

PROCEDURAL BY-LAW 02/26

School District of Mystery Lake



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School District of Mystery Lake
BY-LAW NO. 02/26
(as amended by By-Law No.)

being a by-law establishing rules of procedure for the guidance of the School Board in its meetings.

WHEREAS the Public Schools Act, Section 33(1) provides that a school board shall pass by-laws establishing rules of a procedure for the guidance of the school board in the conduct of its meetings,

THEREFORE be it resolved that the following rules of procedure shall regulate the operation of the Board unless such rules of procedure be contrary to the provisions of the Public Schools Act.

PREAMBLE

A. POWERS AND DUTIES OF THE BOARD OF TRUSTEES

In addition to the duties the Board of Trustees is required to perform under the provisions of the Public Schools Act and other acts of the Legislature of Manitoba, this by-law shall regulate the operation of the Board of Trustees in all matters of concern to the School District. Without in any way restricting the generality of the foregoing, the Board of Trustees shall:

1. assign duties and powers to all committees;
2. make policy;
3. organize such standing, special, and advisory committees as may be deemed necessary, and stipulate the terms of reference for each;
4. receive reports from all committees and take such action as may be deemed advisable;
5. undertake such consultation with parents, taxpayers, teachers, students and other groups as necessary to fully inform the Board in its deliberations;
6. exercise appropriate care in overseeing the operations of the School District as a whole;
7. otherwise act wholly within the terms and conditions of the Public Schools Act and its regulations and such other legislation as may be applicable.
8. if following a general election there is a vacancy, the board shall appoint the number of trustees to fill all vacant seats.

B. AUTHORITY OF SCHOOL TRUSTEES

Trustees, severally, shall serve as the Board of Trustees of the School District of Mystery Lake and, as such, shall have, when acting as a Board, all of the powers, duties, and responsibilities as are set out in the Public Schools Act, its Regulations, and any other act of the Province of Manitoba applicable to the Boards of Trustees of school districts.

Without in any way restricting the generality of the foregoing, individual Trustees shall:

1. attend duly called meetings of the Board of Trustees and any committee on which they serve. Serve as chairs of committees and of the Board, as called upon, and accept any other assignment given to them by the Board, unless they feel that they cannot fulfill the duties thus assigned;
2. inform the Chair of the Board, or ensure the Chair is informed, as to any absences contemplated which would affect their attendance at any Board or committee meeting to which they have been called;
3. keep in strictest confidence circumstances surrounding any matter brought to the Board's attention in camera;
4. direct complaints against Board policy, Board officials, principals, teachers, and other personnel through proper channels.;
5. direct requests for appearance at Board or committee meetings by prospective delegations to the Chair of the Board and/or the appropriate administrator;
6. act as representatives of the Board at all public functions which they are called upon by the Board to attend in the capacity of a trustee;
7. understand that trustees have no authority beyond that which is exercised at the Board meeting, and that trustees shall not lend the impression that they are speaking on the Board's behalf unless that authority has been so delegated; and
8. fully participate while attending a Board-sanctioned conference, retreat or other, and provide a report to the Board at the next regular scheduled Board meeting.

SECTION I VACANCY AFTER ELECTION/BY-ELECTION

1. With a vacancy following a general election as per the Public Schools Act, the seat will be filled by appointment as soon as feasible.
2. The Board will offer a qualified person as defined within the Public Schools Act. Section 22(1) the position of trustee by written letter and the nominee will accept in writing.
3. Additional competencies or experience considered in the offer will include governance, strategic planning, member of another board, volunteering and volunteering within the school setting, project management, finances, community engagement, teamwork and planning.
4. The appointment will be carried out by resolution as prescribed in the Public Schools Act. Section 26(6).
5. Appointments require an affirmative vote of two-thirds (2/3) of sitting trustees.
6. With a vacancy known prior to election day, the current board may develop and conduct interviews and make a recommendation to the new board.
7. As per the Public Schools Act Section 26(6) the new board or the previous board if there is a majority, may appoint by resolution, the new trustee at the inaugural meeting.
8. Upon swearing in, new trustees may participate in the vote for Chair and Vice-Chair and participate in committee appointments

SECTION II INAUGURAL MEETING OF THE BOARD

1. The Inaugural Meeting of the Board shall be held annually:
 - a) in a year that a regular election is held, at the first meeting of the Board after the regular elections: and
 - b) in any other year, at the first meeting of the Board in September.
2. Trustees who are not present during nominations must provide consent in writing allowing their candidacy to stand if they are nominated for any positions.
3. At the Inaugural Meeting, the Trustees shall elect from among themselves a Chair and Vice-Chair who shall hold office until the next election of Chair and Vice-Chair. The Secretary-Treasurer shall preside at the election of the Chair and the Vice-Chair. Where two or more Trustees have been nominated for the position of Chair or for the position of Vice-Chair, a secret ballot election shall be held and the trustee receiving the greatest number of votes shall be elected Chair or Vice-Chair, as the case may be. In the event of a tie vote in electing the Chair or the Vice-Chair, the Board shall determine by lot who shall cast the deciding ballot.
4. After the election of the Vice-Chair, the newly elected Chair of the Board shall commence chairing the meeting and the balance of the business to be conducted at the Inaugural Meeting shall include:
 - a) Election of Standing Committee Chairs.
 - b) Election of Committee members. Setting forth regular meeting days and times for the Board.

