

Tri-County Regional School Board
Nova Scotia, Canada

Students First

BY-LAWS

*Approved by the
Tri-County Regional School Board
December 12, 2000*

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**Tri-County Regional School Board
By-Laws
Index**

1.	DEFINITIONS	Page 5
2.	BREACH OF CODE OF ETHICS	Page 5
	2.01 Violation of Code of Ethics	Page 5
	2.02 Service on Committees of the Board	Page 5
	2.03 Breach of Confidentiality	Page 5
	2.04 Addressing the Board concerning a Breach of Ethics	Page 6
	2.05 Non-attendance at Board Meetings	Page 6
	2.06 Non-attendance at Standing Committee Meetings	Page 6
3.	REMUNERATION AND EXPENSES	Page 6
	3.01 Remuneration	Page 6
	3.02 Expenses	Page 7
	3.03 School Board Member Conference Allowance	Page 7
4.	CHAIR AND VICE-CHAIR	Page 8
	4.01 Election of Chair and Vice-Chair	Page 8
	4.02 Responsibilities of Chair and Vice-Chair	Page 9
5.	MEETINGS OF THE BOARD	Page 9
	5.01 Regular Meetings of the Board	Page 9
	5.02 Special Meetings of the Board	Page 9
	5.03 Annual Meeting of the Board	Page 10
	5.04 Address of Member	Page 10
	5.05 Accidental Omission	Page 10
6.	PROCEEDINGS AT MEETINGS	Page 10
	6.01 Quorum	Page 10
	6.02 Order of Business – Annual Meeting	Page 11
	6.03 Orders of the Day	Page 11
	6.04 Hours of Meetings	Page 11
	6.05 Variation of Order of Business	Page 11
	6.06 Proceedings at Meetings	Page 11
	6.07 Public or Private Nature of Meetings	Page 12
7.	RULES OF ORDER	Page 12
	Motions	
	7.01 Motions	Page 12
	7.02 Motions Possession of Board	Page 12
	7.03 Motions during Debate	Page 12
	7.04 Motion to Adjourn	Page 13

INDEX ...continued

7.	RULES OF ORDER ...continued	
	Motions...continued	
7.05	Motion to Refer Precludes Amendments	Page 13
7.06	Motion to Postpone Indefinitely	Page 13
7.07	Amendments	Page 13
7.08	Motions with Distinct Propositions	Page 14
7.09	Recommendations in Report	Page 14
7.10	Motion to Suspend a Rule of Order	Page 14
7.11	Introduction of New Matter	Page 14
	Debates	
7.12	Orderly Conduct in Debate	Page 14
7.13	Chair Decides Right to Speak	Page 15
7.14	Number and Length of Speeches	Page 15
7.15	Interruption of Speaker	Page 15
7.16	Resolution to be Read	Page 15
7.17	Point of Order	Page 15
7.18	Member Called to Order	Page 16
7.19	Leave to Explain	Page 16
7.20	Opinion of Solicitor	Page 16
7.21	Chair to Decide Points of Order	Page 16
7.22	Role of the Board Members	Page 16
7.23	Violations of Order and Decorum	Page 17
7.24	On a Point of Personal Privilege	Page 17
7.25	Questions and Replies	Page 17
7.26	Visitors	Page 18
7.27	Members not to Leave without Permission	Page 18
	Voting	
7.28	Putting Motion to Vote	Page 18
7.29	No Debate after Vote is Called	Page 18
7.30	Decision of Motion	Page 18
7.31	All Members Must Vote	Page 18
7.32	Reference Authority	Page 19
	Post Votes and Motions	
7.33	Notice of Motion to Rescind	Page 19
7.34	Motion of Reconsideration	Page 19
7.35	Reconsideration of a Defeated Motion	Page 19
7.36	Reconsideration Acts as Stay of Activity	Page 19
8.	POLICY DEVELOPMENT	Page 20
9.	COMMITTEES OF THE BOARD	Page 20
9.01	Committee of the Whole	Page 20
9.02	Standing Committees	Page 21
9.03	Quorum for Standing Committees	Page 21
9.04	Ad Hoc Committees	Page 21
9.05	Appointment to Committees	Page 21

