

## **POLICY 120: Board Meeting Procedures**

The Board of Education of School District No. 8 (Kootenay Lake) meetings shall be conducted in a democratic and expeditious manner, with an intent to serve students and the public.

### **1. Inaugural Meeting and Election of Board Officers**

- 1.1. The inaugural meeting of the Board of Education of School District No. 8 (Kootenay Lake) shall be held as soon as possible, and no later than thirty days from the date the new board begins its term of office.
- 1.2. The Secretary-Treasurer or designate shall call the meeting to order and shall preside until a Chair has been elected.
- 1.3. The Secretary-Treasurer or designate shall administer the Oath of Office to the newly elected Trustees as required by the School Act.
- 1.4. The Secretary-Treasurer or designate shall call for nominations for the position of Board Chair for the next year. After all nominations are received, the Secretary-Treasurer or designate will request each candidate to accept or decline their nomination. The nominees shall be invited to make a brief statement.
- 1.5. The Secretary-Treasurer or designate shall then conduct a vote by secret ballot. The Secretary-Treasurer may designate two or more staff members as scrutineers to count the ballots. A person receiving a clear majority of votes cast shall be elected Board Chair. If no person receives a majority, further ballots shall be taken, with the person with the fewest votes being dropped from the ballot. If a tie should occur, the vote will be repeated. If a tie occurs twice more, the election shall be decided by drawing of lots. The Secretary-Treasurer or designate shall declare the duly elected Chair of the Board for the ensuing year and shall vacate the Chair.
- 1.6. Upon assuming the chair, the Board Chair shall call for nominations for Vice-Chair, and then for the BCSTA Provincial Councilor and BCPSEA representative (and their alternates) and partner advisory committee chairs and shall conduct each election in the same manner as described in 1.4 and 1.5 above.
- 1.7. The Chair and Vice-Chair of the Board, the BCSTA Provincial Councilor and BCPSEA representatives (and their alternates) will remain in office until the first Meeting of the Board held in Public the following November. The Partner Advisory Committee Chairs shall remain in office for 24 months.
- 1.8. All ballots shall be destroyed by motion of the Board.
- 1.9. In the years when no inaugural meeting is required, the Secretary-Treasurer or designate shall preside as Chair at the first Meeting of the Board held in Public in November until a Board Chair is elected. The Chair shall then proceed as per Section 1.6.
- 1.10. When the elections are completed, the Board will proceed with its Meeting of the Board held in Public.

Related Legislation: [School Act \[RSBC 1996, Part 4, Division 6, Section 50; and Part 6, Division 1, Sections 65-72\]](#) and [Local Government Elections Regulation](#), [Freedom of Information and Protection of Privacy Act](#), [Ombudsperson Act](#)

Related Contract Article: Nil

Adopted: May 22, 2001

Previously Amended: June 2, 2009 - February 12, 2010 - November 28, 2017 - June 12, 2018 - April 23, 2019 - April 6, 2021 - November 23, 2021

Last Amended: June 21, 2022

## 2. Meetings of the Board held in Public

2.1. Meetings of the Board held in Public are open to the public and shall be held according to a schedule to be published by June 30th of each school year. The order of business will be as follows:

1. Call to Order
2. Acknowledgement of Aboriginal Territory
3. Changes to the Proposed Agenda
4. Adoption of Agenda
5. Receiving Presentations
6. Comments or Questions from the Public regarding items on this Agenda
7. Consent Package
8. Adoption of Minutes
9. Future and Action Item Tracking
10. Education
11. Operations and Finance
12. Governance and Policy
13. Human Resources
14. Trustee Verbal Reports
  - 14.1. Trustees
  - 14.2. Chair
  - 14.3. British Columbia School Trustee Association (BCSTA)
  - 14.4. British Columbia Public School Employers' Association (BCPSEA)
  - 14.5. Parent Advisory Committee/District Parent Advisory Committee (PAC/DPAC)
  - 14.6. Regional District of Central Kootenays (RDCK)
  - 14.7. Partner Advisory Committees
  - 14.8. Other Committees
  - 14.9. Student Trustees
15. Comments or Questions from the Public
16. Meeting Schedule and Reminders
17. Adjournment

2.2. After the agenda has been adopted by majority vote of the Board, it may be varied by unanimous consent or by a resolution of the Board, requiring 2/3 majority vote. This includes motions to move items from the Consent Package onto the agenda for which, at the discretion of the Chair, such motions shall be undebatable.