SECTION III MEETINGS OF THE BOARD

1. The Chair shall preside at meetings of the Board of Trustees and shall vote simultaneously by a raise of hand with the other Trustees on all questions: and any question on which there is an equality of votes shall be deemed to be negative.
2. When the Chair is absent from a duly called and regularly held meeting of the Board of Trustees, the Vice-Chair shall preside; and, while so presiding, has all the powers of the Chair. In the absence of the Chair and Vice-Chair, a designate shall be appointed by the Trustees in attendance.
3. Notice of all Board meetings, regular and special, shall be given by the Secretary-Treasurer to all Trustees so that the notice setting the place, date and hour of the meeting, agenda and all supporting materials will be received by email and made electronically available at least twenty-four hours before the meeting, ,
4. The Board may hold a meeting at any time and any place to deal with an emergency situation if all the Trustees consent thereto and are present thereat.
5. A majority of the Trustees of the District constitutes a quorum when present at a meeting. A quorum is a majority of the whole Board and no business can be legally transacted without a quorum present. A majority vote of such a quorum is valid and binds the School District.

If there is no quorum at the start of a meeting, those Trustees present may wish to proceed with the business of the meeting operating as a committee. This committee would not be referred to as a Committee of the Whole because a quorum for a Committee of the Whole is the same number as a quorum for the Board. When a quorum is present, the legally constituted meeting would then be asked to approve the decisions made by the committee.

6. The Board shall not remain in session later than 10:00 p. m. unless this paragraph is suspended pursuant to the suspension of the rules of procedure. (section 3)
7. Every regular, special or emergency Board Meeting, but not necessarily Committee of the Whole or other Committee meetings, shall be held openly and no person shall be excluded or removed from any meeting except for improper conduct.
8. Notwithstanding section 39.1(1) of the Public Schools Act which states that a decision can be made with a reduced quorum if the numbers have been reduced as a result of a conflict of interest and two trustees are still able to vote, if, during the course of a meeting, the number of Trustees falls below a quorum, no resolution may be passed while a quorum is not present. When no quorum exists, the meeting shall be adjourned by the Chair.
9. The term quorum shall mean the number of Trustees physically present at the meeting plus the number of Trustees attending via electronic means as per Manitoba Regulation 201/2004.
10. Trustees must not be absent for three consecutive regular meetings of the school board without prior approval. Trustees should request authorization from the Board at the second consecutive meeting missed. In accordance with section 39.8(c) of the Public Schools Act, a school district shall declare a seat vacant and order an election to fill that seat when the trustee elected to that seat has failed to attend three consecutive regular meetings of the school board without authorization of the school board by resolution recorded in the minutes.
11. **Electronic Board Meetings**
Electronic Board Meetings
 "Electronic Meeting" means a meeting of the Board at which one or more Trustee who are participating in the meeting are not physically present at the same location as the other School Board Trustees who are participating. Their participation is done through electronic and communications media; such as telephone or video conferencing. The intent is to provide flexibility to Trustees in conducting business.

Public Schools Act, Regulations re: electronic meetings:

39.7.1(1) The minister may make regulations respecting the holding of School Board meetings by electronic means, including providing that at Trustee who participates in a regular meeting of a school board through electronic means is deemed to be present at the meeting for the purposes of this Act.

Minimum attendance required

39.7.1(2) Despite a regulation passed under subsection (1), every Trustee must be physically present at a regular meeting at least once every three months.

a) Requirements

Any electronic means used for the purposes of an electronic meeting must enable each Board member participation in the meeting:

1. To hear all of the other School Board Trustees participating in the meeting at all times during the meeting
2. To follow any votes taken at the meeting

The electronic means used must be in a manner that:

1. Allows a School Board trustee to participate in the meeting without violating any conflict-of-interest guidelines

b) Participation and Guidelines

1. Meetings held at other locations, besides the School District of Mystery Lake Board Office will be accommodated if technology will facilitate it to occur.
2. Board members are allowed to participate electronically at Regular or Special meetings of the Board providing that no later than 24 hours prior to a meeting the Secretary-Treasurer of the Board shall be notified of a Trustee's requirements for electronic communication at the meeting. The onus is on the trustees to ensure in-camera session(s) remain confidential.
3. Trustee shall have copies of the Regular or Special meeting agenda and package while participating electronically.
4. The Procedural By-Law regulations shall apply when participating electronically.

