

**YORK CATHOLIC DISTRICT SCHOOL BOARD
OFFICE CONSOLIDATION OF BY-LAW No.1**



OPERATIONAL BY-LAW

September 24, 2024

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BY-LAW 1

Being a By-law relating generally to the transaction of the business and affairs of The York Catholic District School Board.

1 INTERPRETATION

In this By-law, unless the context otherwise requires:

- 1.1 The singular includes the plural.
- 1.2 The masculine includes the feminine.
- 1.3 "BOARD" means The York Catholic District School Board.
- 1.4 "TRUSTEE" means a person elected or acclaimed to the office of trustee of the Board pursuant to the Provisions of the *Municipal Elections Act* or appointed to the office of trustee pursuant to the provisions of the *Education Act*.
- 1.5 "CHAIR" means the Chair of the Board.
- 1.6 "VICE CHAIR" means the Vice Chair of the Board.
- 1.7 "DIRECTOR" means the Director of Education.
- 1.8 "YEAR" means, unless modified by the word "calendar", the period commencing on the first day of December and ending on the last day of November next following.
- 1.9 "MEMBER" means a person who is a member of the Board or Committee as the case requires who is entitled to vote at the relevant Board or specific Committee meeting.
- 1.10 "STUDENT TRUSTEE" means a student who has been elected by his/her peers as per *Policy 107 Student Trustees* to serve as a student trustee on the Board.
- 1.11 "AD HOC" committee means a committee formed for a specific task or objective, and dissolved after the completion of the task or objective.
- 1.12 "EXTERNAL MEMBERS" are members of the committee who are not Trustees but appointed to the Committee pursuant to the provisions of Ontario Regulations.

2 FIRST MEETING OF THE YEAR - INAUGURAL MEETING**2.1 First Meeting of the Year**

- (a) The Board shall, at or before the last regular meeting in October in each calendar year, fix a day and time for the inaugural of the Board for the following year in keeping with S280(2) of the *Education Act*.
- (b) At the first meeting in each year, the Director of Education shall preside until the election of the Board Chair and the Vice Chair, or in the absence of the Director of Education, the members shall designate who shall preside until the election of the Chair and the Vice Chair.
- (c) The presiding officer shall thereupon call to order a meeting of the trustees, and in the event that the trustees are taking their seats for the first time, introductions will be made.

2.2 Election Procedure

- (a) With the Director of Education or alternate presiding, the Board shall proceed to elect by separate vote a Chair and a Vice Chair, such election to be upon nomination and by secret ballot. A seconder is not required for a nomination.

- (b) The Director of Education or alternate, shall appoint two (2) scrutineers for the election of the Chair and/or Vice Chair, who shall be supervisory officers of the Board.
- (c) Trustees joining the meeting via telephone conference call will be permitted to be nominated as Chair and Vice Chair of the Board.
- (d) Trustees joining the meeting via teleconference may participate in the secret ballot process.
- (e) All nominees will be permitted to address the Trustees before voting commences for a maximum of 2 minutes.
- (f) All nominators will be permitted to introduce the nominee for a maximum of 1 minute.
- (g) Votes will be submitted to the Board's legal counsel who will join the meeting to Oversee the voting process and count the votes under the observation of the scrutineers. The Board's legal counsel will follow the process outlined in (h), (i), (j).
- (h) Election shall require a clear majority of the votes cast.
- (i)
 - (i) In the event of three or more candidates, the candidate receiving the lowest number of votes will be eliminated, and another vote will be held until there is a clear majority.
 - (ii) In the event that there are three or more candidates, and that as a result of the vote there is no clear majority but there is a tie between the candidates receiving the lowest vote so that no candidate can be eliminated, a second vote will be held.
 - (iii) If there is still a tie, the Director of Education will draw lots between the candidates that have a tie vote, and the candidate whose name is drawn will be eliminated.
- (j)
 - (i) In the event of two candidates, and an equality of votes at the election of a Chair and/or Vice Chair a second vote, by secret ballot, will be held.
 - (ii) If there is still a tie, the Director of Education will draw lots between the candidates that have a tie vote, and the candidate whose name is drawn will be eliminated.
- (k) Following the declaration of the outcome of the election, all ballots used in the Election shall be provided to the Director of Education to be sealed and retained by the Board for a duration of one (1) year, after which such ballots shall be destroyed.
- (l) At the first meeting of the Trustees following a municipal election, the Board shall proceed in like manner to appoint the Archbishop of the Archdiocese as Honorary Chair and the Bishop of the Archdiocese as Honorary Trustee, who shall hold office until the expiry of the term of which the Trustees were elected.

The above process is to be followed for all Board committees except for Sections 2.2(e), 2.2 (f) and 2.2(l). The use of the Board's legal counsel may be waived for Board committee elections, under Section 4.1.5.

3 ORGANIZATION OF BOARD MEETINGS

3.1 Regular Pubic Meetings

The schedule for all Regular Board Meetings shall be an information item on the Regular Board Agenda in May of each year, for the following school year. There shall be a minimum of ten scheduled Regular Board Meetings starting at 7:30 pm.

