
BY-LAWS

June 2019

PEEL DISTRICT SCHOOL BOARD BY-LAWS

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PEEL DISTRICT SCHOOL BOARD

BY-LAWS*

A. ORGANIZATIONAL MEETING

- A-1 In accordance with the Municipal Elections Act, the term of office for newly elected members of the Board shall run for four years, or as provided for in the legislation. The Board shall be organized once each year. The Organizational Meeting shall be held in the Board Room in the first week of December. The Second Meeting of the Board shall be held at the call of the Chair.
- A-2 The Secretary shall call the Organizational Meeting to order at the appointed time.
- A-3 The Secretary shall certify that the members have met all procedural requirements and are eligible to take office.
- A-4 In an election year, a faith leader shall be invited to attend the Organizational Meeting to offer a non-denominational invocation to the Board for the coming year.

***NOTE: The Peel District School Board's By-laws are in accordance with the Education Act, and meeting rules of order are primarily based on Bourinot's rules of order, based on Canadian practice. However, should the Peel District School Board's By-laws conflict with Bourinot's, the Board's By-laws shall take precedence.**

A. ORGANIZATIONAL MEETING (Continued)**Election of Chair / Vice-Chair:**

- A-5 With the Secretary presiding, the Board shall proceed to elect a Chair until the next Organizational Meeting.
- A-6 The Secretary shall appoint scrutineers for the election of the Chair, Vice-Chair and the Striking Committee.
- A-7 The Secretary shall call for nominations for the office of the Chair. Any member may nominate any other member for this office. No seconder is required. Nominations shall remain open for a period of one minute after the last nomination. The Secretary shall then declare nominations closed. A vote by secret ballot shall be conducted. The member receiving a clear majority (greater than 50%) of the votes cast by all members present shall be declared elected. Should no member receive a clear majority of the votes cast, the scrutineers shall announce the name of the member receiving the least number of votes, whose name shall be dropped from the next ballot. Balloting shall be continued until a majority of votes cast by all members present shall be in favour of one person.

If there is a tie for the bottom position, the members shall vote once more. In the event that two or more candidates are tied for the bottom position, the members shall vote to determine which candidate(s) will remain on the ballot. In the event that the vote remains tied, the tie shall be broken by drawing lots. The names of the tied candidates will be written on a separate ballot and placed in a ballot box from which the Director of Education shall draw the ballot(s). The candidate(s) whose name(s) the Director draws from the box shall remain a candidate.

The member with a majority of votes shall be the Chair until the next Organizational Meeting and shall take the chair for the balance of the meeting. In the event that the vote is tied for the Chair's position, members shall vote once again. If the vote remains tied, the tie shall be broken by drawing lots, as described above. The candidate whose name is drawn by the Director will be declared elected as Chair.

A. **ORGANIZATIONAL MEETING** (Continued)

Election of Chair / Vice-Chair: (Cont'd.)

A-8 The Board shall then elect a Vice-Chair and the procedure will be the same as the election of Chair.

Striking Committee:

A-9 The Board shall elect a Striking Committee at the Organizational Meeting. The Striking Committee shall be composed of five members, including the Chair and the Vice-Chair.

Officers of the Board:

A-10 The Board, by resolution, shall appoint by name the Officers of the Board who shall be the Secretary and the Associate Directors, and may appoint one business administrator who shall also be an Officer of the Board. The Chair and Vice-Chair and the Officers of the Board shall have signing authority on behalf of the Board.

B. SECOND MEETING OF THE BOARD**Appointments to Standing Committees:**

- B-1 At the Second Meeting of the Board, the Striking Committee shall present a list of members appointed to the various Standing Committees. Appointed members shall be counted towards the formation and maintenance of a quorum.

Standing and Statutory Committees:

- B-2 A Standing Committee is a permanent, ongoing Committee of the Board whose membership is approved at the Second Meeting of the Board. A Standing Committee may hold both public and In Committee meetings, depending upon its terms of reference.
- B-3 At the Second Meeting of the Board, with the Executive Member* presiding, the core membership of each Standing Committee shall elect its Chair, chosen from the core membership, who shall be elected in the same manner as the Chair of the Board is elected.

Special Education Advisory Committee (SEAC):

This procedure shall not apply to SEAC, which shall elect the Chair and Vice-Chair at the first meeting of the Committee, following the Organizational Meeting of the Board.

Audit Committee:

This procedure shall not apply to the Audit Committee, which shall elect the Chair at the first meeting of the Committee, following the Organizational Meeting of the Board.

- B-4 Statutory Committees shall be established with such membership and for such purposes as are required by provincial statutes.

*The Executive Member is a staff member appointed by the Director to provide administrative back-up to Committees of the Board.

B. SECOND MEETING OF THE BOARD (Continued)

Board Representatives:

- B-5 The Board shall appoint its representatives to outside agencies, boards and commissions at the Second Meeting of the Board, with such appointments to be consistent with the Municipal Conflict of Interest Act. (See also Appendix H.)

C. RULES OF ORDER**Responsibilities of Chair / Board Reporter:**

C-1 The Chair of the Board or, in the absence of the Chair, the Vice-Chair shall preside at all meetings of the Board or the Committee. The Chair shall call the meeting to order on time, shall preserve order, and shall rule on all questions of order. The In Committee Session shall be chaired by the Vice-Chair of the Board.

The Board Reporter shall record the names of the members present and absent, in accordance with the By-laws. The times of arrival and departure of members not attending the entire meeting shall be recorded in the minutes.

Temporary Chair:

C-2 If the Chair and the Vice-Chair are absent for five minutes after the time set for the meeting, as soon as a quorum is present, the Secretary of the Board or designate shall call for nominations for a temporary Chair.

C-3 The temporary Chair shall preside only until the Chair or Vice-Chair arrives, and the immediate business at hand is completed.

D. REGULAR MEETINGS OF THE BOARD**Meetings Open to the Public:**

D-1 All meetings of the Board shall be open to the public, except In Committee Sessions, negotiating sessions, and Private Sessions.

Quorum:

D-2 At all meetings of the Board (Regular, Supplementary and Extraordinary), the presence of a majority of all members of the Board in office and qualified to vote, shall be necessary to form a quorum.

D-3 Should there be no quorum present within thirty minutes after the time appointed for the meeting, the names of those trustees present shall be recorded, and the meeting shall immediately adjourn.

D-4 When a quorum is no longer present, no business shall be transacted, and it shall be the responsibility of the Chair and the Secretary to note the lack of a quorum. The meeting shall then adjourn.

Date and Time of Board Meetings:

D-5 The Board will meet on the second and fourth Tuesday of each month at 19:30 hours in the Board Offices, unless otherwise ordered by the Board, or unless such Tuesday shall be a statutory, public or civic holiday, or recognized religious observance day as determined when the schedule of Board meetings for the school year is approved, in which case the Board shall meet at the same hour and place on a day agreed to by a majority of the Board.

In Committee Session:

The Board shall begin in In Committee before its regular agenda.

D. REGULAR MEETINGS OF THE BOARD (Continued)**Delivery of Material / Agenda:**

- D-6 Until a member of the Board notifies the Secretary in writing of his/her official address, all notices or communications delivered to the member at the address set out in the member's nomination paper, shall be deemed to have been received by the member.
- D-7 Written notice of all Regular Board Meetings, along with the agenda and all background material, shall be transmitted by the Secretary of the Board to the address of each member of the Board, at least seventy-two hours before the time of the meeting. However, any defect in delivery or transmittal shall not be sufficient to require that a meeting be postponed unless, at the time of approval of the agenda, a motion to postpone or adjourn to a specific date is approved by two-thirds of the members present.
- D-8 Notwithstanding By-law D-7, the consideration of material presented at a later date must be deferred until a future meeting of the Board, unless, at the time of approval of the agenda, two-thirds of the members present vote in favour of approving the agenda, as amended by the inclusion of the material.

D. REGULAR MEETINGS OF THE BOARD (Continued)

Supplementary Meetings:

- D-9 Supplementary meetings of the Board may be called by the Chair, or the Vice-Chair in the Chair's absence, or by any five members, and notice will be given to the Secretary.

Written notice of all Supplementary meetings of the Board, along with the agenda and all background material, shall be transmitted by the Secretary to the address of each member of the Board, at least seventy-two hours before the time of the meeting. However, any defect in delivery or transmittal shall not be sufficient to require that a meeting be postponed unless, at the time of approval of the agenda, a motion to postpone or adjourn to a specific date is approved by two-thirds of the members present.

Extraordinary Meetings:

- D-10 Extraordinary meetings of the Board may be called by the Chair and/or Vice-Chair or five members, to deal with matters of a crucial nature requiring immediate attention, and notice will be given to the Secretary.

Notice may be given by telephone, and fax or e-mail, but at least eight hours' notice shall be given, which shall include a brief statement of the item to be considered at the meeting. The notice calling the meeting shall state whether the meeting shall commence in Open Session, in In Committee Session, or in Private Session.

All other applicable By-laws respecting the conduct of meetings shall apply.

D. REGULAR MEETINGS OF THE BOARD (Continued)**Private Session:**

D-11 Decisions made in Private Session shall not come into effect until approved at a Regular Meeting of the Board.

Any member may at any Board meeting request a Private Session (without a seconder being required in Open Session). This request will be immediately voted upon, without debate, by a majority vote of the trustees present.

Private Session shall be a meeting of members only. The Board Chair or the member(s) who requested the Private Session may request the presence of specific administrative staff.

The same rules of order shall apply in Private Session as apply to the Board in In Committee Session.

If present and not acting as Chair, the Vice-Chair shall act as Board Reporter. In the event the Vice-Chair is unable to act as Board Reporter, a member shall be appointed to perform this function. The record of the Private Session shall contain date, start time, end time, members in attendance and reason for the meeting only. Any recommendations resulting from the Private Session must be approved In Committee with the Director or designate and board reporter present. The record of the Private Session shall remain in the custody of the Chair of the Board.

Matters discussed at a Private Session shall not be communicated to any person not present at the Private Session, except to a member, or unless otherwise ordered by the Board.

NOTE: The Process for Private Session is listed in Appendix I.

D. REGULAR MEETINGS OF THE BOARD (Continued)

Attendance:

D-12 Attendance at meetings shall be as described in the Education Act. (See Appendix A.)

Vacancies:

D-13 In the event of the office of the Chair or Vice-Chair becoming vacant for any reason, a new Chair or Vice-Chair shall be elected.

Chair's Ruling:

D-14 The Chair, when ruling on a point of order or practice, shall state the rule and give reasons for this decision.

D-15 The Chair's ruling is final, unless appealed by a member. Whether the Chair's ruling will be upheld shall then be put by the Secretary, and decided without debate. To overrule a decision by the Chair, a majority of the members must vote in favour.

Recognition of Trustees:

D-16 Trustees wanting to speak shall so indicate. When recognized by the Chair, the trustee may then address the Chair.

D-17 When two or more trustees attempt to speak at the same time, the Chair shall name the person who is to speak first.

D. REGULAR MEETINGS OF THE BOARD (Continued)**Interruptions:**

D-18 No trustee shall be interrupted while speaking except when called to order for not complying with the rules of the Board, or being in breach of a trustee's privilege or of the privileges of the Board. If so, the trustee speaking shall remain silent until the point of order or privilege has been decided by the Chair. A trustee so interrupting shall speak to the point of order or privilege in explanation only.

Call to Order:

D-19 Trustees called to order by the Chair shall immediately stop talking until the Chair has ruled. They may appeal the Chair's ruling, in accordance with By-law D-15.

Point of Privilege / Point of Order:

D-20 A point of privilege of the Board collectively, or of an individual trustee, or of the position and conduct of trustees in their respective capacities, shall take precedence over all other business and may be raised without notice. (A point of clarification is considered to be a point of privilege.) A speaker may be interrupted, upon a point of privilege. On a point of order, any trustee may at any time rise, interrupting a speaker if necessary, to point out a breach of rules.

D. REGULAR MEETINGS OF THE BOARD (Continued)

Conduct of Trustees:

- D-21 A trustee may comment on, or disagree with, a decision taken by the Board. A trustee may not make disparaging remarks about trustees or staff in expressing such comment or disagreement, or speculate on the motives of trustees.
- D-22 Any trustee who resists the rules of the Board, uses offensive language, disobeys the decision of the Chair or of the Board on points of order or makes any disorderly noise or disturbance may be ordered by the Chair to leave for the remainder of the meeting and, in the case of refusal to do so, may, on the order of the Chair, be removed from the Board Room and Board Office. (Such removal is to be recorded in the minutes of the meeting.)

Code of Conduct / Duties and Responsibilities for Board Members:

- D-23 Members shall adhere to the "Code of Conduct for Members of Peel District School Board", and shall agree to fulfill the "Duties and Responsibilities of Members of Peel District School Board". (See Appendices B and C.)

D. REGULAR MEETINGS OF THE BOARD (Continued)**Introducing Motions:**

D-24 Any member may introduce a motion and, before it is seconded, speak to it. A student trustee may suggest a motion and, if no member moves the suggested motion, the minutes will record the suggested motion.

Notices of Motion:

D-25 Members who wish to introduce new business, not on the agenda, shall give notice at one meeting of intention to move a specific motion at the next Regular meeting. Such notice requires no seconder and is not, at that time, debatable.

In the case of urgent and pressing necessity previously explained by the mover, and with the two-thirds' consent of those present and eligible to vote, the motion may be dealt with immediately.

D-26 If a proposer wishes to withdraw a Notice of Motion, this should be done before the approval of the agenda. Once withdrawn, intention to re-introduce the motion at a subsequent Regular Meeting of the Board may be given in writing with seventy-two hours notice.

Requesting Motion Be Read:

D-27 A trustee may request the motion under discussion to be read for information at any time during the debate, providing that the request is not intended to interrupt a trustee speaking to the question.

D. REGULAR MEETINGS OF THE BOARD (Continued)

Requesting Motions Be Written:

D-28 Motions and amendments shall be put in writing at the request of any trustee.

Trustees Speaking on a Motion:

D-29 No trustee, unless strictly for explanation, shall, without the permission of the Board, speak more than once upon any question or motion, except the mover of a motion, who shall be permitted to reply, and shall be permitted to close debate, but shall not introduce any new matter.

D-30 No trustee shall speak longer than five minutes on the same question.

Motions:

D-31 When a motion is under debate, the only motions in order shall be:

- 1) to adjourn;
- 2) to lay on the table (to defer temporarily and resume at same meeting);
- 3) to call the question;
- 4) to defer (with a time frame);
- 5) to refer;
- 6) to amend;

which shall have precedence in the order above-named. The first, second and third shall be decided without debate.

D. REGULAR MEETINGS OF THE BOARD (Continued)**Adjournment:**

D-32 A motion to adjourn shall be in order, except when a trustee is speaking, or a vote is being taken, or when the question has been called. A motion to adjourn only, shall not be open to amendment or debate, but a motion to adjourn at a certain time may be amended and debated. A two-thirds' majority is required to adjourn.

