

Bylaw #1
Regulation of Vehicular and Pedestrian Traffic on School District Property
24/01/78

This By-law may be cited for all purposes as "School District #81 (Fort Nelson) By-law No. 1 - a By-law to regulate vehicular and pedestrian traffic on School property" and is in all respects in accordance with the provisions of the School Act.

Read a first time on the 13th day of December, 1977

Read a second time on the 13th day of December, 1977

Read a third time on the 13th day of December, 1977

Reconsidered and Adopted on the 24th day of January, 1978.

1. No person shall drive any form of motorized vehicle or ride any bicycle on or over any land owned or administered by the Board of School Trustees, School District #81 (Fort Nelson), (hereinafter called "the Board"), except:

- 1.1 Deliveries

- Persons proceeding to or from a public school on roadways provided for that purpose in the course of delivering or receiving chattels in connection with the operating of the said school.

- 1.2 Board Employees

- Persons proceeding to or from a public school on roadways provided for that purpose in connection with their duties therein, or on other bona fide business pertaining to the operations of the said school.

- 1.3 Students

- Persons proceeding to or from a public school on roadways provided for that purpose who are students registered at that school and who have first received permission in writing from the principal to so proceed.

- 1.4 Board Consent

- Parents, guardians or such other persons proceeding to or from a public school on roadways provided for that purpose who have first received permission from the Board in writing.

2. No person shall:

2.1 Speed Limit

Operate any motorized vehicle or ride any bicycle on or over any land owned or administered by the Board at a greater rate of speed than five (5) miles per hour.

2.2 Parking

Park or otherwise leave unattended any motorized vehicle upon land owned or administered by the Board except in an area set aside for parking by the Board unless permission in writing so to do has been given by the Board.

2.3 Trespassing

2.31 Enter upon any properties owned or administered by the Board other than bona fide students of that school or place, employees of the Board, parents or guardians of students registered at that school, or such other persons whom the Board has given prior permission to be on that time.

2.32 No person shall, upon the request of the Principal or any other person in authority, refuse to leave any property owned or administered by the Board. Any person so requested shall do so immediately and any disobedience of such a request shall be considered a breach of the By-law.

2.4 Night Trespassing

Trespass, cross over or loiter upon any land owned or administered by the Board between the hours of 1/2 hour after sunset and 1/2 hour before sunrise without the written permission of the Board.

3. Responsibility of Registered Owner

The owner of a motor vehicle shall be held responsible for any violation of this By-law by a person entrusted by the owner with the possession of the said motor vehicle. The burden of proving that the person so in possession of the motor vehicle was not a person entrusted by the owner with the possession of the said motor vehicle, shall be on the accused.

4. Complement to other Statute or By-law

The provisions of this By-law shall not restrict the enforcement of the Public Schools Act, the Motor Vehicle Act or regulations pursuant thereto, or such other By-laws made by the Village of Fort Nelson, Peace River-Liard Regional District.

5. Penalty

Except as is otherwise provided in this By-law, any person contravening or committing any break of, or committing any offense against any of the provisions of this By-law, or who refuses, omits or neglects to fulfill, observe, carry out or perform any duty, obligation, matter or thing whatsoever by this By-law prescribed or imposed or required to be done, is guilty of an offense and liable to the penalties provided in Section 5 of the Summary Convictions Act.

6. Authority to make Regulations

The Board may by regulation erect traffic control devices to regulate, prohibit, control and direct vehicular and pedestrian traffic, on land owned or administered by the Board. The erection of such traffic control device shall be deemed as prima facie evidence that such device was erected at the direction of the Board.

7. Date of Proclamation

This By-law shall come into force and take effect on and after the date of approval by the Council of Public Instruction.

Bylaw #2
Appeals
October 30, 2007

In accordance with [Part 2 - Division 3 - Section 11] of the School Act, the Board of Trustees of School District #81 (Fort Nelson) has established the following By-Law to address appeals within the system.

Read a first time the 30th day of October 2007.

Read a second time the 30th day of October 2007.

Reconsidered and Adopted on the 30th day of October, 2007.

