

THAMES VALLEY DISTRICT SCHOOL BOARD BOARD GOVERNANCE AND BYLAW REVIEW COMMITTEE

October 21, 2024, 5:00 pm

Middlesex Room

Pages

1. **Call to Order**
2. **Approval of Agenda**
3. **Conflicts of Interest**
4. **Minutes of Previous Meeting** 3

The minutes of the September 16, 2024 meeting are provided for approval.
5. **Unfinished Business**
 - a. **Trustee Code of Conduct Updates** 5

Trustee Cripps
6. **Bylaw Appendices Review** 17

Trustee Cripps
7. **Trustee Communications Review** 45

As per Board Motion 2024 Sept 24:

THAT Board Governance and Bylaw Review Committee be directed to review, for alignment with legislation, the following statement in the bylaws and report back to the Board: "Inappropriate communications or social media posts will be subject to review by Chair's Committee. Trustees may be subject to feedback, warning, or discipline, as recommended by the Chair's Committee to the Board under the current Trustee Code of Conduct procedures found in the Bylaws." - Guidelines for Trustee Communications, 6.0 Inappropriate Communications "

Trustee Cripps
8. **Committee Meeting Reports to the Board Review**

As per Board motion 2024 September 24:

Commit to Board Governance and Bylaw Review Committee a review of the practice where staff prepare committee meeting reports for Board packages and bring recommendations to the Board no later than the December 2024 Board meeting.

Trustee Cripps

9. Committee Terms of Reference - Meeting Extensions	50
<i>Trustee Cripps</i>	
10. Bylaw and Governance Workplans (Standing)	53
11. Next Meeting Dates	
Monday, November 18, 2024	
Monday, January 20, 2025	
Monday, March 17, 2025	
Monday, June 16, 2025	
12. Adjournment	

Board Governance and Bylaw Review Committee Minutes

September 16, 2024
5:02 p.m. – 6:41 p.m. Middlesex Room

COMMITTEE MEMBERS

D. Cripps (Chair)
B. Mai
A. Morell
L. Pizzolato
Regrets: C. Antone

ADMINISTRATION

B. Tucker, Interim Director of Education
A. Chahbar, Executive Officer
S. Smith, Supervisor, Board Services
S. Hickson, Coordinator, Board

Non-Members:

C. Sachs (-5:36)
L. Osbourne

1. Call to Order

Chair Cripps called the meeting to order at 5:02 p.m.

2. Approval of Agenda

The agenda was approved without objection.

3. Conflicts of Interest

None declared.

4. Minutes of Previous Meeting

The minutes of the 2024 June 17 meeting were approved as printed.

5. Election of Vice Chair

The election of the Board Governance and Bylaw Review Committee Vice Chair was held by Chair Cripps. Trustee Morell was acclaimed as the Vice Chair.

6. Unfinished Business

None.

7. Trustee Code of Conduct

As per the Board motion from 2024 September 10, the recommended changes to the Trustee Code of Conduct need to be sent to the Board for approval by December of 2024. Trustee Cripps led a discussion regarding the next steps pertaining to the Trustee Code of Conduct's compliance with the recently released Ontario Regulation 312/24: Members of School Boards: Code of Conduct.

It was decided that the Code of Conduct updates will be added to the Board Governance and Bylaw Review Committee workplan for October and November.

8. Thames Valley District School Board Bylaws Trustee Feedback

Chair Cripps reviewed the feedback received from Trustees regarding the draft Thames Valley District School Board (TVDSB) Bylaws.

The committee stood at ease for a Trustee to join the meeting.

Discussion focused on reviewing the feedback received, the distinction between secret and confidential ballots.

Following discussion, it was determined that committees will use Robert's Rules of Order Newly Revised for small boards.

Following discussion, it was determined that the use of confidential ballots will be included in the bylaws as a Special Rule.

Without objection, the meeting recessed at 5:36 p.m. and reconvened at 5:53 p.m.

Questions of clarification were addressed by Administration regarding Trustees' physical attendance at a Board meeting during a vote and references in the Education Act regarding Director or Designate attendance at Board meetings.

9. Thames Valley District School Board Bylaws Review

The committee discussed the draft TVDSB Bylaws, committed back to the committee by Board motion on 2024 June 25.

The following recommendation was moved and CARRIED:

That the revised TVDSB Governing Bylaws and Appendices be approved.

10. Bylaw and Governance Workplans (Standing)

The Bylaw and Governance Workplans were reviewed and updated.

11. Next Meeting Dates

The next meeting is scheduled for Monday, October 21, 2024.

12. Adjournment

The meeting was adjourned at 6:41 p.m. by motion.

Recommendations:

That the revised Thames Valley District School Board Governing Bylaws and Appendices be approved.

David Cripps
Chair

REPORT TO:	Board Governance and Bylaw Review Committee
	Public or In-Camera: Public
TITLE OF REPORT:	Trustee Code of Conduct
PRESENTERS: <i>(list ONLY those attending the meeting)</i>	Chair Cripps
REPORT AUTHORS:	S. Hickson, Board Services Coordinator
PRESENTED FOR:	Input/Advice
Recommendations:	
Purpose: <i>(include context)</i>	To update the TVDSB Trustee Code of Conduct to be in compliance with the new Ministry of Education Ontario Regulation 312/24.
Content:	The Regulation and current TVDSB Trustee Code of Conduct are attached for reference.
Financial Implications:	None.
Timeline:	The Ministry of Education requires that School Board Trustee Code of Conducts be updated by August 28, 2024. The revised Trustee Code of Conduct will be sent to the subsequent Board Meeting for adoption.
Communications:	
Appendices:	Appendix A: Ontario Regulation 312/24 Appendix B: Current TVDSB Trustee Code of Conduct

Connection to Strategic Directions:

We value students' individual educational paths and provide the tools and resources necessary for student achievement including students with special education needs: No

To support student achievement, our schools and workplaces must be safe spaces for all: No

Our goal is to become Ontario's leader in education by fostering a culture of innovation and excellence: Yes

To inform our decision-making, we will build positive, trusting relationships across our district by increasing community engagement that is accessible, accountable, and transparent: Yes

Education Act
ONTARIO REGULATION 312/24
MEMBERS OF SCHOOL BOARDS - CODE OF CONDUCT

Consolidation Period: From July 29, 2024 to the [e-Laws currency date](#).

Last amendment: 312/24.

Legislative History: 312/24.

This is the English version of a bilingual regulation.

Obligations

1. A code of conduct mentioned in subsection 218.2 (1) of the Act shall contain the following obligations:

1. A board member shall comply with the board's code of conduct and any applicable board by-law, resolution, policy or procedure.
2. When acting or holding themselves out as a board member, the member shall conduct themselves in a manner that would not discredit or compromise the integrity of the board.
3. When acting or holding themselves out as a board member, the member shall treat persons equally without discrimination based on a person's race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or disability.

Prohibitions

2. (1) A code of conduct mentioned in subsection 218.2 (1) of the Act shall contain the following prohibitions:

1. No board member shall use or permit the use of board resources for any purpose other than the business of the board.
2. No board member shall disclose confidential information obtained or made available to them in their role as a board member except as authorized by law or by the board.
3. No board member shall use information described in paragraph 2 in a manner that would be detrimental to the interests of the board or for the purpose of personal gain or for the gain of the member's parent, spouse or child.
4. No board member shall accept a gift from any person, group or entity that has dealings with the board if a reasonable person might conclude that the gift could influence the member when performing their duties unless,
 - i. the gift is of nominal value,
 - ii. the gift is given as an expression of courtesy or hospitality, and
 - iii. accepting the gift is reasonable in the circumstances.

Note: On the day section 24 of Schedule 2 to the *Better Schools and Student Outcomes Act, 2023* comes into force, subsection 2 (1) of the Regulation is amended by adding the following paragraphs: (See: O. Reg. 312/24, s. 6)

- 4.1 No board member shall give notice of an alleged breach of the code of conduct under subsection 218.3 (1) of the Act if the allegation is frivolous or vexatious or the notice is given in bad faith.
- 4.2 No board member shall engage in reprisal or the threat of reprisal against,
 - i. a member who gave notice of an alleged breach of the code of conduct under subsection 218.3 (1) of the Act, or

ii. any person who provides information about the alleged breach to the integrity commissioner appointed under clause 218.3 (3) (b) of the Act.

5. No board member shall act as a spokesperson to the public on behalf of the board unless authorized to do so under clause 218.4 (e) of the Act.

(2) In this section, “child”, “parent” and “spouse” have the same meaning as in section 1 of the *Municipal Conflict of Interest Act*.