D-33 If a motion to adjourn fails, no second motion to adjourn shall be made until further business has been transacted.

Calling the Question:

D-34 A motion to call the question (which shall prevent all amendments of the main question):

- a) cannot be amended;
- b) cannot be proposed when there is an amendment under consideration;
- c) when resolved in the affirmative, shall be put without amendment;
- d) cannot be requested in Committee of the Whole Board, or in In Committee Session, or in any Committee of the Board;
- e) cannot be moved or seconded by a member who has spoken to the main question;
- f) requires a two-thirds' vote of the members present and qualified to vote.

D. REGULAR MEETINGS OF THE BOARD (Continued)

Deferral / Referral:

D-35 A motion to defer consideration of an issue is permissible and debatable. A deferred motion shall be removed from debate and shall not be discussed again at the same meeting, unless two-thirds of the members present vote in favour.

D-36 A motion of the Board is required in order to deal with a question which had been deferred at a previous meeting, or which had been referred to the administration for further comment. Such a motion shall read, "That the Board now deal with Resolution No. which was deferred/referred, at the Regular Meeting of the Board held"

Referral to Committees:

D-37 Petitions, recommendations or communication on any subject within the purview of a Committee may be referred by the Board to the Committee for input.

On all items referred to Committees, the Committee shall bring a recommendation on the matter back to the Board, be it negative or positive. In the event that the Committee cannot reach a decision on any item, the Board shall be notified. The Board may, if two-thirds of the members present vote in favour, debate and decide on the issue. No discussion on the main question shall be allowed until the motion for immediate consideration has been decided in the affirmative.

D. REGULAR MEETINGS OF THE BOARD (Continued)**Amendments:**

D-38 After a resolution is made and seconded, a motion to amend may be made, and a motion to amend the amendment, but no further motion to amend shall be made until those have been decided.

D-39 An amendment modifying the subject of a motion shall be in order, but an amendment relating to a different subject or, in the opinion of the Chair, changing the intent of the motion, shall not be in order.

D-40 All amendments shall be put in the reverse order in which they were moved.

Putting the Question to a Vote:

D-41 The decision as to whether the question has been finally put shall be determined by the Chair. After the Chair has put a question to vote, there shall be no further debate.

Voting:**Seconding Motion / Withdrawing Motion:**

D-42 Every motion shall be seconded and shall be voted upon unless the mover and the seconder, by permission of the Board, withdraw the motion, in which case a two-thirds' majority vote is required.

D. REGULAR MEETINGS OF THE BOARD (Continued)

Voting:

Splitting the Motion:

D-43 When the question under consideration contains two or more distinct propositions, any particular proposition, upon the request of any trustee, may be considered and voted upon separately, or in any order.

Majority Vote:

D-44 Unless otherwise provided for in these By-laws, a simple majority of the members present and eligible to vote, is required to carry a vote.

One Vote / Tied Vote:

D-45 No member of the Board shall have more than one vote as Chair or otherwise, either at Board meetings or In Committee Sessions and in all cases where, with the Chair's vote, there is a tied vote, the motion or amendment, as the case may be, shall be deemed to have failed.

Counting Votes:

D-46 All votes at meetings shall be taken by a show of hands, except those votes recorded by names, and the result shall be declared by the Chair, but if the declaration of the Chair is questioned, the members voting shall rise and stand until they have been counted.

D-47 All motions shall, when requested by a member of the Board, have the number of votes for and against the motion recorded.

D. REGULAR MEETINGS OF THE BOARD (Continued)**Recorded Votes:**

D-48 The yeas, nays and abstentions shall not be recorded upon any question by name of member, unless requested by a trustee, and such request must be made before the Chair calls upon the members to vote upon the question.

Student trustees may require that a matter be put to a recorded vote. In that case, there shall be one recorded non-binding vote that includes the student trustee's non-binding vote, and a second recorded binding vote that does not include the student trustee's vote.

D-49 On a recorded vote, or on request, abstentions will be recorded; nevertheless a simple majority or a two-thirds' majority of the members present and qualified to vote, where required by the By-law, is necessary to carry a vote. (See Appendix D.)

D. REGULAR MEETINGS OF THE BOARD (Continued)

Reconsideration:

D-50 After a vote has been taken on any question, such vote may be reconsidered, with the consent of a two-thirds' majority of the members present and entitled to vote, during the same meeting, or at any meeting held thereafter provided any member shall give notice to the effect in writing at a previous Board meeting.

A motion for reconsideration shall not be debated. When a member has moved for reconsideration of any question which has been decided, no discussion of the main question shall be allowed until the motion for reconsideration has been decided in the affirmative.

A motion to reconsider, being once made and decided in the negative, shall not again be entertained within a period of four months, unless approved unanimously by the members present.

After a period of twelve months any motion, except one pertaining to a By-law amendment, may be reconsidered by a simple majority vote.

D. REGULAR MEETINGS OF THE BOARD (Continued)

Rescission:

D-51 Notice shall be given at one meeting of intention to rescind, at the next Regular meeting, a motion that has already been passed. A motion to rescind requires two-thirds' consent of those present and eligible to vote. A motion to rescind is debatable.

If the motion to rescind fails, it cannot be re-introduced within a period of four months, unless approved unanimously by the members present.

After a period of twelve months any motion, except one pertaining to a By-law amendment, may be rescinded by a simple majority vote.

Meeting After 23:00 Hours:

D-52 The Board shall not remain in session after 23:00 hours unless otherwise determined by a vote of two-thirds of the members present.

E. BOARD COMMITTEE SESSIONS

In Committee Session

Standing/Statutory Committees

Other Committees

List of Standing / Statutory / Other Committees:

The Board's Standing Committees are Physical Planning and Building Committee, and Instructional Programs/Curriculum Committee. (See Terms of Reference attached at Appendix E.)

The Board's Statutory Committees are the Audit Committee and the Special Education Advisory Committee. (See Terms of Reference attached at Appendix F.)

Other Committees include Committee of the Whole Board, Discipline Committee of the Board, and Human Resources and Negotiations Advisory Committee. (See Terms of Reference attached at Appendix G.)

Quorum:

- E-1 At all meetings of Committees, the presence of a majority of Committee members present and qualified to vote shall be necessary to form a quorum. For the Audit Committee, a majority of the members of the Committee that includes at least one member who is not a Board member, constitutes a quorum.
- E-2 Should there be no quorum present within thirty minutes after the time appointed for the meeting, the names of those members present shall be recorded, and the meeting shall immediately adjourn.
- E-3 When a quorum is no longer present, no business shall be transacted, and it shall be the responsibility of the Chair to note the lack of a quorum. The meeting shall then adjourn.

E. BOARD COMMITTEE SESSIONS (Continued)**Dates of Committee Meetings**

- E-4 Committees (Standing and Statutory) will meet according to an established schedule or otherwise agreed to by the Committee, unless such day shall be a statutory, public or civic holiday, or recognized religious observance day, or unless there is an organizational need, in which case the Committee shall meet at the same hour and place on another day, as scheduled.

Delivery of Material / Agenda:

- E-5 Written notice of all meetings of Committees, along with the agenda and all background material, shall be transmitted by the Secretary of the Board to the address of each member, at least seventy-two hours before the time of the meeting. However, any defect in delivery or transmittal shall not be sufficient to require that a meeting be postponed unless, at the time of approval of the agenda, a motion to postpone or adjourn to a specific date is approved by two-thirds of the members present.
- E-6 Notwithstanding By-law E-5, the consideration of material presented at a later date must be deferred until a future meeting of the Committee, unless, at the time of approval of the agenda, two-thirds of the members present vote in favour of approving the agenda, as amended by the inclusion of the material.

Open / Closed Meetings:

- E-7 All Standing and Statutory Committee meetings, except In Committee Sessions and Private Sessions, shall be open to the public. Meetings of the Discipline Committee and the Human Resources and Negotiations Advisory Committee are closed to the public.

E. BOARD COMMITTEE SESSIONS (Continued)**In Committee Sessions:**

- E-8 A meeting of a Committee of the Board, including a Committee of the Whole Board, may be closed to the public subject to the provisions of the Education Act, the Municipal Freedom of Information and Protection of Privacy Act and any other relevant legislation, when the subject matter under consideration involves:
- a) the security of the property of the Board;
 - b) 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 parents or guardian;
 - c) the acquisition or disposal of a school site;
 - d) decisions in respect of negotiations with employees of the Board;
 - e) litigation affecting the Board.

Such closed meetings shall be known as In Committee Sessions. In Committee Sessions shall include, in addition to the trustees, the Executive Committee and superintendents, the Board Reporter and others by invitation of the Board. Student trustees may attend In Committee Sessions, except meetings closed to the public under clause 207(2)(b) of the Education Act. [By-law E-8 b) above].

Discipline Committee:

- E-9 Discipline Committee of the Board meets, as required, in In Committee Session to deal with student discipline matters (expulsions, appeal of suspensions), and its decision is final. The Committee is comprised of five Board Members, and will elect its Chair. The quorum of the Discipline Committee is three Board Members.

E. BOARD COMMITTEE SESSIONS (Continued)**Committee of the Whole Board:**

E-10 The Board may, at any time, upon a majority vote, resolve itself into Committee of the Whole Board to discuss matters which are of general interest and for which detailed discussion is required. Committee of the Whole Board Sessions shall be open, except as provided for under By-law E-8.

Ad Hoc Committees:

E-11 Ad Hoc Committees are sometimes established by the Board. The Board shall approve detailed terms of reference, methods of gathering information, and budget, where appropriate, of Ad Hoc Committees. Board Members who are not members of the Ad Hoc Committee may attend meetings, with prior notice to the Chair of the Ad Hoc Committee. Meeting rules of order may not apply to Ad Hoc Committee meetings.

Extraordinary Human Resources and Negotiations Advisory Committee:

E-12 Extraordinary meetings of the Human Resources and Negotiations Advisory Committee may be called by the Chair of the Human Resources and Negotiations Advisory Committee to deal with matters requiring immediate attention, in accordance with By-law D-10.

E. BOARD COMMITTEE SESSIONS (Continued)**Exceptions to Board Rules:**

E-13 All rules of the Board shall be observed in In Committee Sessions, other committees and Standing/Statutory Committees of the Board.

However, the following exceptions apply:

- 1) No seconder is required;
- 2) No motion to call the question is allowed;
- 3) Members and trustees may speak more than once on the same question;
- 4) At the discretion of the Chair, members and trustees may speak longer than five minutes on the same question.

Participation of Non-Members at Standing Committees:

E-14 Membership of Standing Committees shall be as defined under By-law B-1. Every Board Member attending a Standing Committee meeting is entitled to participate in debate, move motions and amendments, and vote, subject to the terms of reference of the individual Committee.

Attendance of Members at Committees:

E-15 Committee members who absent themselves from three consecutive meetings of the Committee, without a resolution of the Committee authorizing the absence, thereby vacate their seats on the Committee, and such vacancies shall be filled by the Board by appointment or election.

Members of the Audit Committee who absent themselves from two consecutive meetings of the Audit Committee without a resolution of the Committee authorizing the absence, thereby vacate their seats on the Committee and such vacancies shall be filled by the Board.

E. BOARD COMMITTEE SESSIONS (Continued)**Vacancies:**

E-16 In the event of the office of the Chair or Vice-Chair (SEAC) becoming vacant for any reason, a new Chair or Vice-Chair shall be elected.

Board Chair Maintaining Quorum:

E-17 The Chair of the Board shall be counted for the maintenance of quorum, but not for the establishment of a Committee or of its quorum. The Board Chair shall not establish or maintain quorum for the Audit Committee and SEAC.

Chair's Ruling:

E-18 The Chair, when ruling on a point of order or practice, shall state the rule and give reasons for this decision.

E-19 The Chair's ruling is final, unless appealed by a member. Whether the Chair's ruling will be upheld shall then be decided without debate. To overrule a decision by the Chair, a majority of the members must vote in favour.

Recognition of Members or Trustees:

E-20 Members or trustees wanting to speak shall so indicate. When recognized by the Chair, the member or trustee may then address the Chair.

E-21 When two or more members or trustees attempt to speak at the same time, the Chair shall name the person who is to speak first.

Interruptions:

E-22 No member or trustee shall be interrupted while speaking except when called to order for not complying with the rules of the Board, or being in breach of a member's or trustee's privilege or of the privileges of the Board. If so, the person speaking shall remain silent until the point of order or privilege has been decided by the Chair. A person so interrupting shall speak to the point of order or privilege in explanation only.

E. BOARD COMMITTEE SESSIONS (Continued)**Call to Order:**

E-23 Members or trustees called to order by the Chair shall immediately stop talking until the Chair has ruled. They may appeal the Chair's ruling, in accordance with By-law E-19.

Point of Privilege / Point of Order:

E-24 A point of privilege of the Board collectively, or of an individual member or trustee, or of the position and conduct of members or trustees in their respective capacities, shall take precedence over all other business and may be raised without notice. (A point of clarification is considered to be a point of privilege.) A speaker may be interrupted, upon a point of privilege. On a point of order, any member or trustee may at any time rise, interrupting a speaker if necessary, to point out a breach of rules.

Conduct of Members / Trustees:

E-25 A member or trustee may comment on, or disagree with, a decision taken by the Committee or the Board. A member or trustee may not make disparaging remarks about members, trustees, or staff in expressing such comment or disagreement, or speculate on the motives of members or trustees.

E-26 Any member or trustee who resists the rules of the Board, uses offensive language, disobeys the decision of the Chair or of the Board on points of order or makes any disorderly noise or disturbance may be ordered by the Chair to leave for the remainder of the meeting and, in the case of refusal to do so, may, on the order of the Chair, be removed from the meeting room and Board Office. (Such removal is to be recorded in the minutes of the meeting.)

E. BOARD COMMITTEE SESSIONS (Continued)**Notices of Motion:**

E-27 Board members or Committee members who wish to introduce new business not on the agenda shall give notice at one meeting of intention to move a specific motion at the next Committee meeting. Such notice is not, at that time, debatable.

In the case of urgent and pressing necessity previously explained by the mover, and with the two-thirds' consent of those present and eligible to vote, the motion may be dealt with immediately.

E-28 If a proposer wishes to withdraw a Notice of Motion, this should be done before the approval of the agenda. Once withdrawn, intention to re-introduce the motion at a subsequent Committee meeting may be given in writing with seventy-two hours' notice.

Requesting Motion Be Read:

E-29 A member or trustee may request the motion under discussion to be read for information at any time during the debate, providing that the request is not intended to interrupt the person speaking to the question.

Motions:

E-30 When a motion is under debate, the only motions in order shall be:

- 1) to adjourn;
- 2) to lay on the table (defer temporarily and resume at same meeting);
- 3) to defer (with a time frame);
- 4) to refer;
- 5) to amend;

which shall have precedence in the order above-named. The first, second and third shall be decided without debate.