1. A student entitled to an educational program in the School District may appeal a decision of an employee of the Board which significantly affects the education, health or safety of the student.
 - a. The failure of an employee to make a decision shall be deemed to be a decision for the purpose of bringing an appeal.
 - b. The Board recognizes that appeals and/or disagreements are usually best handled at the school level (i.e. teacher/parent/student).
2. Every appeal to the Board must be commenced by a written Notice of Appeal, addressed to the Superintendent, which shall state:
 - a. the name and address of the student and/or parent or guardian bringing the appeal and, where the parent or guardian is initialing the appeal on behalf of the student, the name of the student;
 - b. the current placement of the student (i.e. school, grade and homeroom teacher);
 - c. the decision which is being appealed and the date the student and/or parent or guardian bringing the appeal was informed of the decision
 - d. the name of the Board employee(s) who made the decision being appealed;
 - e. the grounds for the appeal and the relief sought.
3. Where a student and/or parent/guardian files an appeal of a decision of an employee, the employee and their Association/union shall immediately be notified.

4. Upon receipt of a Notice of Appeal, the Superintendent may direct the student and/or parent to discuss the decision under appeal with the employee, or any other appropriate personnel.
5. Where discussions directed under Section 4 do not resolve the appeal, the Superintendent or designate will prepare a report for the Board concerning the matter and will provide a copy to the student and/or parent bringing the appeal, and to any involved employees.
6. The Board will invite written submissions from the student and/or parent or guardian bringing the appeal and may decide the appeal based upon the written submissions. The Board may also invite oral submissions from the parties, in which case the Board will decide the appeal based on the oral and written submissions presented to it.
 - a. The employee shall have the opportunity to provide a written reply to any allegations contained in the appeal.
7. Where the Board considers it necessary to receive oral submission, it shall set a time, date and place for this purpose and shall give reasonable notice to the parties involved in the appeal.
8. The Board may establish a committee(s) to investigate matters pertaining to an appeal and the committee shall report to the School Board on such matters and in the manner directed by the School Board. The School Board may, in its discretion, appoint trustees, senior officials, administrative officers, teachers or any other person the School Board considers appropriate as members of the committee.
9. The Board may make any interim ruling it considers necessary, pending the disposition of the appeal.
10. The Board shall promptly notify the student and/or parent or guardian bringing the appeal of its decision in writing.
 - a. Employees affected by the appeal decision shall be notified.
11. The Board may refuse to hear an appeal where:
 - a. the appeal has not been commenced within a reasonable time from the date the decision significantly affecting the student's education, health or safety was made; or
 - b. the student and/or guardian has refused or neglected to discuss the decision under appeal with the person(s) directed by the School Board or its designate; or
 - c. the decision does not significantly affect the education, health or safety of the student.

Bylaw #2 Appeals
Flowchart of Procedures
November 12, 2009

Student/Parent/Guardian appeals decision to Superintendent. Grad appeals are by written notice.



If the appeal is the result of a decision of an employee, the employee and Association/Union must be immediately notified (by Superintendent).



If issue is not resolved the appeal will go forward to the Board. The Superintendent will prepare report for Board which includes:

- The name and address of the student/parent/guardian bringing the appeal.
- The current placement of the student (i.e. school, grade and homeroom teacher)
- The decision which is being appealed and the date the student and/or parent/guardian bringing the appeal was informed of the decision.
- The name of the Board employee(s) who made the decision being appealed.
- The grounds for the appeal and the relief being sought.



Written submission from student and/or parent/guardian will be invited.



The Board shall set a date and time for appeal.



Oral submission will be invited if necessary.



Student/Parent/Guardian bringing the appeal will be provided with all written submissions that the Board receives.



Student/Parent/Guardian bringing the appeal will be present for all oral submissions regarding their appeal.



The Board will deliberate on their decision in-camera and may choose to form a committee or make an interim ruling.



Board will notify student and/or parent/guardian of decision in writing.

Bylaw #3
Board Meeting Proceedings
September 15, 2009

A By-law of the Board of School Trustees of School District #81 (Fort Nelson) to regulate the proceedings of the Inaugural, Regular and Special Meetings of the said Board of School Trustees.