Additional content

3. A board’s code of conduct may contain additional provisions if the provisions do not conflict with any of the required provisions set out in sections 1 and 2.

Review

4. (1) Every board shall periodically review its code of conduct for, among other things, compliance with this Regulation, and shall pass a board resolution setting out the required changes, or if no changes are required, confirming the code of conduct.

(2) The first review shall be completed within 30 days after this Regulation comes into force.

(3) The second review shall be completed no later than May 15, 2027.

(4) Each subsequent review shall be completed in the fourth year following the previous review and no later than May 15 in that year.

(5) If one or more changes are set out in a board resolution under subsection (1), the board shall update its code of conduct to reflect the changes no later than August 31 in the year of the review.

Publicly available

5. (1) Every board shall make its code of conduct publicly available on its website.

(2) A board shall indicate on its website the effective date of every change it makes to its code of conduct, other than changes of a typographical or similar nature.

(3) A board shall maintain an archive of all previous versions of its code of conduct, indicating the period during which each version applied, and shall ensure that the versions are publicly accessible.

6. OMITTED (PROVIDES FOR AMENDMENTS TO THIS REGULATION).

7. OMITTED (REVOKES OTHER REGULATIONS).

8. OMITTED (PROVIDES FOR COMING INTO FORCE OF PROVISIONS OF THIS REGULATION).

Appendix C

TRUSTEE CODE OF CONDUCT

1. Purpose

- 1.1 This Code of Conduct is intended to contribute to confidence in public education and respect for the integrity of Trustees of the Board and is intended to promote acceptable and respectful behaviours.

2. Application

- 2.1 This Code of Conduct and the Enforcement Procedures contained herein shall apply to all Trustees.
- 2.2 Every Trustee shall uphold the letter and spirit of this Code of Conduct.

3. Compliance

- 3.1 A Trustee of the Board shall discharge his or her duties in accordance with the *Education Act* and comply with any other relevant legislation.
- 3.2 Each Trustee shall comply with Board policies, procedures, Bylaws, and Rules of Order.

4. Code of Conduct

Integrity and Dignity of Office

- 4.1 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.
- 4.2 **Trustees of the Board shall make decisions in a manner which is open, accessible and equitable.**

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.

Avoidance of Personal Advantage and Conflict of Interest

- 4.3 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. If Trustees are unsure about the appropriateness of a gift, they may consult with the Board Chair for further guidance.
- 4.4 **Trustees shall ensure that their public office is not used for personal gain as in accordance with the *Municipal Conflict of Interest Act (RSO 1990)*.**
- 4.5 No Trustee shall use his or her office to obtain or maintain employment with the Board for the Trustee or a family member.

Civil Behaviour

- 4.6 No Trustee shall engage in conduct during meetings of the Board and at all other times that would discredit or compromise the integrity of the Board.
- 4.7 A Trustee of the Board shall not advance allegations of misconduct that are frivolous, vexatious, or vindictive in nature against another Trustee of the Board.
- 4.8 Trustees shall respect the differing points of view of other Trustees on the Board, staff, students and the public.

Respect for Confidentiality

- 4.9 Every Trustee shall keep confidential any information disclosed or discussed at a meeting of the Board or part of a meeting of the Board that was closed to the public or should otherwise be kept confidential, unless required to divulge such information by law or authorized by the Board to do so.
- 4.10 No Trustee shall use confidential information for either personal gain or to the detriment of the Board.

Upholding Decisions

- 4.11 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.
- 4.12 Each Trustee shall uphold the implementation of any Board resolution after it is passed by the Board.

- 4.13 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.
- 4.14 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 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.

Trustee Communication

- 4.15 All Trustees of the Board shall follow the *Guidelines for Trustee Communications* (Appendix E) established for ensuring communication is consistent and appropriate between Trustees and constituents, stakeholders, and the general public.

5. Enforcement of Code of Conduct

Informal Complaint Procedure

- 5.1 The Chair of the Board on his/her own initiative, or at the request of a Trustee of the Board (without the necessity of providing a formal written complaint) who alleges a breach of the Code has occurred, may meet informally with a Trustee of the Board who is alleged to have breached the Code to discuss the breach. The purpose of the meeting is to bring the allegation of the breach to the attention of the Trustee and to discuss options to correct the offending behavior. The Informal Complaint Procedure is conducted in private.
- 5.2 If the Chair of the Board and the Trustee alleged to have breached this Code cannot agree on a remedy, then a formal complaint may be brought against the Trustee alleged to have breached this Code and that complaint will be dealt with in accordance with the formal, complaint procedure.

Formal Complaints

- 5.3 A Trustee who has reasonable grounds to believe that another Trustee of the Board has breached the Board's Code of Conduct may bring the breach to the attention of the Board by first providing

to the Board Chair, a written, signed complaint setting out the following:

- the name of the Trustee who is alleged to have breached the Code;
- the alleged breach or breaches of the Code;
- information as to when the breach came to the Trustee's attention;
- the grounds for the belief by the Trustee that a breach of the Code has occurred; and
- the names and contact information of any witnesses to the breach or any other persons who have relevant information regarding the alleged breach.

- 5.4 If a written complaint is filed with the Chair of the Board, the Chair shall decide, in consultation with the Vice-Chair, if a formal inquiry shall be undertaken. If a formal inquiry is to proceed, the Chair shall confidentially provide each Trustee with a copy of the written complaint.

Refusal to Conduct Formal Inquiry

- 5.5 If the Board Chair and Vice-Chair are of the opinion that the complaint is out of time, trivial, frivolous, vexatious or not made in good faith, or that there are no grounds or insufficient grounds for a formal inquiry, a formal inquiry shall not be conducted and a confidential report stating the reasons for not doing so shall be provided to all Trustees of the Board including the original, written complaint. The matter shall be discussed at the next in-camera Committee of the Whole meeting.

Initiating a Formal Inquiry

- 5.6 If a formal inquiry of an allegation of a breach of the Code of Conduct is undertaken, it shall be done by a Committee of the Board (the "Inquiry Committee") which shall be comprised of three Trustees as designated by the Chair's Committee. No Trustee of the Board may sit on the Inquiry Committee if they are a witness in the formal inquiry.

Formal Inquiry Procedure

- 5.7 Procedural fairness and the rules of natural justice shall govern the formal inquiry. The formal inquiry will be conducted in private.
- 5.8 The Inquiry Committee shall obtain written statements and documents from the complainant and any witnesses. This

documentation will be provided to the Trustee alleged to have breached the Code who will then have 30 days to provide a written statement and any documentation.

- 5.9 Both the complainants and the Trustee alleged to have breached the Code, shall receive copies of all written statements and documentation at least 30 days prior to the hearing.
- 5.10 The formal inquiry may involve both written and oral statements by any witnesses, the Trustee bringing the complaint and the Trustee who is alleged to have breached the Code of Conduct and the Trustee who is alleged to have breached the Code of Conduct shall have an opportunity to respond to all allegations. Timeframes may be extended with the consent of the Inquiry Committee. Such consent shall not be unreasonably withheld.
- 5.11 If the Inquiry Committee, when conducting the formal inquiry, discovers that the subject-matter of the formal inquiry is being investigated by police, that a charge has been laid, or is being dealt with in accordance with a procedure established under another Act, the formal inquiry may be suspended until the police investigation, charge or matter under another Act has been finally disposed of. This shall be reported to the Board.
- 5.12 If the Trustee who is alleged to have breached the Code of Conduct refuses to participate in the formal inquiry, the formal inquiry will continue in his/her absence.

Decision/Determination

- 5.13 Once the formal inquiry is complete, the Inquiry Committee shall provide a confidential final report outlining the finding of facts and a recommendation to the Board as to whether the Code of Conduct has been breached including recommended sanctions if any. This will be considered by the Committee of the Whole in camera.
- 5.14 A decision by the Board as to whether or not the Code of Conduct has been breached and the sanction, if any, for the breach shall be made as soon as practical after receipt of the final report by the Board.
- 5.15 Trustees shall consider only the findings in the final report when voting on the decision and sanction. No Trustee shall undertake his/her own investigation of the matter.

