. During the three (3) year period immediately following a general election, a by-election need not be held if there is only one (1) vacancy on the Board.
  - i. During the fourth year a by-election need not be held.

## **2. Organizational Meeting**

- a. An organizational meeting of the Board of Trustees shall be held annually and no later than four weeks following Election Day when there has been a general election.
- b. The Secretary of the Board will give notice of the Organizational Meeting to each Trustee as if it were a special meeting.
- c. Each newly elected Trustee will deposit the oath of office with the Secretary Treasurer prior to the call to order of the organizational meeting.
- d. The Superintendent of Schools shall act as Chair of the meeting for the purpose of the election of the Board Chair.
- e. The Superintendent or Secretary-Treasurer will call for nominations for Board Chair three (3) times.
- f. A vote, if necessary, will be conducted by secret ballot, with each Trustee having one (1) vote.
- g. If there is a tie, a second vote will be called in a run-off of the two Trustees receiving the most votes.
- h. Upon election, the Board Chair shall preside over the remainder of the organizational meeting.
- i. The election of the Board Chair shall be for a period of one year or for an interval of less than one year, if the Board so desires.  
The Organizational Meeting shall, in addition:
- j. elect a Vice-Chair, in the process outlined for election of the Chair, for a period of time to be established at the time of election;
- k. establish a schedule for regular monthly meetings, and any additional required meetings;
- l. create such standing committees of the Board as are deemed appropriate, delegate their authority, and appoint members;
- m. appoint Board representatives to the various boards or committees of organizations or agencies where the Board has regular representation, as appropriate; and
- n. review Board member conflict of interest stipulations and determine any disclosure of information requirements as per sections 85 and 86 of the Education Act.

## **3. Regular Meeting**

- a. The Board will meet a minimum of 8 times per year. The meeting schedule will be established at the beginning of, or prior to, the new school year. Such meetings

will ordinarily be held within the Canadian Rockies School Division at a time, date and location set by the Board and posted on the district website.

- b. Notwithstanding this schedule the Board may, by resolution, alter the schedule in such a manner as it deems appropriate. In such instances, the Secretary-Treasurer shall give notice of change on the Division website at least six full days before the date of the meeting.
- c. Regular meetings of the Board will not be held without the Superintendent and/or designate in attendance, unless the Superintendent's contract is being discussed.

#### **4. Special Meetings**

- a. Special meetings of the Board of Trustees may be held from time to time, when the majority of Trustees or the Minister, is of the opinion that an issue must be dealt with before the next regular Board meeting.
- b. A written notice of the Special Meeting, including date, time, place and nature of business to be transacted shall be issued by registered mail (at least three (3) days prior to the date of the meeting) or in person (at least two days prior to the date of the meeting) unless every Trustee agrees to waive, in writing, the requirements for notice.
- c. The nature of the business to be transacted must be clearly specified in the notice of the meeting. Unless all Trustees are present at the special meeting, no other business may be transacted.
- d. Special Meetings of the Board will not be held without the Superintendent and/or designate in attendance, unless the Superintendent's contract is being discussed.
- e. The Board will hold a Special Meeting provided that a petition is received, signed by the minimum of electors as defined in the Education Act Regulation 91/2019. A Special Meeting must be held within thirty (30) days of receipt of petition, at a time and place to be determined by the Board.

#### **5. In camera Sessions**

The Board reserves the right within the constraints of statute to hold in camera sessions. Such sessions shall be approved by a majority of the Board. The reason for the in camera session shall be stated prior to its approval and shall be limited to discussion pertaining to the following stated reasons:

- a. individual students;
- b. individual staff members;
- c. matters of collective negotiations with employees;
- d. acquisition of real property;
- e. litigation brought by or against the Board; and/or
- f. a matter deemed by the Board to best be held in private, for the public interest.

Such sessions shall be closed to the public and press. That such a session will be, or was held, shall be recorded in the minutes of the preceding or subsequent regular meeting. Board members and other persons attending the session are honor bound not to disclose the details of discussion at such sessions. The Board may request the Superintendent to invite staff members or others to attend such sessions. The Secretary-Treasurer shall keep for reference a written account of the important items discussed in camera.

No official action shall be taken in Committee of the Whole (in camera) sessions.

The Board shall convene or re-convene a Regular Meeting to take action on any matter discussed. Any item discussed in the Committee of the Whole that requires subsequent action by the Board or administration shall be officially recorded in the minutes of the open meeting at which the resolution in respect to the item is approved or denied.