E. BOARD COMMITTEE SESSIONS (Continued)**Adjournment:**

E-31 A motion to adjourn shall be in order, except when a member or trustee is speaking, or a vote is being taken. A motion to adjourn only, shall not be open to amendment or debate, but a motion to adjourn at a certain time may be amended and debated. A two-thirds' majority is required to adjourn.

E-32 If a motion to adjourn fails, no second motion to adjourn shall be made until further business has been transacted.

Deferral / Referral:

E-33 A motion to defer consideration of an issue is permissible and debatable. A deferred motion shall be removed from debate and shall not be discussed again at the same meeting, unless two-thirds of the members present vote in favour.

E-34 A motion of the Committee is required in order to deal with a question which had been deferred at a previous meeting or which had been referred to the administration for further comment. Such a motion shall read, "That the Committee now deal with the motion regarding which was deferred/referred at the meeting of the Committee held"

E. BOARD COMMITTEE SESSIONS (Continued)**Referral to Committees:**

E-35 Petitions, recommendations or communication on any subject within the purview of a Committee, may be referred by the Committee to another Committee for input.

Amendments:

E-36 After a motion is on the floor, a motion to amend may be made, and a motion to amend the amendment, but no further motion to amend shall be made until those have been decided.

E-37 An amendment modifying the subject of a motion shall be in order, but an amendment relating to a different subject or, in the opinion of the Chair, changing the intent of the motion, shall not be in order.

E-38 All amendments shall be put in the reverse order in which they were moved.

E. BOARD COMMITTEE SESSIONS (Continued)**Putting the Question to a Vote:**

E-39 The decision as to whether the question has been finally put shall be determined by the Chair. After the Chair has put a question to vote, there shall be no further debate.

Voting:**Withdrawing Motion:**

E-40 Every motion shall be voted upon unless the mover, by permission of the Committee, withdraws the motion, in which case a two-thirds' majority vote is required.

Splitting the Motion:

E-41 When the question under consideration contains two or more distinct propositions, any particular proposition, upon the request of any member or trustee, may be considered and voted upon separately, or in any order.

Majority Vote:

E-42 Unless otherwise provided for in these By-laws, a simple majority of the members present and eligible to vote, is required to carry a vote.

One Vote / Tied Vote:

E-43 No member shall have more than one vote as Chair or otherwise, either at Committee meetings or In Committee Sessions and in all cases where, with the Chair's vote, there is a tied vote, the motion or amendment, as the case may be, shall be deemed to have failed.

E. BOARD COMMITTEE SESSIONS (Continued)**Counting Votes:**

- E-44 All votes at meetings shall be taken by a show of hands, and the result shall be declared by the Chair, but if the declaration of the Chair is questioned, the members voting shall rise and stand until they have been counted.
- E-45 All motions (except those in In Committee Sessions) shall, when requested by a member of the Board or the Committee, have the number of votes for and against the motion recorded.

Reconsideration:

- E-46 After a vote has been taken on any question, such vote may be reconsidered, with the consent of a two-thirds' majority of the members present and entitled to vote, during the same meeting, or at any meeting held thereafter provided any member shall give notice to the effect in writing at a previous Committee meeting.

A motion for reconsideration shall not be debated. When a member has moved for reconsideration of any question which has been decided, no discussion of the main question shall be allowed until the motion for reconsideration has been decided in the affirmative.

A motion to reconsider, being once made and decided in the negative, shall not again be entertained within a period of four months, unless approved unanimously by the members present.

After a period of twelve months any motion, except one pertaining to a By-law amendment, may be reconsidered by a simple majority vote.

Committee Meeting Duration:

- E-47 The Committee shall not remain in session longer than 2 ½ hours after the scheduled start time of the meeting, unless otherwise determined by a vote of two-thirds of the Committee members present.

F. BY-LAWS PERTAINING TO ELECTRONIC MEETINGS**Calling Electronic Meetings:**

F-1 Any trustee may request an electronic meeting of the Board, upon reasonable notice. The decision will be made by the Chair and/or Vice-Chair.

Attendance:

F-2 At every meeting of the Board or Committee of the Whole Board, the following persons shall be physically present in the Board Room or designated meeting room of the Board:

- a) The Chair of the Board or his/her designate;
- b) At least one additional member of the Board;
- c) The Director of Education or his/her designate.

F-3 At every meeting of a Committee of the Board, except a Committee of the Whole Board, the following persons shall be physically present in the meeting room of the Committee:

- a) The Chair of the Committee or his/her designate;
- b) The Executive Member of the Committee or his/her designate.

F-4 At the request of any Board member or student trustee, the Board shall provide electronic means of participating in one or more meetings of the Board or of a Committee of the Board, including a Committee of the Whole Board, except where to do so would not comply with sections F-2 and F-3.

F-5 A member or student trustee who participates in a meeting through electronic means shall be deemed to be present at the meeting.

F. BY-LAWS PERTAINING TO ELECTRONIC MEETINGS (Continued)**Participation of Members and Student Trustees:**

- F-6 The electronic means shall permit the member or student trustee to hear and be heard by all other participants in the meeting.
- F-7 The electronic means shall be provided in such a way that the rules governing conflict of interest are complied with.
- F-8 Student trustees who are participating through electronic means shall not participate in any proceedings which are closed to the public under clause 207 (2) (b) of the Education Act.

Public Participation:

- F-9 Public participation applies to meetings of the Board or of a Committee of the Board, including a Committee of the Whole Board, that is open to the public.
- F-10 The Board may provide, at one or more locations within its jurisdiction, electronic means to permit participation in meetings by members of the public.
- F-11 Where such locations are provided, members of the public shall participate only in those parts of the Board Meeting or Committee of the Board meeting where the public would normally participate. The extent and manner of the participation shall be determined by the Board Chair based on the electronic means available.
- F-12 Members of the public participating through electronic means shall not participate in any proceedings that are closed to the public.

G. DELEGATIONS / PUBLIC QUESTION PERIOD / PETITIONS

Delegations:

- G-1 Delegations are permitted at the discretion of the Board. The Board normally will hear a maximum of five (5) delegations at each meeting.

An individual or group who has delegated the Board on an issue will not be permitted to delegate again on the same issue unless they have new information to present.

The Board will not permit delegations, on any issue, by individuals who are currently party to a claim with the Peel District School Board.

- G-2 Individuals or groups requesting permission to appear before the Board or Standing, Statutory or other Committees of the Board, shall notify the Secretary of the Board, or designate. The same rules shall apply to delegations appearing before the Board and Standing, Statutory or other Committees. The Chair of the Board or the Chair of the Committee shall decide on receiving the delegation.

When a number of individuals wish to address the Board from the same perspective on an issue, the group is encouraged to select a spokesperson.

All delegations are required to submit a Request to Delegate Registration Form, outlining the key points to be presented. The completed form must be submitted to the Director's Office at least five (5) business days before the date of the meeting, in order for the request to be considered. See Request to Delegate Registration Form attached at Appendix J.

G. DELEGATIONS / PUBLIC QUESTION PERIOD / PETITIONS (Continued)**Delegations:** (Cont'd)

G-3 Delegations may express opinions with regard to Board decisions or make submissions with respect to a recommendation. Delegations are expected to be issue-based and respectful. Delegations must refrain from making statements concerning the character or performance of identifiable individuals, including students, staff, citizens or trustees of the Peel District School Board. Any delegate who violates this requirement during their presentation shall be ruled out of order by the Chair and may be asked to discontinue their presentation and/or leave the Board Room/meeting room. Delegations who do not comply with the Board's Safe Schools Policy 48 when they are on Board property or disobey the decision of the Chair of the Board, may be ordered by the Chair to discontinue the presentation and/or leave the Board Room or meeting room or Board premises.

A request for a delegation shall not be unreasonably denied. When a request for a delegation has been denied, the Chair of the Board or Committee shall inform the members of the Board.

G-4 After a decision has been made to receive the delegation, the Secretary of the Board, or designate, shall confirm the date and time of the delegation, shall advise the delegation of the By-laws of the Board relating to delegations, and will request the delegation to present any material in writing at least five (5) business days prior to the meeting.

G-5 Individuals or groups wishing to delegate with less than the required five (5) business days' notice may, with the Chair's permission, be heard on a two-thirds' majority vote of the members present, when the agenda for the meeting is approved.

G. DELEGATIONS / PUBLIC QUESTION PERIOD / PETITIONS (Continued)

Delegations: (Cont'd)

G-6 Individuals or groups appearing before the Board/Committee will be welcomed by the Chair. The Chair will review the process and expectations for the delegation and confirm the time allotted for the presentation. Each delegation is generally allowed up to ten (10) minutes to make a presentation, at the discretion of the Chair. When several delegations wish to address the Board on the same topic on the same evening, the Chair may reduce the time for each presentation to five (5) minutes. This will be communicated to the delegate.

Following the presentation, the Chair will ask the trustees if there are any questions of clarification. At no time will trustees or staff enter into debate with the spokesperson or delegation. Once all points have been clarified, and trustees' questions of clarification have been answered, the Chair will close the presentation by thanking the spokesperson and indicating when the matter will be considered by the Board or Committee and a written response given.

G-7 After delegations have been heard by the Board/Committees, the administration will prepare a response to the delegation's spokesperson. Advice or response shall usually be presented at the next Regular Meeting of the Board or Committee.

Following the delegation, confirmation of the date of the meeting at which the administrative response is to be received by the Board/Committee will be communicated to the delegation by the Chair or designate. The administrative response may be shared with the delegation after circulation to the Trustees.

G-8 Sometimes there will be delegations where the Board or Committee could respond at the same meeting. If so, the Chair shall alert the administration of the possibility of immediate action and request the preparation of appropriate background information for distribution to the trustees.

G. DELEGATIONS / PUBLIC QUESTION PERIOD / PETITIONS (Continued)**Delegations:** (Cont'd)

G-9 Those wishing to delegate the Board on In Committee matters (as defined in E-7 a) through e)), will follow the procedures set out in G-1 through G-8, with the following exceptions:

Since In Committee Sessions are not open to the public, the delegation will be invited to join the meeting to make the presentation, after which the delegation will leave the meeting. After the meeting, the Board's response will be communicated in writing to the delegation, usually after the following meeting.

Public Question Period:

G-10 Any members of the public, after identifying themselves, may request information of the Board or Committee during "Public Question Period". The duration of "Public Question Period" will be limited, in total, to a maximum of fifteen minutes, unless extended at the discretion of the Chair. Members of the public speaking during Public Question Period must comply with the Board's Safe Schools Policy #48.

G-11 Questions raised during "Public Question Period" are expected to be issue-based and respectful.

G-12 The Chair will normally respond verbally to a question raised during "Public Question Period". The Chair may also designate a member of staff or trustee to respond to a question. If an immediate response is not given, a response may be given at a future date.

Petitions:

G-13 A petition must be addressed to the Board of trustees or to an individual trustee.

The petition must contain a written or printed request to take some action, or to refrain from taking some action, to provide redress or relief, or to remedy a grievance. A statement of opinion or grievance alone cannot be received as a petition.

A petition must contain a minimum of 25 signatories who are residents of the Region of Peel, or persons who have a direct affiliation with the Peel DSB. Names, addresses and original signatures of the petitioners shall be provided. Petitions e-mailed or submitted online will not be accepted.

When a petition is presented, no debate shall be allowed. The petition will be recorded and acknowledged.

H. AMENDMENTS TO THE BY-LAWS

By-law Amendments:

H-1 Written notice of a proposed amendment or addition to the By-laws must be delivered at the previous meeting. Changes to the By-laws require the consent of two-thirds of all the Board Members. (With 12 Board Members, a minimum of 8 votes in favour are required.)

I. DUTIES OF THE BOARD CHAIR

THE CHAIR

- shall preside at all meetings of the Whole Board and Committee of the Whole Board, except In Committee Sessions;
- shall sign the Open Session minutes passed by the Board;
- as presiding officer, may expel or exclude from any meeting a person who has been guilty of improper conduct;
- is a signing officer of the Board;
- shall participate in establishing the agenda and shall take responsibility for inclusion of delegations on the agenda;
- shall enforce the rules of order when required;
- shall lead the course of discussion to arrive at a decision;
- shall attempt to create an atmosphere in the Board to encourage courtesy, respect, openness to new ideas, and all the other subtle but important attitudes which create the kind of atmosphere in which a Board can do effective work;
- shall extend hospitality not only to the members of the Board, but to officials of the Board, the media, any delegations which may be present and any others who may be present to watch the proceedings;
- shall encourage an interest in the whole school system;
- shall aid in establishing good relations with the public which the Board serves;
- shall confine himself/herself to statements of Board policies and whatever interpretation of them may be necessary but scrupulously avoid interjecting personal opinions into the statements and attempting to second-guess what the Board may do about an issue in the future;
- shall accept the responsibility on behalf of the Board in public controversies arising over Board policies;
- shall be a voting member of all Board structured Standing Committees and shall be counted for the maintenance of a quorum, but not for the establishment of a Committee or of its quorum.

Note: Additional Duties of the Chair are listed in the Code of Conduct for Members of Peel District School Board – Appendix B.

J. DUTIES OF THE VICE-CHAIR

THE VICE-CHAIR

- in the absence of the Chair, shall act in the Chair's place;
- shall be Chair of the In Committee Sessions of meetings of the Board;
- shall sign the In Committee minutes approved by the Board;
- is a signing officer of the Board.

K. THE BOARD

K-1 When a policy has been adopted by the Board, by the very act of approving it, the Board assumes full political, financial and legal responsibility.

L. APPOINTMENT OF AUDITOR

- L-1 The Board will appoint its auditor in accordance with the Board's procedures, for a term not longer than five years.

M. APPOINTMENT OF GENERAL SOLICITOR

Appointment of General Solicitor:

M-1 The Board will appoint its general solicitor in accordance with the Board's procurement procedures.

ATTENDANCE AT BOARD MEETINGS

EDUCATION ACT Section 228

1990 Revised Statutes of Ontario (R.S.O. 1990, c.E2, as amended)

- "(1) **Seat vacated by conviction, absence etc.** - A member of a board vacates his or her seat if he or she,
- (a) is convicted of an indictable offence;
 - (b) absents himself or herself without being authorized by resolution entered in the minutes, from three consecutive regular meetings of the board;
 - (c) ceases to hold the qualifications required to act as a member of the board;
 - (d) becomes disqualified under subsection 219 (4); or
 - (e) fails to meet the requirements of section 229. "

EDUCATION ACT Section 229

- "(1) **In person attendance required** - Despite section 208.1, but subject to subsection (2), a member of a board shall be physically present in the meeting room of the board for at least three regular meetings of the board in each 12-month period beginning December 1.
- (2) Despite section 208.1, for the period beginning when a member of a board is elected or appointed to fill a vacancy and ending on the following November 30, the member shall be physically present in the meeting room of the board for at least one regular meeting of the board for each period of four full calendar months that occurs during the period beginning with the election or appointment and ending on the following November 30."

EDUCATION ACT Section 55

Certain closed meetings

- "(5) A student trustee is not entitled to be present at a meeting that is closed to the public clause 207 (2) (b)."