- 5.16 **The determination of a breach of the Code of Conduct and the imposition of a sanction** with respect to a complaint investigated in accordance with the Formal Complaint Procedure **must be done by resolution of the Board at a meeting of the Board, and the vote on the resolution shall be open to the public. The resolutions shall be recorded in the minutes of the meeting.** The reasons for the decision shall be recorded in the minutes of the meeting. Both resolutions shall be decided by a vote of at least 2/3 of the Trustees of the Board present and voting.
- 5.17 **Despite s. 207 (1) of the *Education Act*, the part of the meeting of the Board during which a breach or alleged breach of the Board's Code of Conduct is considered may be closed to the public when the breach or alleged breach involves any of the matters described in clauses 207(2) (a) to (e) being:**
- 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 parent or guardian;**
 - c. **the acquisition or disposal of a school site;**
 - d. **decisions in respect of negotiations with employees of the board; or**
 - e. **litigation affecting the board.**
- 5.18 **The Trustee who is alleged to have breached the Code of Conduct shall not vote on a resolution to determine whether or not there is a breach or the imposition of a sanction.** The Trustee who brought the complaint to the attention of the Board may vote on those resolutions.
- 5.19 The Trustee who is alleged to have breached the Code of Conduct may be present during the deliberations regarding the above but shall not participate in the deliberations, and shall not be required to answer any questions at that meeting.
- 5.20 The Trustee who is alleged to have breached the Code of Conduct shall not in any way, after the final report is completed, influence the vote on the decision of breach or sanction, except as permitted below after these decisions have been made.
- 5.21 If the Board determines that a Trustee has breached the Board's Code of Conduct the Board shall:

- a. give the Trustee written notice of the determination, the reasons for the decision and any sanction imposed by the Board;
 - b. the notice shall inform the Trustee that he or she may make written submissions to the Board in respect of the determination or sanction by the date specified in the notice that is at least 14 days after the notice is received by the Trustee; and
 - c. consider any submissions made by the Trustee and shall confirm or revoke the determination or sanction within 14 days after the submissions are received.
- 5.22 If the Board revokes a determination, any sanction imposed by the Board is revoked.
- 5.23 If the Board confirms a determination, the Board shall, within the 14 days above, confirm, vary or revoke the sanction.
- 5.24 If a sanction is varied or revoked, the variation or revocation shall be deemed to be effective as of the date the original determination was made.
- 5.25 The Board decisions to confirm or revoke a determination or confirm, vary or revoke a sanction shall be done by resolution at a meeting of the Board and the vote on the resolution shall be open to the public. Both resolutions shall be decided by a vote of at least two-thirds of the Trustees present and voting. The resolutions shall be recorded in the minutes of the meeting together with the reasons for confirming or revoking a determination. The Board shall provide to the Trustee alleged to have breached the Code of Conduct written notice of the decision to confirm or revoke the determination together with reasons for the decision and written notice of any decision to confirm, vary or revoke a sanction. The Trustee alleged to have breached the Code of Conduct shall not vote on those resolutions. The Trustee who brought the complaint may vote.
- 5.26 The Trustee who is alleged to have breached the Code of Conduct may be present during the deliberations regarding the above but may not participate in the Board's deliberations and shall not be required to answer any questions at that meeting.
- 5.27 If appropriate, the original sanction may be stayed pending the reconsideration by the Board of the determination or sanction.

Sanctions

- 5.28 **If the Board determines 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; and/or**
 - d. Other sanctions as determined by the Board.
- 5.29 In respect of a Trustee's failure to comply with the duty of confidentiality as stated in 4.9 and 4.10 the following additional sanctions may be pursued by the Board:
- a. The Board may seek an injunction against a Trustee who fails or refuses to maintain confidentiality. The terms of such injunction may prescribe that the Trustee be excluded from confidential meetings, be refused access to confidential reports, and/or be required to undertake in writing to observe the duty to maintain confidentiality in future before being allowed back into such meetings.
 - b. An action for damages may be brought against any Trustee who fails to maintain confidentiality, and the Board will not compensate the Trustee for legal costs incurred in defending such an action (unless directed by the court).
- 5.30 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.
- 5.31 **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.**
- 5.32 **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.**



6 Statutory Powers Procedure Act

The *Statutory Powers Procedure Act* does not apply to anything done regarding the enforcement of this Code of Conduct

Appendix A

Definitions

“Ad hoc committee” means a committee established as the need arises to carry out a specified task and automatically ceases to exist upon presenting its final report to the assembly, also referred to as a special committee.

“Board” as it pertains to these bylaws means the Board of Trustees of the Thames Valley District School Board.

“Board meeting” means an official, regularly scheduled, or special Board meeting as defined in the *Education Act*.

“Chair” means the Chair of the Board unless otherwise indicated as a chair of a committee.

“Chair pro tempore” means a chairperson elected to preside for the current session only.

“Committee” means a body of one or more persons, elected or appointed by (or by the direction of) an assembly to consider, investigate, or take action on certain matters or subjects or to do all of these things.

“Confidential ballot” means a vote taken by instruments such as slips of paper or electronic devices by which members can indicate their choices without revealing how individual members have voted.

“Designate” means an individual chosen by the Director to be present in their absence.

“Direct conflict” means one that expressly or unequivocally has an impact on the individual’s personal finances, economic prospects or property value.

“Director of Education” means the Secretary of the Board, Chief Executive Officer, and Chief Education Officer.

“Ex-Officio” means “by virtue of office or position.” For TVDSB, the Chair is ex-officio a member of all committees.

“Housekeeping” changes refer to revisions to a document which do not have the effect of altering any substantive provision, term, intent or right contained within the document.

“Indirect conflict” Is where

a) Board member:

(i) is a shareholder, director or senior officer of a private corporation;

- (ii) has a controlling interest in or is a director or senior officer of a public corporation; or
 - (iii) is a member of another body, that has a pecuniary interest in a matter which is before the Board; or
- b) where a Board member's partner or employer has a pecuniary interest in a matter which is before the Board.

“Inquorate” means a properly called meeting where quorum is not achieved or maintained.

“Majority vote” means more than half of votes cast by persons entitled to vote, excluding blanks and abstentions, at a properly called meeting.

“Member” means a Trustee of the Board pursuant to the *Education Act*, unless otherwise indicated as a member of a committee who may or may not be a Trustee.

“Non-statutory Committee” means a committee established by the Board but not legislated.

“Past Chair” means the most recent previous Chair who completed their term as Chair and is currently elected to the Board.

“Quorum” means the minimum number of members who must be present to validly transact business.

“Run-off ballot” means a ballot used to determine the outcome of an election that has not resulted in a decision.

“Secret ballot” means a vote taken by instruments such as slips of paper or electronic devices by which members can indicate their choices without revealing how individual members have voted. Members may vote through the scrutineer if they would like to attend the meeting virtually, and the vote is confidential.

“Special Meeting” is a separate session of the Board held at a time different from the regularly scheduled meeting, and convened only to consider one or more items of business that are specified in the call of the meeting.

“Standing Committee” means a committee that is constituted to perform a continuing function. TVDSB has both statutory and non-statutory standing committees.

“Statutory Committee” means a committee established by the Board as required by provincial legislation.

“Striking Committee” refers to a committee that has created a working group.

“Terms of Reference” are the primary governing guidelines for each committee. The guidelines specify the boundaries and objectives of a committee and identify guiding principles specific to that committee that differ from the bylaws. Committee Terms of Reference must be approved by the Board of Trustees.

“Time-sensitive” means the item cannot wait until the next regular meeting or for the scheduling of a special meeting before being considered.

“Trustee” means an elected member of the Board of Trustee, a member appointed to fill a vacancy, an appointed First Nations Trustee, the Student Trustee, or Indigenous Student Trustee.

“Vice Chair” means the Vice Chair of the Board unless otherwise indicated as a vice chair of a committee.

“Working Group” refers to an assembly of committee members formed by the “striking” committee to complete one-off items as needed, outside of the work of the striking committee. The working group may not represent a quorum of the striking committee as it cannot advance Board/committee business. The nature of the work must be of a governance nature and does not include staff resources.

Appendix B

Special Rules of Order

Special rules of order are written rules of parliamentary procedure formally adopted by an organization that supersede any rules in the adopted parliamentary authority. Special rules of order modify, or supplement rules contained in the parliamentary authority. An adopted Order of Business becomes a special rule.

1.0 Electronic Meeting Participation

- 1.1 The Board and its committees shall be authorized and given the opportunity, in part or in whole, to meet by telephone conference or through other electronic means so long as all members can simultaneously communicate in accordance with Board Policy and Procedure. A Trustee shall be deemed to be present as prescribed by the *Education Act* and *O. Reg. 483/97*.
- 1.2 It is the responsibility of the Trustee and committee members to ensure their electronic equipment is up to date and working properly. Any technical difficulties during the meeting shall not invalidate any decisions made so long as quorum is maintained.
- 1.3 Notwithstanding 6.10.2, if a member has technical issues and is unable to communicate effectively, the Chair shall instruct the appropriate individual to assist and shall have the Board stand at ease while attempts are made to fix the technical issue. If the technical issues cannot be remedied promptly, as determined by the Chair, so long as quorum is maintained, the meeting will continue.
- 1.4 Secret ballots can be used by a member participating virtually to cast a ballot through the scrutineer who can then cast a confidential vote on behalf of the member.