## **6. Agenda for Regular Meetings**

- a. The Superintendent, in consultation with the Board Chair, is responsible for preparing the agenda for Board Meetings.
- b. The order of business at a regular meeting shall generally be as follows:

### **AGENDA**

- 1. Land Acknowledgment
- 2. Call to Order & Welcome to Guests
- 3. Approval of Agenda
- 4. Approval of Minutes
  - a. (Date of Minutes)
- 5. Delegations/Presentations
- 6. Superintendent's Report
  - a. Directive for Action
  - b. Information Items
- 7. Trustee Reports
- 8. Questions (See [Policy 7, Section 11](#))
- 9. Chair's Remarks/Board Correspondence
- 10. In-Camera Session
- 11. Adjournment

- c. Items may be placed on the agenda in one of the following ways:
  - i. by notifying the Superintendent or Board Chair prior to the establishment of the agenda;
  - ii. by notice of motion at a previous meeting of the Board. When a Trustee wishes to bring to the agenda of a meeting a motion that requires special consideration by the Trustees or research by and from the administrative staff, the Trustee shall

give notice of motion, including the regular meeting at which the motion is to be discussed.

- iii. Request from a committee of the Board.
- iv. A quorum of the Board, prior to the approval of the agenda, may request that the Board Chair add an item.
- d. The agenda package, containing the agenda and supporting information, will be distributed to each Trustee at least two days in advance of regular Board meetings.
- e. The agenda package shall be posted on the division website by 4 p.m. the day of the meeting.
- f. The Board Chair, at the beginning of the meeting, shall ask to have the agenda approved. Additions to and/or deletions from the agenda may be made by a majority of those Trustees present.
- g. The Board Chair may change the order of items on the agenda in order to meet extenuating circumstances. In such cases, a Trustee may challenge the Chair in accordance with the procedures adopted by the Board.

## **7. Meetings by Electronic Means**

It is the preference of the Board to meet at a common location to conduct Division business, with Trustees and the superintendent (or designate) present.

Notwithstanding, a Board member may participate in a meeting by electronic means where weather conditions or other special circumstances require.

Trustees and the Superintendent or designate participating in the meeting held by electronic means are deemed to be present, providing they are physically present within the Division boundaries or they are in a secure location to which the public does not have access.

Trustees must ensure that the means of electronic participation and the location used will allow moving in camera and will meet all of the requirements of an in camera session.

## **8. Correspondence Addressed to the Board**

The Board Chair and the Superintendent will examine all correspondence addressed to the Board. The Superintendent or designate will acknowledge receipt and process the correspondence.

The Board Chair and Superintendent will determine whether the matter raised in the correspondence is to be placed on a Regular Board Meeting agenda under Information Items. In accordance with Board Operations 6. c) i.

If the matter raised in the correspondence is to be placed on an agenda or a public Board meeting, the Board Chair or the Superintendent will respond in writing as to the outcome of the Board discussion.

If the matter raised in the correspondence is not to be placed on an agenda of a Regular Board

Meeting, the Superintendent will provide an appropriate response which will be placed in the Trustee reading file.

If a Trustee wishes to have a matter considered by the Board, such Trustee will request the Board Chair to place the matter on the agenda of a Regular Board Meeting at the appropriate time.

## **9. Minutes**

The Minutes shall record accurately and concisely:

- a. date, time, place and presiding officer.
- b. names of Trustees and senior administration present.
- c. a brief summary of the circumstances which gave rise to the matter being placed before the Board.
- d. all resolutions, including the Board's disposition of same, placed before the Board.
- e. recording of the votes on a motion when requested by a Trustee.
- f. departure and re-entry times of Trustees and senior administration.
- g. the time of adjournment.

The Minutes shall:

- a. be prepared by the Secretary-Treasurer and/or designate in attendance.
- b. be reviewed by the Superintendent of Schools prior to submission to the Board.
- c. be considered an unofficial record of proceedings until such time as adopted by a resolution of the Board.
- d. upon adoption by the Board, be deemed to be the official and sole record of the Board's business.

The Secretary-Treasurer shall:

- a. upon approval of the Superintendent as to the accuracy of the 'draft' minutes, prepare a copy of the unofficial minutes, marked 'Unofficial Draft - Subject to Ratification', to be posted on the website. Establish a codification system for resolutions placed before the Board which will provide for ready identification of the resolution as to the meeting at which it was considered.
- b. establish and maintain a file of all Board approved minutes signed by the Secretary Treasurer and Board Chair.

When required by the Board, its committees shall prepare and submit records of the meetings to the Board.

## **10. Motions**

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

a. Notice of Motion

The notice of motion serves the purpose of officially putting an item on the agenda of the next or future Regular Meeting and gives notice to all Trustees of the item to be discussed. A notice of motion is not debatable and may not be voted on.