Participation

- "(6) Subject to subsections (2) to (5), a student trustee shall have the same opportunities for participation at meetings of the board and of its committees as a member has."

Revised: September 2007

Reviewed: June 2010

PEEL DISTRICT SCHOOL BOARD
CODE OF CONDUCT
FOR MEMBERS OF PEEL DISTRICT SCHOOL BOARD

1.0 Purpose

- 1.1 This Board Member Code of Conduct ("Code of Conduct") supports both legislated requirements and Board-established by-laws, policies and procedures that set out the governance and accountability framework at the Peel District School Board (PDSB). The *Education Act* gives school boards the authority to adopt codes of conduct that apply to board members. This Code of Conduct supports the Board's commitment to meeting high standards of conduct by trustees.
- 1.2 A Trustee position is an elected position which carries with it the understanding that the electorate will decide at election time its support for the effectiveness of a Trustee. At the same time, it is important to recognize the public trust and responsibility the collective body carries and that this trust and responsibility is honoured through determining and enforcing norms of acceptable behaviour.
- 1.3 A code of conduct policy contributes to confidence in public education and respect for the integrity of Trustees in the community. It deals with acceptable and respectful behaviours.
- 1.4 Trustees will support the Mission, Vision and Values, and Strategic Priorities (Plan for Student Success) of the Peel District School Board.
- 1.5 Trustees responsibilities can be found in Appendix C of the By-law.
- 1.6 The Selection, Appointment and Jurisdiction of the Integrity Commissioner and the Complaints Procedure is set out in Appendix 1 and 2 of the Code of Conduct.
- 1.7 Trustees shall sign the Trustee Code of Conduct Acknowledgement and Undertaking, set out at Appendix 3, at the annual inaugural meeting of the Board.

2.0 Objective

- 2.1 To establish governing principles and standards for accepted behavior by members of the Board of Trustees, including the Chair of the Board.

3.0 Responsibility

- 3.1 The Board of Trustees, the PDSB's Integrity Commissioner and the Director of Education.

CODE OF CONDUCT FOR MEMBERS OF PEEL DISTRICT SCHOOL BOARD

4.0 Application and Scope

4.1 This Code of Conduct applies to all members of the Board of Trustees.

5.0 Definitions

Board means the Peel District School Board, which is also referred to as the PDSB.

Discrimination means discriminatory behaviour as defined by the PDSB Workplace Violence and Harassment Prevention policies and the Ontario Human Rights Code.

Harassment means harassing behaviour as defined by the PDSB workplace Violence and Harassment Prevention policies and the Ontario Human Rights Code.

Inquiry includes an investigation.

Integrity Commissioner means the Integrity Commissioner appointed by the Board of Trustees in accordance with the Peel District School Board By-laws.

Members of the Board (also referred to as trustees) means the Chair and all members of the Board of Trustees.

Official Business means duties and responsibilities of Trustees as prescribed by the Education Act and further explained in the By-laws and Appendix C – Duties and Responsibilities of Members of the Peel DSB, and directly related to operations of the Peel District School Board.

Staff members means any employees of the Peel District School Board.

Trustees Office means the authority and public duties attached to the position of being elected as a PDSB Trustee.

Supply Chain Activities means all activities whether directly or indirectly related to organizational planning, sourcing, procurement, moving, and payment processes.

6.0 Code of Conduct

6.1 Transparency, accountability, and public confidence are fundamental components for the effective governance of school boards as public bodies responsible to their communities and to the provincial government. The conduct of the members of the Board of Trustees must be of the highest standard to maintain the confidence of the public;

6.2 This Board Member Code of Conduct (“Code of Conduct”) represents the Board’s commitment to meeting high standards of conduct;

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Integrity and Dignity of Office - Principles

- 6.3 Trustees of the Board shall discharge their duties loyally, faithfully, impartially and in a manner that will inspire public confidence in the abilities and integrity of the Board;
- 6.4 Trustees of the Board shall recognize that the expenditure of school board funds is a public trust and endeavour to see that the funds are expended efficiently, in the best interests of the students;
- 6.5 Trustees, as leaders of the Board, must uphold the dignity of the office and conduct themselves in a professional manner at all times, and especially when attending Board events, or while on Board property;
- 6.6 Trustees shall ensure that their comments are issue-based and not personal, demeaning or disparaging with regard to any person, including Board staff or fellow Board members;
- 6.7 No Trustee shall engage in conduct during meetings of the Board or committees of the Board, and at all other times that would discredit or compromise the integrity of the Board;
- 6.8 A Trustee shall not advance allegations of misconduct and/or a breach of this Code of Conduct that are trivial, frivolous, vexatious, made in bad faith or vindictive in nature against another Trustee of the Board;
- 6.9 Trustees shall serve and be seen to serve their school communities in a constructive, respectful, conscientious and diligent manner;
- 6.10 Trustees shall recognize the public trust in the expenditure of PDSB funds efficiently and in the best interests of students;
- 6.11 Trustees shall be committed to performing their functions with integrity and to avoiding the improper use of the influence of their office, and conflicts of interest, both apparent and real;
- 6.12 Trustees are expected to perform their duties in office and arrange their private affairs in a manner that promotes public confidence;
- 6.13 Trustees shall seek to serve the public interest by upholding both the letter and the spirit of the laws of the Federal Parliament and Ontario Legislature, and the bylaws and policies adopted by the Board;
- 6.14 Trustees agree to the common understanding that individual trustees will not participate in activities that grant, or appear to grant, any special consideration, treatment, or advantage to an individual Trustee which is not available to every other individual. Allowable activities include those activities that are reasonably related to a Trustee's Office, taking into consideration the different interests and the diverse profiles of their wards/communities;
- 6.15 Trustees recognize that their Oath of Office binds them to the provisions of the Municipal Conflict of Interest Act (MCIA); and,

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- 6.16 The following provincial and federal legislation also applies to Trustees:
- (a) Criminal Code of Canada.
 - (b) Education Act
 - (c) Municipal Conflict of Interest Act
 - (d) Municipal Elections Act, 1996
 - (e) Municipal Freedom of Information and Protection of Privacy Act
 - (f) Occupational Health and Safety Act
 - (g) Ombudsman Act
 - (h) Ontario Human Rights Code.

Confidential Information

- 6.17 Confidential Information includes,
- (a) information in the custody and/or control of the PDSB that is subject to the privacy provisions of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) or other legislation, including, but not limited to personal information of staff and students, third party corporate, commercial, scientific, or technical information, solicitor-client or litigation privileged information;
 - (b) information in respect of litigation or potential litigation affecting the Board, and information that is subject to solicitor-client privilege;
 - (c) information discussed during closed sessions of the Board pursuant to section 207 of the Education Act;
 - (d) intimate, personal or financial information of a Trustee, staff member or prospective staff member, student, parent or guardian;
 - (e) the acquisition or disposal of the Board's real property, including a school site; and,
 - (f) decisions in respect of negotiations with staff members.
- 6.18 No Trustee shall disclose or release by any means to any member of the public, any confidential information acquired by virtue of their office, in either oral or written form, except when required by law or authorized by the Board to do so. This is a continuous obligation that extends beyond the Trustee's term of office.
- 6.19 No Trustee shall use confidential information for either personal gain or broader influence, or to the detriment of the Board.
- 6.20 Trustees should not access or attempt to gain access to confidential information in the custody of the Board unless it is necessary for the performance of their duties and not prohibited by Board policy.
- 6.21 Under the PDSB By-laws, a matter that has been discussed by the Board of Trustees in closed session in accordance with section 207(2) of the Education Act is confidential. Trustees shall not disclose the content of any such matter, or the substance of deliberations, of the closed session meeting until the Board of Trustees discusses the information at a meeting that is open to the public or releases the information to the public.

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- 6.22 Individual members of the Board are only entitled to information in the possession of the PDSB that is relevant to matters before the Board or a committee of the Board. Otherwise, an individual Trustee enjoys the same level of access rights to information as any other member of the community.
- 6.23 If there is uncertainty about whether information is confidential, the Trustee should check with the appropriate staff member, consult with the Director of Education or seek the advice of the Integrity Commissioner.

Upholding Decisions

- 6.24 All Trustees of the Board shall accept that authority rests with the Board, and that a Trustee has no individual authority other than that delegated by the Board.
- 6.25 Each Trustee shall uphold the implementation of any Board resolution after it is passed by the Board. A proper motion for reconsideration or rescission, if permitted by the Board's Rules of Order, can be brought by a Trustee.
- 6.26 A Trustee should be able to explain the rationale for a resolution passed by the Board. A Trustee may respectfully state his or her position on a resolution provided it does not in any way undermine the implementation of the resolution or the Board as a whole.
- 6.27 Each Trustee shall comply with Board policies, procedures, By-Laws, and Rules of Order.
- 6.28 The Chair of the Board is the spokesperson to the public on behalf of the Board, unless otherwise determined by the Board. No other Trustee shall speak on behalf of the Board unless expressly authorized by the Chair of the Board or whole Board to do so. When individual Trustees express their opinions in public, they must make it clear that they are not speaking on behalf of the Board.

Ontario Broader Public Sector (BPS) Supply Chain Code of Ethics

(This Code of Ethics does not supersede the Board's Code of Conduct, above, but supplements the Code of Conduct with standards of practice specific to the supply chain.)

- 6.29 **Personal Integrity and Professionalism** - Board Members involved with Supply Chain Activities must act, and be seen to act, with integrity and professionalism. Honesty, care and due diligence must be integral to all Supply Chain Activities within and between the Board, suppliers and other stakeholders. Respect must be demonstrated for each other and for the environment. Confidential information must be safeguarded. Board Members must not engage in any activity that may create, or appear to create, a conflict of interest, such as accepting gifts or favours, providing preferential treatment, or publicly endorsing suppliers or products.
- 6.30 **Accountability and Transparency** - Supply Chain Activities must be open and accountable. In particular, contracting and purchasing activities must be fair, transparent and conducted with a view to obtaining the best value for public money. Board Members must ensure that Board resources are used in a responsible, efficient and effective manner.

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- 6.31 Compliance and Continuous Improvement - Board Members involved with purchasing or other Supply Chain Activities must comply with this Code of Ethics and the laws of Canada and Ontario. Board Members should continuously work to improve supply chain policies and procedures, to improve their supply chain knowledge and skill levels, and to share leading practices.

Gifts, Benefits and Hospitality

- 6.32 Board Members shall not receive gifts, hospitality, gratuities or favours from third party suppliers.
- 6.33 Trustees are expected to carry out their duties with impartiality and objectivity. Trustees shall not accept a gift, benefit or hospitality in order to avoid the risk that this will compromise their objectivity or lead to an appearance of lack of objectivity, bias or influence on the part of the Trustee.
- 6.34 For these purposes, a gift, benefit or hospitality provided with the Trustee's knowledge to a Trustee's spouse, child, or parent, or to a Trustee's staff that is connected directly or indirectly to the performance of the Trustee's duties is deemed to be a gift to that Trustee of the Board.
- 6.35 Board Members shall not use their position for improper gain, nor under any circumstances accepts gifts of cash, bonds, securities, personal loans, airline tickets, use of a vacation property, or costly entertainment.
- 6.36 Gifts of Considerable Value - Board Members shall not accept gifts of considerable value from third party suppliers. Gifts from persons or organizations other than third party suppliers may be accepted on behalf of the Board where it would be extraordinarily impolite or otherwise inappropriate to refuse the gift. As noted in (iii) below, Reporting Gifts and Hospitality, the Board Member must report the gift immediately. Board Members should ask themselves if public knowledge of the gift would cause personal embarrassment or embarrassment to the Board. If there is uncertainty as to whether the gift is appropriate, it should be discussed with the Integrity Commissioner, as appropriate.
- 6.37 Board Members must notify the Integrity Commissioner by e-mail of any gifts and hospitality or other honorarium valued at over \$200.00 (exclusive of HST) received, including meals, from any person or organization (any gift or hospitality from a third party supplier is prohibited.)
- 6.38 There are circumstances in which the acceptance of a gift, benefit or hospitality occurs as part of the social protocol or community events linked to the duties of an elected official and his/her role in representing the Board. The exceptions do not apply in the case of vendors of goods and services, or those expecting to be vendors to the PDSB. The following is a list of recognized exceptions:
- (a) compensation authorized by law;
 - (b) gifts of a nominal value (eg. gift card, hat, t-shirt, mug, not exceeding approximately \$100.00);

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- (c) such gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation;
 - (d) a political contribution otherwise reported by law, in the case of members running for office;
 - (e) services provided without compensation by persons volunteering their time;
 - (f) a suitable memento of a function honouring the member;
 - (g) food, lodging, transportation and entertainment provided by provincial, regional and local governments or political subdivisions of them, by the federal government or by a foreign government within a foreign country, or by a conference, seminar or event organizer where the member is either speaking or attending in an official capacity. For the purposes of this exception, "official capacity" refers to attendance in a ceremonial, presentational or representational role on behalf of the Board or where the PDSB has authorized the member to attend on behalf of the organization;
 - (h) food and beverages consumed at banquets, receptions or similar events, if:
 - (i) attendance serves a legitimate business purpose;
 - (ii) the person extending the invitation or a representative of the organization is in attendance; and
 - (iii) the value is reasonable and the invitations infrequent;
 - (i) communication to the offices of a member, including newspapers and periodicals
 - (j) holiday gifts, such as fruit baskets or candy;
 - (k) inexpensive advertising and promotional materials (e.g. Give-aways, such as pens or key chains); and,
 - (l) inexpensive awards to recognize services and accomplishment in civic, charitable, educational or religious organizations (such as nominal gift certificates to book stores).
- 6.39 An invitation to attend a function where the invitation is connected directly with the performance of a Member's duties of office (i.e. for which the Trustee has a ceremonial, presentational or representational official role) is not considered by this Code of Conduct, to be a gift. This type of attendance is considered to be fulfillment of official public duties.
- 6.40 No Trustee shall accept a gift from any person or entity that has dealings with the Board if a reasonable person might conclude that the gift could influence the Trustee when performing his or her duties to the Board. Any gifts received shall be reported to the Chair of the Board.

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- 6.41 When in doubt, if the application of the code regarding a gift is unclear, consult with the office of the Integrity Commissioner.