At every meeting of the school board, the following persons shall be physically present in the meeting room of the board: (a) the chair of the board or his or her designate; (b) at least one additional member of the board; (c) the superintendent of the division or his or her designate; (d) the secretary-treasurer or his or her designate. In the event of lost communication links the meeting may continue with quorum.
5. In unforeseen circumstances, where electronic communication links fail, every effort will be made to try to establish communication. In the event these efforts fail, the meeting will continue and the member will be marked absent with an explanation. Likewise, in the event the meeting is underway and the communication link is lost, the meeting will continue and it will be noted that the connections was lost.
6. A Trustee who is participating electronically will be allowed to join a meeting that is underway only if previously arranged for by the Secretary-Treasurer or Board Chair.
7. The chair will be responsible to ensure all votes of those participating electronically are heard and recorded in the minutes.
8. Presenters to the School Board will not be required to tailor their presentations to accommodate members who are participating electronically.
9. Information distributed at the Board Meeting must be read to members or be available to be e-mailed to a Trustee participating electronically, so that they can view the information and participate in discussion/debate.

SECTION IV SUSPENSION OF RULES OF PROCEDURE

The rules of procedure outlined in this by-law may be suspended at any regular, special or emergency meeting of the Board, or committee meeting of the whole, by unanimous consent of the Trustees present.

SECTION V AGENDA PREPARATION AND DISSEMINATION

1. The agenda shall be prepared jointly by the Superintendent or designate, the Chair of the Board or Vice-Chair in absence of the Chair. All recommendations must stand as submitted by Committees or individual Trustees. Items of business may be suggested by any trustee, member of the Senior Administration Team, staff, student or resident of the Division. Inclusion of items suggested shall be decided upon by the Superintendent or designate and the Chair of the Board or Vice-Chair in absence of the Chair. All recommendations shall state the author on the agenda. Where an item of business suggested by a trustee has been declined, the trustee shall receive notification and can appeal the decision to the board during the approval of the meeting agenda.

2. To ensure placement on the Board meeting agenda, items must reach the Superintendent or designate by Wednesday, noon, prior to agenda distribution.
 - a) The agenda and supporting material shall be delivered to the Trustees and members of the Senior Administration Team no later than the Friday prior to the Board meeting.
 - b) Where a major report which has financial, staffing or legal implications is to be submitted to the Board at a Regular Board Meeting, that report must first be reviewed by members of Senior Administration Team and the Chair or Vice-Chair prior to inclusion on the agenda.

Items of business not on the agenda may be discussed and acted upon only if agreed to by the majority of the Trustees present at the time the meeting is called. It is recognized that occasions may arise where agenda items of some urgency have not been identified in sufficient time to be included on the agenda distributed for a given meeting. To allow for inclusion of such items, the opportunity to add items will be provided immediately after a meeting has been called to order by the Chair.

3. The agenda must be approved at every meeting. Items in addition to the prepared agenda may be brought forth. The agenda format shall include:

- a) Call to Order
- b) First In-Camera Session
- c) Approval of Agenda
- d) Approval of Minutes
- e) Delegations and Presentations
- f) Business from Previous Board Meetings
- g) Superintendent of Human Resources and Policy Report
- h) Superintendent of Educational Services and Programming Report
- i) Secretary-Treasurer's Report
- j) New Business
- k) Correspondence
 - I. Action
 - II. Information
 - III. Manitoba School Boards Association Information
- l) Committee Reports
- m) Trustee Comments
- n) Questions from the Public About Items Pertaining to the Agenda
- o) Second In-Camera
- p) Adjournment

4. Board agenda material for the following categories shall be made available to the public subject to the conditions set out in paragraph 5 e) e:
 - a) Delegation Material
 - b) Correspondence For Discussion
 - c) Correspondence Distribution List
 - d) Standing and designated Special/Advisory Committee Reports
 - e) Reports to the Board from Senior Administration when they are approved for public distribution by the Chair.

5. Where the names of students or staff referenced in material in paragraphs (a) to (c) those materials shall not be made available to the public unless the Chair of the Board approves the release.
The Chair of the Board, may use discretion in determining availability to the public, in whole or in part, of material referenced in #4 (a) to (d), where the Chair believes that disclosure would not be in the best interest of the District.
6. The agenda and supporting material for each regular meeting of the Board shall be circulated in hardcopy and/or available electronically prior to the Board Meeting in accordance with the agenda distribution list as approved by the Board.
7. Some information not releasable, pursuant to this by-law, may be required to be released, pursuant to a bona fide application under the Freedom of Information and Personal Privacy Act.