2.3. The Consent Package shall include but not be limited to the following information items: a Monthly Financial Report, a list of Transactions over \$50,000 Committee Meeting Minutes, the Superintendent's Report, and any correspondence addressed to the Board as per Section 7.

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### 3. Closed Board Meetings

3.1. The order of business will be as follows:

1. Call to Order
2. Acknowledgement of Aboriginal Territory
3. Changes to the Proposed Agenda
4. Closed Meeting Process
5. Adoption of Agenda
6. Receiving Presentations
7. Consent Package
8. Adoption of Minutes
9. Future and Action Item Tracking
10. Students
11. Labour/Staff
12. Property
13. Legal
14. Other Items
15. Verbal Reports
16. Meeting Schedule and Reminders
17. Adjournment

3.2. The Consent Package will include confidential information items and correspondence as per Section 7.

3.3. After the agenda has been adopted by majority vote of the Board, it may be varied by unanimous consent or by a resolution of the Board, requiring 2/3 majority vote. This includes motions to move items from the Consent Package onto the agenda for which, at the discretion of the Chair, such motions shall be undebatable.

3.4. All discussions at Closed meetings will be confidential unless the Board determines otherwise.

3.5. Trustees are responsible for ensuring that a confidential environment is maintained for closed meetings not conducted in person (e.g. using headphones for teleconferences or videoconferences outside the Board office).

3.6. The following subject matter shall be considered in a meeting closed to the public.

#### *Students*

1. Matters pertaining to individual students or potentially identifiable students, including but not limited to the conduct, performance, discipline, suspension or expulsion, attendance, enrolment, or registration of individual students, or appeals of students or parents made pursuant to Section 11 of the School Act;

#### *Labour/Staff*

2. The conduct, efficiency, discipline, suspension, termination, retirement of

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employees or appeals;

3. Staff changes, including appointments, transfers, resignations, promotions, and demotions;
4. Changes to exempt staff compensation;
5. The Superintendent's evaluation;
6. Salary claims and adjustments, and the consideration of requests of employees and Board offers;

### *Property*

7. Matters pertaining to the safety, security, or protection of Board property;
8. Purchase of real property, including the designation of new sites, consideration of appraisal reports, consideration of amounts claimed by owners, determination of Board offers and expropriation procedures;
9. Lease, sale, or exchange of real property prior to the finalization thereof;

### *Legal*

10. Litigation or potential litigation affecting the district;
11. The receipt of advice subject to solicitor - client privilege;
12. Health and medical reports and other confidential reports; law enforcement, if the Board considers that disclosure could reasonably be expected to harm the conduct of an investigation or enforcement of an enactment;
13. Information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under the [Freedom of Information and Protection of Privacy Act](#);
14. A matter that is being investigated under the [Ombudsperson Act](#) of which the Board has been notified under that Act, section 14 (Ombudsperson to notify authority);
15. The consideration of information received and held in confidence in relation to negotiations between the District and the provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party;
16. Matters that, under law, are such that that the public must be excluded from the meeting; and

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## *Other*

17. Notwithstanding the foregoing, the Board may consider other items in a closed meeting as it deems necessary and is confirmed by resolution of 2/3 majority vote of the Board at the acceptance or change of the agenda.

## **4. Other persons attending Closed Meetings**

- 4.1. If all or part of a meeting is closed to the public, the Board may allow one or more district officers and employees to attend or exclude them from attending, as it considers appropriate.
- 4.2. If all or part of a meeting is closed to the public, the Board may allow a person other than school district officers and employees to attend, if the person:
  1. already has knowledge of the confidential information;
  2. is a lawyer attending to provide legal advice in relation to the matter; or
  3. in other cases, if the board considers this necessary.