Conflict of Interest

Clarification of Conflict of Interest

- 6.42 All Members of the Board are expected to comply with the Municipal Conflict of Interest Act, R.S.O., 1990, c. M-50 provisions, attached as Appendix H, which requires a Member of the Board to declare and disclose the general nature of the interest for all direct and indirect pecuniary conflicts of interest and abstain from making a decision.
- 6.43 In all situations where a Member of the Board or their spouse, child or parent has a pecuniary interest in a matter before the Board, that Board Member must declare a conflict of interest, disclose the general nature of the interest, and abstain from discussions and voting with respect to that issue. Where such conflict of interest arises during an in-camera session of the Board, the Members of the Board must absent themselves from the room during discussion and deliberation of the issue for which they have a conflict.
- 6.44 It is an expectation of the Board that Members of the Board will not only comply with the requirements of the Municipal Conflict of Interest Act, but also avoid conflicts of interest as defined by this Code of Conduct, and the Broader Public Sector (BPS) Directive and Code of Ethics.
- 6.45 Pursuant to this Code of Conduct a conflict of interest may exist when the decisions and/or actions of a Member of the Board during the course of exercising their Member duties are affected by or perceived by another party or person to be affected by the Board Member's personal, financial or business interests or the personal, financial or business interests of a relative, friend, and/or business associate of the Board Member.
- 6.46 Every Member of the Board is responsible and accountable for exercising good judgment and avoiding situations that might present a conflict of interest or the perception of a conflict of interest, and where a conflict of interest might exist each Board Member has an affirmative duty to disclose such conflict when it becomes apparent.

Use of Board Property, Services and Other Resources

- 6.47 No Trustee should use, or permit the use of Board resources, including but not limited to staff members, Board events, Board facilities, Board funds, Board information and Board infrastructure or other resources (e.g., Board-owned materials, websites, and social media platforms) for activities other than the business of the PDSB. No Trustee may obtain personal financial gain from the use or sale of Board-developed intellectual property (e.g., inventions, creative writings and drawings), computer programs, technical innovations, or other items capable of being patented, or from the sale of Board provided mobile phones and all other technological equipment, since all such property remains exclusively that of the Board.

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Election Campaign Work

- 6.48 Election activity refers to campaigns for municipal, provincial and federal office or campaigns on a question on a ballot.
- 6.49 No Trustee shall use the facilities, equipment, supplies, services or other resources of the Board (including newsletters, social media sites and websites linked through the Board's website, contact information including email addresses obtained as a result of the member's performance of his or her duties as a Trustee) for any election campaign or campaign-related activities. No Trustee shall undertake campaign-related activities on Board property unless permitted by Board policy. No Trustee shall use the services of persons for election-related purposes during hours in which those persons receive any compensation from the Board.

Improper Use of Influence

- 6.50 A Trustee shall not use his or her office to advance the Trustee's interests or the interests of any family member or person or organization with whom or with which the Trustee is related or associated.
- 6.51 No Trustee shall use his or her office to obtain employment with the Board for the Trustee or a family member.
- 6.52 No Trustee shall use the influence of his or her office for any purpose other than for the exercise of his or her official duties. This includes using the influence of the office to obtain employment for a family member, or otherwise using one's status as a Trustee to improperly influence the decision of another person to the private advantage of oneself, or one's parents, children or spouse, staff members, friends, or associates, business or otherwise. Also prohibited is the holding out of the prospect or promise of future advantage through a Trustee's supposed or actual influence within the Board in return for present actions or inaction. It includes refraining from using one's status to improperly influence the decision of another person to improperly prejudice another person or persons.
- 6.53 For the purposes of this provision, "private advantage" and "improperly prejudice" does not include a matter:
- (i) that is of general application;
 - (ii) that affects a Trustee, his or her parents, children or spouse, staff members, friends, or associates, business or otherwise as one of a broad class of persons; or
 - (iii) a committee or Board matter that concerns the remuneration or benefits of a Trustee.

Conduct Regarding Current and Prospective Employment

- 6.54 No Trustee shall allow any current employment or the prospect of his or her future employment by a person or entity to improperly or for personal gain affect the performance of his or her duties to the Board.

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- 6.55 No Trustee shall use his or her office to obtain employment with the Board for the Trustee or a family member of the Trustee.

Conduct at Board and Committee Meetings

- 6.56 Trustees act in the service of the community. They have the opportunity to set an example for future leaders who may look to them for guidance and leadership. They are expected to respect the procedural rulings of the Chair and behave respectfully in respect of the information, views and opinions expressed by staff members, delegates and other Trustees. It is vital that members of the Board conduct themselves with decorum at Board and Committee meetings and in accordance with the provisions of the PDSB's By-laws concerning meeting procedures and parliamentary procedures.

Conduct Respecting Staff Members

- 6.57 Trustees shall carry out their duties as defined within section 218.1 of the Education Act. The Board of Trustees as a whole approves budget, policy, Committee processes, and other such matters. Staff members serve the Board of Trustees as a whole.
- 6.58 Trustees shall be respectful of the role of the Director, Senior Administration, and all staff members to provide advice based on political neutrality and objectivity and without undue influence from any individual Trustee or faction of the Board of Trustees.
- 6.59 Trustees will respect the distinct roles of staff in implementing policy in accordance with the provisions of the Education Act, the Board's By-laws and OPSBA Good Governance.
- 6.60 Trustees shall not provide direction to staff. Trustees work with the Chair and Director of Education. The Director of Education is responsible for communicating directives and expectations to staff.
- 6.61 Trustees shall respect the professionalism, reputations, duties and expertise of the Director, Senior Administration and staff members.
- 6.62 By way of example and for greater certainty, Trustees shall not falsely or maliciously injure the professional or other reputation of staff members; compel staff members to engage in partisan political activities or subject staff to threats or other maltreatment for refusing to engage in such activities; or use or attempt to use their authority or influence to intimidate, threaten, coerce, command or influence staff members or interfere with staff members' duties, including to disclose improper activities.

Discreditable Conduct

- 6.63 All Trustees have a duty to treat members of the public, one another, and staff members respectfully and without abuse, bullying or intimidation, and to ensure that the work environment at the Board is free from discrimination and harassment. This provision applies to all forms of written and oral communications, including via social media.

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- 6.64 Harassing or discriminatory behavior, as indicated in the PDSB Workplace Harassment Prevention and Human Rights policies, and the Occupational Health and Safety Act and Ontario Human Rights Code, which occurs in the course of, or is related to, the performance of official business and duties of Trustees, is subject to this Code of Conduct. If an employee or a member of the public brings forward a harassment complaint against a Member of the Board to the PDSB Human Rights Office, it shall be immediately forwarded to the Integrity Commissioner. If a complaint is filed with the Integrity Commissioner, after an initial assessment, the Integrity Commissioner may determine the appropriate next steps, including referral of the complaint to an independent investigator. Upon receipt of the independent investigator's findings, the Integrity Commissioner shall make a final recommendation in respect of compliance with the Code of Conduct.

Failure to Adhere to the Board Policies And Procedures

- 6.65 Trustees are required to observe the terms of all policies and procedures established by the Board that apply to members of the Board.
- 6.66 Trustees shall comply with the provisions of the Employee and Trustee Expenses Policy 75 and Trustee Honoraria Policy 72 and corresponding procedures, as amended from time to time.

Reprisals and Obstruction

- 6.67 Trustees should respect the integrity of this Code of Conduct and are obliged to cooperate with inquiries conducted in accordance with the Complaints Protocol and any other procedures set by the Board for addressing complaints of a breach of this Code of Conduct. Any reprisal or threat of reprisal against a complainant or anyone else for providing relevant information to the Integrity Commissioner is prohibited. It is a violation of this Code of Conduct to obstruct the Integrity Commissioner in the carrying out of her or his responsibilities, for example, by destroying documents or erasing electronic communications.
- 6.68 Trustees of the Board have a duty to respond to and comply with all requests of the Integrity Commissioner and failure to do so is a violation of this Code of Conduct.
- 6.69 Trustees shall be respectful of the role of the office of the Integrity Commissioner.

Acting On Advice of Integrity Commissioner

- 6.70 If there is uncertainty about whether an action or activity refers to conduct prohibited by the Code of Conduct, a Trustee may directly seek the advice of the Integrity Commissioner. This shall not constitute an inquiry or investigation by the Integrity Commissioner pursuant to the Complaint Protocol. Where a member of the Board has received written advice from the Integrity Commissioner on a particular matter, the advice is binding on the Board in any subsequent consideration of the conduct of the Trustee in the same matter as long as the Trustee disclosed all relevant facts to the Integrity Commissioner before the advice was provided.
- 6.71 The Integrity Commissioner will work with the Chair and Director when providing advice to Trustees.

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7.0 Chair/Presiding Officer

- 7.1 The Code of Conduct applies equally to the Chair of the Board. In the case of an allegation of a breach of the Code by the Chair, wherever a process requires action by the Chair, it shall be modified to read the Vice Chair of the Board.
- 7.2 Nothing in this Code prevents the Chair or Presiding Officer of any meeting of the Board or Committee of the Board from exercising their power pursuant to s. 207(3) of the Education Act to expel or exclude from any meeting any person who has demonstrated improper conduct at the meeting. For greater certainty, this may be done at the discretion of the Chair or Presiding Officer as the case may be, and without the necessity of a complaint or conducting an inquiry before an expulsion or exclusion from a meeting. The rationale for this provision is that a Chair or Presiding Officer must have the ability to control a meeting.
- 7.3 The Chair of the Board or Presiding Officer of any meeting of the Board or Committee of the Board shall exercise their powers in a fair and impartial manner having due regard for every Trustee's opinion or views.
- 7.4 The Chair of the Board or Presiding Officer shall follow the special rules of order of the Board and/or the adopted Rules of Order and meeting procedures contained in any Policy or By-Laws of the Board. A breach of a rule of order or meeting/parliamentary procedure should be dealt with at the meeting in question by a Trustee rising to a point of order or appealing a ruling of the Chair in accordance with any applicable rule of order. Once such a motion is dealt with by the Board of Trustees, all Trustees shall abide by that decision and no further action shall be undertaken pursuant to the Enforcement of the Code of Conduct, except for persistent improper use of the applicable rules of order by the Chair or Presiding Officer.

8.0 Sanctions

- 8.1 If the Integrity Commissioner determines and the Board agrees that the Trustee has breached the Board's Code of Conduct, the Board may impose one or more of the following sanctions:
- (a) Censure of the Trustee.
 - (b) Barring the Trustee from attending all or part of a meeting of the Board or a meeting of a committee of the Board.
 - (c) Barring the member from sitting on one or more committees of the Board, for the period of time specified by the Board.
- 8.2 The Board shall not impose a sanction which is more onerous than the above but may impose one that is less onerous such as a warning or a requirement that the Trustee successfully complete specified professional development courses at the expense of the Board. The Board has no power to declare the Trustee's seat vacant.

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- 8.3 A Trustee who is barred from attending all or part of a meeting of the Board or a meeting of a committee of the Board is not entitled to receive any materials that relate to that meeting or that part of the meeting and that are not available to members of the public.
- 8.4 The imposition of a sanction barring a Trustee from attending all or part of a meeting of the Board shall be deemed to be authorization for the Trustee to be absent from the meeting and therefore, not in violation of the Education Act regarding absences from meetings.

9.0 Specific Directives

- 9.1 The Board of Trustees has authority to issue operational procedures to implement this policy.

10.0 Evaluation

- 10.1 This Code of Conduct is to be reviewed and updated as required but at a minimum every four (4) years, on or before May 15 beginning in May, 2019.

11.0 Appendices

N/A

12.0 Reference Documents

Policies:

- Trustee Expenses Policy 75
- Trustee Honoraria Policy 72

By-laws

- Duties and Responsibilities of Members of the PDSB (Appendix C)
- Peel District School Board By-laws

Procedures:

- Workplace Violence EHS 4.1
- Workplace Harassment EHS 4.2

Legislation:

- Criminal Code of Canada
- Education Act
- Municipal Conflict of Interest Act
- Municipal Elections Act, 1996
- Municipal Freedom of Information and Protection of Privacy Act
- Occupational Health and Safety Act
- Ombudsman Act
- Ontario Human Rights Code

CODE OF CONDUCT FOR MEMBERS OF PEEL DISTRICT SCHOOL BOARD

Appendix 1 - Appointment, Selection and Jurisdiction of the Integrity Commissioner

1.0 Appointment of the Integrity Commissioner

- 1.1 The Board of Trustees shall appoint an Integrity Commissioner by 2/3 vote.
- 1.2 The term of the Integrity Commissioner shall be five (5) years. The term may be extended by the Board of Trustees by 2/3 vote.
- 1.3 The Integrity Commissioner may be removed or terminated for cause by 2/3 vote.
- 1.4 The Integrity Commissioner may resign from his or her position with 90 days written notice to the Board of Trustees.

2.0 Selection of the Integrity Commissioner

- 2.1 The Integrity Commissioner shall be selected using the Board's hiring practices, overseen by a selection committee appointed by the Board and chaired by the Chair or designate. The selection committee shall make a recommendation to the Board.

3.0 Role of the Integrity Commissioner

- 3.1 The Integrity Commissioner has the following responsibilities:
 - a. providing advice to Trustees about the application of the Code of Conduct, Board policies and procedures, Complaint Protocol;
 - b. providing general information to Trustees about their duties and obligations under the Municipal Conflict of Interest Act;
 - c. reviewing and making inquiries related to complaints made about Trustees in relation to the Code of Conduct and the Complaint Protocol, pursuant to the Complaint Protocol;
 - d. providing educational programs to Trustees on issues of ethics and integrity;
 - e. maintaining custody and control of their complaint and inquiry files and, on completion of their term, transfer any open files related to ongoing matters to the incoming Integrity Commissioner; and
 - f. providing such other duties respecting ethical and conduct matters as assigned by the Board.
- 3.2 The Integrity Commissioner does not have jurisdiction over complaints about Board staff.
- 3.3 The Integrity Commissioner shall carry out his/her duties independently.
- 3.4 The Integrity Commissioner is accountable to and reports to the Board of Trustees.
- 3.5 The Integrity Commissioner does not have jurisdiction to investigate or make inquiries in respect of complaints that are related to the Criminal Code, the Municipal Conflict of Interest Act, the Municipal Elections Act, or the Municipal Freedom of Information and Protection of Privacy Act.

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- 3.6 The Director of Education, for the sole purpose of an inquiry or investigation undertaken by the Integrity Commissioner pursuant to the Complaint Protocol, provides information to the Integrity Commissioner, and facilitates access to all documents including, but not limited to books, accounts, financial records, electronic records and communications, files, papers, things or property belonging to or used by the Board of Trustees that the Commissioner believes are necessary for an investigation of a complaint made in accordance with the Complaint Protocol.

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Appendix 2 - Complaints Protocol - Integrity Commissioner

1.0 Rationale

The Board has established a Board Member Code of Conduct ("Code of Conduct") to govern the conduct of Trustees and to provide transparency, accountability, and public confidence in its governance. This Protocol supports the implementation of the Board Member Code of Conduct, particularly as related to the complaints process, including the reporting, investigation and resolution of complaints.

2.0 Objective

To outline the processes for making, investigating, resolving and reporting on the outcomes of complaints made under the Code of Conduct.

3.0 Definitions

Board means the Peel District School Board, which is also referred to as the PDSB.

Discrimination means discriminatory behaviour as defined by the PDSB Workplace Violence and Harassment Prevention policies and the Ontario Human Rights Code.

Harassment means harassing behaviour as defined by the PDSB workplace Violence and Harassment Prevention policies and the Ontario Human Rights Code.

Inquiry includes an investigation.