SECTION VI BOARD MINUTES

1. In the absence of the Secretary-Treasurer, the Board Chair shall designate an individual to keep, or cause to be kept, minutes of all meetings of the Board.
2. Minutes of Board meetings shall record the names of Trustees in attendance as well as the names of Trustees who have communicated their regrets to the Chair. Where individual Trustees arrive subsequent to the commencement of a meeting or leave prior to adjournment, the arrival and/or departure shall be noted in an appropriate portion of the minutes.
3. Minutes of Board meetings shall record all motions made, the nature of delegations and correspondence, and the essence of topics and issues introduced and discussed under each of the agenda categories.
4. The Board shall, at the next regular Board meeting, review and approve, with corrections if necessary, the minutes of the previous regular, special or emergency Board meetings.
5. Resolutions passed by the Board have effect immediately and do not have to await approval of the minutes at a subsequent Board meeting as outlined in paragraph 4.
6. Board minutes, subject to Board approval at the next regular meeting, shall be distributed in accordance with the Board minute distribution list as approved by the Board. All minutes so made available shall be clearly marked "SUBJECT TO BOARD APPROVAL".
7. Unless otherwise directed by the Board, Minutes shall be kept for Committee Meetings of the Whole or Standing Committee Meetings and where recommendations are made and forwarded to a regular Board meeting, those recommendations shall be recorded as an attachment to the regular Minutes.

SECTION VII DUTIES OF THE CHAIR OR VICE-CHAIR

1. Chair to Preside at Meetings

The Chair shall preside at all regular and special meetings.

2. Vice-Chair to Preside in Absence of Chair

When the Chair is absent from a duly called meeting of the Board of Trustees, the Vice-Chair shall preside and while presiding shall have all the powers of the Chair.

3. Duties of the Chair at Meetings

The Chair shall preside at all regular and special meetings at which the Chair is present and in this duty shall:

- a. call all regular and special meetings to order at the prescribed time, providing a quorum is present;
- b. welcome any delegations or guests present and be the spokesperson of the Board in dealing with delegations;
- c. not communicate any commitments of the Board on a matter at hand unless a decision has been reached by board approval;
- d. shall preserve order and decorum at all times, acting with impartiality in all matters;
- e. endeavor to ensure that all matters of business before the Board are dealt with in an effective and timely manner;
- f. call upon the Vice-Chair to take the Chair in to make a motion or amendment and shall resume the Chair upon conclusion of the motion;
- g. reserve the right to speak to points of order before any other trustee and shall decide on questions of order subject to an appeal to the Board duly moved and seconded by any two trustees;
- h. rule on who shall have the floor to speak;
- i. ensure that all motions are duly moved and seconded prior to allowing formal discussion;
- j. state the question, or request that the Secretary –Treasurer state the question after due discussion, and shall call for a vote and announce clearly the result of such a vote;
- k. in the absence of provisions in the Procedural By-Law, be guided by the latest edition of Robert’s Rules of Order in the conduct of meetings and the acceptance of motions, amendments, sub-amendments etc., and on the matter of voting thereon.

4. General Duties of the Chair

In addition to the duties required to be performed by a Chair under the provisions of the Public Schools Act, the Chair shall:

- a. call all meetings of the Board and preside at all meetings of the Board at which the Chair is present;
- b. approve, in advance, the agenda for each Board meeting;
- c. act as a representative of the Board at public functions attended in the capacity of Chair;
- d. act as the public spokesperson for the Board and shall present all Board decisions, policies, actions, priorities and plans as authorized by the Board;
- e. not make a public statement without prior Board approval and that the public statement shall reflect that of the decision of the majority of the Board;
- f. act as an ex-officio member of all standing and special committees with the exception of the Liaison committee where he/she shall act as chair;
- g. provide leadership to the Board of Trustees;
- h. safeguard the principles and ethics of the Board as defined by policy;
- i. maintain regular contact with the Superintendent/CEO;
- j. encourage open and equitable dialogue to support informed and consensus driven decision making.

5. Duties of the Vice-Chair

The Vice Chair shall assume the role of Chair and all duties and responsibilities thereof upon the absence of the Chair or when called to do so by the Chairperson of the Board.

SECTION VIII PUBLIC PARTICIPATION AT BOARD MEETINGS

1. Delegations and Petitions Accompanied by Delegate

The Board of Trustees wishes to provide avenues for all residents of the School District of Mystery Lake to express their interests, wishes and concerns respecting any aspect of the educational system. Accordingly, except where a motion is made to convene in camera, all Board meetings shall be open to the public and the public is cordially invited to attend.

It is the right of any individual, organization or group of the District to make a presentation to the Board. The Board may, on occasion, be in a position to make an immediate decision about a specific request presented, but generally additional time will be required to gather information or to have the subject matter studied. Notification of the Board's decision will be provided in a timely manner after appropriate study or review.