Read a first time the 15th Day of September, 2009

Read a second time the 15th Day of September, 2009

Read a third time the 15th Day of September, 2009

Reconsidered and Adopted the 15th Day of September, 2009

1. Inaugural Meeting

- 1.1 Trustees begin their term of office on December 1st immediately following the general local election. The Inaugural Meeting of the Board will be convened within 45 days of the election and will usually coincide with a regular meeting [School Act 50].
- 1.2 The Chairperson of the Inaugural meeting shall be the Secretary Treasurer or representative until such time as the Board Chairperson has been elected. [School Act 67]
- 1.3 The Secretary-Treasurer of the Board shall announce Trustee election results and conduct the Declaration of Office and Trustee Oath of Allegiance [School Act 50].
- 1.4 The interim Chairperson shall confirm that new Trustees have completed the declaration, following which the Board Chairperson shall be elected.
- 1.5 The interim Chairperson shall call for nominations for Board Chairperson and conduct a vote by ballot in which that person receiving a majority shall be elected Board Chairperson. If no person receives a majority, further ballots shall be taken until the same is achieved.
- 1.6 Following the election of Board Chairperson, the order of business shall be:
 - 1.61 Election of Vice-Chairperson;
 - 1.62 Passage of Banking Resolutions and appointment of signing officers;

1.63 Review of Bylaw 2.1, time and place for meetings.

1.7 The election of Vice-Chairperson shall be conducted in the same manner as the election of Chairperson.

2. Regular Open and Closed Meetings

2.1 Regular Open and Closed Meetings shall follow this schedule:

2.11 A regular Open Meeting shall be held every third Tuesday with the first meeting of the school year being the third Tuesday of September commencing at 7:00 pm.

2.12 A regular Closed Meeting schedule shall be determined by the Trustees on an annual basis at their first meeting on the third Tuesday of September. Times of Closed meetings shall be determined by the Trustees at this meeting.

2.2 The quorum for regular open and closed meetings shall be a majority of Trustees holding office at the time of the meeting of the board. [School Act 66].

2.3 At the appointed time for commencement of a meeting the presiding officer shall ascertain that a quorum is present before proceeding to the business of the meeting. If Trustees have not advised that they will be absent from a meeting and a quorum has not been made within one-half hour after the appointed time, the meeting shall stand adjourned until the next regular meeting date or until another meeting shall have been called in accordance with these By-laws.

After a meeting has commenced, if notice is drawn to a lack of quorum, the presiding officer shall ascertain whether there is a lack of quorum and, if so found, adjourn the meeting to a time certain or to the next regular meeting date, at his discretion.

2.4 The order of business at all regular open and closed meetings, unless varied by motion, shall be as follows:

2.41 Open Agenda

Call to Order

Acceptance of the Agenda

Acceptance of the Minutes of the previous meeting

Business arising from the previous meeting

Presentations/Delegations/Guest Speakers

Education - action

Personnel - action

Facilities/Services - action
Finances - action
Information Items
Trustee Inquiries/Reports
Stakeholder Groups/Public Reports or Inquiries
Adjournment

2.42 Closed Agenda

Call to Order
Acceptance of the Agenda
Acceptance of the Minutes of the previous meeting
Business arising from the previous meeting
Trustee Inquiries/Reports
Presentations/Delegations/Guest Speakers
Education - action
Personnel - action
Facilities/Services - action
Finances - action
Information Items
Adjournment

- 2.5 A change to the prescribed order of business may be proposed by any Trustee and shall require unanimous consent, without debate.
- 2.6 The agenda and notice of meetings shall be prepared by the Superintendent or designate, in consultation with the Chairperson. Written notice of each meeting, together with the proposed agenda, must be given at least 48 hours in advance to each Trustee by delivery to the Board Office mail slots.
- 2.7 Minutes shall be kept by the Secretary Treasurer, or designate of all proceedings passed at meetings of the Board, such Minutes to be concise and to detail proceedings of the Board, but not the contents of speeches.
- 2.8 All meetings shall stand adjourned at three hours after their commencement unless a Resolution is passed by unanimous consent to extend the hour of adjournment.
- 2.9 All meetings of the Board shall be open to the public and no person shall be excluded, except for improper conduct. If, in the opinion of the Board, the public interest so requires, the Board may order a meeting or part thereof to be closed and may exclude persons other than Trustees and officers.
- 2.10 The presiding officer may expel and exclude from a Board meeting any person whom he considers has been guilty of improper conduct.