2.0 Committee Meeting Attendance

Any Trustee may attend meetings of a committee and may participate in the discussion, but only appointed members of the committee may vote, propose motions and recommendations for Board consideration, and attend any closed session portions of the meeting.

3.0 Motions

3.1 Debate (speaking time)

Each Trustee may speak twice up to five minutes each time on each debatable motion. Extra time may not be carried over if the full five minutes is not used.

3.2 Reconsider

A motion to reconsider must be made during the same meeting at which the vote to be reconsidered was taken and may be moved by any member who is going to change their vote based new and relevant information.

Debate on the motion to reconsider is restricted to reasons for reconsidering.

A motion to reconsider requires a second, debate is restricted, cannot be amended, can have motions to limit debate and close debate applied to it and requires a majority vote.

The chair can rule a motion to reconsider out of order if they find it to be dilatory or no new information has come to light that would necessitate reconsideration. If members disagree with the chair's ruling, the decision can be appealed, and the final decision will rest with the Board. Proposal of the motion to reconsider the vote suspends any action provided for in the motion targeted to be reconsidered until the motion to reconsider is decided.

3.3 Motions that bring a previous question to the Board of Trustees

3.3.1 Reconsider a Motion Previously Defeated

Following the defeat of a motion, the motion may not be reconsidered during the current Board term or within a period of 12 months, whichever is the lesser.

3.3.2 Amend a Motion Previously Adopted

Following the adoption of a motion, the motion may not be amended during the current Board term or within a period of 12 months, whichever is the lesser.

3.3.3 Rescind a Motion Previously Adopted

Following the adoption of a motion, the motion may not be rescinded during the current Board term or within a period of 12 months, whichever is the lesser

4.0 Request for information and Questions of Clarification

- 4.1 A Trustee may ask one question, request one supplementary question, on the same topic, and may then return to the speakers' list.
- 4.2 A request for information does not count as debate time unless the trustee both debates and asks a question.
- 4.3 If such request for information would require significant time commitment by Administration, it must be formulated into a motion and receive Board approval prior to the task being undertaken.

5.0 Substitution

- 5.1 A main motion may be amended by substitution. The substitution must be germane to the main motion and is subject only to a secondary amendment.

1. Main Motion
2. Amendment by Substitution
3. Amendment to the Substitution

Note that an Amendment to a Substitution cannot be amended.

- 5.2 Process for substitution:

- a. A main motion is pending.
- b. A member moves to amend the main motion by substituting another motion in its place.
- c. Another member seconds the motion to substitute.
- d. Chair states the motion
- e. Debate specific to the substitute amendment.
 - i. Substitute motion may be amended, but such amendment cannot also be amended.
- f. Majority vote on whether to substitute.
 - i. If approved the new main motion is the substituted motion and is voted on.
 - ii. If defeated, the original main motion is debated and follows the usual process for main motions.

6.0 Voting on a Motion

- 6.1 Show of hands: Unless a recorded vote is requested, all votes at meetings shall be taken by a show of hands.

6.2 Recorded vote: If a motion for a recorded vote is carried, a recorded vote shall require all members including the Chair to participate in the vote indicating a yea, nay, or abstention.

6.3 Student Trustees may request a recorded vote, without motion, as per the Education Act. The request must be made before the motion is called to question by the Chair.

7.0 Distribution of Meeting Materials

7.1 All Meeting materials will be distributed electronically unless a medical accommodation is requested.

7.2 Meeting materials will be printed for Committee Chairs upon request.

Appendix C

TRUSTEE CODE OF CONDUCT

1. Purpose

- 1.1 This Code of Conduct is intended to contribute to confidence in public education and respect for the integrity of Trustees of the Board and is intended to promote acceptable and respectful behaviours.

2. Application

- 2.1 This Code of Conduct and the Enforcement Procedures contained herein shall apply to all Trustees.
- 2.2 Every Trustee shall uphold the letter and spirit of this Code of Conduct.

3. Compliance

- 3.1 A Trustee of the Board shall discharge his or her duties in accordance with the *Education Act* and comply with any other relevant legislation.
- 3.2 Each Trustee shall comply with Board policies, procedures, Bylaws, and Rules of Order.

4. Code of Conduct

Integrity and Dignity of Office

- 4.1 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.
- 4.2 **Trustees of the Board shall make decisions in a manner which is open, accessible and equitable.**

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.

Avoidance of Personal Advantage and Conflict of Interest

- 4.3 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. If Trustees are unsure about the appropriateness of a gift, they may consult with the Board Chair for further guidance.
- 4.4 **Trustees shall ensure that their public office is not used for personal gain as in accordance with the *Municipal Conflict of Interest Act (RSO 1990)*.**
- 4.5 No Trustee shall use his or her office to obtain or maintain employment with the Board for the Trustee or a family member.

Civil Behaviour

- 4.6 No Trustee shall engage in conduct during meetings of the Board and at all other times that would discredit or compromise the integrity of the Board.
- 4.7 A Trustee of the Board shall not advance allegations of misconduct that are frivolous, vexatious, or vindictive in nature against another Trustee of the Board.
- 4.8 Trustees shall respect the differing points of view of other Trustees on the Board, staff, students and the public.

Respect for Confidentiality

- 4.9 Every Trustee shall keep confidential any information disclosed or discussed at a meeting of the Board or part of a meeting of the Board that was closed to the public or should otherwise be kept confidential, unless required to divulge such information by law or authorized by the Board to do so.
- 4.10 No Trustee shall use confidential information for either personal gain or to the detriment of the Board.

Upholding Decisions

- 4.11 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.
- 4.12 Each Trustee shall uphold the implementation of any Board resolution after it is passed by the Board.

- 4.13 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.
- 4.14 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 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.

Trustee Communication

- 4.15 All Trustees of the Board shall follow the *Guidelines for Trustee Communications* (Appendix E) established for ensuring communication is consistent and appropriate between Trustees and constituents, stakeholders, and the general public.

5. Enforcement of Code of Conduct

Informal Complaint Procedure

- 5.1 The Chair of the Board on his/her own initiative, or at the request of a Trustee of the Board (without the necessity of providing a formal written complaint) who alleges a breach of the Code has occurred, may meet informally with a Trustee of the Board who is alleged to have breached the Code to discuss the breach. The purpose of the meeting is to bring the allegation of the breach to the attention of the Trustee and to discuss options to correct the offending behavior. The Informal Complaint Procedure is conducted in private.
- 5.2 If the Chair of the Board and the Trustee alleged to have breached this Code cannot agree on a remedy, then a formal complaint may be brought against the Trustee alleged to have breached this Code and that complaint will be dealt with in accordance with the formal, complaint procedure.

Formal Complaints

- 5.3 A Trustee who has reasonable grounds to believe that another Trustee of the Board has breached the Board's Code of Conduct may bring the breach to the attention of the Board by first providing

to the Board Chair, a written, signed complaint setting out the following:

- the name of the Trustee who is alleged to have breached the Code;
- the alleged breach or breaches of the Code;
- information as to when the breach came to the Trustee's attention;
- the grounds for the belief by the Trustee that a breach of the Code has occurred; and
- the names and contact information of any witnesses to the breach or any other persons who have relevant information regarding the alleged breach.

- 5.4 If a written complaint is filed with the Chair of the Board, the Chair shall decide, in consultation with the Vice-Chair, if a formal inquiry shall be undertaken. If a formal inquiry is to proceed, the Chair shall confidentially provide each Trustee with a copy of the written complaint.

Refusal to Conduct Formal Inquiry

- 5.5 If the Board Chair and Vice-Chair are of the opinion that the complaint is out of time, trivial, frivolous, vexatious or not made in good faith, or that there are no grounds or insufficient grounds for a formal inquiry, a formal inquiry shall not be conducted and a confidential report stating the reasons for not doing so shall be provided to all Trustees of the Board including the original, written complaint. The matter shall be discussed at the next in-camera Committee of the Whole meeting.

Initiating a Formal Inquiry

- 5.6 If a formal inquiry of an allegation of a breach of the Code of Conduct is undertaken, it shall be done by a Committee of the Board (the "Inquiry Committee") which shall be comprised of three Trustees as designated by the Chair's Committee. No Trustee of the Board may sit on the Inquiry Committee if they are a witness in the formal inquiry.