3.1.1 When and Where Held

Regular meetings of the Board shall be held in the Board Room of the Catholic Education Centre, Aurora, Ontario, and shall be open to permit the physical attendance by members of the public.

3.1.1.1 All public Board and committee meetings shall be live streamed.

3.1.1.2 The Board shall provide members of the public with electronic means to make Delegations to Board and Committee meetings.

3.1.2 Attendance

All members of the Board shall be physically present in the meeting room of the Board at every regular meeting of the Board and every regular meeting of the Committee of the Whole Board. A member of the Board may participate by electronic means if the member receives written approval before the meeting begins as follows:

- a) The member of the board shall submit a request in writing and the reasons for the request to the Chair of the Board at least one hour before the meeting begins
- b) If the Chair is making the request to participate by electronic means then the request will be submitted to the Vice-Chair.
- c) The request may be approved if one or more of the following circumstances exist:
 - (i) Weather conditions do not allow the member to travel to the meeting location safely
 - (ii) The member cannot be physically present due to health-related issues
 - (iii) The member has a disability that makes it challenging to be physically present at the meeting
 - (iv) The member cannot be physically present due to family responsibilities in respect of
 - i. the member's spouse,
 - ii. a parent, step-parent or foster parent of the member or the member's spouse,
 - iii. a child, step-child, foster child, or child who is under legal guardianship of the member or the member's spouse,
 - iv. a relative of the member who is dependent on the member for care or assistance, or
 - v. a person who is dependent on the member for care or assistance and who considers the member to be like a family member.
- (d) The Chair shall not approve a request if fewer than one member of the Board in addition to the Chair of the Board or their designate, will be physically present in the meeting room. The Vice-Chair shall not approve the Chair's request unless the Chair's designate is physically present. NOTE: At all times at least 2 members must be physically present.

3.1.2.1 At all meetings of the Board and of the Committee of the Whole Board, the physical presence in the meeting room at the Catholic Education Centre shall be required of the Director of Education or their designate. This requirement is waived only for Committee of the Whole meetings where the only item on the agenda is the Director's Contract and/or their Performance Appraisal .

3.1.2.2 The Chair or Vice Chair (as designate) must be physically present for at least half of the Board meetings, including Committee of the Whole, for any twelve

month period beginning November 15th.

3.1.2.3 A trustee shall be physically present in the meeting room of the board for at least three regular meetings of the Board during each twelve-month period beginning November 15. For clarity, a trustee must be physically present for at least one regular meeting of the Board for each period of four full calendar months ending the following November 14th.

3.1.2.4 The requirements for persons to be physically present at meetings do not apply if all schools are closed pursuant to an order (Ont Reg 463/97).

3.1.3 Notice and Delivery of Agenda

Notice of all regular meetings shall be given, with such notice to be accompanied by the agenda and any background material for the meeting. All agendas and associated materials shall be delivered electronically by Board email 72 hours prior to the meeting taking place. Any new material submitted after 72 hours needs to be received by motion of the board or committee.

3.1.4 Trustees Absence

A member of the Board vacates his or her seat if he or she absents himself or herself without being authorized by resolution entered in the minutes, from three consecutive **regular** public meetings of the board.

3.1.5 Notice of a Trustee's Late Arrival or Early Leave

Notice of a Trustee's late arrival or early leave from a Board meeting, whether participation is in the form of face-to-face or via teleconference, will be recorded in the minutes of the meeting.

3.1.6 Quorum

A majority of all the members of the Board shall constitute a quorum for the transaction of business at any meeting of the Board. Members declaring a Conflict of Interest as per the Municipal Conflict of Interest Act, will not count towards the calculation of quorum.

3.1.6.1 Lack of Quorum

If a quorum is not present within thirty {30} minutes (or such longer time as may be agreed upon by the voting members then present) after the time appointed, the recording secretary shall record the names of the members present and the meeting shall be called anew within seven days, at the call of the Chair. In the event that at the called anew meeting a quorum is not present within thirty minutes (or such longer time as may be agreed upon by the voting members then present) after the time appointed, the recording secretary shall record the names of the members present and such meeting shall stand adjourned. No further meeting need be called or held until the next scheduled regular meeting.

3.1.6.2 Quorum Lost

Whenever a quorum is no longer present at a meeting, the meeting will be terminated.

3.1.7 Private Sessions (Committee of the Whole Board)

Private Session shall be held either before or after the Regular Public Meeting of the Board.