A Trustee may present a notice of motion for consideration at the next Regular Meeting of the Board or may specify another meeting date. A Trustee may also provide the Superintendent with a written notice of motion and ask that it be placed on the agenda of the next Regular Meeting and read at the meeting. The Trustee will need not be present during the reading of the motion, however if the Trustee is not present, a seconder is required at the meeting at which the notice is given, otherwise the item will be dropped.

#### b. Discussion on Motions

The custom of addressing comments to the Board Chair should be followed by all persons in attendance.

Once a motion is before the Board and until it is passed or defeated, all speakers shall confine their remarks to the motion or to the information pertinent to the motion.

#### c. Speaking to the Motion

The mover of a motion shall speak first and every Trustee shall have an opportunity to speak to the motion before any Trustee is allowed to speak a second time.

As a general guide, a Trustee should not speak longer than five minutes on any motion. The Board Chair has the responsibility to limit the discussion by a Trustee when such a discussion is repetitive or digresses from the topic at hand, or where discussion takes place prior to the acceptance of a motion.

No one shall interrupt a speaker, unless it is to ask for important clarification of the speaker's remarks, and any such interruption shall not be permitted without permission of the Board Chair.

Should a Trustee arrive at the meeting after a motion has been made and prior to taking a vote, the Trustee may request further discussion prior to the vote. The Board Chair shall rule on further discussion.

#### d. Reading of the Motion

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

#### e. Required Votes

The Board Chair, and all Trustees present, unless excused by resolution of the Board or by the provisions of the Education Act, shall vote on each question. A Trustee not voting under this provision shall excuse themselves from the meeting during the discussion and until the vote is taken.

Each question shall be decided by a majority of the votes of those Trustees present. A simple majority of a quorum of the Board will decide in favour of the question.

In the case of an equality of votes, the question is defeated. A vote on a question shall

be taken by open vote, expressed orally or by show of hands, except that, on request of a Trustee, the vote to elect the Board Chair or Vice-Chair may be by secret ballot.

f. Debate

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

## **11. Comments, Questions and Delegations at Board Meetings**

The Board of Trustees believes it has the responsibility to encourage residents of the school division to bring matters of concern regarding the education of children and the operation of the Division to Regular Meetings of the Board and welcomes public participation at Board meetings as a desirable demonstration of the public's interest in education. All regular Board meetings are open meetings and no one shall be excluded from a Regular Meeting except for disruptive behaviour as provided for in the Education Act, or except under those circumstances that justify a meeting in camera.

The Secretary-Treasurer shall see that there is adequate seating for the public at Regular Board Meetings and, if the attendance is expected to be beyond the capacity of the Board Room, the Superintendent shall provide for the meeting in another location, after consultation with the Board Chair.

An adequate number of copies of the agenda for public use shall be made available for each regular meeting of the Board.

From time to time, the Board, at its discretion, may hold its meeting at a location away from the Division Office, if it is thought that such a change will encourage public participation. Typically, such a new location will be in a school building of the Division. It will be the responsibility of the Secretary-Treasurer to see that such change of place of meeting and any change of time of meeting are well-advertised in advance to the public and the news media.

### Comments and questions on specific board agenda items

- a. If a member of the public wishes to comment on or has questions on a specific agenda item at a Board meeting, the individual shall register with the Superintendent or designate by 12:00 noon on the day of the meeting.
- b. Speakers shall confine themselves to three minutes and will address their comments and/or questions to the Board Chair.
- c. The total duration of comments and questions under this section of the agenda shall not exceed 30 minutes, or as determined by the Board Chair.

### Formal Delegations and Presentations to Board

- a. If a delegation from the public wishes to make a presentation to or a request of the Board, it shall first be discussed with the Superintendent or designate. This provides the presenter an opportunity to clarify their understanding of Division practices related to the presentation topic and determine what other assistance may be available through the Administration.