## **5. Special Meetings**

- 5.1. Special Meetings are any Board meetings held between the regularly scheduled meetings.
- 5.2. Special Meetings may be called by the Board Chair or by the Superintendent at any time, or, by the Secretary-Treasurer upon the written request of a simple majority of Trustees.
- 5.3. The purpose of the Meeting must be specified in the meeting notice and no other business may be conducted at the Meeting, unless agreed by 2/3rds majority vote of the Board.
- 5.4. The Notice of a Special Meeting will normally be provided in the same manner as for Regular Meetings. Notice provisions may be waived or varied providing all reasonable steps have been taken to notify Trustees.

## **6. Agenda Setting**

- 6.1. The purpose of an agenda setting meeting is to create an agenda and set the order of business for meetings of the Board and Committees of the Board, and to ensure meeting agendas are drafted to follow Board policy, Robert's Rules of Order, and the School Act, as applicable.
- 6.2. The agenda setting meeting shall be between the Chair of the Committee (if applicable), the Board Chair, Board Vice-Chair, Superintendent, Secretary-Treasurer, and Executive Assistant to the Secretary-Treasurer.
- 6.3. The Chair of an agenda setting meeting shall be the Chair of the Board or Committee for which the agenda is being prepared.
- 6.4. An agenda setting meeting shall take place two weeks prior to the Board Meeting or

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Committee meeting, or on another day agreeable to those who will attend the meeting.

- 6.5. Requested items or materials for inclusion on the agenda must be submitted to the Superintendent of Schools, Secretary-Treasurer and/or Executive Assistant to the Secretary-Treasurer no later than 8AM the morning of the agenda setting meeting. The agenda and accompanying materials shall be distributed on the Wednesday preceding Board meeting(s) held the following Tuesday. Agenda packages and non-confidential correspondence will be distributed to Trustees, senior management, partner groups and the media. Confidential agendas and materials will be circulated only to Trustees and Senior Management who are not in conflict with respect to the item.
- 6.6. Correspondence received after the agenda is finalized may be distributed at a subsequent Board meeting, unless it is emergent in nature, in which case it may be added to an agenda as determined by the Board or Committee Chair, as applicable.

## 7. Board Correspondence

- 7.1. To ensure that correspondence is addressed, correspondence will be forwarded to the Board and the Superintendent, Secretary-Treasurer, and the Executive Assistant to the Secretary-Treasurer immediately.
- 7.2. At the Agenda Setting meeting, the Chair and Vice-Chair will determine if the correspondence should be:
  1. Referred to staff for response;
  2. Responded to by the Board Chair;
  3. Received and filed as information; or
  4. Referred to a working session for further discussion.

Certain correspondence items may be placed in the Consent Package of a Meeting of the Board held in Public as determined at the Agenda Setting meeting. This correspondence will be related to issues of public interest, such as use of budgets or impacts to facilities.

- 7.3. For correspondence addressed to the Chair (may or may not be copied to all Trustees) the Chair shall exercise some discretion on the matter in consultation with the Vice-Chair and/or Superintendent or Secretary-Treasurer as to how the response should be handled. If the correspondence is an operational complaint, the Chair may respond with direction to contact the Superintendent. The Chair will provide “direction but not a position” on the matter. The response from the Chair will be copied to all Trustees, the Superintendent and Secretary-Treasurer.
- 7.4. Correspondence received after the one-week prior deadline but prior to the regularly scheduled Board meeting that is deemed urgent or emergent by the Board Chair and District Staff, may be considered for late placement on the Board agenda; otherwise, the correspondence will be considered for the following month’s agenda.
- 7.5. Correspondence addressed to a trustee or a group of trustees is under the control of the said trustee(s) and does not constitute correspondence addressed to the Board. The individual

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trustee(s) have the option to bring the correspondence formally to the Board for receipt or consideration.