3.1.8 Matters in Private Session

A meeting of a committee of a board, including a committee of the whole board, may be closed to the public when the subject-matter under consideration involves:

- (a) The security of the property of the Board;
- (b) The acquisition or disposal of a school site;
- (c) Decisions in respect of negotiations with employees of the Board;
- (d) Litigation affecting the Board;
- (e) 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 student or his parent or guardian;
- (f) Privileged communications when seeking legal advice or giving instructions to its solicitor. In accordance with the *Education Act*, a student Trustee may attend a closed meeting that deals with items a,b,c and d above, but may not attend a closed meeting that deals with item e or f above. Therefore, to allow a student Trustee the same opportunities for participation at meetings of the Board, and of its committees as a member, the private session will be conducted in such a manner that student Trustees may participate in matters prior to the recess noted on the agenda (i.e., items a-d) and then be excused for matters included after the recess on the agenda (i.e. items e and f). All Committee or staff reports prepared in support of an item on the agenda for the Private Session shall be received in confidence and the materials and discussion shall be treated as confidential. Generally, these reports shall be printed on goldenrod paper reserved for this purpose, and shall be made public only by a resolution of the Board in Private Session. Matters discussed during the Private Session shall not be communicated to any person who is not in attendance at the time of the Private Session, with the exception of a Trustee, unless disclosure is expressly authorized by the Board. The duty of confidentiality survives a Trustee's term of office. An unauthorized breach of confidentiality shall be considered to be improper conduct.

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

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

3.1.10 Agenda for Board Meetings

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

Public Session

1. Opening Prayer
2. Land Acknowledgement
3. Roll Call
4. Approval of New Material
5. Approval of the Agenda
6. Declarations of Conflict of Interest for Current Meeting
7. Declarations of Conflict of Interest from Previous Meeting
8. Approval of the Previous Minutes
9. Business Arising from Minutes of Previous Meeting
10. Chair's Report/Update/Inspirational Messages
11. OCSTA Board of Director's Update
12. Director's Report/Update
13. Student Trustees' Report
14. Recognitions/Outside Presentations
15. Delegations
16. Journey Towards Our Vision – Staff Presentations
17. Action Items including committee reports
18. Discussion Items
19. Information items
20. Notices of Motion
21. Future Agenda Items/Requests for Information
22. Prayer to St. Michael the Archangel
23. Adjournment

Any items under "presentations", "discussions", "information" or "Notices of Motion" may be dealt with as action items at the discretion of the Board.

Private Session

1. Opening Prayer
2. Roll Call

PART A

3. Approval of New Material
4. Approval of the Agenda
5. Declarations of Conflict of Interest for Current Meeting PART A
6. Declarations of Conflict of Interest from Previous Meeting PART A
7. Approval of the Previous Minutes PART A
8. Business Arising from the Minutes PART A
9. (a) Outside or (b) Staff Presentations
10. Action Items (PART A) including Committee Reports
11. Discussion Items
12. Information Items
13. Notices of Motion

RECESS (Student Trustees Excused) PART B

14. Approval of New Material
15. Approval of the Agenda
16. Declarations of Conflict of Interest for Current Meeting PART B
17. Declarations of Conflict of Interest from Previous Meeting PART B
18. Approval of the Previous Minutes PART B
19. Business Arising from the Minutes PART B
20. Staff Presentations
21. Director's Staffing Report
22. Action Items (PART B), including Committee Reports

- 23. Discussion Items
- 24. Information Items
- 25. Notices of Motion
- 26. Rise and Report (if no PART C)

RECESS (Sr. Admin Excused as determined by the Director of Education)

PART C - Optional

- 27. Approval of New Material
- 28. Approval of the Agenda
- 29. Declarations of Conflict of Interest for Current Meeting PART C
- 30. Declarations of Conflict of Interest for Previous Meeting PART C
- 31. Approval of the Previous Minutes PART C
- 32. Business Arising from the Minutes PART C
- 33. Action Items (PART C)
- 34. Discussion Items
- 35. Information Items: including Whistleblower and HREA reports
- 36. Trustee Input to Senior Staff/Requests for Information
- 37. Rise and Report

3.1.11 Variations to Agenda

No amendment to the foregoing agenda will be permitted unless decided by the Board pursuant to motion, which motion shall be non-debatable.

3.1.12 Adjournment of Board Meetings

Meetings of the Board shall endeavour to adjourn by 11:00 p.m., unless the Board decides by an affirmative vote of at least a majority of those present to extend the meeting to a specified time or until a specific piece of business is completed. If no motion to extend the meeting is decided by an affirmative vote the Chair shall adjourn the meeting. In the event that the Chair has not yet adjourned the meeting but no motion to extend has been passed pursuant to this by-law, the business of the Board conducted after 11:00 p.m. shall be deemed to be regular and valid.

3.1.13 Agenda Not Completed

Notwithstanding 3.1.12, if the Board is unable to complete the agenda within the required time, the Chair, with the approval of the Board, shall adjust the order of business so as to complete urgent business before the time of adjournment. If an approved agenda is not completed within the required time, the meeting shall recess and be reconvened within seven days at the call of the Chair; provided that questions that are not urgent may be postponed to the next regular meeting of the Board, otherwise a meeting is adjourned and a new meeting called.

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

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

(a) Matters of new business or action items need to be processed by the Board in an efficient, fair and timely manner. There needs to be sufficient time to allow for information gathering, report writing and discussion prior to Board action. As such, items submitted in writing as notices of motion by a Trustee, either through Executive Committee or at a Board meeting, will return to the subsequent meeting as an information item, the following meeting as a discussion item, and finally as an action item on the next Board meeting agenda. Trustees are encouraged to ask questions to help staff write a report relating to the matter, so that once the matter comes for action, all Trustees understand the matter at hand and its implications.