Integrity Commissioner means the Integrity Commissioner appointed by the Board of Trustees in accordance with the Peel District School Board By-laws.

Members of the Board (also referred to as trustees) means the Chair and all members of the Board of Trustees.

Official Business means duties and responsibilities of Trustees as prescribed by the Education Act and further explained in the By-laws and Appendix C – Duties and Responsibilities of Members of the Peel DSB, and directly related to operations of the Peel District School Board.

Staff members means any employees of the Peel District School Board.

Trustees Office means the authority and public duties attached to the position of being elected as a PDSB Trustee.

Supply Chain Activities means all activities whether directly or indirectly related to organizational planning, sourcing, procurement, moving, and payment processes.

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4.0 Responsibility

The Board of Trustees, the PDSB's Integrity Commissioner, and the Director of Education.

5.0 Application and Scope

This procedure applies to all members of the Board.

6.0 Complaint Protocol

This Complaint Protocol describes informal and formal ways for members of the public, staff members and members of the Board of Trustees to address complaints concerning the Code of Conduct and members of the Board. The Complaint Protocol provides a number of ways to resolve complaints in addition to the process described in section 218.3(2) of the Education Act which permits a member to bring an alleged breach directly to the attention of the Board of Trustees.

The Integrity Commissioner may provide advice to members of the Board, information to staff members, and members of the public as well as options for resolving complaints as described in this Complaint Protocol. All of these processes are intended to ensure that there is an opportunity to resolve complaints as fairly, expeditiously and meaningfully as possible.

6.1 Informal Complaint Process

Individuals (including staff members of the Board, members of the public, or members of the Board) are encouraged to use informal means first to address conduct prohibited by the Code of Conduct. With the consent of the complaining individual and the Trustee, the Integrity Commissioner may be a part of any informal process.

Individuals (including staff members of the Board, members of the public, or Trustees) who have identified or witnessed conduct by a Trustee that they believe is in contravention of the Code of Conduct may address the prohibited conduct as follows:

- (a) advise the Trustee that the conduct contravenes the Code of Conduct with an explanation as to why;
- (b) encourage the Trustee to stop the prohibited conduct;
- (c) keep a written record of the incidents including dates, times, locations, other persons present, and any other relevant information; tell someone else (for example the Integrity Commissioner, a senior staff member or an officer of the organization) about the concerns related to the Trustee and any response of the Trustee;
- (d) if applicable, confirm to the Trustee the satisfaction with the response of the Trustee; or, if applicable, advise the Trustee of the dissatisfaction with the response;
- (e) if the parties agree, the Integrity Commissioner can participate in resolving or attempting to resolve the issues relating to the complaint; and
- (f) consider the need to pursue a formal complaint as described in section 6.2. An informal complaint must be made within six (6) months of the alleged violation or no action will be taken on the complaint.

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The informal complaint process is encouraged; however, it is not required prior to beginning the formal complaint process.

Anonymous complaints will not be considered by the Integrity Commissioner but the Integrity Commissioner has the discretion to make an informal complaint anonymous where it compromises the functioning of the Board.

If an informal complaint is brought to the attention of the Integrity Commissioner during the pre-election period described in subsection 6.2(e), the Integrity Commissioner shall not participate in the informal process until after a new Board is deemed organized under section 6 of the Municipal Elections Act.

6.2 Formal Complaint and Request for Inquiry Process

Requests for Inquiries

- (a) A request for an inquiry into a complaint that a Trustee has contravened the Code of Conduct (the "complaint") may be made to the Integrity Commissioner and if so, shall be made in writing on the prescribed form (sworn affidavit).
- (b) All written complaints shall be signed by an identifiable individual.
- (c) The office of the Integrity Commissioner shall know the identity of the complainant, but where the safety of the complainant is an issue, or the identity of the complainant can impact the functioning of the board and/or professional working relationship, the Integrity Commissioner can maintain the anonymity of the complainant.
- (d) A written complaint shall set out reasonable and probable grounds for the allegation that the Trustee has contravened the Code of Conduct. The complaint should include the name of the alleged violator, the provision allegedly contravened, the facts constituting the alleged contravention, the names and contact information of witnesses, and contact information for the complainant during regular business hours.
- (e) Where a complaint is brought forward by way of a Board decision under s. 218.3(a) of the Education Act, 6.2 (a) will not apply.
- (f) In a municipal election year, a Code of Conduct complaint respecting a Trustee who is seeking re-election will not be received by the Integrity Commissioner and any open complaint investigation shall be suspended during the period starting on Civic Monday and ending when a new Board is deemed organized under section 6 of the Municipal Elections Act.
- (g) A formal complaint must be made within six (6) months of the alleged violation or no action will be taken on the complaint.

6.3 Classification of Complaints by the Integrity Commissioner

- (a) The original written complaint shall be filed with the Integrity Commissioner for initial classification to determine if the matter is a complaint with respect to noncompliance with the Code of Conduct and not covered by other legislation or other policies.

**CODE OF CONDUCT
FOR MEMBERS OF PEEL DISTRICT SCHOOL BOARD**

- (b) If the complaint is not a complaint with respect to non-compliance with the Code of Conduct or the complaint is covered by other legislation or a complaint procedure under another Board policy, the Integrity Commissioner shall advise the complainant in writing as follows:
- i. if the complaint is an allegation of a criminal nature consistent with the Criminal Code of Canada, the complainant shall be advised that if the complainant wishes to pursue any such allegation, the complainant must pursue it with the appropriate police force;
 - ii. if the complaint is with respect to non-compliance with the Municipal Conflict of Interest Act, the complainant shall be advised to review the matter with the complainant's own legal counsel;
 - iii. if the complaint is with respect to non-compliance with the Municipal Freedom of Information and Protection of Privacy Act, the complainant shall be referred to the appropriate Board department;
 - iv. if the complaint is with respect to non-compliance with a specific Board policy with a separate complaint procedure, the complainant shall be advised to pursue the complaint under that procedure; and
 - v. in other cases, the complainant shall be advised that the matter, or part of the matter, is not within the jurisdiction of the Integrity Commissioner to consider, with any additional reasons and referrals as the Integrity Commissioner considers appropriate.
- (c) If the Integrity Commissioner is of the opinion that the formal complaint and request for an inquiry is frivolous, vexatious, or not made in good faith, or that there are no grounds or insufficient grounds for an investigation, the Integrity Commissioner shall not initiate an investigation, or, where that becomes apparent in the course of an investigation the Integrity Commissioner shall terminate the investigation. The complainant and Trustee, as appropriate, shall be advised of the decision with a rationale. Where the complainant breaches the integrity of an investigation by sharing the details on social media, or in the public arena, the Integrity Commissioner may terminate the investigation. No report shall be presented to the Board of Trustees except as provided for in section 6.4(a).

6.4 Reports from the Integrity Commissioner: No Jurisdiction or Inquiry

- (a) The Integrity Commissioner may report to the Board of Trustees that a specific complaint is not within the jurisdiction of the Integrity Commissioner.
- (b) The Integrity Commissioner shall report annually to the Board of Trustees on complaints not within the jurisdiction of the Integrity Commissioner, but shall not disclose information that could identify a person concerned.
- (c) Other than in exceptional circumstances, the Integrity Commissioner will not report to the Board of Trustees on any complaint described in subsection 6.3 except as part of an annual or other periodic report.

CODE OF CONDUCT FOR MEMBERS OF PEEL DISTRICT SCHOOL BOARD

6.5 Formal Complaint Inquiries by the Integrity Commissioner

- (a) If a complaint has been classified as being within the Integrity Commissioner's jurisdiction, the Commissioner shall proceed with an investigation as follows;
 - (i) Serve the complaint and supporting material upon the Trustee whose conduct is in question with a request that a written response to the allegations be provided within ten days; and
 - (ii) Provide a copy of the response upon the complainant with a request for a written reply within ten days.
- (b) If necessary, after reviewing the written materials, the Integrity Commissioner may speak to anyone relevant to the complaint, access and examine any of the information, documents or electronic materials and may enter any Board work location relevant to the complaint for the purposes of investigation and/or settlement.
- (c) The inquiry will be conducted in private.
- (d) The Statutory Powers Procedure Act does not apply.

6.6 Reports to the Board of Trustees

- (a) The Integrity Commissioner shall report to the complainant and the Trustee generally no later than 90 days after the receipt of the Complaint Form/Affidavit of the complaint. If the investigation process takes more than 90 days, the Integrity Commissioner shall provide an interim report to the Board and will advise the parties of the anticipated date that the report will be available.
- (b) The Integrity Commissioner shall not issue a final report to the Board in which there is a finding of a violation of the Code of Conduct on the part of any member of the Board unless the member has had reasonable notice of the basis for the proposed finding and any recommended sanction and an opportunity either in person or in writing to comment on the proposed finding and any recommended sanction, that the Integrity Commissioner may take into consideration in the final report submitted to the Board.
- (c) The Integrity Commissioner may make interim reports to the Board of Trustees where necessary and as required to address any instances of interference, obstruction or retaliation encountered during the investigation.
- (d) Where the complaint is sustained in whole or in part, the Integrity Commissioner shall also report to the Board of Trustees outlining the findings, the terms of any settlement, or recommended corrective action or sanction.
- (e) Report of a formal complaint investigation by the Integrity Commissioner will be considered by the Board of Trustees in a public meeting, subject to the following exceptions:

CODE OF CONDUCT FOR MEMBERS OF PEEL DISTRICT SCHOOL BOARD

In accordance with section 207(2) of the Education Act , a report of a formal complaint investigation may be considered in a meeting closed to the public 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 or any potential litigation affecting the Board.
- (f) Where the complaint is dismissed, the Integrity Commissioner shall not report to the Board of Trustees other than in an annual or periodic report or in exceptional circumstances.
- (g) Any recommended corrective action must be permitted in law, by-law or policy and shall be designed to ensure that the inappropriate conduct does not continue.
- (h) Where the Integrity Commissioner determines that a contravention of the Code of Conduct occurred although the Trustee took all reasonable measures to prevent it, or that a contravention occurred that was trivial or committed through inadvertence or an error of judgment made in good faith, the Integrity Commissioner shall so state in the report and may recommend that no penalty be imposed.
- (i) The Integrity Commissioner shall give a copy of the report to the complainant and the Trustee whose conduct is concerned.
 - (ii) The Integrity Commissioner shall bring the report before the next available meeting of the Board of Trustees.

6.7 Duty of the Board of Trustees

- (a) The Board of Trustees shall consider and make a decision in response to the Integrity Commissioner's report in a timely manner, after the report is considered at a Public Board Meeting.
- (b) In responding to a report from the Integrity Commissioner, the Board of Trustees may accept, reject or amend the Integrity Commissioner's recommendation to impose a sanction or it may refer the recommendation back to the Integrity Commissioner.
- (c) Where the recommendations are not modified from the original Integrity Commissioner recommendation than the Integrity Commissioner recommendation is binding.

6.8 Payment of Costs

- (a) Subject to subsection 6.8(e), a member of the Board who is a respondent to a complaint under this procedure shall be reimbursed for actual and reasonable legal and related expenses up to a maximum of \$5,000.

CODE OF CONDUCT FOR MEMBERS OF PEEL DISTRICT SCHOOL BOARD

- (b) In the case of an application under the Judicial Review Procedure Act for judicial review of actions taken on a complaint against a member of the Board by the Integrity Commissioner,
 - i. where a member of the Board made the judicial review application, the member is eligible for reimbursement of legal costs, including additional legal costs in a successful application, that are not covered by the costs awarded by the court, up to a maximum of \$20,000.
 - ii. a member of the Board may apply for reimbursement of the legal costs of intervention in a judicial review application where the member's interests are at stake, up to a maximum of \$20,000.
- (c) The Board may consider the reimbursement of costs above the limit in subsections 6.8(b)i. and 6.8(b)ii. on a case by case basis.
- (d) The Board may consider an advance payment to a Trustee for legal expenses prior to completion of an investigation for a maximum amount of \$5,000. While the Trustee must return to the Board all unused funds upon completion of an investigation, the Trustee will not be required to reimburse the spent funds if, upon completion of the investigation, either subsection 6.8(e)i or 6.8(e)ii below applies. Otherwise, all advanced funds must be returned to the Board immediately upon conclusion of the investigation.
- (e) Costs shall only be reimbursed under this section to the member of the Board:
 - i. if the Integrity Commissioner concludes that there has been no contravention of the Code of Conduct by the member or that the member is not blameworthy, and the Integrity Commissioner's conclusion is not overturned on judicial review; or
 - ii. where the Board of Trustees receives the Integrity Commissioner's report on a violation and determines that it should not take any action.
- (f) Any award of costs under subsection 6.8(e) shall be contingent on a report to the Board of Trustees from the General Counsel.

6.9 Confidentiality and Formal Complaints

A formal complaint will be processed as follows:

- (a) The Integrity Commissioner and every person acting under her or his instructions shall preserve confidentiality with respect to all matters that come to his or her knowledge in the course of any investigation except as required by law in a criminal proceeding or in accordance with the provisions of the Code of Conduct and this related procedure concerning reporting to the Board of Trustees.
- (b) All reports from the Integrity Commissioner to the Board of Trustees will be made available to the public. The report may be redacted appropriately to reflect the requirements of section 207(2).

CODE OF CONDUCT FOR MEMBERS OF PEEL DISTRICT SCHOOL BOARD

- (c) Any references by the Integrity Commissioner in an annual or other periodic report to a complaint or an investigation shall not disclose confidential information that could identify the trustee concerned, except where the trustee's name has been disclosed in the public sphere, or the Integrity Commissioner deems it necessary to identify the person concerned.
- (d) The Integrity Commissioner in a report to the Board of Trustees on whether a member of the Board has violated the Code of Conduct shall only disclose such matters as in the Integrity Commissioner's opinion are necessary for the purposes of the report and may include disclosing the identity of the trustee concerned.

7.0 Evaluation

This procedure is to be reviewed and updated as required but at a minimum every four (4) years.

8.0 Appendices / Reference Documents

Appendix A: Complaint Form (Form 708A)

Appendix B: Declaration of Conflict of Interest

Legislative Acts and Regulations:

- Judicial Review Procedure Act
- Municipal Elections Act
- Ontario Human Rights Code

**CODE OF CONDUCT
FOR MEMBERS OF PEEL DISTRICT SCHOOL BOARD**

Appendix 3 - Acknowledgement and Undertaking

I confirm that I have read, understand and agree to abide by the Board's Code of Conduct and that I understand the Complaints Protocol for complaints made to the Integrity Commissioner.

DATE: _____

SIGNATURE: _____

Please Print Name: _____

**CODE OF CONDUCT
FOR MEMBERS OF PEEL DISTRICT SCHOOL BOARD**



Appendix A

**Peel District School Board
Code of Conduct – Formal Complaint Form**

Nature of Complaint:

I, _____ (full name),
of the (City, Town, of residence etc.) _____
in the Province of Ontario.

STATE THE FOLLOWING:

1. I have personal knowledge of the facts as outlined in this affidavit, because:

(insert reasons e.g., I work for.....I attended a meeting at which...etc.)