- b. If after meeting with the Administration, an appearance before the Board is still desired, the delegation may request an audience with the Board stating the nature of the request. This shall be made in writing to the Board Chair and the Superintendent or designate, at least three weeks in advance of the preferred meeting at which time they wish to appear. (Notwithstanding this notice, the Superintendent, in consultation with the Board Chair, may consider a request to waive the timelines if circumstances warrant.)
- c. The Board reserves the right to determine whether the delegation will be heard, and if so, whether it will be heard by the Board or by a committee of the Board. For matters clearly within the practice and mandate of the Board, the Superintendent or designate and Board Chair shall make appropriate arrangements for the delegation to be heard.
- d. Written briefs or a digest of the information to be presented must be submitted to the Superintendent or designate at least five days prior to the meeting. The notice and the brief will be provided to each Trustee with the notice of meeting at which the delegation is to appear.
- e. The delegation will be asked if they object to their personal names appearing in the minutes.
- f. The delegation may make its presentation in writing and/or orally.
- g. The delegation shall, during its meeting with the Board, observe the rules of parliamentary decorum.
- h. A delegation from the public may present for a maximum of 10 minutes in total and may appoint two spokespersons. The Board Chair will thank the speaker.
- i. Upon completion of the presentation the Board Chair shall allow Trustee questions of the delegation for a period of fifteen minutes, or as determined by the Board Chair.
- j. The total duration of the delegations and presentations section on the agenda shall not exceed 30 minutes. Exceptions to the time limits may be made by a majority vote of the Board.
- k. Decisions regarding requests made by delegations will be dealt with at the next meeting of the Board or appropriate committee unless the Board will be making a decision on the matter as part of another scheduled item of business on the agenda or it is otherwise agreed to by a majority vote of the members present.
- l. The Board Chair shall communicate the decision of the Board, in writing, to the person who requested to appear before the Board as soon as possible. If the decision may be appealed under the Education Act, the Board Chair shall advise the spokesperson of their right to the next avenue of appeal.

## **12. Board Member Honoraria and Expenses**

The policy of the Canadian Rockies School Division is that Trustees may receive a monthly honorarium for the normal performance of their duties and hourly or daily

payments for additional service on certain committees, tribunals and hearings and activities as detailed in this policy. The Board may, by motion, authorize payment of honorarium for attendance (whether face to face or virtual) by Trustees at training events, conferences, committees not named and special meetings or any other events where the business of the Board is conducted.

a. Monthly Honorarium

The monthly honorarium amount for the Chair, Vice-Chair and Board members is set annually by motion of the Board. The monthly honorarium recompenses service for the usual business of the Board which includes attendance at regular public meetings and committee of the whole meetings.

Aforementioned monthly honorarium payments do not require the submission of claim vouchers for the basic honorarium.

In the case of a Trustee requesting a leave of absence from duties, payment of monthly honorarium will be suspended for the term of the leave.

The monthly honorarium for any Trustee not fulfilling their duties may be suspended by motion of the Board.

b. Hourly/Daily Honorarium

The hourly and daily honorarium amounts for Board members are set annually by motion of the Board. The hourly or daily honorarium will be paid for attendance at ASBA/PSBAA meetings and events, negotiation committee meetings, Trustee conferences, workshops, planning sessions, in district meetings with government officials, school functions, school council meetings and other events/meetings deemed appropriate by the board. Travel time may be used in calculating the per diem claim. Attendance at these meetings and sessions will be coordinated by the board at Committee of The Whole meetings to ensure value of Trustee attendance.

Trustees are required to submit receipts and signed claim forms in order to receive hourly/daily honorarium and/or to be reimbursed for expenses. All claims must follow guidelines set by the Board and adhere to the annual budget set by the Board.

Cash and or a credit advance are allowable against anticipated costs.

c. Allowable Expenses for Trustees

Trustees may claim for actual expenses for the following:

- i. travel by automobile ([see Policy 7- Appendix A](#)), bus, train or airplane from the Trustee's place of residence to any meeting of the Board within jurisdiction boundaries or expenses related to traveling to a meeting outside the jurisdiction;
- ii. meals ([see Policy 7 - Appendix A](#)) when a meeting or activity takes place during or over meal hours and a meal is not provided as part of the activity;
- iii. other allowable expenses shall include parking and communications expenses incurred in relation to attending meetings or on Board business

and other incidental expenses incurred when living away from one's home;

- iv. use of private accommodation is encouraged. When staying in private accommodation a flat rate ([see Policy 7 - Appendix A](#)) may be claimed in lieu of a hotel;
- v. where travel arrangements, accommodations or meals have been arranged by administration with a view to maximizing efficiency and minimizing expenses, Trustees shall avail themselves of these arrangements unless other arrangements are authorized by Board motion.

d. Claims for Hourly/Daily Honorarium and Expenses

- i. The Secretary-Treasurer will review Trustees' expense claims for accuracy and completeness. Discrepancies will be referred to the Board. Per Diem and expense claims shall be submitted electronically, via the financial software, in a timely manner and approved by the Board Chair. The Board Chair's per diem and expenses will be approved by the Board Vice Chair. Detailed receipts are required. Payment will be issued in accordance with a published schedule of dates.
- ii. Individual trustee remuneration will be reported annually in the Division's audited financial statements.

e. Adherence to Budget

Notwithstanding other parts of this policy, the total payments for honorarium and expenses shall not exceed the amount budgeted for such payments unless there is a Board motion authorizing a change to budget. In the case where payments would exceed budget, the Secretary-Treasurer is directed to cease all payments unless and until an authorizing motion is approved.