(b) The process described in (a) can be expedited by a motion to amend the Board

agenda at the beginning of a Board meeting.

(c) In the case of a time-sensitive matter, a Trustee can bring a motion forward for action through Executive, or if time does not permit, through the discretion of the Chair at any time prior to the start of a Board meeting.

(d) Trustee bringing forward the request to expedite the process {(b) and/or (c)} shall give reason for action, provided that, requested information from staff has been supplied and considered before action takes place.

(e) All Trustee motions are to be dealt with, [as outlined in (a), (b), (c)], in a three (3) month timeframe. It is understood that the Board does not generally, meet during school holidays and breaks, specifically - March Break, Holy Week, Christmas Break and during the summer months (July/August), and that this would be taken into consideration when applying the three (3) month timeframe.

(f) A student trustee is not entitled to move a motion, but is entitled to suggest a motion on any matter at a meeting of the board or one of its committees on which the student trustee sits. When student trustees have an item/proposal that they would like discussed at the board table, they are advised to request that an elected trustee bring the item forward as a motion at the board meeting, with a notation, e.g., "*Submitted by Trustee XXX on behalf of Student Trustees XXX*". If no member of the board or committee, as the case may be, moves the suggested motion, the record shall show the suggested motion. (*Education Act s 2.6*)

3.1.15 Presiding Officer at Board Meetings

Subsequent to the Inaugural meeting of the Board each year, the Chair of the Board, or in his/her absence the Vice Chair, shall call all meetings of the Board, and shall be responsible for the conduct of the meetings in accordance with accepted rules of procedure as per bylaw 6.0.

3.1.16 Cancellation of a Board Meeting

The Chair may cancel a regular Board meeting under extenuating circumstances such as imminent bad weather where quorum is not expected.

3.1.17 Minutes

Approved minutes from all Regular Public Board Meetings and Private Sessions (Committee of the Whole) will be signed by the Secretary of the Board and the Chair of the Board, as Official Records of said meetings, on a quarterly basis and filed in a secure area of the Director's Office.

3.2 Special Board Meetings

3.2.1 How Called

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

3.2.2 Notice

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

3.2.3 Notice Waived

Provided however that the restrictions as to 48 hours' notice shall not apply to any special meeting of the Board for which the Secretary obtains approval of at least two thirds of the

trustees to the holding of such meeting, and to the subject matter to be dealt with thereat.

3.2.4 Agenda

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

3.2.5 Cancellation

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

- (a) in the case of a meeting called by the Chair, if the Chair in his/her sole and absolute discretion deems that the need for such special meeting no longer exists; and
- (b) in the case of a meeting called by a majority of the trustees if one half or more of the trustees at whose request the special meeting was called give a further request that such special meeting be cancelled.

3.2.6 By-laws 3.1.1, 3.1.2, 3.1.5, 3.1.6, 3.1.7, 3.1.8, 3.1.9, 3.1.15, 3.1.17 apply to all Special Board Meetings.

4 COMMITTEE SYSTEM

Standing Committees

Corporate Services
Executive
Human Resources
Joint Board Consortium YCDSB/YRDSB
Policy Review
Student Success & Pathways
Surplus Asset Committee

Statutory Committees

Audit
Safe Schools
Special Education Advisory Committee (SEAC)
Supervised Alternative Learning (SAL)
York Catholic Parent Involvement Committee (YCPIC)

4.1 General Committee Information

4.1.1 Trustees are to be appointed annually to all Standing/Statutory Committees at the Inaugural meeting each year of the Trustee term. This shall not apply to the Board's SEAC where the term is four years.

4.1.2 Trustees are to be appointed to Ad Hoc Committees as required, to serve for the duration of the Committee.

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

4.1.4 Terms of Reference

Annually, all established Committees shall, at their first meeting, review their terms of reference and forward to the Board for approval. The terms of reference of other committees shall be approved by the Board at the time the committee is established. All Statutory Committees shall include in the terms of reference, the requirements for quorum and voting procedures. Terms of reference for all committees shall be kept on file in the Director's Office.

4.1.5 Election of Committee Chair/Vice Chair

(a) The staff resource shall call the first meeting of the committee and conduct the election

of the committee chair as well as the committee vice chair, if required. The election will follow the guidelines as set out in Section 2.2 save and except for Sections 2.2(b), (e), 2.2(f), and 2.2(l), substituting references to the Board with the committee, and substituting references to Trustees with Members, as appropriate. .

- (b) In lieu of using legal counsel to count submitted votes for committee elections pursuant to section 2.2(g), Trustees may choose to submit votes to a trusted third party, such as the recording secretary for the meeting, and no scrutineers are required to observe the ballot count.

4.1.6 Meetings

Committee meetings shall be held on dates selected by the committee, the committee Chair or the Executive committee of the Board. Notice of meetings will be circulated to all Trustees.

- 4.1.6.1 All Committee meetings shall be held in a room at the Catholic Education Centre, except for the Joint Board Consortium, whose meetings alternate locations between YCDSB and YRDSB.