To ensure that persons or groups who wish to appear before the Board or to ask questions of the Board are given fair opportunity to do so, while at the same time allowing the Board to conduct its meeting properly and efficiently, the Board adopts the following procedures and rules pertaining to public participation at Board meetings:

- a) Individuals or groups wishing to appear before the Board as a delegation shall notify the Superintendent's office of their intention by giving notice in writing no later than noon on the Wednesday immediately preceding the regularly scheduled meeting of the Board at which they wish to appear.
- b) Individuals or groups wishing to appear as a delegation shall, at the time they give such indication, provide written information respecting the topic and content of their petition/presentation.
- c) Any persons wishing to appear as a delegation shall give their names, addresses, and the name of the group, if any, that is represented.
- d) Generally, presentations/petitions will be received at open Board meetings. Where appropriate, delegations may be heard in camera.
- e) The Board shall hear the delegation at the next regular meeting of the Board or at the earliest possible public meeting.
- f) The delegation will be advised of the time when the presentation will be heard, and will be provided with information on procedures pertaining to such presentations.
- g) Where possible, Administration shall distribute copies of written information regarding any given delegation with the agenda material for the Trustees and Senior Administration Team.
- h) Presentations from any individuals or presentations made on behalf of any given group shall be limited to a maximum of fifteen minutes, unless an extension of time is granted by formal resolution of the Board passed by the majority of Trustees present.
- i) The Board may make a video or audio recording of any presentation, if it so desires.
- j) The individual petitioner or the spokesperson for the delegation shall present when invited by the Chair to do so.
- k) At the conclusion of a given presentation, Trustees shall confine their remarks to questions for information and clarification.
- l) The hearing will be terminated by the Chair when satisfied that the Board has received as much information from the delegates as is required.
- m) At the conclusion of a presentation, the Chair shall indicate when an answer from the Board may be expected.
- n) In addressing the petition or presentation, the Board may:
 - i. Act upon the matter, or
 - ii. Table the matter pending receipt of additional information, or

- iii. Refer it to committee, the Chair and/or Administration for further consideration and/or action.
- o) The Chair shall be responsible for recognizing all speakers and maintaining proper order and decorum in keeping with established Board policy. Where, in the opinion of the Chair, any person is unduly disrupting the meeting, the Chair may require such person to leave the meeting forthwith and, if necessary, may cause such person to be removed.
- p) Where, in the opinion of the Chair, there is substantive reason to do so, a delegation requesting to appear before the Board at a given meeting may be heard without notification, or may be deferred to the next regular meeting of the Board.

2. Petitions Without Delegates

Petitions which are not intended to be supported by the appearance of the petitioners before the Board shall be dealt with as regular correspondence.

3. Public Question Period

- a) The Question Period shall allow any resident, student or employee of School District of Mystery Lake, apart from Trustees and Senior Administrators, to address the Board on items pertaining to the agenda without serving prior notice and without being required to make a written submission.
- b) Questions posed by the public shall, when possible, be answered immediately by the Chair or by referral to administrative staff. Questions which, in the opinion of the Chair, may require investigation shall be referred to a Board committee, the Chair, and/or the Administration for consideration and later response.
- c) The nature of the address referenced in Section VII. Paragraph 3.(a) shall be limited to questions for information or clarification or to make a general comment to the Board. Requests to the Board to undertake a specific act, whether it be to make a grant of money, keep a school open, or any other concrete act, will not be entertained, and must be made by means of a delegation or other written communication to the Board.
- d) Speakers may offer such objective criticism of the system as may concern them, but the Board shall not hear in an open session personal complaints against any district personnel.
- e) The maximum duration for Question Period at any Board meeting shall be fifteen minutes unless extended by two-thirds majority vote of the Trustees in attendance.
- f) The Chair shall determine the order of speakers and may limit the time available to any one speaker during Question Period.
- g) As per section 30 (6) of the Public Schools Act where, at a meeting of the school board, any person other than a member of the school board is, in the opinion of the chair of the meeting, guilty of disorderly or improper conduct, the chair of the meeting may require that they leave the meeting forthwith and if they fail to do so may cause them to be removed. The Chair may further entertain a motion to adjourn the public question period and, if such motion as passed by the majority of Trustees present, the Chair shall not entertain any additional questions from the public.

SECTION IX NEWS MEDIA SERVICES AT BOARD MEETINGS

- 1. The Board believes that one of its paramount responsibilities is to keep the public informed as to its deliberations, policies, and actions. Therefore, the Board encourages the attendance of the news media at all regular meetings.
- 2. To facilitate understanding of the proceedings and issues, the Board undertakes to do the following:
 - a) Provide space for press representatives.
 - b) Provide press representatives with a copy of the public agenda supporting materials as decided by the Chair of the Board, Superintendent and Secretary-Treasurer.

- c) The Chair and the Superintendent will be available after each meeting to answer questions pertaining to items on the agenda.