- 7.6. At any time, a trustee may request that specific correspondence be considered at an Agenda Setting meeting for placement on a specific agenda. If the correspondence is not placed on the agenda, the Chair will review the rationale with the trustee. A trustee also has the option to request that an amendment to the agenda be made or that a Notice of Motion be brought forward at the next meeting of the Board for discussion or action. If action is recommended, the trustee must put forth in the Notice of Motion what action is to be considered.
- 7.7. Invitations to all Trustees will not be included in a Board meeting Correspondence Package. The correspondence shall be forwarded to the Secretary-Treasurer for event attendance coordination purposes.
- 7.8. In the case of correspondence that the Board has directed the Chair to send on the Board's behalf during the course of a Board meeting, the Chair can either prepare a draft and forward this to the Secretary-Treasurer for signature or send it to the Secretary-Treasurer to arrange for the letter to be written for the Chair's signature. If the letter is more sensitive in nature (e.g., a letter to the Minister of Education) expressing the Board's opinion on a matter, a draft should be prepared either by the Chair or Secretary-Treasurer (at the Chair's discretion) and reviewed and edited as required.

## 8. General Procedures for Meetings

- 8.1. Meetings of the Board or Board committees shall be conducted in accordance with Board policy, and where the policy is silent, using the latest version of Robert's Rules of Order, with the following exceptions:
  1. Each member, including the Chair has a right to speak twice on the same question but may not speak a second time until everyone who wishes to speak has spoken. Each trustee will have 2 minutes to speak. The Chair may allow further discussion.
  2. Notice of motion may be used to provide for consideration and public notice. It may be given orally and will be recorded and circulated as part of the minutes of the meeting. The notice should reflect the substance of the motion to be served at the next meeting but does not have to be the exact wording.
  3. An amendment must not be contrary to the intent of the main motion.
  4. At the agenda item, "Adoption of the Agenda", items may be placed on the agenda prior to its adoption without requiring a supplemental motion to add the item.
  5. A consensus decision may be accepted if there is no objection by any Trustee.
  6. All three readings of a bylaw may occur at one meeting if there is unanimous approval of a motion to proceed to third reading.
  7. Trustees or committee members (as applicable) may participate and be counted as part of the quorum in a meeting, or part of a meeting by telephone or electronic connection.

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- 8.2. Meetings of the Board held in Public shall not exceed three hours unless a motion to extend a meeting is passed by a majority vote.
- 8.3. A majority of votes cast shall be sufficient to pass a motion, unless otherwise indicated elsewhere in this policy. Abstentions from voting will not be counted in the affirmative or the negative. A tie vote is a defeated motion. Where a member abstains from voting or objects to a motion, the number of members who objected or abstained to that motion shall be recorded in the minutes.

## 9. Presentations at Board or Committee Meetings

- 9.1. A maximum of 2 presentations may be scheduled per meeting.
- 9.2. Individuals or delegations shall be allocated 5 minutes to present, followed by a maximum of 5 minutes for discussion. In special circumstances, by request, the Board or Committee may schedule additional time for presentations.
- 9.3. Individuals or delegations wishing to make a presentation at a Board or Committee meeting shall make their request to the Superintendent, who will consult with the meeting Chair and schedule the presentation at the earliest practicable meeting. Approved presentations on behalf of delegations will be presented by a spokesperson or spokespersons of the delegation, who will be identified on the agenda.
- 9.4. Once a presentation is scheduled, individuals or delegations shall provide written and presentation materials to be circulated with the agenda at least eight days prior to the meeting / two days prior to the agenda package being sent out as per Section 6.5.
- 9.5. The Board or Committee shall provide a response to any questions or requests from the individual or delegation at a future meeting; the Board or Committee shall not respond to any such questions or requests at the meeting where the presentation is given.

## 10. Comments or Questions from the Public

- 10.1. All comments and questions shall be directed to the Chair, who may call upon individual Trustees, the Superintendent, or the Secretary-Treasurer to answer the question.
- 10.2. No matter pertaining to complaints about district personnel, collective agreement issues or any other matters deemed confidential as per Section 3.6 shall be heard at a public meeting; these matters shall be dealt with by staff or in accordance with board policies governing the matter.
- 10.3. The Chair shall determine when a comment or question has been given sufficient time.
- 10.4. The period allotted for public comments or questions shall not exceed 20 minutes.
- 10.5. Comments or questions from a member of the public attending a meeting online will be read out at the meeting by school district staff.

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