3. Special Meetings

- 3.1 A special meeting of the Board may be called by the Chairperson or, upon written request of a majority of the Trustees, may be called by the Superintendent. No business other than that for which the meeting was called shall be conducted at the meeting.
- 3.2 Written notice of a special meeting and an agenda shall be given to each Trustee at least 48 hours in advance of the meeting. Written notice and the agenda may be waived by a majority vote, provided all reasonable steps have been taken to notify all Trustees of the meeting.

4. Closed Session

- 4.1 The Board may convene a meeting without the public, or without the public and staff present, at which matters of a confidential nature shall be discussed. No Trustee shall disclose to the public the proceedings of a closed meeting unless a Resolution has been passed at the closed meeting to allow disclosure.
- 4.2 Minutes of a closed meeting shall be kept in the same manner as a regular meeting but shall be approved only by the Board in closed meeting and shall not be filed with the Minutes of the regular meetings.
- 4.3 Unless otherwise determined by the Board, the following matters shall be considered in closed session:
 - 4.31 Salary claims and adjustments and the consideration of requests of employees and Board officers with respect to collective bargaining procedures;
 - 4.32 Accident claims and other matters where Board liability may arise;
 - 4.33 Legal opinion respecting the liability or interest of the Board;
 - 4.34 The conduct, efficiency, discipline, suspension, demotion, termination or retirement of employees;
 - 4.35 Medical Examiners or examinations and medical reports;
 - 4.36 Matters pertaining to individual pupils including the conduct, discipline, suspension or expulsion of pupils, truancy and indignant students;

- 4.37 Purchase of real property including the designation of new sites, consideration of appraisal reports, consideration of Board offers and expropriation procedures;
- 4.38 Lease, sale or exchange of real property prior to finalization thereof;
- 4.39 Matters pertaining to the safety, security or protection of Board property;
- 4.40 Such other matters where the Board decides that the public interest so requires.

5. Chairperson and Presiding Officers:

- 5.1 The Chairperson shall preside at all meetings of the Board but may vacate the Chair in order to enter debate or propose or second a motion.
- 5.2 The Vice-Chairperson shall preside in the absence of the Chairperson or when the Chairperson vacates the Chair.
- 5.3 In the event that neither the Chairperson nor the Vice-Chairperson are able or willing to take the chair, the presiding officer shall be such a person as the Board may elect for that meeting.
- 5.4 The presiding officer shall rule on all points of order and shall state his reasons and the authority of ruling when making a ruling. The presiding officer's ruling shall be subject to appeal to the Board. An appeal may only be requested immediately after a ruling and before resumption of business.
- 5.5 The Chairperson shall vote in accordance with paragraph 9.3.

6. Rules of Order

- 6.1 Where these Rules are silent and where not inconsistent with these Rules, Robert's Rules of Order shall apply to the conduct of meetings, provided, further, that where both these Rules and Robert's Rules of Order are silent, the Standing Orders of the British Columbia Legislature shall be followed. Where there is an inconsistency between these Rules and the School Act, the School Act shall apply over the Rule in question.
- 6.2 The Board may adopt a procedural Rule for one or more meetings by Resolution of a majority of the Trustees present at the meeting. A Rule other than the requirement for notice of meetings may be suspended by unanimous consent of the Trustees present.
- 6.3 The rules may be amended by By-law only, at a meeting of which notice of intention to propose the amendment has been given at the previous meeting.

6.4 The presiding officer's ruling on a point of order shall be based on Rules of Order as stated in paragraph 6.1 herein.

6.5 An appeal of a ruling of the presiding officer shall be decided without debate by a majority vote of Trustees present. When an appeal is successful it does not necessarily set a precedent.

6.6 All questions shall be decided by a vote on motion.

7. Motions

7.1 Motions shall be phrased in a clear and concise manner so as to express an opinion or achieve a result. A preamble does not form part of a Resolution when passed.

7.2 The presiding officer may divide a motion containing more than one subject if he feels this would produce a fairer or clearer result and the same shall be voted on in the form in which it is divided.