SECTION X RULES OF DEBATE AND GENERAL MATTERS IN BOARD MEETINGS

1. General Regulations in Meetings

- a) Each and every member of the Board has equal rights.
- b) Every Trustee, prior to speaking to any question or motion, shall address the Chair.
- c) The first person recognized by the Chair as desiring to speak has the right to the floor.
- d) No trustee shall be interrupted while speaking, except on a point of order, on a point of privilege, or for clarification.
- e) When a Trustee raises a point of order, the trustee shall ask leave of the Chair to raise a point of order and, after leave is granted, shall state the point of order to the Chair and remain silent until the Chair has stated and decided the point of order. Thereafter, a Trustee shall only address the Chair for the purpose of appealing the Chair's decision to the Board. If no Trustee appeals, the decision of the Chair shall be final.
- f) However, if any Trustee wishes to appeal the decision of the Chair made in (e) above, an appeal to the Board may be made. If this appeal is seconded, the vote on such appeals shall be taken without debate, except that the mover of the appeal may explain the reasons for appealing and the Chair may explain the reasons for the ruling. The Board shall then decide the question and its decision shall be final.
- g) When any matter is before the Board, the consideration of same cannot be interrupted except on a motion as set out in Section IX 2. (a).

2. Motions

- a) The following categories of motions may be introduced verbally, without written notice and without leave:

- i. **Debatable motions requiring a simple majority:**

- Motions to postpone (to a specific date or time)
 - Motions to refer (to a committee or Administration)
 - Motions to table (postpone indefinitely).

A motion for postponement takes precedence over a motion for referral and a motion for referral takes precedence over a motion to amend or a vote on the original subject.

The debate of a referral or postponement motion may relate only to whether or not the main question should be referred or postponed. The debate may not extend to a debate of the main question itself.

- ii. **Debatable motions requiring two-thirds majority:**

- To be approved, a motion to impose a sanction under item (a) or (b) of section 9.2 of the Board Policy requires an affirmative vote of 2/3 of all the members of the school board.

- iii. **Non-debatable motions requiring a simple majority:**

- Motions to adjourn.

A motion to adjourn is not required at the conclusion of all the business of the agenda.

A motion for adjournment shall always be in order, except when the Board is voting on another question or while a Trustee is addressing the Board.

iv. Non-debatable motions requiring a two-thirds majority:

- Motions for the previous question (that the vote be now taken).

- b) A motion made must be seconded and then repeated distinctly by the Chair or read aloud before it is debated and every motion shall be reduced to writing if the Chair or any Trustee so requires.
- c) When a motion has been made, the mover shall have an opportunity of speaking to the motion before any Trustee is permitted to do so. In addition, the mover shall have the opportunity to be the final speaker to a motion.
- d) Following debate on a motion, that motion shall be read when requested by any member of the Board, or by the Secretary-Treasurer, or any Administrator, before the vote is taken.
- e) Any Trustee who has made a motion shall have liberty to withdraw it before debate with the consent of the seconder, without leave being granted by the Board. If debate has taken place thereon, the permission to withdraw is subject to a majority vote of Trustees present.
- f) Any Trustee may require the question or motion under discussion to be read at any time during the debate, but not so far as to interrupt a Trustee while speaking.
- g) An amendment may be moved on any motion and shall be decided before the original motion, but no more than one amendment to an amendment shall be entertained. An amendment can only modify the motion, not change the intent of the motion.
- h) All amendments shall be put in the reverse order in which they are moved and every amendment submitted shall be decided upon individually or withdrawn before the main question is put to vote. Once all amendments have been voted on, the initial motion, as amended, shall be put to the vote.
- i) By-laws must be given no fewer than three separate readings at two separate Board meetings and require a majority of the Trustees present.
- j) A sitting on a given day adjourned from a previous meeting held that day may be considered as forming part of the same meeting.

3. Reading of By-Laws

- a) Any by-law appearing in front of the Board shall not be read orally when receiving first, second, and third readings if the full section of the by-law has previously been distributed to all Board members. A short summary of the by-law will be read for the benefit of the public.
- b) By-laws for debentures, borrowing, and other such requirements will be distributed with the agenda unless emergency circumstances dictate otherwise. Should this occur, formal oral reading of the by-law will be required.

4. Quorum

Refer to Section III. (5).

5. Voting Mechanism

- a) No motion, once, decided shall be reversed without notice of motion from at least one Board meeting to another and without a majority of the whole Board voting in favour of reversal.
- b) Each Trustee shall be required to vote on every question unless excused by the Chair or by a majority vote of the Board for some particular reason. One reason acceptable for abstention could be an actual conflict of interest as defined in the Public Schools Act or where the trustee desiring to abstain from voting perceives having a conflict of

interest even where such is not considered to be a conflict of interest as defined in the Public Schools Act. If a Trustee abstains from voting without permission of the Chair, this abstention shall be considered as a negative vote.

- c) The Chair may vote with the other trustees on all questions. Any questions where there is an equality of votes shall be deemed negative.
- d) A motion may be reversed at the same meeting at which it was passed, provided that the Board, by unanimous consent, votes in favour of reversal.
- e) The recording of yeas and nays on any question shall be recorded only when directed before a vote is taken by a majority of the Trustees present.
- f) Before or immediately after a vote is taken, when Trustees request that their own vote be recorded in the minutes, it shall be so recorded.
- g) If the vote is unanimous, and the Chair so directs, the unanimous vote shall be reflected in the Board meeting minutes.