INDEX ...continued

10. PUBLIC PRESENTATIONS	
10.01 Right to Appear	Page 22
10.02 Advanced Notice	Page 22
10.03 Distribution of Notice	Page 23
10.04 Spokesperson	Page 23
10.05 Reappearance	Page 23
10.06 Waiver of Notice	Page 23
10.07 Decision of Board and/or Committee	Page 24
11. MINUTES AND RECORDS	Page 24
11.01 Minutes	Page 24
11.02 Destruction of Board Records	Page 24
12. CORRESPONDENCE	Page 24
12.01 Handling of Correspondence	Page 24
12.02 Doubt Regarding Correspondence	Page 24
13. AMENDMENTS TO BY-LAWS	Page 25
13.01 Amendments to By-Laws	Page 25
13.02 Housekeeping Changes to By-Laws	Page 25
13.03 Suspension of By-Laws	Page 25

APPENDICES

Appendix A	Code of Ethics	Page 26
Appendix B	Procedure – Breach of Confidentiality by a Board Member	Page 28
Appendix C	Process for Policy Development	Page 29
Appendix D	Conflict of Interest for Board Members, Policy No. 105	Page 33
Appendix E	Mandates of Standing Committees	Page 34
Appendix F	Order of Business – Regular Meetings	Page 37
Appendix G	Guidelines for Presentations to Board/Committee	Page 38

1. DEFINITIONS

In these By-Laws, unless context otherwise requires,

- (a) Board means the Tri-County Regional School Board.
- (b) By-Laws mean these By-Laws.
- (c) Chair means the Chair of the Board.
- (d) Vice-Chair means the Vice-Chair of the Board.
- (e) Superintendent means the Superintendent of the Board.
- (f) Secretary means the Secretary of the Board.
- (g) Member means a School Board Member of the Board, including the Chair and the Vice-Chair.

Other relevant definitions are found in section 3 of the *Education Act*.

2. BREACH OF THE CODE OF ETHICS

The Tri-County Regional School Board has developed a Code of Ethics for Board Members, which is included in these By-Laws as Appendix A. If a Member breaches the Code of Ethics, the process to be followed is:

2.01 Violation of Code of Ethics

- (a) If any Member feels that another Member has violated the Code of Ethics, the Member shall personally talk with the offending Member or report it to the Chair in an effort to resolve the issue.
- (b) If the attempt fails, the Member shall bring the matter to the attention of the entire Board, to be dealt with at the earliest practical opportunity.

2.02 Service on Committees of the Board

- (a) The Board considers the appointment of Members to serve on standing, special or ad hoc committees of the Board as a privilege conferred by the Board.
- (b) The Board retains the right to remove from a committee any Member who, in the opinion of the Board, breaches the Members' Code of Ethics.

2.03 Breach of Confidentiality

- (a) A Member who has breached the confidentiality of privileged information shall be subject to removal from in-camera sessions and from receiving confidential material for such length of time as the Board determines.

A procedure to deal with a breach of confidentiality is attached to these By-Laws as Appendix B.

BREACH OF THE CODE OF ETHICS ...continued

2.04 Addressing the Board concerning a Breach of Ethics

Any Member who has been charged with a breach of the Code of Ethics will be allowed to address the issue with the Board.

2.05 Non-attendance at Board Meetings

- (a) If a Member fails to attend three consecutive regular meetings of the Board without satisfactory excuse, the Secretary shall bring the matter to the attention of the School Board at the in-camera session of its next regular meeting.
- (b) The Board shall then declare the seat of that Member vacant unless the Member is able to satisfy the Board that there is a satisfactory excuse for the absences.
- (c) If the seat is declared vacant, the Board shall forthwith call an election to fill the Member's seat, pursuant to the Municipal Elections Act.

2.06 Non-attendance at Standing Committee Meetings

- (a) If a Member fails to attend three consecutive Standing Committee Meetings of the Board without satisfactory excuse, the Secretary shall bring the matter to the attention of the School Board at the in-camera session of its next regular meeting.