- 4.1.6.2 All Committee meetings shall be open to permit the physical attendance by members of the public unless they deal with matters that are to be dealt with in private session (By-Law 3.1.8 and clause 207 (2) (b) of the Education Act).

- 4.1.6.2 (a) That all Committee meetings open to the public shall be live-streamed.

4.1.7 Attendance

Attendance at meetings shall be in person or by electronic means.

- 4.1.7.1 At all committee meetings, in addition to the usual requirements for quorum, the physical presence in the meeting room at the Catholic Education Centre shall be required of:

- (a) The Chair or designate of the committee
- (b) The Director of Education or his/her designate

- 4.1.7.2 The Chair of a Committee may participate in a meeting by electronic means if:

- (a) Weather conditions do not allow the Chair to travel to the meeting location safely; or,
- (b) The Chair cannot be physically present at a meeting due to health-related issues.
- (c) The Chair has a disability that makes it challenging to be physically present at the meeting
- (d) The Chair cannot be physically present due to family responsibilities as listed in By-Law 3.1.2

- 4.1.7.3 (a) If the Chair is not physically present then the Vice Chair will act as the designate and will Chair the meeting. (4.1.7.1a)
- (b) If neither the Chair nor the Vice Chair are physically present, then a committee member present at the Catholic Education Centre shall be elected Chair for the purposes of the meeting. If no committee member is physically present at the Catholic Education Centre, then the meeting will stand adjourned and will be rescheduled.

- 4.1.7.4 Notwithstanding 4.1.7.2 the Chair or Vice-Chair (as designate 4.1.7.3(a)) must be physically present for at least half of the committee meetings for any twelve-

Month period beginning November 15th.

4.1.7.5 The requirements for persons to be physically present at meetings do not apply if all schools are closed pursuant to an order (Ont Reg 463/97)

4.1.8 Notice and Delivery of Agenda

The resource staff in consultation with the Committee Chair shall be responsible for preparing an agenda for the committee meetings. Notice of all regular meetings shall be given, with such notice to be accompanied by the agenda and any background material for the meeting. All agendas and associated materials shall be delivered electronically by Board email 72 hours prior to the meeting taking place. Any new material submitted after 72 hours needs to be received by motion of the board or committee.

4.1.9 Notice of a Committee Member's Late Arrival or Early Leave

Notice of late arrival or early leave from a meeting, whether participation is in the form of face-to-face or via teleconference, will be recorded in the minutes of the meeting.

4.1.10 Quorum

4.1.10.1 Standing Committees

- (a) Trustees are welcome at all standing and/or sub-/ad hoc committee meetings, and **will count towards quorum, and have the right to vote.**
- (b) For a Committee meeting to be duly constituted, a quorum (as per the stated number of Trustees in that committee) of Trustees must be present in person or by teleconference.

4.1.10.2 Statutory Committee

- (a) Trustees are welcome at all statutory committee meetings, but will **not** count towards quorum and will **not** have the right to vote.
- (b) Only Trustees appointed to Statutory Committees are eligible voting members of that committee. If a Trustee is appointed as an alternate and attends a meeting, they are only eligible to vote if the regular Trustee member is absent. This is to ensure that the Trustee/non-Trustee balance on these committees is preserved. Other Trustees are welcome at public statutory committee meetings as guests. (i.e.: SEAC, YCPIC, Audit)
- (c) For a Committee meeting to be duly constituted, a quorum (as per the stated membership of that committee) must be present in person or by teleconference.

4.1.11 Change or Cancellation of Meeting

Members of Committee(s) shall be notified of any change or cancellation of a meeting of the Committee(s), by verbal notification or electronic means (with respect to such trustees as cannot be contacted personally or by telephone for verbal notice) in accordance with the provisions of Section 7.4 hereof.

4.1.12 Resource Staff

The Director of Education will act or appoint a supervisory officer as resource official for each committee. The Director shall be ex-officio staff resource of all committees. Committees shall have access to all Board information and the assistance of appropriate staff. The allocation of staff resources is the responsibility of the Director and is monitored by him/her. Where services require more staff time than can be made available, the matter will be brought to the Executive Committee.

4.1.13 Matters in Private Session

Committees shall meet in private session under those circumstances identified in 3.1.8.

4.1.14 Minutes

The minutes shall be the responsibility of the resource official and shall be distributed to all members within one month of the meeting date (i.e., for those meetings that occur every other month or committee meetings that may be convened even fewer times throughout the year).

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

4.1.15 Committee Procedures

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

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

4.1.16 Sub-Committees

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

4.1.17 Reporting Procedure

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

4.2 Executive Committee

4.2.1 How Constituted

The Executive Committee shall be constituted as follows:

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

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

4.2.2 Right of Attendance

All trustees may attend the meetings of the Executive Committee.

4.2.3 Responsibilities of Executive

- (a) To set Board agendas;
- (b) To set Board calendars;
- (c) To organize retreats and Trustee faith development; and,
- (d) To organize Trustee professional development and/or training sessions.