6. Policy Adoption

- a) The following process shall be followed for adoption and/or material amendments of any Board policy/or policy regulation:
 - i. Proposed new policy, policy regulation, or material amendments shall be the responsibility of the Policy Committee.
 - ii. The Committee shall develop a new policy, policy regulation, or material amendment in consultation with Administration and any stakeholders as required.
 - iii. Any proposed policy or material amendment must receive approval by the board by way of motion.

SECTION XI STANDING COMMITTEES

1. General Procedures

- a) Standing committees of the Board are as follows; Public Relations Committee, Finance/Property/Personnel Committee, Education & Programming Committee and Policy Committee. Standing committees will have a permanent life until the committee is discontinued. Standing committees shall consist of three Trustees, one of which is the Chair of the standing committee.
- b) The Chair of any standing committee shall be chosen annually at the inaugural meeting of the Board, in accordance with Section 1, 3(a).
- c) The Board shall fix the terms of reference and scope of each standing committee.
- d) All Trustees are deemed to be ex-officio members of all standing committees. Only Trustees elected to any standing committee shall have the right to vote at standing committee meetings.
- e) The Chair of the Board of Trustees may be elected as the Chair of a standing committee.
- f) No standing committee has the authority to bind the Board to any decision or commitment. All committee recommendations require Board approval before such recommendations take effect unless authority to effect some action, decision or commitment has been previously conveyed from the Board to the committee.
- g) Effective September 1, 2024, where the number of standing committees permit, all trustees will be a member of at least one standing committee.

2. Duties of Chairs of Standing Committees

The Chair of any standing committee shall call all meetings of the committee and a proposed agenda for the meeting shall be prepared and distributed to each committee member. The Chair of the committee shall preside at all such meetings and, without in any way restricting the generality of the foregoing, shall:

- a) chair of each standing committee is to ensure that the terms of reference are in place and have been approved by the board
- b) approve the agenda in advance of each standing committee meeting;
- c) call the meetings to order at the prescribed time;
- d) preserve order and decorum at all such meetings, acting with impartiality and tact;
- e) without departing from the agenda, suggest items of business and guide the discussion;
- f) rule on who shall have the floor to speak;
- g) see that all recommendations to the Board are duly moved, seconded and voted upon;
- h) Written minutes must be taken; minutes must be made available to trustees upon request. Committee Chairs shall report on the activities of their committee at the next regular scheduled board meeting;
- i) act as a representative of the Board at all public functions attended in the capacity as a Committee Chair;
- j) make no statement, announcement, commitment, press or publicity release dealing with Board policies, actions or plans unless authorized by the Board.

3. Committee Agenda Preparation

Committee meeting agendas and supporting material shall be prepared by the assigned administrator in consultation with the Committee Chair and shall be distributed to all committee members prior to the meeting date.

Agenda items for a committee meeting may be initiated by Administration, the Committee Chair, or committee members, or may be referred to the committee by the Board as a whole.

4. Committee Minutes & Reports

Committee meeting minutes shall be prepared by the assigned administrator and included in the agenda material for the next regular meeting of the Board. The minutes shall include the names of committee members in attendance, the date of the meeting, the times at which the meeting was convened and adjourned, the substance of the discussion and recommended motions to the Board.

***** Terms of reference for standing communities is located in Appendix of Board Policy Manual.**

SECTION XII COMMITTEE OF THE WHOLE

1. The Committee of the Whole shall not remain in session later than 10:00 p.m. unless this paragraph is suspended pursuant to the suspension of the rules of procedure.
2. Notice of all Committee of the Whole or standing committee of the whole meetings shall be given to all Trustees at least twenty-four hours before the meeting, unless called at a regularly scheduled meeting of the Board. Where possible, the notice shall include an agenda of the items to be discussed, statement of purpose for such items, and supporting documentation concerning each item.

Emergency Committee meetings of the Whole may be held without prior notice and at a time other than at a regular meeting of the Board provided that all available members of the Board agree and that quorum is achieved. Emergency Committee meetings of the whole are to be called by the Chair of the Board, or, in the absence of the Chair, the Vice-Chair of the Board. In the event that neither the Chair nor Vice Chair is available, such emergency committee meetings of the Whole may be called by another Trustee. Every reasonable attempt must be made to contact all Trustees to notify them about the emergency Committee meeting of the Whole.