2. I have reasonable and probable grounds to believe that: _____
(specify name of Trustee) a member of the Peel District School Board, has
contravened Section(s) _____
(specify section(s) of the Trustee Code of Conduct)

The particulars of which are as follows on attached Schedule "A":

(Set out the statements of fact in consecutively numbered paragraphs on the attached Schedule "A", with each paragraph being confined, as far as possible, to a particular statement of fact. If you wish to include exhibits to support this complaint, please refer to the exhibits as Exhibit A, B, etc. and attach them to this form.)

*Where a complainant chooses to litigate this matter in the court of public opinion and/or social media platforms, the Office of the Integrity Commissioner reserves the right to dismiss the complaint.

DATED THIS _____ DAY OF _____, 20 __, at the City/Town of _____
_____ in the Province of Ontario.

(signature of person making the complaint)

**CODE OF CONDUCT
FOR MEMBERS OF PEEL DISTRICT SCHOOL BOARD**

Appendix B

**Peel District School Board
Declaration of Conflict of Interest**

I, _____ do solemnly declare that:

1. I am not disqualified under any Act from being a member of Peel District School Board.
2. I will truly, faithfully, impartially and to the best of my ability execute the Office of Board Member, and that I have not received and will not receive any payment or reward or promise thereof for the exercise of any partiality or malversation or other undue execution of the said office, and that I will disclose any pecuniary interest, direct or indirect, as required by and in accordance with the Municipal Conflict of Interest Act.

Declared before me at Mississauga, in the Regional Municipality of Peel,
this _____ day of December 20__.

Secretary to the Board

Trustee

Witness

Revised: June 2010
Revised: June 2012
Revised: May 2019

PEEL DISTRICT SCHOOL BOARD
DUTIES AND RESPONSIBILITIES
OF MEMBERS OF PEEL DISTRICT SCHOOL BOARD

1. The Board may delegate authority to an individual trustee, employee or committee, however, ultimate control and responsibility remains with the Board as a whole.
2. Members of the Board are the trustees of the assets which belong to the Board.
3. Members of the Board are obligated to consider and protect the future of the Board. It is the duty of trustees to always consider the long term effects of each decision.
4. Trustees must avoid any conflict of interest, within the spirit and letter of the law.
5. In Committee confidentiality must be maintained.
6. Each trustee is accountable, through applicable legislation and adopted policies to:
 - their constituents
 - the Peel District School Board
 - the Province of Ontario
7. Collectively, the members of the Board are responsible for ensuring compliance with the Education Act, Municipal Freedom of Information and Protection of Privacy Act, and any other relevant legislation.

Trustees are encouraged:

- a) to attend and participate in all Regular Board meetings and, as appointed, all standing or statutory committee meetings.
- b) to attend other Board committees or task force assignments for which the trustee has been appointed by the Board.
- c) to represent the Board on community-based committees/functions for which the trustee has been appointed by the Board.
- d) to be knowledgeable about the Peel District School Board and Provincial/Federal legislation in order that specific responsibilities can be carried out appropriately.

Reviewed: September 2007

Reviewed: June 2010

PEEL DISTRICT SCHOOL BOARD
CLARIFICATION RE ABSTENTIONS

The following report was received at the Regular Meeting of the Board held May 10, 1994 and, in accordance with a request made at that time, is appended to the By-laws for information:

"Response to Trustee McDougald's Question re Abstention Votes

In response to Trustee McDougald's request regarding the status of abstention votes in motions voted on by the Board, By-law D-49 is quoted below:

'On a recorded vote, or on request, abstentions will be recorded; nevertheless a simple majority or a two-thirds' majority of the members present, where required by the By-law, is necessary to carry a vote. (See Appendix D.)'

For example, when 12* Board members are present, there must be 7 "yea" votes to carry the motion with a simple majority, or 8 "yea" votes where a two-thirds' majority is required, regardless of the number of "nay" votes and/or abstentions."

*NOTE: Since May 1994, this by-law has been updated to reflect the revised size of the Board.

Reviewed: September 2007
Reviewed: June 2010

PEEL DISTRICT SCHOOL BOARD**TERMS OF REFERENCE****PHYSICAL PLANNING AND BUILDING COMMITTEE**

1. To review and make recommendations to the Board for short and long term accommodation and to develop strategies for meeting these objectives (i.e. Annual Planning Document - APD).
2. To review and make recommendations to the Board for new schools and additions (i.e. APD).
3. To review and make recommendations to the Board to change school boundaries and school organizations.
4. To review and make recommendations to the Board for major maintenance, repair, retrofit and replacement projects (i.e. APD).
5. To review and make recommendations to the Board for an Annual Accessibility Plan including measures to identify, remove and prevent barriers for people with disabilities (i.e. Ontarians with Disabilities Act and Board Policy #59).
6. To review and make recommendations to the Board pertaining to studies or investigations on matters regarding the planning of school facilities (i.e. various demographic studies demonstrating need for accommodation).
7. To receive Accommodation Review Committee reports and recommendations and forward reports to the Board for review and approval (i.e. Board Policy #45).
8. To review and make recommendations to the Board to purchase, sell or lease sites or facilities (i.e. Agreements of Purchase and Sale).
9. To review and make recommendations to the Board for the naming of school facilities (i.e. according to Policy #27 - Naming of Schools).
10. To review and make recommendations to the Board to enter into agreements with other organizations and agencies to use school facilities (i.e. Joint Use Agreements with Municipalities).
11. To review and make recommendations to the Board pertaining to transportation policies and procedures (i.e. Board Policy #39 – Transportation).
12. To review and recommend to the Board Environmental and Energy Efficiency initiatives (i.e. Board Policy #74 Environmental Policy).

PHYSICAL PLANNING AND BUILDING COMMITTEE

Terms of Reference

13. To monitor and report to the Board the performance of major Construction Contracts (i.e. Combined Project Status Report – New Schools, Additions and Renovations).
14. To receive development applications that may generate students in the Region of Peel (Cities of Brampton, Mississauga and Town of Caledon).
15. To receive Monthly Tender Activity Reports for goods and services requested by the Board.
16. To receive Monthly Vandalism Reports by school location including description, estimated loss or cost to repair/replace.

- NOTE:**
- i) Items may be placed on the PP&B agenda for purposes of initial examination and discussion before reports are finalized.
 - ii) Major Construction Contract Awards (New Schools and Additions) may be conveyed directly to the Board for approval to comply with tender acceptance periods.

PEEL DISTRICT SCHOOL BOARD**TERMS OF REFERENCE****INSTRUCTIONAL PROGRAMS/CURRICULUM COMMITTEE**

1. To receive and study all product and process reports on educational programs.
2. To assess and evaluate existing programs.
3. To consider recommendations for deletions, revisions or extensions of existing programs.
4. To consider recommendations for new programs.
5. To consider staffing to meet program needs.
6. To study trends in education.
7.
 - a) To consider professional development with respect to academic programs.
 - b) To consider staff development programs with respect to Board employees.
8. To provide representatives for various committees and councils studying programs.
9. To review and make recommendations related to Board policies that have a direct bearing on the educational programs.
10. To encourage broader public awareness of the curriculum and programs provided and available in the Peel District School Board schools, and periodically plan educational forums for a variety of audiences.
11. To prepare comprehensive objectives which may be applied to planned program budgeting and evaluation systems.
12. To encourage the development of school programs that provide opportunities for curricular and co-curricular choice for students.
13. To consider and receive reports related to experiential learning centres.

INSTRUCTIONAL PROGRAMS/CURRICULUM COMMITTEE**Terms of Reference**

14. To monitor program issues relating to the Human Rights Policy.
15. To make recommendations and/or reports to the full Board of Trustees, as appropriate.

NOTE: Items may be placed on the agenda for purposes of initial examination and discussion before reports are finalized.

Revised: February 2010
Reviewed: June 2013

PEEL DISTRICT SCHOOL BOARD

TERMS OF REFERENCE (In accordance with Ontario Regulation 361/10)

AUDIT COMMITTEE

Mandate: Assist the Board Members to fulfill their oversight responsibilities as they relate to the financial reporting process and the internal structure, and

Maintain by way of regularly scheduled meetings, direct lines of communication between the Board Members, financial management, and the external and internal auditors.

1. The Committee shall consist of five Members, including three Board members and two persons who are not Board members, all of whom are independent of management. An individual, who is not a Board member, shall have accounting, financial management or other relevant business experience.
2. The external members will be appointed for a three year period but continuity of membership should be maintained while at the same time allowing fresh perspectives to be added. An individual who is not a Board member shall not serve on the Committee for more than 2 terms unless, after 30 days of advertising, the selection Committee did not identify a potential candidate.
3. The Committee will meet at least three times each fiscal year but special meetings may be authorized at the request of any member of the Committee or at the request of the external auditors, internal auditor, Director of Education and/or Chief Financial Officer. The Board's external auditors can attend all meetings. Senior administration, internal and external auditors would normally attend all meetings of the Committee. A majority of the members of the Audit Committee that includes at least one member who is not a board member constitutes a quorum for meeting of the committee.
4. The Trustees will be kept informed of the Committee's activities by a report following each Committee meeting.
5. At the first meeting of the Audit Committee in each fiscal year, members of the Committee shall elect the chair of the Committee from among the members appointed to the Committee.

AUDIT COMMITTEE

Terms of Reference

6. Duties of the Audit Committee:

6.1 The Audit Committee has the following duties related to the Board's financial reporting process:

1. Review with the Director of Education, a senior business official and the external auditor the Board's financial statements, with regard to the following:
 - i. Relevant accounting and reporting practices and issues.
 - ii. Complex or unusual financial and commercial transactions of the Board.
 - iii. Material judgments and accounting estimates of the Board.
 - iv. Any departures from the accounting principles published from time to time by the Canadian Institute of Chartered Accountants that are applicable to the Board.
2. Review with the Director of Education, a senior business official and the external auditor, before the results of an annual external audit are submitted to the Board:
 - i. The results of the annual external audit.
 - ii. Any difficulties encountered in the course of the external auditor's work, including any restrictions or limitations on the scope of the external auditor's work or on the external auditor's access to required information.
 - iii. Any significant changes the external auditor made to the audit plan in response to issues that were identified during the audit.
 - iv. Any significant disagreements between the external auditor and the Director of Education or a senior business official and how those disagreements were resolved.
3. Review the Board's annual financial statements and consider whether they are complete, are consistent with any information known to the Audit Committee members and reflect accounting principles applicable to the Board.
4. Recommend, if the Audit Committee considers it appropriate to do so, that the Board approve the annual audited financial statements.
5. Review with the Director of Education, a senior business official and the external auditor all matters that the external auditor is required to communicate to the Audit Committee under generally accepted auditing standards.
6. Review with the external auditor material written communications between the external auditor and the Director of Education or a senior business official.
7. Ask the external auditor about whether the financial statements of the Board's reporting entities, if any, have been consolidated with the Board's financial statements.
8. Ask the external auditor about any other relevant issues (O. Reg. 361/10, s. 9 (1)).

AUDIT COMMITTEE**Terms of Reference**

6. Duties of the Audit Committee (Continued):

6.2 The Audit Committee has the following duties related to the Board's internal controls:

1. Review the overall effectiveness of the Board's internal controls.
2. Review the scope of the internal and external auditor's reviews of the Board's internal controls, any significant findings and recommendations by the internal and external auditors and the responses of the Board's staff to those findings and recommendations.
3. Discuss with the Board's officials the Board's significant financial risks and the measures the officials have taken to monitor and manage these risks (O. Reg. 361/10, s. 9 (2)).

6.3 The Audit Committee of a Board has the following duties related to the Board's internal auditor:

1. Review the internal auditor's mandate, activities, staffing and organizational structure with the Director of Education, a senior business official and the internal auditor.
2. Make recommendations to the Board on the content of annual or multi-year internal audit plans and on all proposed major changes to plans.
3. Ensure there are no unjustified restrictions or limitations on the scope of the annual internal audit.
4. Review at least once in each fiscal year the performance of the internal auditor and provide the Board with comments regarding his or her performance.
5. Review the effectiveness of the internal auditor, including the internal auditor's compliance with the document *International Standards for the Professional Practice of Internal Auditing*, as amended from time to time, published by The Institute of Internal Auditors and available on its website.
6. Meet on a regular basis with the internal auditor to discuss any matters that the Audit Committee or internal auditor believes should be discussed.
7. Review with the Director of Education, a senior business official and the internal auditor:
 - i. Significant findings and recommendations by the internal auditor during the fiscal year and the responses of the Board's staff to those findings and recommendations.
 - ii. Any difficulties encountered in the course of the internal auditor's work, including any restrictions or limitations on the scope of the internal auditor's work or on the internal auditor's access to required information.
 - iii. Any significant changes the internal auditor made to the audit plan in response to issues that were identified during the audit (O. Reg. 361/10, s. 9 (3)).

AUDIT COMMITTEE

Terms of Reference

6. Duties of the Audit Committee (Continued):

6.4 The Audit Committee has the following duties related to the Board's external auditor:

1. Review at least once in each fiscal year the performance of the external auditor and make recommendations to the Board on the appointment, replacement or dismissal of the external auditor and on the fee and fee adjustment for the external auditor.
2. Review the external auditor's audit plan, including:
 - i. The external auditor's engagement letter.
 - ii. How work will be co-ordinated with the internal auditor to ensure complete coverage, the reduction of redundant efforts and the effective use of auditing resources.
 - iii. The use of independent public accountants other than the external auditor of the Board.
3. To review and confirm the independence of the external auditor.
4. Meet on a regular basis with the external auditor to discuss any matters that the Audit Committee or the external auditor believes should be discussed.
5. Resolve any disagreements between the Director of Education, a senior business official and the external auditor about financial reporting.

6.5 The Audit Committee has the following duties related to the Board's compliance matters:

1. Review the effectiveness of the Board's system for monitoring compliance with legislative requirements and with the Board's policies and procedures, and where there have been instances of non-compliance, to review any investigation or action taken by the Board's Director of Education, supervisory officers or other persons employed in management positions to address the non-compliance.
2. Review any significant findings of regulatory entities, and any observations of the internal or external auditor related to those findings.
3. Review the Board's process for communicating any codes of conduct that apply to Board members or staff of the Board to those individuals and the Board's process for administering those codes of conduct.
4. Obtain confirmation by the Board's Director of Education and supervisory officers that all statutory requirements have been met (O. Reg. 361/10, s. 9 (5)).

6.6 The Audit Committee has the following duties related to the Board's risk management:

1. Ask the Board's Director of Education, a senior business official, the internal auditor and the external auditor about significant risks, to review the Board's policies for risk assessment and risk management and to assess the steps the Director of Education and a senior business official have taken to manage such risks, including the adequacy of insurance for those risks.
2. Initiate and oversee investigations into auditing matters, internal financial controls and allegations of inappropriate or illegal financial dealing (O. Reg. 361/10, s. 9 (6)).