4.2.4 Meetings

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

4.3 Joint Board (YRDSB/YCDSB) Consortium

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

4.3.1 Membership

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

4.3.2 Responsibilities

The Joint Board Consortium shall have the following responsibilities:

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

4.3.3 Co-Chairs

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

4.3.4 Meetings

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

4.4 Statutory Committees

4.4.1 How Established

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

regulations there under:

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

4.4.2 Composition of Statutory Committees

The composition of statutory committees shall be for:

- (a) The Special Education Advisory Committee, the persons prescribed and selected in the manner set out in *Ontario Regulation 464/97*, as amended from time to time;
- (b) The Supervised Alternative Learning Committee, the persons prescribed and selected in the manner set out in *Ontario Regulation 308*, as amended from time to time;
- (c) The Safe Schools Committee, three (3) trustees selected by the Board as set out in the *Education Act* and *YCDSB Policy 202 Safe Schools – Student Discipline* as amended from time to time;
- (d) The York Catholic Parent Involvement Committee, one trustee (1). *Ontario Regulation 612/00*, states that a meeting of a parent involvement committee cannot be held unless one trustee (1) is present and it is the responsibility of the appointed trustee to designate a member of the Board to attend in their stead if they are unable to be present in a meeting;
- (e) The Audit Committee, three (3) trustees selected by the Board, and 2 external members identified by the selection committee as per *Ontario Regulation 361/10*, as amended from time to time, and selected/appointed by the Board.

4.4.3 Membership

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

4.5 General Committees

4.5.1 How Constituted

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

4.5.2 Right of Attendance

All Trustees may attend meetings of other Committees.

4.5.3 Chair and Vice Chair

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

4.5.4 Joint Committees with Other Organizations

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

4.5.5 Trustee Membership on Staff Committee

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

4.6 Board Referral Power

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

5 AMMENDMENTS TO BY-LAWS

5.1 Amendments to By-Laws

By-Laws of the Board may be amended at a regular meeting of the Board up on the affirmative vote of a majority of all the trustees present, provided that a notice with the the proposed amendment has been presented at a previous Board meeting. By-Law No. 1 shall be reviewed once per trustee (4-year) term or when there are changes to any pertinent legislation. Such changes shall be referred to the Board for public notice and approval.

5.2 Suspension of a Rule

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

6 RULES OF ORDER

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

6.1 Protocol for Debate

6.1.1 Address of the Chair

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

6.1.2 Member to Await Recognition

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

6.1.3 Conduct of Member in Debate

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

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

6.1.4 Interruption of Speaker by another Member

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

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

6.1.5 Motion May Be Read

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

6.1.6 Rulings of the Chair

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

6.1.7 Challenges to Rulings of the Chair

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

6.2 Voting

6.2.1 Right to Vote/Board of Trustees

Every Member present, including the Chair, but excluding those who (i) declare a conflict of interest as required by the *Municipal Conflict of Interest Act*, or (ii) are subject to sanctions barring such Member from attending such meeting pursuant to the *Education Act*, shall vote on all questions on which the Member is entitled to vote (noting the specific restrictions on statutory committees, (i.e.: Audit Committee, Safe Schools Committee, Special Education Advisory Committee, Supervised Alternative Learning Committee, and YCPIC Committee). Only Members present at a meeting or participating via teleconference call or other electronic means when a vote is taken shall have the right to vote, subject to the foregoing exclusions. Any Member present or participating via teleconference call or other electronic means that is entitled to vote, subject to the foregoing exclusions, at a Board or Board committee meeting, as applicable, and fails to vote on a motion will be deemed to have voted against the motion.

Right of Vote/Student Trustees

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

6.2.2 Declaration of Conflict of Interest

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

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

6.2.3 Voting (Public Session)

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

6.2.4 Equality of Votes

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

6.2.5 Method of Voting

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

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

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

6.2.6 Recorded Votes

Any Trustee may, at any time, request that a vote be recorded by entering the names of those voting on both sides into the Minutes and, upon such a request being made, the vote shall be so recorded. For certainty, a request for a recorded vote shall not be subject to a vote. A student trustee is entitled to require that a matter before the board or one of its committees on which the student trustee sits be put to a recorded vote as follows:

- a) A recorded non-binding vote that includes the student trustee's vote; and
- b) A recorded binding vote that does not include the student trustee's vote (*Education Act* s.6).

6.3 Exception to Policy

The Board may pass a motion that makes an exception to a policy provided that the exception is clearly delineated and is passed by a vote of a majority of all trustees eligible to vote whether present or absent.

6.4 Reconsideration

Any question when once decided by the Board shall not be reconsidered during the ensuing 60-day period unless otherwise determined by two-thirds vote of all the trustees eligible to vote whether present or absent.

6.5 Debatable Motions to be in Writing

No motion or amendment shall be debated or put to a vote unless the same be in writing and distributed to all trustees present or attending by teleconference and seconded, except:

- (a) Where a date, time, single figure or single word is to be added/changed;
- (b) Where one or more words are to be deleted, but without substitution;
- (c) For Motions to:

- Adjourn
 - Fix the time of adjournment
 - Convene a recess
 - Limit or extend limits of debate
 - Receive and/or Refer
 - Hear delegations
 - Adopt reports/minutes
 - Postpone
 - Convene into private session
 - Rise and report
- (d) Or such verbal motions as the Chair may accept.