3. No decision taken at any Committee meeting of the Whole or emergency Committee meeting of the Whole has the authority to bind the Board to any decision or commitment. All recommendations require approval at a duly constituted Board meeting in order to have force and effect.
4. Committee of the Whole meetings are not considered In Camera until declared as such. Without limiting the discretion of the Board to discuss any matter in the Committee of the Whole during in-camera, the following will comprise a list of items which may routinely be discussed during in-camera:
 - Legal opinions respecting the liability of the Board
 - Personnel matters of a confidential nature
 - Medical reports
 - Confidential matters relating to students
 - Senior staff changes
 - Purchase of property
 - Confidential reports of outside organizations
 - Lease or sale of property prior to actual acceptance of offer
 - Negotiation reports
 - Budget deliberation

SECTION XIII

SPECIAL AND ADVISORY COMMITTEES

1. Special committees formed by the Board shall:

- a) be elected or appointed by the Board to deal with a specific matter or related group of matters;
- b) if possible, have a time limit within which to operate;
- c) be appointed at any time deemed advisable by the Board;
- d) consist of no less than two Trustees, and no more than three trustees one of whom shall be appointed as Chair;
- e) meet as soon as possible after elected or appointed and as often as required to expeditiously and efficiently complete its work assigned
- f) have no authority to bind the Board to any decision or commitment;
- g) assign to each committee at least one administrator who shall be responsible for agenda preparation in consultation with the Chair and recording of committee meeting minutes;
- h) Written minutes must be taken; minutes must be made available to trustees upon request. Committee Chairs shall report on the activities of their committee at the next regular scheduled board meeting;
- i) at completion of its appointed task, prepare a report on all matters dealt with in committee for presentation by the Committee Chair or delegate at the earliest possible Board meeting;
- j) cause no action to be taken on any matter but shall submit recommendations to the Board for approval;
- k) make no statement, announcement, commitment, press or publicity release dealing with Board policies, actions, or plans unless prepared in writing and approved by the Board;

- l) be automatically dissolved as a committee upon Board acceptance of the committee report unless asked to continue by the Board.

2. Advisory committees formed by the Board shall:

- a) be established as required by a resolution of the Board;
- b) have a permanent life until terminated or modified by resolution of the Board;
- c) provide opportunity to include other individuals in addition to Trustees and administrators in a committee for the purpose of discussing and reviewing aspects of education or operations in the District;
- d) be associated with a particular standing committee of the Board and designated by the Board;
- e) consist of at least one trustee from the standing committee to be a member to the advisory committee;
- f) appoint the administrator assigned to the standing committee to be responsible for agenda preparation in consultation with the Chair and recording of committee meeting minutes;
- g) be comprised of individuals as recommended by the standing committee and approved by the Board; Following Board approval, the standing committee shall arrange to solicit membership for the advisory committee;
- h) routinely submit minutes of committee meetings to the Board.

SECTION XIV

TRUSTEE-ONLY MEETINGS

- 1. Trustee-Only Meetings are meetings held in-camera and, normally, without any member of the Administration present. Trustee-Only Meetings shall be called through the Chair of the Board.
- 2. Trustee-Only meeting shall be held with the Auditor to discuss the district's record keeping and financial management upon conclusion of the annual district audit.
- 3. Notice of a Trustees-Only Meeting may form part of the notice for a Board meeting. The notice of the Trustees Only Meeting may include the agenda item to be discussed and the purpose.
- 4. Any resolutions arising out of a Trustees-Only Meeting must be passed at a meeting of the Board in order to have force and effect.

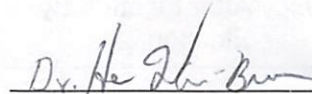



**Appendix A
Procedural By-Law Monitoring Record**

Section Number	Name of Section	Monitoring Method	Monitoring Frequency	Date of Next Monitor
I	Vacancy After Election/By-Election	Policy Committee	Annually	November
II	Inaugural Meeting of The Board	Policy Committee	Annually	November
III	Meetings of the Board	Policy Committee	Annually	November
IV	Suspension of the Rules of Procedures	Policy Committee	Annually	November
V	Agenda Preparation and Dissemination	Policy Committee	Annually	January
VI	Board Minutes	Policy Committee	Annually	January
VII	Duties of the Chair or Vice-Chair	Policy Committee	Annually	April
VIII	Public Participation at Board Meetings	Policy Committee	Annually	April
IX	News Media Services at Board Meetings	Policy Committee	Annually	April
X	Rule of Debate and General Matters in Board Meetings	Policy Committee	Annually	June
XI	Standing Committees	Policy Committee	Annually	June
XII	Committee of the Whole	Policy Committee	Annually	March
XIII	Special and Advisory Committees	Policy Committee	Annually	March
XIV	Trustee Only Meetings	Policy Committee	Annually	March

DONE AND PASSED by the Board of Trustees of the School District of Mystery Lake, assembled at Thompson, in the Province of Manitoba.

FIRST READING	13	day of	January	A.D., 2026
SECOND READING	27	day of	January	A.D., 2026
THIRD READING AND PASSED	27	day of	January	A.D., 2026


Chair of the Board


Secretary-Treasurer