AUDIT COMMITTEE**Terms of Reference**

6. Duties of the Audit Committee (Continued):

6.7 An Audit Committee of a Board shall report to the Board annually, and at any other time that the Board may require, on the Committee's performance of its duties (O. Reg. 361/10, s. 9 (7)).

7. Code of Conduct and Conflict of Interest

The Board's code of conduct and conflict of interest policy will apply to all members of the Audit Committee in relation to their functions, powers and duties as members of the Committee.

8. Declaration of Conflicts

1. Every member of an Audit Committee shall, when he or she is appointed to the Committee for the first time and at the first meeting of the Committee in each fiscal year submit a written declaration to the chair of the Committee declaring whether he or she has a conflict of interest.
2. A member of an Audit Committee who becomes aware after his or her appointment that he or she has a conflict of interest, shall immediately disclose the conflict in writing to the chair.
3. If no quorum exists for the purpose of voting on a matter only because a member is not permitted to be present at the meeting by reason of a conflict of interest, the remaining members shall be deemed to constitute a quorum for the purposes of the vote.

Revised: November 2013

Revised: September 2016

PEEL DISTRICT SCHOOL BOARD
TERMS OF REFERENCE
SPECIAL EDUCATION ADVISORY COMMITTEE

The Special Education Advisory Committee has the following composition:

- a) three Board Members;
- b) a maximum of twelve additional representatives from local associations, on the basis of one representative per association, as nominated by the local association and appointed by the Board.
- c) one alternate for each representative appointed, as nominated by the local association and appointed by the Board.

Under the Education Act, the Board may appoint one or more additional members who are neither representatives of a local association nor members of the Board or a committee of the Board. A person is not qualified to be nominated or appointed to a Special Education Advisory Committee unless the person is qualified to vote for members of that Board and is resident in its area of jurisdiction. A person is not qualified if the person is employed by the Board. Each person appointed shall hold office during the term of office of the members of the Board and until a new Board is organized.

Regulation 464/97 defines "local association" as an association or organization of parents that operates locally within the area of jurisdiction of a board and that is affiliated with an association or organization that is not an association or organization of the professional educators but that is incorporated and operates throughout Ontario to further the interests and well-being of one or more groups of exceptional children or adults.

Working in accordance with the provisions of Regulation 464/97, and the Ministry of Education's Special Education Handbook, the Special Education Advisory Committee of a Board may make recommendations to the Board in respect of any matter affecting the establishment, development and delivery of special education programs and services for exceptional pupils of the Board.

The Committee shall meet at least ten times in each school year.

Reviewed: February 2010
Reviewed: June 2013

PEEL DISTRICT SCHOOL BOARD
TERMS OF REFERENCE
COMMITTEE OF THE WHOLE BOARD

1. Committee of the Whole Board meetings provide a less structured way for the Board to consider matters of general interest, for which detailed discussion in a committee format would be beneficial.
2. Committee of the Whole Board meetings will usually be held in Open Session, but may be held in In Committee Session, depending on the nature of the discussions.
3. The Chair of the Committee of the Whole Board - Open Session, shall be the Board Chair, or designate. The Chair of the Committee of the Whole Board - In Committee, shall be the Board Vice-Chair, or designate.
4. Committee of the Whole Board meetings may be called by the Chair, or by the Vice-Chair in the Chair's absence. Or the Board may, at any time upon majority vote, resolve itself into a Committee of the Whole Board.
5. For Committee of the Whole Board meetings, committee rules of order will apply, as detailed in By-law E-13. (Members may speak longer than five minutes on the same question at the Chair's discretion, no seconder is required, etc.)
6. Recommendations of the Committee of the Whole Board must go to the Board for approval.

Note: As per By-law F-2, the Director of Education or designate shall be present during the meeting.

Reviewed: May 2013
Revised: April 2018

PEEL DISTRICT SCHOOL BOARD
TERMS OF REFERENCE
DISCIPLINE COMMITTEE OF THE BOARD

1. The Discipline Committee of the Board was established to comply with the timelines set out in the Education Act, Part XIII, *Behaviour, Discipline and Safety*, in dealing with student discipline matters (expulsions, appeal of suspensions).
2. The Discipline Committee meets in In Committee Session, generally every other Monday of each month, as required.
3. The Discipline Committee is comprised of five Board Members, and will elect its Chair. The quorum of the Discipline Committee is three members.
4. The decision of the Discipline Committee of the Board with respect to suspension appeals is final. An appeal with respect to an expulsion is subject to a review by the Child and Family Services Board.

PEEL DISTRICT SCHOOL BOARD**TERMS OF REFERENCE****HUMAN RESOURCES AND NEGOTIATIONS ADVISORY COMMITTEE**

1. The Committee shall be responsible for advising on matters dealing with Collective Bargaining, Labour Relations, Human Rights and other personnel issues including providing advice to the Board's various negotiations committees.
2. The authority to recommend the settlement of a collective agreement is vested with the negotiations committees. The power to ratify a collective agreement is vested exclusively in the Peel District School Board.
3. The negotiations committees are required to negotiate in a manner consistent with the terms and conditions of the Ontario Labour Relations Act and the School Board and Collective Bargaining Act, 2014. It is expected, however, that any issues reaching the negotiations table that are either:
 - (a) unusual, or
 - (b) unprecedented

will not be dealt with until the Human Resources and Negotiations Advisory Committee has an opportunity to discuss these issues. The Chair and Vice-Chair of the Board and the Chair of the Committee or trustee designate, if required, will be the trustee members of all negotiations committees and will attend negotiations meetings, as necessary.

NOTE: Items may be placed on the agenda for purposes of initial examination and discussion before reports are finalized.

Revised: October 2018

Revised: April 2019

PEEL DISTRICT SCHOOL BOARD

CONFLICT OF INTEREST

Duty of Members

1. Under the Municipal Conflict of Interest Act, a Board Member must declare a conflict of interest if he or she has a "pecuniary" (financial) interest.

Student trustees are not covered by the Municipal Conflict of Interest Act but, under the Education Act, paragraph 8(1)3.5, student trustees must declare a conflict of interest if they or their parent / spouse / child have a direct or indirect financial interest in a matter being discussed at the meeting, of such nature that it could reasonably be regarded as likely to exert influence over the student trustees.

2. It is the responsibility of the individual trustee to decide if he or she has a conflict of interest.
3. When a trustee declares a conflict of interest in an open meeting (e.g., Open Session), he or she must refrain from voting or discussion, but may remain in the meeting.
4. When a trustee declares a conflict of interest in a closed meeting (e.g., In Committee), it is not sufficient to refrain from voting or discussion. He or she must leave the meeting.
5. If a Board Member with a conflict of interest is absent, he or she must report the conflict of interest at the next meeting.

The minutes record when a trustee declares a conflict of interest, and the reason for the conflict of interest.

Municipal Conflict of Interest Act

Duty of Member

- "5. (1) When present at meeting at which matter considered - Where a member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the council or local board at which the matter is the subject of consideration, the member,
- a) shall, prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
 - b) shall not take part in the discussion of, or vote on any question in respect of the matter; and
 - c) shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question.
- (2) Where member to leave closed meeting - Where the meeting referred to in subsection (1) is not open to the public, in addition to complying with the requirements of that subsection, the member shall forthwith leave the meeting or the part of the meeting during which the matter is under consideration.
- (3) When absent from meeting at which matter considered - Where the interest of a member has not been disclosed as required by subsection (1) by reason of the member's absence from the meeting referred to therein, the member shall disclose the interest and otherwise comply with subsection (1) at the first meeting of the council or local board, as the case may be, attended by the member after the meeting referred to in subsection (1)."

Revised: September 2007

Reviewed: June 2010

PEEL DISTRICT SCHOOL BOARD

PROCESS FOR PRIVATE SESSION

A Private Session is a meeting of Board members only, although the presence of administrative staff can be requested. Decisions made by trustees in Private Session should not be enacted until they are approved at a properly constituted Board meeting. Properly constituted meetings of the Board require the presence of the Director of Education or his or her designate.

Process:

1. Private Session would meet privately and pass any motions deemed appropriate.
2. All motions passed in Private Session must come to a properly constituted meeting of the Board.
3. The Board Chair or Vice-Chair would communicate the Private Session recommendations to the administration, and "Recommendations of the Private Session" would be prepared. This report would list the date of the Private Session meeting and the recommendations passed. Recommendations must have sufficient detail to understand what is being approved.
4. Recommendations would normally proceed to the next Board meeting in In Committee Session. The Board would consider the Private Session recommendations along with all the other In Committee business on the agenda.
5. The Open Board minutes would show that recommendations of the Private Session were approved but no details would be provided.



Request to Delegate Registration Form

Individuals or groups requesting to make a delegation to the Peel District School Board or to a Committee of the Board are required to submit a Registration Form outlining the key points to be presented. When a number of individuals wish to address the Board on the same issue, the group is encouraged to select a spokesperson. All delegations are required to submit a Request to Delegate Registration Form, outlining the key points to be presented. The completed form must be submitted to the Director's Office at least five (5) business days before the date of the meeting, in order for the request to be considered (see By-law G-4 for further instructions).

Contact Information	
Name:	_____
Email:	_____
Address:	_____
City & Postal Code:	_____
Home Phone:	_____ Cell: _____

Requested Board Meeting Date: _____

Topic: _____

- I wish to speak on my own behalf;
- or**
- I wish to delegate as a spokesperson for: _____

Please provide a brief summary of the subject of your delegation:

NOTE: A written copy of your delegation must be submitted five business days prior to the meeting.

Delegations may express opinions with regard to Board decisions or make submissions with respect to a recommendation. Delegations are expected to be respectful and refrain from making statements concerning the character or performance of identifiable individuals, including students, staff, citizens or Trustees of the Peel District School Board.

Please read Peel District School Board By-law G, pertaining to delegations (see reverse), before signing and returning the completed form to Donna Baptie, Director's Office via email at donna.baptie@peelsb.com or fax at 905-890-6698. The Director's Office will contact you to confirm the date and time of your delegation.

Date: _____ Signature: _____

Delegations:	
G-1	Delegations are permitted at the discretion of the Board. The Board normally will hear a maximum of five (5) delegations at each meeting. An individual or group who has delegated the Board on an issue will not be permitted to delegate again on the same issue unless they have new information to present. The Board will not permit delegations, on any issue, by individuals who are currently party to a claim with the Peel District School Board.
G-2	Individuals or groups requesting permission to appear before the Board or Standing, Statutory or other Committees of the Board, shall notify the Secretary of the Board, or designate. The same rules shall apply to delegations appearing before the Board and Standing, Statutory or other Committees. The Chair of the Board or the Chair of the Committee shall decide on receiving the delegation. When a number of individuals wish to address the Board from the same perspective on an issue, the group is encouraged to select a spokesperson. All delegations are required to submit a Request to Delegate Registration Form, outlining the key points to be presented. The completed form must be submitted to the Director's Office at least five (5) business days before the date of the meeting, in order for the request to be considered.
G-3	Delegations may express opinions with regard to Board decisions or make submissions with respect to a recommendation. Delegations are expected to be issue-based and respectful. Delegations must refrain from making statements concerning the character or performance of identifiable individuals, including students, staff, citizens or trustees of the Peel District School Board. Any delegate who violates this requirement during their presentation shall be ruled out of order by the Chair and may be asked to discontinue their presentation and/or leave the Board Room/meeting room. Delegations who do not comply with the Board's Safe Schools Policy 48 when they are on Board property or disobey the decision of the Chair of the Board, may be ordered by the Chair to discontinue the presentation and/or leave the Board Room or meeting room or Board premises. A request for a delegation shall not be unreasonably denied. When a request for a delegation has been denied, the Chair of the Board or Committee shall inform the members of the Board.
G-4	After a decision has been made to receive the delegation, the Secretary of the Board, or designate, shall confirm the date and time of the delegation, shall advise the delegation of the By-laws of the Board relating to delegations, and will request the delegation to present any material in writing at least five (5) business days prior to the meeting.
G-5	Individuals or groups wishing to delegate with less than the required five (5) business days' notice may, with the Chair's permission, be heard on a two-thirds' majority vote of the members present, when the agenda for the meeting is approved.
G-6	Individuals or groups appearing before the Board/Committee will be welcomed by the Chair. The Chair will review the process and expectations for the delegation and confirm the time allotted for the presentation. Each delegation is generally allowed up to ten (10) minutes to make a presentation, at the discretion of the Chair. When several delegations wish to address the Board on the same topic on the same evening, the Chair may reduce the time for each presentation to five (5) minutes. This will be communicated to the delegate.
	Following the presentation, the Chair will ask the trustees if there are any questions of clarification. At no time will trustees or staff enter into debate with the spokesperson or delegation. Once all points have been clarified, and trustees' questions of clarification have been answered, the Chair will close the presentation by thanking the spokesperson and indicating when the matter will be considered by the Board or Committee and a written response given.
G-7	After delegations have been heard by the Board/Committees, the administration will prepare a response to the delegation's spokesperson. Advice or response shall usually be presented at the next Regular Meeting of the Board or Committee. Following the delegation, confirmation of the date of the meeting at which the administrative response is to be received by the Board/Committee will be communicated to the delegation by the Chair or designate. The administrative response may be shared with the delegation after circulation to the Trustees.
G-8	Sometimes there will be delegations where the Board or Committee could respond at the same meeting. If so, the Chair shall alert the administration of the possibility of immediate action and request the preparation of appropriate background information for distribution to the trustees.
G-9	Those wishing to delegate the Board on In Committee matters (as defined in E-7 a) through e)), will follow the procedures set out in G-1 through G-8, with the following exceptions: Since In Committee Sessions are not open to the public, the delegation will be invited to join the meeting to make the presentation, after which the delegation will leave the meeting. After the meeting, the Board's response will be communicated in writing to the delegation, usually after the following meeting.
	Public Question Period:
G-10	Any members of the public, after identifying themselves, may request information of the Board or Committee during "Public Question Period". The duration of "Public Question Period" will be limited, in total, to a maximum of fifteen minutes, unless extended at the discretion of the Chair. Members of the public speaking during Public Question Period must comply with the Board's Safe Schools Policy #48.
G-11	Questions raised during "Public Question Period" are expected to be issue-based and respectful.
G-12	The Chair will normally respond verbally to a question raised during "Public Question Period". The Chair may also designate a member of staff or trustee to respond to a question. If an immediate response is not given, a response may be given at a future date.
	Petitions:
G-13	A petition must be addressed to the Board of trustees or to an individual trustee. The petition must contain a written or printed request to take some action, or to refrain from taking some action, to provide redress or relief, or to remedy a grievance. A statement of opinion or grievance alone cannot be received as a petition. A petition must contain a minimum of 25 signatories who are residents of the Region of Peel, or persons who have a direct affiliation with the Peel DSB. Names, addresses and original signatures of the petitioners shall be provided. Petitions e-mailed or submitted online will not be accepted. When a petition is presented, no debate shall be allowed. The petition will be recorded and acknowledged.

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