Formal Inquiry Procedure

- 5.7 Procedural fairness and the rules of natural justice shall govern the formal inquiry. The formal inquiry will be conducted in private.
- 5.8 The Inquiry Committee shall obtain written statements and documents from the complainant and any witnesses. This

documentation will be provided to the Trustee alleged to have breached the Code who will then have 30 days to provide a written statement and any documentation.

- 5.9 Both the complainants and the Trustee alleged to have breached the Code, shall receive copies of all written statements and documentation at least 30 days prior to the hearing.
- 5.10 The formal inquiry may involve both written and oral statements by any witnesses, the Trustee bringing the complaint and the Trustee who is alleged to have breached the Code of Conduct and the Trustee who is alleged to have breached the Code of Conduct shall have an opportunity to respond to all allegations. Timeframes may be extended with the consent of the Inquiry Committee. Such consent shall not be unreasonably withheld.
- 5.11 If the Inquiry Committee, when conducting the formal inquiry, discovers that the subject-matter of the formal inquiry is being investigated by police, that a charge has been laid, or is being dealt with in accordance with a procedure established under another Act, the formal inquiry may be suspended until the police investigation, charge or matter under another Act has been finally disposed of. This shall be reported to the Board.
- 5.12 If the Trustee who is alleged to have breached the Code of Conduct refuses to participate in the formal inquiry, the formal inquiry will continue in his/her absence.

Decision/Determination

- 5.13 Once the formal inquiry is complete, the Inquiry Committee shall provide a confidential final report outlining the finding of facts and a recommendation to the Board as to whether the Code of Conduct has been breached including recommended sanctions if any. This will be considered by the Committee of the Whole in camera.
- 5.14 A decision by the Board as to whether or not the Code of Conduct has been breached and the sanction, if any, for the breach shall be made as soon as practical after receipt of the final report by the Board.
- 5.15 Trustees shall consider only the findings in the final report when voting on the decision and sanction. No Trustee shall undertake his/her own investigation of the matter.

- 5.16 **The determination of a breach of the Code of Conduct and the imposition of a sanction** with respect to a complaint investigated in accordance with the Formal Complaint Procedure **must be done by resolution of the Board at a meeting of the Board, and the vote on the resolution shall be open to the public. The resolutions shall be recorded in the minutes of the meeting.** The reasons for the decision shall be recorded in the minutes of the meeting. Both resolutions shall be decided by a vote of at least 2/3 of the Trustees of the Board present and voting.
- 5.17 **Despite s. 207 (1) of the *Education Act*, the part of the meeting of the Board during which a breach or alleged breach of the Board's Code of Conduct is considered may be closed to the public when the breach or alleged breach involves any of the matters described in clauses 207(2) (a) to (e) being:**
- 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 parent or guardian;**
 - c. **the acquisition or disposal of a school site;**
 - d. **decisions in respect of negotiations with employees of the board; or**
 - e. **litigation affecting the board.**
- 5.18 **The Trustee who is alleged to have breached the Code of Conduct shall not vote on a resolution to determine whether or not there is a breach or the imposition of a sanction.** The Trustee who brought the complaint to the attention of the Board may vote on those resolutions.
- 5.19 The Trustee who is alleged to have breached the Code of Conduct may be present during the deliberations regarding the above but shall not participate in the deliberations, and shall not be required to answer any questions at that meeting.
- 5.20 The Trustee who is alleged to have breached the Code of Conduct shall not in any way, after the final report is completed, influence the vote on the decision of breach or sanction, except as permitted below after these decisions have been made.
- 5.21 If the Board determines that a Trustee has breached the Board's Code of Conduct the Board shall:

- a. give the Trustee written notice of the determination, the reasons for the decision and any sanction imposed by the Board;
 - b. the notice shall inform the Trustee that he or she may make written submissions to the Board in respect of the determination or sanction by the date specified in the notice that is at least 14 days after the notice is received by the Trustee; and
 - c. consider any submissions made by the Trustee and shall confirm or revoke the determination or sanction within 14 days after the submissions are received.
- 5.22 If the Board revokes a determination, any sanction imposed by the Board is revoked.
- 5.23 If the Board confirms a determination, the Board shall, within the 14 days above, confirm, vary or revoke the sanction.
- 5.24 If a sanction is varied or revoked, the variation or revocation shall be deemed to be effective as of the date the original determination was made.
- 5.25 The Board decisions to confirm or revoke a determination or confirm, vary or revoke a sanction shall be done by resolution at a meeting of the Board and the vote on the resolution shall be open to the public. Both resolutions shall be decided by a vote of at least two-thirds of the Trustees present and voting. The resolutions shall be recorded in the minutes of the meeting together with the reasons for confirming or revoking a determination. The Board shall provide to the Trustee alleged to have breached the Code of Conduct written notice of the decision to confirm or revoke the determination together with reasons for the decision and written notice of any decision to confirm, vary or revoke a sanction. The Trustee alleged to have breached the Code of Conduct shall not vote on those resolutions. The Trustee who brought the complaint may vote.
- 5.26 The Trustee who is alleged to have breached the Code of Conduct may be present during the deliberations regarding the above but may not participate in the Board's deliberations and shall not be required to answer any questions at that meeting.
- 5.27 If appropriate, the original sanction may be stayed pending the reconsideration by the Board of the determination or sanction.

Sanctions

- 5.28 **If the Board determines 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; and/or**
 - d. Other sanctions as determined by the Board.
- 5.29 In respect of a Trustee's failure to comply with the duty of confidentiality as stated in 4.9 and 4.10 the following additional sanctions may be pursued by the Board:
- a. The Board may seek an injunction against a Trustee who fails or refuses to maintain confidentiality. The terms of such injunction may prescribe that the Trustee be excluded from confidential meetings, be refused access to confidential reports, and/or be required to undertake in writing to observe the duty to maintain confidentiality in future before being allowed back into such meetings.
 - b. An action for damages may be brought against any Trustee who fails to maintain confidentiality, and the Board will not compensate the Trustee for legal costs incurred in defending such an action (unless directed by the court).
- 5.30 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.
- 5.31 **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.**
- 5.32 **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.**



6 Statutory Powers Procedure Act

The *Statutory Powers Procedure Act* does not apply to anything done regarding the enforcement of this Code of Conduct

Appendix D

Petitions and Communications

Preparing a Petition

A petition is a request for the Thames Valley District School Board to take some specific action (or refrain from taking some action).

The action requested must be related to the education system within the Thames Valley District and the request must be clear, temperate, proper, and respectful. Petitions containing obscene or defamatory language will not be accepted.

The request must appear at the top of every page of signatures submitted with the petition.

Signatures on a Petition

Petitioners must be a resident of the Thames Valley District and/or a student or parent/guardian of a student attending a Thames Valley District School Board school.

A petition must contain original signatures only.

Each person must print their name and address and sign their name under the text of the petition.

Submitting a Petition

A petition must be addressed to the Thames Valley District School Board of Trustees and submitted to the Supervisor-Board Services. Petitions addressed otherwise or to a particular Trustee will not be accepted.

Petitions must be written, typewritten, or printed. Emailed, faxed or photocopied petitions are not admissible and will not be accepted.

Communication and Follow Up

Petitions received in accordance with these procedures shall be noted on the next regular Board meeting agenda under Communications and shall be made available to all Trustees by the Supervisor-Board Services.

No action may be taken at the Board meeting where the petition is noted on the agenda; however, a motion may be brought to the next regular Board meeting under Unfinished Business or to a subsequent Board meeting for consideration providing a Notice of Motion has been served.

Petitions and communications on any subject within the purview of a committee may be referred by the Chair to the proper committee without motion.

Appendix E

Guidelines for Trustee Communications

1.0 Purpose

The Thames Valley District School Board recognizes that communications are an integral part of the role of its elected Trustees. Effective communications enhance the ability of Trustees to represent their constituency, encourage public participation, build understanding and consensus in the community, to relay information, and to promote student achievement and well-being. The intent of this guideline is to promote innovative, consistent, and appropriate communications between Trustees and their constituents. This guideline addresses written communication, verbal communication, communication tools and resources, appropriate communication protocol, and inappropriate communications.

2.0 Trustee Communications – Written

Trustee written communications may take place in a variety of forms including, but not limited to, trustee newsletters, mailed letters, email, and social media.

2.1 Trustee Newsletters

Trustee Newsletter can be an effective tool for sharing information with constituents regarding the role of Trustees, Board policies, decisions made by the Board, Ministry of Education initiatives, Board events, recognition of student achievement, and resources that are beneficial to student well-being. Newsletters shall promote the vision and mission of the Thames Valley District School Board and should never reflect negatively on the Board, its staff, schools, or other Trustees. The communication must be presented as reflecting only the personal opinion of the individual Trustee and not an official Board document.