### **13. Board Member Conflict of Interest**

Each Board member is directly responsible to the electorate and the Board. Upon election to office, Board members assume a position of public trust and are expected to conduct themselves in a manner that will not impair the trust accorded them or the Board. A Board member is expected to avoid conflicts of interest in the exercise of the member's fiduciary responsibility in all matters considered by the Board. A conflict of interest exists when a member is confronted with an issue in which the member has a personal or financial interest or an issue or circumstance that could render the member unable to devote complete loyalty and singleness of purpose to the public interest.

The Board expects:

- a. that each Trustee will be conversant with sections 85 and 88 of the Education Act with respect to pecuniary interest and conflict of interest;
- b. that if a Board member has a personal or financial interest in any matter being considered by the Board, the member shall disclose such interest to the Board, shall not vote on the matter and shall not attempt to influence the decisions of other Board members. If a Board member has a pecuniary interest in a matter before the Board or a committee of

the Board, he or she shall comply with the specified procedures set forth in the Education Act Section 85, as the same may be amended from time to time.

- c. that a member of the Board shall not also be an employee of the organization, nor shall a member receive any compensation for services rendered to the organization in any non-governance capacity. This provision shall not prohibit members from receiving authorized compensation for serving as a member of the Board or from receiving reimbursement for authorized expenses incurred during the performance of Board duties.
- d. the Trustee to be solely responsible for declaring a position in conflict of interest and to disclose the nature of the pecuniary interest in which they may profit personally, materially or in other ways;
- e. the Trustee will make a declaration of conflict of interest in open meeting prior to Board discussions of the subject matter that may place the Trustee in conflict of interest;
- f. the Secretary-Treasurer or designate in attendance shall record the declaration in the minutes;
- g. upon declaring a conflict of interest the Board Chair shall excuse the Trustee from participation in the debate and the vote on the issue. The Trustee will leave the room in which the meeting is being held until discussion and voting on the matter is concluded.

**13.1** The Board shall not enter into any contract with any of its members or with a firm in which a member has a significant financial interest

**13.2** A Board member may not:

- a. Disclose or use confidential information acquired during the performance of official duties;
- b. Accept a gift of substantial value or economic benefit which would tend to improperly influence a reasonable person, or which the Board member knows or should know is primarily for the purpose of a reward for official action.
- c. Engage in a substantial financial transaction for private business purposes with a person employed by the organization;
- d. Perform an official act that directly confers an economic benefit on business in which the Board member has a substantial financial interest or is engaged as a counsel, consultant, representative or agent; and
- e. Otherwise be in a position of conflict as enumerated in Section 82 of the School Act, as the same may be amended from time to time

#### **14) Board Participation at Public Hearings and Presentation**

It is understood that the operation of the Board as a school system is of interest and concern to the residents served and to the public at large.

In the development of its plans or implementation of its decisions there may be occasions when a member of the public wishes to take issue with the Board by filing a protest or complaint with an external or judicial body.

The intent of this policy is to give direction to the Superintendent to prepare a position or briefing paper which puts forth the position of the Board

**Specifically**

- a. Upon receiving notification that such an action has been started the Board shall be made aware at the next available Board meeting.
- b. The Board shall give consideration to the issue and provide direction to the Superintendent in preparing the support document.
- c. The Board shall designate who will attend the hearing or appeal.
- d. The party (parties) designated to represent the Board shall report the outcome of the matter to the Board at the next regularly scheduled meeting of the Board.

## **15 ) Alcohol Purchase Restriction**

The Board recognizes that on occasion it may be appropriate for Board funds to be used to purchase alcohol with the following limitations:

- a. not permitted for student events and not permitted for employee events unless specifically authorized by the Board.
- b. may be permitted to recognize an organizational or individual staff achievement (eg. celebrating retirements) in accordance with Administrative Procedure 596: Alcohol on Division Premises

## **16) Board Self-Evaluation**

In determining the effectiveness of its governance practices, the Board will regularly assess its performance through an agreed upon self-evaluation process. The Board may access the services of a third party consultant to support and/or guide this process.

### **LegalReference:**

Sections

33,34,51,52,53,64,65,66,67,69,73,75,81,85,86,87,88,89,90,91,92,93,94,95,96,112,114,138,139,222

Education Act

Local Authorities Election Act

Board Procedures Regulation

Petitions and Public Notices Regulation

### **History:**

Prepared:	March 2006
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