3. REMUNERATION AND EXPENSES

3.01 Remuneration

- (a) For carrying out the duties of a Member, including attendance at meetings of the Board and the committees thereof, each Member of the Board shall be paid in each year a sum as approved by the Department of Education, paid biweekly less all deductions required by law, of which sum one-third (1/3) is an allowance for expenses incidental to the discharge of duties as an elected official.
- (b) Notwithstanding 3.01 (a), the Chair shall be paid in each year a sum as approved by the Department of Education paid bi-weekly less all deductions required by law, of which sum one-third (1/3) is an allowance for expenses incidental to the discharge of duties as an elected official.
- (c) Notwithstanding 3.01 (a), the Vice-Chair shall be paid in each year a sum paid bi-weekly less all deductions required by law, of which sum one-third (1/3) is an allowance for expenses incidental to the discharge of duties as an elected official.

REMUNERATION AND EXPENSES ...continued

Remuneration ...continued

- (d) For the purpose of this section, 'year' means the twelve month period commencing on the date the Member takes the oath of office and the first, second, and third anniversaries thereof, or on the date on which a Member is elected Chair or Vice-Chair, as the case may be.

3.02 Expenses

- (a) In addition to the remuneration to which the Member is otherwise entitled pursuant to this Article, each Member shall be paid bi-monthly, upon submission of an expense report in such form as the Director of Finance may determine, a sum as established by the Provincial School Board Review Committee each day for going to and returning from each meeting of the Board, or a committee thereof, or in carrying out other Board duties as approved by the Board, or by the Chair between Board meetings. School Board Members will not be reimbursed for attendance at meetings such as SAC, Home and School or other activities without prior Board approval with the exception of meetings concerning school closures or consolidations.

- (b) Members of the Board are entitled to reimbursement (without receipts) for meal expenses at the following rates:
- | | | |
|--|-----------------|---------|
| | <u>Per diem</u> | \$40.00 |
| | Breakfast | \$ 8.00 |
| | Lunch | \$12.00 |
| | Dinner | \$20.00 |

OR as determined by the Department of Education.

Members are also entitled to reimbursement of meal expenses in excess of the level recommended above, supported by receipts, where the circumstances are judged to be within the bounds of prudence and probity.

3.03 School Board Member Conference Allowance

- (a) This allowance shall be established at \$1,900 per Member, per annum. Members attending a conference in their capacity as Members should advise the Secretary of this intention. Money unspent from the individual board member's allowance may be carried forward and added to that member's conference allocation for the following fiscal year.
- (b) A Supplementary Conference Allowance not to exceed \$10,000 shall be included in the budget of the Board for use in those cases where desired Board Member representation at national association conferences cannot be accommodated because the amount in section 3.03 (a) is not adequate. Such money can only be accessed **with prior Board approval**.

REMUNERATION AND EXPENSES ...continued

School Board Member Conference Allowance ...continued

- (c) Each Member will be given the opportunity to attend a Canadian School Board Association Annual Conference at least once during each four-year term of office drawing upon the supplemental conference allowance if necessary, provided there are adequate funds in section 3.03(b) above. The Member's total Conference Allowance (\$1,900) must be used before supplementary funds are approved.
- (d) Any Member who attends a conference on behalf of the Board shall, at one of the two next regular Board meetings, present a written report to the Board with respect to the substance of the conference. If more than one Member attends the same conference, a joint report may be presented.