The content of newsletters are to be subject to editorial review by the Chair's committee prior to distribution and any expense associated with the newsletter is the responsibility of the Trustee and ineligible for reimbursement. Once approved for distribution, a copy of the newsletter shall be provided as information to the rest of the Trustees, the Director of Education, the Communications Department, relevant superintendents, and relevant principals.

2.2 Letters

From time-to-time a letter may be deemed an appropriate form of communication with constituents. Trustees may use Board letterhead to send congratulations, to provide special recognition of student achievement, or to thank a community member for a significant contribution that directly benefits student achievement and well-being. Any correspondence produced by a

Trustee on Board-issued letterhead must be approved by the Chair of the Board prior to distribution.

2.3 Email

Email is the preferred form of communication with constituents, staff, and trustees. Expected procedures to be followed by a Trustee receiving a communication via email or by some other electronic means are:

- When an email is addressed to all Trustees, the Chair of the Board shall address the matter, and a courtesy copy (cc) of the response shall be provided to the other Trustees.
- When an email has been addressed to a member of staff, and copied to one or more Trustees, staff shall respond to the email and provide a courtesy copy (cc) of the response to each Trustee copied in the correspondence.
- Trustees should not respond to email correspondence on which they have been copied (cc'd) and should only respond to email correspondence sent directly to their attention. It is up to the trustee to touch base with the trustee secretary to ensure the email is directed to them.
- If an email comes to a Trustee from a constituent not from their area, then it is to be forwarded to the Trustee(s) representing that area.
- Recognizing that email is not a secure vehicle of communication, Trustees shall never use email to communicate sensitive or confidential information.
- If a different form of contact other than email was used to communicate with a Trustee, then it is appropriate for the Trustee to correspond with that means of communication while also relaying information via email to fellow Trustees and the appropriate Board Administrators

2.4 Social Media

Social media refers to online technology tools that enable people and organizations to communicate, collaborate, and share information and resources over the internet. Examples include, but are not limited to, Facebook, X, YouTube, Snapchat, Instagram, blogs, and websites.

- Board authorization is not required for a Trustee to open a personal or professional social media account.
- Trustees should use social media with the same level of professionalism and responsibility as they would when officially representing the Board.
- Online postings should remain positive - do not engage in negative or critical conversations online.

- Retweets, likes, and favourites could be perceived as endorsements - always check before sharing.
- Search hashtags (#) before using them to ensure they are appropriate and positive.
- Photos are a great way to highlight what is happening at the Board, but identifiable photos should only be used if those students in the photograph, or parents of those students, have given informed written consent.
- Accounts should be updated and monitored regularly, and offensive material must be removed within 24 hours of notice.
- Be mindful of the TVDSB policy on equity and inclusive education and the Ontario Human Rights Code when posting content and all Board policies and other regulations.
- Gathering information for social media use should not be disruptive in any public meeting or event.
- In accordance with the Municipal Freedom of Information and Protection of Privacy Act, Trustees shall not divulge personal information related to the Board's students or staff.

3.0 Trustee Communication – Verbal

Trustee verbal communications may take place in a variety of forms including, but not limited to, individual communications and public speaking, video messaging, and media relations.

3.1 Individual Communications and Public Speaking

Trustees will communicate in one-on-one conversations with individual constituents, through interviews with the media, and to public gatherings at school and community events. These communications can be an effective way to promote the Thames Valley District School Board mission and vision to others and to promote student achievement and well-being. Requests for official communications should come through the Chair.

- When speaking, Trustees should communicate as clearly, and as accurately as possible.
- As a general rule, the Chair of the Board, will speak for the Board unless delegated by the Chair to a fellow Trustee.
- Consistent with the *Education Act*, individual trustees shall uphold decisions of the Board even if they personally disagree and must be able to explain the rationale for the decision.
- When conveying a personal statement, the Trustee must identify it as a personal opinion and not the opinion of the Board.
- Trustees shall not communicate as individuals about student or staff discipline or matters of negotiation unless designated by the Chair to do so.

- In accordance with the *Municipal Freedom of Information* and the protection of *Privacy Act*, Trustees shall not divulge personal information related to the Board's students or staff.
- Any public statement should aim to promote student achievement and well-being in the Board. Public statements should avoid criticism of the intentions or actions of other Trustees, staff, parents, or students. Public statements should be consistent with the Board's mission and vision.

3.2 Video Messages

A Trustee video message can be an effective tool for sharing information with constituents regarding the role of Trustees, Board policies, decisions made by the Board, Ministry of Education initiatives, Board events, recognition of student achievement, and resources that are beneficial to student well-being. The video message shall promote the vision and mission of the Thames Valley District School Board and should never reflect negatively on the Board, its staff, schools, the Ministry of Education, or other Trustees. The communication must be presented as reflecting only the personal opinion of the individual Trustee.

The content of a video message is subject to editorial review by the Chair's committee prior to distribution. The expense is the responsibility of the Trustee making the video message and is ineligible for reimbursement. Once approved, a copy of the video message shall be provided as information to Trustees, the Director of Education, the Communications Department, superintendents, and principals, as appropriate.

3.3 Media Relations

Trustees may be contacted by media officials. The following should be kept in mind when responding to media requests:

- Only the Chair of the Board or their designate will act as the official spokesperson for the Board although this does not bar Trustees from speaking to the media.
- When speaking or corresponding with the media, individual Trustees shall not present an opinion as the position of the Board, unless they have been authorized to speak on the subject by the Chair of the Board.
- When speaking or corresponding with the media, individual Trustees shall uphold the decision of the Board and the implementation of any Board resolution once it has been passed.
- When speaking with the media, individual Trustees should clearly identify as personal opinions any statement or positions that are not necessarily those of the Board.

- At a minimum, a Trustee contacted by the media should inform the Chair, the Trustee Secretary, and Director's Secretary, of an interview, if the Trustee will be commenting on system-wide issues.

4.0 Communication Tools and Resources

Recognizing that communication is an essential component of a Trustee's role and responsibilities Board-issued letterhead, and business cards will be made available to each Trustee to assist them in this regard.

4.1 Board-Issued Letterhead

Upon request, each Trustee will be provided with Board-issued letterhead.

4.2 Board-Issued Business Cards

A supply of business cards will be issued to each Trustee. Board-issued business cards are to be used for the purpose of identifying the individual Trustee as a member of the Board, and as such, any contact information identified on the business card shall be consistent with the Trustee's Board contact information and should not correspond with a Trustee's business contact information.

5.0 Appropriate Communication Protocol

Trustees are often contacted by parents with concerns about their child's education. Trustees must always encourage parents to follow the appropriate communication protocol. Refer to the Public Concerns Policy and Resolving Public Concerns Procedure.

6.0 Inappropriate Communications

Inappropriate communications or social media posts will be subject to review by the Chair's Committee. Trustees may be subject to feedback, warning, or discipline, as recommended by the Chair's Committee to the Board under the current Trustee Code of Conduct procedures found in the Bylaws.

Appendix F

Electronic Voting Guidelines

An electronic vote (e-vote) may be used if it is determined by the Chair, Vice-Chair or Director/designate that an urgent question/matter of an in-camera nature requires a decision before the next meeting and generally is used when debate is not anticipated.

Bylaw 6.5 provides a means by which the Board may meet to deliberate a question of significance and/or allow debate.

Despite the above, any member may call for the debate of a question put forward electronically (See Calling for Debate) or may request additional information (See Request for Additional Information).

1.1 The call for an e-vote is sent to all voting members via e-mail by the Supervisor-Board Services or designate.

1.1.1 The Chair, or their designate, shall develop the time frame for the e-vote.

1.1.2 Each motion must be made in a separate email. The subject line must include the word "Motion".

1.1.3 Notice includes:

- the name of the mover and seconder of the motion;
- the motion;
- any supporting documentation for the e-vote; and
- the time frame for the e-vote

1.2 Votes of 'yea', 'nay', or 'abstain' are returned to and recorded by the Supervisor-Board Services or designate.

1.2.1 Trustees not responding to the call for an e-vote are recorded as "no response."

1.2.2 Where the number of "no responses" precludes the ability to decide on the vote, the Chair may extend the time frame by twenty-four (24) hours for the vote. The time frame may only be extended once. A second call for an e-vote is sent.