7 GENERAL

7.1 Procedure for Appointment of Committees by the Board

The list of committees shall be circulated to all trustees of the Board in the middle of November of each year, with a request to indicate preference of Standing Committees, Statutory Committees and other Committees. Based on the preferences indicated, the Chair of the Board will recommend committee appointments to be made at the first board meeting in December. Terms of Reference for ALL committees will be provided to all newly elected Board members at the time the selection preference form is provided and to any other trustees upon request.

7.2 Recommending Membership to Committees:

The Chair of the Board shall recommend all committee appointments to the Board.

7.3 Vacancy on the Board

7.3.1 The remaining elected members shall appoint a qualified person to fill the vacancy within 60 days after the office becomes vacant, if a majority of the elected members remain in office; or

7.3.2 A by-election shall be held to fill the vacancy, in the same manner as an election of the board, if a majority of the elected officers do not remain in office.

7.3.3 Where the Board is appointing a qualified person to fill a vacancy:
Applications will be invited from separate school electors within the Region of York.

7.3.4 Advertisements will be placed in a newspaper having circulation within the Region of York; and announcements will be made through parish churches.

7.3.5 Candidates will be requested to submit written applications with background information and qualifications, to the Secretary of the Board for inclusion in the Board agenda.

7.3.6 All applicants will be interviewed by the Board as to their reasons for wishing to become a trustee on the Board.

7.3.7 Election shall be by secret ballot in the same manner as for the election of the Chair and Vice Chair of the Board, with the Chair of the Board presiding.

8.0 DUTIES OF THE CHAIR OF THE BOARD

8.1 The Chair Shall:

In addition to those duties assigned under provincial legislation:

1. Preside at all meetings of the Board and the Executive Committee and conduct them according to the by-laws of the Board.
2. Be an ex-officio member of all Board Standing Committees, and when present at Standing Committee meetings count as a member of quorum.
3. Recommend all committee appointments to the Board.
4. Be a signing officer of the Board.
5. Approve the agenda of Board meetings.
6. Establish good relations with the public served by the Board.
7. Maintain good relations between Board and staff.
8. Maintain official relationships with the Ministry of Education and organizations or groups.
9. Be authorized to appoint trustees to interview teams when the approval of the Board cannot be obtained.
10. Act as official spokesperson for the Board.
11. Cede the Chair to a designate if they are presenting a motion of their own for the boards consideration or if they are in a position of conflict on an agenda item.

8.2 The Chair May:

1. Vote on all questions before the Board.
2. Call special meetings of the Board.
3. Delegate to the Vice Chair or other trustees such duties as deemed appropriate.
4. Delegate the Vice Chair to act in his/her stead as ex-officio member at committee meetings.
5. Represent the Board at official functions or meeting with the Ministry of Education and Training, other boards, organizations and groups.
6. Issue statements to the public media on behalf of the Board.

9 **DUTIES OF THE VICE CHAIR OF THE BOARD**

9.1 The Vice Chair Shall:

In addition to those duties assigned under provincial legislation and these by-laws:

1. In the absence of the Chair, or in the event of the inability of the Chair to act, assume any or all of the duties of the Chair except those which are precluded by law, regulation, or by-law
2. Be a signing officer of the Board.
3. Chair the Private Session (Committee of the Whole) of the Regular Board Meeting.
4. Cede the Vice Chair to a designate if they are presenting a motion of their own for the boards consideration or if they are in a position of conflict on an agenda item.

9.2 The Vice Chair May:

In the absence of the Chair and at the request of the Chair, act as ex-officio member of committees, and, when present, count as a member of the quorum.

9.3 Board or Committee Chair Vacated

In the case of the Board or committee Chair being vacated, the Vice Chair shall become the Chair for the unexpired term.

10 **OFFICERS AND OFFICIALS**

10.1 Officers Named

The officers of the Board shall be the:

- a) Chair;

- b) Vice Chair;
- c) Secretary; and,
- d) Treasurer.

11 EXECUTION OF DOCUMENTS

Materially Significant Document

11.1 For the purposes of this Article 11, "Materially Significant Document" shall mean:

11.1.1 A deed or transfer of land, or a permanent interest therein;

11.1.2 A lease of land or building, or an interest therein, for a period of not less than seven (7) full years, and a renewal or extension thereof for period of not less than seven (7) full years;

11.1.3 A debenture or the renewal of a debenture; or,

11.1.4 Any document expressly prescribed by the Board as a Materially Significant Document

11.2 Board Seal

The Seal in the form affixed in the margin hereof shall be the Corporate Seal of the Board.

11.3 Affixing Board Seal

The Seal of the Board shall be in custody of the Secretary, or delegate, who shall be responsible for affixing it to such documents as may be required.

11.4 Minutes

Approved minutes from all Board Meetings will be signed by the Secretary of the Board and the Chair of the Board on a quarterly basis and filed in a secure area of the Director's Office as Official Records of said meetings.