7.3 No motion other than to postpone consideration of a question, or a procedural motion, shall be repeated for one year from the date of the motion except by the reconsideration process.

7.31 The reconsideration process requires all Trustees in attendance and reconsideration is approved by 4 of 5 voting Trustees. If the Board has a vacancy or a Trustee(s) indicates a conflict then 3 of 4 voting Trustees, or 2 of 3 Trustees must vote in the affirmative.

7.4 All motions shall be seconded.

7.5 All motions are debatable except the following:

7.51 Motion for adjournment of debate or for adjournment of a meeting unless such a motion contains a time for recommencement of debate or for a new meeting;

7.52 Motion to fix time for adjournment of a meeting;

7.53 Motion to proceed to the next business;

7.54 Motion to go into Committee of the whole or closed session.

7.6 All motions shall be subject to amendment except the following:

- 7.61 Motion that the question be now put;
 - 7.62 Motion for adjournment of debate or adjournment of a meeting;
 - 7.63 Motion to table unless such a motion contains a date for further consideration of the matter tabled;
 - 7.64 Motion to refer to Committee;
 - 7.65 Motion to proceed to next business.
- 7.7 An amendment to a motion does not require notice. Only one amendment to an amendment shall be allowed and the same shall be dealt with before the amendment is decided. Amendments must be strictly relevant to the main motion and not alter in a material way or be contrary to the principle embodied in the main motion.
8. Debate:
- 8.1 Debate shall be strictly relevant to the question before the meeting and the presiding officer shall warn speakers who violate this rule.
 - 8.2 No Trustee shall speak until recognized by the Chairperson.
 - 8.3 No person shall speak more than once to a question except the mover of the motion, who shall have the right to make a reply when all other Trustees who wish to speak have spoken. No Trustee shall speak for a period in excess of five minutes at one time. The Chairperson may caution a Trustee who persists in tedious and repetitious debate and may direct him to discontinue if he persists.
 - 8.4 A matter of privilege (a matter dealing with the rights or interests of the Board as a whole or of a Trustee personally) may be raised at any time and shall be dealt with forthwith before resumption of business.
 - 8.5 No Trustee shall interrupt another Trustee who has the floor except to raise a point of order or a point of privilege.
9. Voting:
- 9.1 Based on the general principle that members of administrative bodies must act fairly, impartially and without bias in the exercise of their duties, all Trustees present at a meeting must vote. The following three exceptions apply:
 - 9.11 when a Trustee has a conflict of interest by reason of having a direct pecuniary interest in the subject at hand then strict adherence to the

School Act must apply. The Trustee must not take part in the discussion or influence the voting in respect of the matter. If the discussion takes place in a Closed session the Trustee must immediately leave the meeting or part of the meeting during which the matter is under consideration;

9.12 when a Trustee has a personal interest or bias in the subject at hand then the Trustee must disclose their interest and the general nature of their interest, at the meeting. The Trustee must not take part in the discussion or influence the voting in respect of the matter;

9.13 when a Trustee can describe in a reasonable manner what additional information would be required for them to vote on the subject at hand. The Trustee in this circumstance can participate in the discussion but must disclose their intention to abstain prior to calling the vote.

9.2 Voting shall be by a show of hands and only the results recorded unless a Trustee requests recording of names. Where names are recorded both positive and negative votes shall be recorded.

9.3 The Chairperson shall vote at the same time as the other members of the Board and, in the case of equality of votes for and against a motion, the question is resolved in the negative and the Chairperson shall so declare.

9.4 All questions shall be decided by a majority of the votes of the Trustees present and voting save as otherwise provided by these By-laws or the School Act.

10. Committees:

10.1 The Chairperson shall appoint members to Committees and the required representatives to other organizations as needed.

10.2 The rules applying in regular or special meetings shall be observed in Committee of the Whole and in any Committees so far as they may be applicable.

10.3 Speeches in Committee of the Whole must be strictly relevant to the item or clauses under consideration.

10.4 On completion of deliberations on matters referred to it, a Committee or individual Trustees shall report its findings to the whole Board.

10.5 The actions of a Committee or individual Trustees shall not be complete until its report has been approved by the whole Board.