1.3 The motion is passed by a majority vote of the membership.

- 1.4 The result of the e-vote is communicated to all members by the Supervisor-Board Services or designate, including the number of e-votes cast for and against the motion.
- 1.5 The Supervisor-Board Services or designate shall prepare a report to be entered into the minutes of the next regular meeting (whether in public or in camera as appropriate) under Chair's Announcements.

Calling for Debate

- 2.0 A member may call for a debate on the question by using the "Reply All" to the e-mail and asking for an opportunity to debate the question.

The call for debate must be within the time frame stipulated for the e-vote.

- 2.1 Once a call for a debate has been received, all e-voting is suspended.

- 2.2 In consultation with the Chair (or designate), the Supervisor-Board Services or designate will schedule a special meeting for a set time.

- 2.2.1 The Chair (or designate) will call for a vote on the question once debate has concluded.

- 2.3 In consideration of the debate:

- 2.3.1 Any member may withdraw a vote if made previous to the special meeting. The withdrawal and revised vote must be within the time frame stipulated for the e-vote.

- 2.3.2 In the event that a special meeting cannot be held within the time frame, the vote will be withdrawn. The item may be prioritized as unfinished business at the next scheduled meeting.

Requests for Additional Information

- 3.0 A member may request additional information on the question by using the "Reply All" to the e-mail and stating their query.

The request for additional information must be within the time frame stipulated for the e-vote.

- 2.1 The Chair (or their designate) shall respond to the request for additional information.
 - 2.1.1 Depending on the query, the Chair may call for a teleconference. Section 2.2 applies.
- 2.2 In consideration of the additional information:
 - 2.2.1 Any Trustee may withdraw a vote if made previous to the receipt of the additional information. The withdrawal and revised vote must be within the time frame stipulated for the e-vote.
 - 2.2.2 Any Trustee may call for a debate on the question. Section 2.0 applies.

Appendix G

Delegations to the Board

PUBLIC INPUT

The Board welcomes and values public input from students, parents, and members of the community about Board policies, practices, issues, and its overall education system.

1. Substance of Presentation

- 1.1. Members of the public may wish to provide input on issues of concern to the education system. It is not intended--nor is it appropriate--for such input to address confidential personal, property, legal or negotiation matters. Concerns of this nature should be addressed through the Public Concerns and Complaints Policy/Procedure
- 1.2. Parents and students are encouraged to address local school-based issues through the appropriate principal, superintendent, Trustee and/or through their School Council.
- 1.3. Individuals or groups will be limited to one presentation on a given topic in a school year.
- 1.4. To appear before the Board/committee of the Board, a presenters' application outlining the key points to be presented must be completed and forwarded to the Supervisor-Board Services or designate before the request is considered. The application is available through the TVDSB website. Applications must be received by Board Services eight (8) working days before the Board meeting by 9:00 a.m. Late applications may be considered for the following meeting.

2. Delegation Request Review

- 2.1. If not otherwise defined in the alternative process, applications for public input must be submitted to the Supervisor-Board Services or designate no later than eight (8) working days before the meeting scheduled for public input.
- 2.2. The Chair's Committee will review all requests to provide input to ensure that the material to be covered complies with the requirements and will determine the order and number of presentations at a given meeting. The Committee will determine the suitability of materials for distribution per applicable legislation.
- 2.3. All delegations wishing to address a matter under consideration shall be directed to the appropriate committee. When a delegation is presented to committee, the committee Chair will include a brief summary as part of the

committee report to the Board. By motion, the Board may invite the delegate to present delegations at a meeting of the Board.

3. Notification

- 3.1. Presenters will receive notice of the Committee's decision regarding the request for public input.
- 3.2. The Supervisor-Board Services or designate shall inform the individual or group making a presentation of the meeting date and the approximate time when the presentation will be heard.
- 3.3. The public input schedule will be provided to the Board/committee before the meeting.

4. Oral Presentation Procedure

- 4.1. Oral presentations will be a maximum of 10 minutes for an approved delegation representing a School Council or a Home and School Association in good standing and 5 minutes for individuals or representatives of any other organization/group.
- 4.2. Oral presentations should address the concerns identified in the presenter's application. If the materials presented differ substantially from the written submission, the Chair has the right to rule the presentation out of order.

5. Questions of Clarification from Trustees

- 5.1. At the conclusion of each public presentation, Trustees may ask questions of clarification. No action may be taken at the meeting of the presentation. A motion may be brought to a subsequent Board meeting for consideration providing a Notice of Motion has been served.

6. Request Input on Specific Issues

- 6.1. Public input may be solicited on specific issues to be debated by the Board such as an accommodation review, budget development, or other matters. In these cases, an alternate process to receive input will be established.

*Appendix E***Guidelines for Trustee Communications****1.0 Purpose**

The Thames Valley District School Board recognizes that communications are an integral part of the role of its elected Trustees. Effective communications enhance the ability of Trustees to represent their constituency, encourage public participation, build understanding and consensus in the community, to relay information, and to promote student achievement and well-being. The intent of this guideline is to promote innovative, consistent, and appropriate communications between Trustees and their constituents. This guideline addresses written communication, verbal communication, communication tools and resources, appropriate communication protocol, and inappropriate communications.

2.0 Trustee Communications – Written

Trustee written communications may take place in a variety of forms including, but not limited to, trustee newsletters, mailed letters, email, and social media.

2.1 Trustee Newsletters

Trustee Newsletter can be an effective tool for sharing information with constituents regarding the role of Trustees, Board policies, decisions made by the Board, Ministry of Education initiatives, Board events, recognition of student achievement, and resources that are beneficial to student well-being. Newsletters shall promote the vision and mission of the Thames Valley District School Board and should never reflect negatively on the Board, its staff, schools, or other Trustees. The communication must be presented as reflecting only the personal opinion of the individual Trustee and not an official Board document.

The content of newsletters are to be subject to editorial review by the Chair's committee prior to distribution and any expense associated with the newsletter is the responsibility of the Trustee and ineligible for reimbursement. Once approved for distribution, a copy of the newsletter shall be provided as information to the rest of the Trustees, the Director of Education, the Communications Department, relevant superintendents, and relevant principals.

2.2 Letters

From time-to-time a letter may be deemed an appropriate form of communication with constituents. Trustees may use Board letterhead to send congratulations, to provide special recognition of student achievement, or to thank a community member for a significant contribution that directly benefits student achievement and well-being. Any correspondence produced by a

Trustee on Board-issued letterhead must be approved by the Chair of the Board prior to distribution.

2.3 Email

Email is the preferred form of communication with constituents, staff, and trustees. Expected procedures to be followed by a Trustee receiving a communication via email or by some other electronic means are:

- When an email is addressed to all Trustees, the Chair of the Board shall address the matter, and a courtesy copy (cc) of the response shall be provided to the other Trustees.
- When an email has been addressed to a member of staff, and copied to one or more Trustees, staff shall respond to the email and provide a courtesy copy (cc) of the response to each Trustee copied in the correspondence.
- Trustees should not respond to email correspondence on which they have been copied (cc'd) and should only respond to email correspondence sent directly to their attention. It is up to the trustee to touch base with the trustee secretary to ensure the email is directed to them.
- If an email comes to a Trustee from a constituent not from their area, then it is to be forwarded to the Trustee(s) representing that area.
- Recognizing that email is not a secure vehicle of communication, Trustees shall never use email to communicate sensitive or confidential information.
- If a different form of contact other than email was used to communicate with a Trustee, then it is appropriate for the Trustee to correspond with that means of communication while also relaying information via email to fellow Trustees and the appropriate Board Administrators

2.4 Social Media

Social media refers to online technology tools that enable people and organizations to communicate, collaborate, and share information and resources over the internet. Examples include, but are not limited to, Facebook, X, YouTube, Snapchat, Instagram, blogs, and websites.

- Board authorization is not required for a Trustee to open a personal or professional social media account.
- Trustees should use social media with the same level of professionalism and responsibility as they would when officially representing the Board.
- Online postings should remain positive - do not engage in negative or critical conversations online.
- Retweets, likes, and favourites could be perceived as endorsements - always check before sharing.
- Search hashtags (#) before using them to ensure they are appropriate and positive.

- Photos are a great way to highlight what is happening at the Board, but identifiable photos should only be used if those students in the photograph, or parents of those students, have given informed written consent.
- Accounts should be updated and monitored regularly, and offensive material must be removed within 24 hours of notice.
- Be mindful of the TVDSB policy on equity and inclusive education and the Ontario Human Rights Code when posting content and all Board policies and other regulations.
- Gathering information for social media use should not be disruptive in any public meeting or event.
- In accordance with the Municipal Freedom of Information and Protection of Privacy Act, Trustees shall not divulge personal information related to the Board's students or staff.