11.5 By-laws

Every by-law, upon adoption, shall be signed by the Chair of the Board or the Chair of the meeting at which it is adopted, and by the Secretary.

11.6 Execution of a Materially Significant Document

A Materially Significant Document that has received approval by Board motion for execution by the Corporation may be signed by any two persons:

11.6.1 Chair;

11.6.2 Vice-Chair;

11.6.3 Director of Education and Secretary;

11.6.4 Associate Director;

11.6.5 Chief Financial Officer and Treasurer;

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

11.7 Signing Authority

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

11.8 Additional Authority

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

11.9 Certification of Documents

The Chair of the Board or the Director of Education is authorized to:

- (a) Sign any certificates authenticating any By-laws, resolutions or extracts of minutes, any other document; and,
- (b) Affix the seal to any such certification.

12 BANKING

12.1 Bank Signing Officers

The signatures of two signing officers are required when making, drawing, accepting, endorsing, negotiating, lodging, depositing or transferring all or any cheques, promissory notes, drafts, acceptances, bills of exchange, order for payment of money, contracts for letters of credit and forward exchange; issuing cheques, drafts or orders for payment drawn on the bank accounts of the Board; acquisition of short-term investments (e.g., GIC) permitted under the *Education Act*.

Bank Signing Officers

Director of Education & Secretary

Associate Director

Chief Financial Officer & Treasurer

Senior Manager, Budget, Payroll and Benefit Services

Manager, Accounting and Financial Services

12.2 Endorsement for Deposit

The Treasurer, by signature or by rubber stamp endorsement, may negotiate or deposit with or transfer to the bankers for the Board, but for the credit only of the account of the Board, all or any cheques, promissory notes, drafts, acceptances, bills of exchange and orders for the payment of money.

12.3 Signatures by Reproduction

Signatures of persons authorized to sign may be printed, lithographed or otherwise mechanically reproduced as provided by the *Education Act*.

13 REPEAL of PRIOR BY-LAWS

13.1 Repeal of Prior By-laws

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

13.2 Exception

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

13.3 Proviso

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

REVISED this 24th day of September, 2024

Elizabeth Crowe, Chair of the Board
John DeFaveri, Interim Director of Education

Revisions to By-Law 1 (former 99):

September 24, 2024	To incorporate changes regarding electronic meetings and meeting attendance.
August 27, 2024	To incorporate changes to the Election Process.
April 30, 2024	To adjust General Committee Information 4.1
March 6, 2024	To add Prayer to St. Michael the Archangel: 3.1.10 Agenda for Board Meeting
December 20, 2022	To incorporate By-Law revisions stemming from Regulation 463/97, Electronic Meetings and Meetings Attendance
June 15, 2021	To update the following sections: Removing CEO with Director of Education throughout the document, 2.2 Election Procedure; 3.1.10 Agenda for Board Meetings, Public and Private; 3.1.14 New Business Brought Forward by Trustee(s) – Notices of Motion; 3.2.2 Special Board Meetings Notice and section 4.1.5 Election of Committee Chair/Vice Chair.
January 26, 2021	To incorporate electronic meetings and attendance as per 3.1.1.1 and 3.1.1.2.
December 10, 2019	To incorporate legislative changes for student trustees, attendance by electronic means, conflict of interest and some reordering for clarification purposes.
May 28, 2019	To update to Bank Signing Officers, 12.1.
June 6, 2017	To incorporate changes to 2.2 Election Procedures; 3.1.12 Agenda for Board Meetings; 4.1.12 Minutes
January 31, 2017	Update Statutory and Standing Committees
June 21, 2016	Review and update of By-Law No. 1: Operational By-Law
February 25, 2014	To incorporate a change to 3.1.11 Agenda for Board Meetings <i>Presentations of Input Related to an Item on the Agenda</i>
November 2013	To incorporate changes to Committee System; Amendment to By-laws
April 2012	Revisions to Bank Signing Officers
February 2012	Revisions to election procedure and signing authority
December 2011	To incorporate By-law 76 Execution of Documents – revised to incorporate changes to: Committee System; New Business brought forward by Trustee; Statutory Committees and other Committees; Rules of Order
June 2011	To incorporate changes in Board meeting structure
September 2009	To re-number By-Law 99 to By-Law 1
September 2009	To incorporate revisions of practice
January 15, 2002	To incorporate changes to voting rights, quorum and presiding Chairs at committee meetings
August 29, 2000	To incorporate change in organization and start time of board meetings
June 8, 1999	To incorporate change in Board organization structure and other revisions
Dec. 16, 1997	Interim By-Law 99
Nov. 24, 1997	To consolidate amending By-laws 114 -117-118-123
July 6, 1994	To incorporate amending By-Laws 167 and 169
June 30, 1992	To incorporate amending By-Law 159
October 22, 1991	To incorporate amending By-Law 149
November 1990	To incorporate amending By-Law 139
August 1990	To incorporate amending By-Law 124
February 1990	To incorporate amending By-law 1

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