11. By-laws and Resolutions:

11.1 All matters shall be dealt with by Resolution or By-law. A Resolution shall have only one reading but a By-law shall have three readings.

11.2 The following matters shall only be resolved by By-law:

11.21 Amendments to By-laws;

11.22 The rules of procedure of the Board and rules relative to the organization of meetings of the Board;

11.23 Regulations and control of the use of property owned and administered by the Board;

11.24 Where required by the School Act.

12. Procedure on By-Laws:

12.1 Written notice of intention to propose a By-law shall be given at the meeting prior to first reading.

12.2 Every By-law shall be dealt with in the following stages:

12.21 First reading - no debate or amendment;

12.22 Second reading - discussion of the principle of the By-law;

12.23 Committee - if the question for second reading passes, the By-law shall automatically be referred to the Committee of the Whole for detailed consideration unless a motion is passed for referral to a Standing Committee for detailed consideration.

12.24 Third reading - consideration of amendments made in Committee.

12.3 When a By-law has been amended in Committee, it shall be reprinted as amended and shall not be further proceeded with until the amended version has been distributed.

12.4 Every By-law shall receive three readings on different days. A by-law may be advanced two or more stages in one day by unanimous consent or on urgent or extraordinary occasions, the determination of which shall be by the Chairperson.

- 12.5 The Secretary Treasurer shall certify on a copy of each By-law the readings and the times thereof.
- 12.6 The Trustee who introduces a By-law may withdraw the same at any stage with unanimous consent.

Bylaw #4
Approval of a Local School Calendar
28/03/95

This By-law may be cited for all purposes as “School District #81 (Fort Nelson) By-law No. 4, a Bylaw to determine what constitutes approval of a local school calendar in accordance with the provisions of the School Act.

Read a first time on 14th of March, 1995;

Read a second time on 14th of March, 1995;

Read a third time on 28th of March, 1995,

Reconsidered and Adopted on the 28th of March, 1995.

1. The endorsement of the representatives of the following groups is required for any variation to the standard school calendar:
 - Fort Nelson District Teachers’ Association
 - British Columbia Government Employees Union
 - Parent Advisory Councils
 - Fort Nelson Administrators’ Association
 - District Maintenance Personnel
 - Excluded District Office Personnel
2. If the Board intends to adopt a local school calendar for a school year, the Board shall notify each of the above groups, in writing, of its intention to seek that approval. The notice period shall be at least seven (7) days.
3. Notification of approval in respect of the above will either be communicated through minutes provided to the Board by the organization or a specific letter verifying approval.

Bylaw #5
Procedure for the Conduct of General School Elections and Other Trustee Elections
September 20, 2005

This Bylaw provides for the determination of various procedures for the conduct of general school elections and other trustee elections.

Read a first time on the 20th day of September, 2005;

Read a second time on the 20th day of September, 2005;

Read a third time on the 20th day of September, 2005;

Reconsidered and Adopted on the 20th day of September, 2005.

WHEREAS the School Board has entered into an agreement under Section-38 (4&5) and 45 (8) of the School Act and Section 41 40 (2) of the Local Government Act, under which the local government conducts an election for the school board, the Board enacts as follows:

1. DEFINITIONS

In this Bylaw:

“Election” means the trustee election including general school election and by-elections.

”Board” or “School Board” means the Board of School Trustees of School District #81 (Fort Nelson).

2. ORDER OF THE NAMES ON THE BALLOT

The order of names or candidates on the ballot will be determined by lot in accordance with Section 46 (5) of the School Act and Section- 107 of the Local Government Act.

3. RESOLUTION OF TIE VOTES AFTER JUDICIAL RECOUNT

In the event of a tie vote after a judicial recount, the tie vote will be resolved by conducting a lot in accordance with Section 107 of the Local Government Act.

4. APPLICATION OF LOCAL GOVERNMENT BYLAWS

Under Section 38 (4&5) and 45 (8) of the School Act the Board will adopt the Election Procedure Bylaw No. 686, 2005 for the Town of Fort Nelson and the Elections Procedure Bylaw No. 169, 2005 for the Northern Rockies Regional District, and any amendments thereto, except as outlined in this bylaw or outlined in the School Act.