3.0 Trustee Communication – Verbal

Trustee verbal communications may take place in a variety of forms including, but not limited to, individual communications and public speaking, video messaging, and media relations.

3.1 Individual Communications and Public Speaking

Trustees will communicate in one-on-one conversations with individual constituents, through interviews with the media, and to public gatherings at school and community events. These communications can be an effective way to promote the Thames Valley District School Board mission and vision to others and to promote student achievement and well-being. Requests for official communications should come through the Chair.

- When speaking, Trustees should communicate as clearly, and as accurately as possible.
- As a general rule, the Chair of the Board, will speak for the Board unless delegated by the Chair to a fellow Trustee.
- Consistent with the *Education Act*, individual trustees shall uphold decisions of the Board even if they personally disagree and must be able to explain the rationale for the decision.
- When conveying a personal statement, the Trustee must identify it as a personal opinion and not the opinion of the Board.
- Trustees shall not communicate as individuals about student or staff discipline or matters of negotiation unless designated by the Chair to do so.
- In accordance with the *Municipal Freedom of Information* and the protection of *Privacy Act*, Trustees shall not divulge personal information related to the Board's students or staff.
- Any public statement should aim to promote student achievement and well-being in the Board. Public statements should avoid criticism of the intentions or actions of other Trustees, staff, parents, or students.

Public statements should be consistent with the Board's mission and vision.

3.2 Video Messages

A Trustee video message can be an effective tool for sharing information with constituents regarding the role of Trustees, Board policies, decisions made by the Board, Ministry of Education initiatives, Board events, recognition of student achievement, and resources that are beneficial to student well-being. The video message shall promote the vision and mission of the Thames Valley District School Board and should never reflect negatively on the Board, its staff, schools, the Ministry of Education, or other Trustees. The communication must be presented as reflecting only the personal opinion of the individual Trustee.

The content of a video message is subject to editorial review by the Chair's committee prior to distribution. The expense is the responsibility of the Trustee making the video message and is ineligible for reimbursement. Once approved, a copy of the video message shall be provided as information to Trustees, the Director of Education, the Communications Department, superintendents, and principals, as appropriate.

3.3 Media Relations

Trustees may be contacted by media officials. The following should be kept in mind when responding to media requests:

- Only the Chair of the Board or their designate will act as the official spokesperson for the Board although this does not bar Trustees from speaking to the media.
- When speaking or corresponding with the media, individual Trustees shall not present an opinion as the position of the Board, unless they have been authorized to speak on the subject by the Chair of the Board.
- When speaking or corresponding with the media, individual Trustees shall uphold the decision of the Board and the implementation of any Board resolution once it has been passed.
- When speaking with the media, individual Trustees should clearly identify as personal opinions any statement or positions that are not necessarily those of the Board.
- At a minimum, a Trustee contacted by the media should inform the Chair, the Trustee Secretary, and Director's Secretary, of an interview, if the Trustee will be commenting on system-wide issues.

4.0 Communication Tools and Resources

Recognizing that communication is an essential component of a Trustee's role and responsibilities Board-issued letterhead, and business cards will be made available to each Trustee to assist them in this regard.

4.1 Board-Issued Letterhead

Upon request, each Trustee will be provided with Board-issued letterhead.

4.2 Board-Issued Business Cards

A supply of business cards will be issued to each Trustee. Board-issued business cards are to be used for the purpose of identifying the individual Trustee as a member of the Board, and as such, any contact information identified on the business card shall be consistent with the Trustee's Board contact information and should not correspond with a Trustee's business contact information.

5.0 Appropriate Communication Protocol

Trustees are often contacted by parents with concerns about their child's education. Trustees must always encourage parents to follow the appropriate communication protocol. Refer to the Public Concerns Policy and Resolving Public Concerns Procedure.

6.0 Inappropriate Communications

Inappropriate communications or social media posts will be subject to review by the Chair's Committee. Trustees may be subject to feedback, warning, or discipline, as recommended by the Chair's Committee to the Board under the current Trustee Code of Conduct procedures found in the Bylaws.



REPORT TO:	Board Governance and Bylaw Review Committee
	Public or In-Camera (for Board Meetings only): N/A
TITLE OF REPORT:	Committee Terms of Reference – Meeting Extensions
PRESENTERS: <i>(list ONLY those attending the meeting)</i>	Trustee Cripps
REPORT AUTHORS:	Steve Hickson, Coordinator, Board Services
PRESENTED FOR:	Input/Advice
Recommendations: <i>(only required when presented for approval)</i>	
Purpose: <i>(include context)</i>	To align all committee Terms of Reference as per the June 25, 2024 Board Motion.
Content:	<p>At the June 25, 2024 Board meeting, the Board of Trustees passed the following motion:</p> <p><i>THAT staff review all Terms of Reference for redundancy and alignment with other Terms of Reference and update as housekeeping.</i></p> <p>During the alignment review, it was noted that some committee Terms of Reference indicate the parameters regarding when and how many times a committee meeting can be extended, and others do not.</p> <p>The Board Governance and Bylaw Review Committee is asked to provide input on the default number of meeting extensions for all committee Terms of Reference. Four potential recommendations are outlined within this report.</p> <p>Meeting extensions are referenced in Robert’s Rules of Order, section 41:67 stating:</p> <p><i>When the chair announces the hour, any member can move to reschedule the time for recess or adjournment, or to extend the time of considering the pending question for a specified period. These motions are undebatable and require a two-thirds vote.</i></p>

This means that upon completion of the current item, the remaining items would be deferred to the next meeting.

Recommendation #1:

THAT all committee Terms of Reference be aligned to state that committee meetings must end at the scheduled time, except per Robert's Rules of Order 41:67.

Note that as per Thames Valley District School Board Bylaws 6.1.3:

The Chair has the responsibility to inform the Board of any time sensitive items or any crucial announcements prior to taking a vote on an extension or declaring the meeting adjourned.

Recommendation #2:

THAT all committee Terms of Reference be aligned to state that committee meetings may be extended one time with a 2/3 majority vote.

The old bylaws provided for two committee meeting extensions as per 12.3:

The Advisory Committees may remain in session no later than 9 p.m. (or 3 hours after its scheduled start time) unless a vote of two-thirds of those present is taken to continue the meeting to a specified time. A further two-thirds vote may be taken to extend the meeting a second time for a specified period. The meeting may not be extended past the time approved in the second motion.

Recommendation #3:

THAT all committee Terms of Reference be aligned to state that Committee meetings may be extended two times with a 2/3 majority vote.

The final option is to intentionally not align this section of each of the Terms of Reference and leave them as they were originally approved by the Trustees in June of 2024.

Status quo would result in the Planning and Priorities Advisory Committee having two committee meeting extensions and the Policy Working Committee and Program and School Services Advisory Committee having one. All other Board committees would only be permitted a committee meeting extension under Robert's rules 41:67.

	<p>Recommendation #4:</p> <p>No recommendation required and leave this section of the committee Terms of Reference as is.</p>
Financial Implications:	
Timeline:	
Communications:	
Appendices:	

Connection to Strategic Directions:

We value students’ individual educational paths and provide the tools and resources necessary for student achievement including students with special education needs: Choose an item.

To support student achievement, our schools and workplaces must be safe spaces for all: Choose an item.

Our goal is to become Ontario’s leader in education by fostering a culture of innovation and excellence: Yes

To inform our decision-making, we will build positive, trusting relationships across our district by increasing community engagement that is accessible, accountable, and transparent: Choose an item.

Board Governance and Bylaw Review Committee Workplan

Workplan Items	Dates
TVDSB BYLAWS	
Bylaw Primer/Interpreter	
Completion of Bylaws and recommendation to the Board	
Public Input submission timelines	
Bylaw Appendices Review x 12	
TVDSB CODE OF CONDUCT	
Code of Conduct and recommendation to the Board	
Implement mechanisms for the enforcement of the Code of Conduct	
TVDSB Trustee Code of Conduct to be in compliance with the new Ministry of Education Ontario Regulation 312/24.	October and November
Board Self-Assessment	
Enhance evaluation measures and monitoring practices to periodically assess the Board of Trustees' performance	
Other	
Update to Trustee Onboarding/Resource Manual	
Monitor the effectiveness of the Trustee professional development program	
Board Governance Committee Terms of Reference/Mandate Review	
Trustee Inappropriate Communications Review for alignment with legislation as per Board Motion 2024 Sept 24	
Review of Committee Meeting Reports to the Board as per Board motion 2024 September 24	December 2024 Board meeting
Subject Matter Specific Professional Development for Committees	