

**Bylaw #3**  
**Board Meeting Proceedings**  
**September 15, 2009**  
**Revision: January 17, 2012**

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

Read a first time the 7<sup>th</sup> of February, 2012

Read a second time the 7<sup>th</sup> of February, 2012

Read a third time the 7<sup>th</sup> of February, 2012

Reconsidered and Adopted 7<sup>th</sup> of February, 2012

1. Inaugural Meeting

- 1.1 Trustees begin their term of office on the first Monday after December 1st immediately following the general local election or when the person takes office in accordance with section 50 (3) of the School Act, whichever is later. 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:
  - 1.6.1 Election of Vice-Chairperson;
  - 1.6.2 Passage of Banking Resolutions and appointment of signing officers;

1.6.3 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:

2.1.1 A regular Open Meeting shall be held every third Tuesday with the first meeting of the school year being the fourth Tuesday of September commencing at 6:00 pm.

2.1.2 A regular Closed Meeting schedule shall be determined by the Trustees, on an annual basis, at their last meeting in June. 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 A Board may allow trustees to participate in or attend a meeting of the board by telephone or other means of communication if all trustees and other persons participating in or attending the meeting are able to communicate with each other. The trustee is to be counted for the purposes of establishing a quorum. (School Act 67 (6))

2.4 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 her/his discretion.

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

2.5.1 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/Celebrations  
Stakeholder Groups/Public Reports or Inquiries  
Adjournment

2.5.2 Closed 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  
Adjournment

- 2.6 A change to the prescribed order of business may be proposed by any Trustee and shall require unanimous consent, without debate.
- 2.7 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 electronically or by delivery to the Board Office mail slots.
- 2.8 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.
- 2.9 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.
- 2.10 All Regular Open 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.

- 2.11 The presiding officer may expel and exclude from a Board meeting any person whom she/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:
  - 4.3.1 Salary claims and adjustments and the consideration of requests of employees and Board officers with respect to collective bargaining procedures;
  - 4.3.2 Accident claims and other matters where Board liability may arise;
  - 4.3.3 Legal opinion respecting the liability or interest of the Board;
  - 4.3.4 The conduct, efficiency, discipline, suspension, demotion, termination or retirement of employees;
  - 4.3.5 Medical Examiners or examinations and medical reports;
  - 4.3.6 Matters pertaining to individual pupils including the conduct, discipline, suspension or expulsion of pupils, truancy and indignant students;

- 4.3.7 Purchase of real property including the designation of new sites, consideration of appraisal reports, consideration of Board offers and expropriation procedures;
- 4.3.8 Lease, sale or exchange of real property prior to finalization thereof;
- 4.3.9 Matters pertaining to the safety, security or protection of Board property;
- 4.4.10 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; when the Chairperson is participating by telephone or other means of communication as per Clause 2.3; 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 her/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 10.3.

6. Presentations at a Board Meeting

- 6.1 The Board of Education, as a representative body of the District, wishes to provide an avenue for any individual or group to have access to the decision making process, to express interest in, and concern about the schools or programs, at a Board Meeting as per School Board Policy 2020 – Delegations to Board Meetings.
  - 6.1.1 Presentations will be expected to be limited to highlighted information and be no longer than 10 minutes in length, unless previously approved by the Superintendent. Presenters are welcome to provide additional written information for consideration of the Trustees.

7. Rules of Order

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- 7.1 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.
  - 7.2 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.
  - 7.3 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.
  - 7.4 The presiding officer's ruling on a point of order shall be based on Rules of Order as stated in paragraph 6.1 herein.
  - 7.5 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.
  - 7.6 All questions shall be decided by a vote on motion.
8. Motions
- 8.1 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.
  - 8.2 The presiding officer may divide a motion containing more than one subject if she/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.
  - 8.3 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.
    - 8.3.1 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.
  - 8.4 All motions shall be seconded.
  - 8.5 All motions are debatable except the following:
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- 8.5.1 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;
    - 8.5.2 Motion to fix time for adjournment of a meeting;
    - 8.5.3 Motion to proceed to the next business;
    - 8.5.4 Motion to go into Committee of the whole or closed session.
  - 8.6 All motions shall be subject to amendment except the following:
    - 8.6.1 Motion that the question be now put;
    - 8.6.2 Motion for adjournment of debate or adjournment of a meeting;
    - 8.6.3 Motion to table unless such a motion contains a date for further consideration of the matter tabled;
    - 8.6.4 Motion to refer to Committee;
    - 8.6.5 Motion to proceed to next business.
  - 8.7 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.
9. Debate:
- 9.1 Debate shall be strictly relevant to the question before the meeting and the presiding officer shall warn speakers who violate this rule.
  - 9.2 No Trustee shall speak until recognized by the Chairperson.
  - 9.3 A Trustee shall endeavour to speak 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 her/him to discontinue if she/he persists.

- 9.4 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.
  - 9.5 No Trustee shall interrupt another Trustee who has the floor except to raise a point of order or a point of privilege.
10. Voting:
- 10.1 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:
    - 10.1.1 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;
    - 10.1.2 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;
    - 10.1.3 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.
  - 10.2 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.
  - 10.3 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.
  - 10.4 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.
11. Committees:
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- 11.1 The Board shall appoint members to Committees and the required representatives to other organizations as needed.
  - 11.2 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.
  - 11.3 Speeches in Committee of the Whole must be strictly relevant to the item or clauses under consideration.
  - 11.4 On completion of deliberations on matters referred to it, a Committee or individual Trustees shall report its findings to the whole Board.
  - 11.5 The actions of a Committee or individual Trustees shall not be complete until its report has been approved by the whole Board.
12. By-laws and Resolutions:
- 12.1 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.
  - 12.2 The following matters shall only be resolved by By-law:
    - 12.2.1 Amendments to By-laws;
    - 12.2.2 The rules of procedure of the Board and rules relative to the organization of meetings of the Board;
    - 12.2.3 Regulations and control of the use of property owned and administered by the Board;
    - 12.2.4 Where required by the School Act.
13. Procedure on By-Laws:
- 13.1 Written notice of intention to propose a By-law shall be given at the meeting prior to first reading.
  - 13.2 Every By-law shall be dealt with in the following stages:
    - 13.2.1 First reading - no debate or amendment;
    - 13.2.2 Second reading - discussion of the principle of the By-law;
    - 13.2.3 Committee - if the question for second reading passes, the By-law shall automatically be referred to the Committee of the Whole for detailed
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consideration unless a motion is passed for referral to a Standing Committee for detailed consideration.

13.2.4 Third reading - consideration of amendments made in Committee.

- 13.3 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.
- 13.4 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.
- 13.5 The Secretary Treasurer shall certify on a copy of each By-law the readings and the times thereof.
- 13.6 The Trustee who introduces a By-law may withdraw the same at any stage with unanimous consent.