4. CHAIR AND VICE-CHAIR

4.01 Election of Chair and Vice-Chair

- (a) The election of the Chair shall be completed prior to commencing the procedure for election of a Vice-Chair.
- (b)
 - i. At the first meeting of a newly elected Board, nominations for the position of Chair shall be received by the Superintendent through a secret ballot process at the meeting (i.e. each Member will anonymously write the name of a candidate for Chair on paper); the nominees must consent to their nomination in order for their names to stand for election.
 - ii. At subsequent annual meetings of the Board, the nominations for the position of Chair shall be received by the Chair pro tem. The Chair pro tem shall be the senior member of the Board by service, who declares he or she will not stand for the position of Board Chair. If required, a draw will settle the issue. The remaining nominating process shall be as in 4.01 (b) i. above.
- (c) Once the nominations are made and the nominees consent to serve if elected, a vote shall be conducted by secret ballot by the Superintendent or Chair pro tem, as the case may be.
- (d) The Member receiving the majority of votes shall be declared elected.
- (e) If more than two Members are nominated and no Member receives a majority of the votes cast on the first ballot, the name of the Member receiving the least number of votes shall be dropped and the Members shall vote again, and so on until either a Member receives a majority or there is a tie.

CHAIR AND VICE-CHAIR ...continued

Election of Chair and Vice-Chair ...continued

- (f) In the event of a tie on any ballot, the Board shall vote again among the candidates who are tied. If the result of that ballot is also tied, the Superintendent shall so advise the Governor in Council.
- (g) Once the Chair is elected (or appointed by the Governor in Council), the procedure outlined in (a) to (e) will be followed to elect a Vice-Chair. In the event of a tie on any ballot, the Board shall vote again among candidates who are tied. If the result of that ballot is also tied, the names of the tied will be placed in a receptacle and the first name drawn by the Superintendent will be elected the Vice-Chair.

4.02 Responsibilities of Chair and Vice-Chair

The Chair and Vice-Chair shall serve as ex-officio voting Members on all Standing Committees of the Board (Article 8.02). They shall not participate in the election of the Chair or Vice-Chair of these committees.

5. MEETINGS OF THE BOARD

5.01 Regular Meetings of the Board

- (a) The Board shall meet on the first and third Tuesday of each month unless otherwise indicated by motion of the Board. Meetings will be advertised by the first of each month with the indication of time and location.
- (b) The Secretary or Chair shall give at least three days written notice to each Member of each regular meeting of the Board by faxing, mailing or delivering to each Member a copy of the proposed agenda for such meeting, together with such related materials as the Chair may direct.
- (c) Notwithstanding the foregoing notice requirements, if all of the Members are present at a regular meeting of the Board, notice of the time, place and purpose of that meeting may be waived by a majority vote of the Board.

5.02 Special Meetings of the Board

- (a) The Chair may call a special meeting of the Board at any time, and shall call a special meeting upon receipt of the request of a majority of the Members.
- (b) The Secretary shall give at least one day notice to Members of the time, place and purpose of a special meeting of the Board by faxing, mailing or delivering to each Member a copy of the proposed agenda for such meeting, together with such related materials as the Chair may direct.

5. MEETINGS OF THE BOARD ...continued

Special Meetings of the Board ...continued

- (c) The only business to be considered at a special meeting shall be the business set forth in the notice calling the meeting, unless all Members of the Board are present and all consent to the consideration of other business.

5.03 Annual Meeting of the Board

- (a) The Board shall meet annually at a time sufficiently removed from the regular October meeting to allow relevant business from the meeting to be included in the Annual Reports.
- (b) In an election year, the Annual Meeting shall be at a time sufficiently removed from election day to allow newly elected members an opportunity to become acquainted with the structure and procedures of the Board.
- (c) 5.03(a) and (b) notwithstanding, the Annual Meeting shall take place no later than the second week in November.
- (d) In an election year, new members shall be sworn in immediately preceding the Annual Meeting.
- (e) The Annual Meeting shall be held at the Board office.

5.04 Address of Member

Each Member of the Board shall notify the Secretary, in writing, of their address for the receipt of all notices or communications. Until another address is received by the Secretary, a notice of meeting or other communication delivered or mailed to the Member's previous residence shall be deemed to be sufficiently given.

5.05 Accidental Omission

The accidental omission to give notice to any of the Members, or the non-receipt of any such notice by any of the Members, shall not invalidate any resolution passed at any meeting. [See also ss.55 to 60 of the *Education Act*.]

6. PROCEEDINGS AT MEETINGS

6.01 Quorum

- (a) No business shall be conducted at any meeting of the Board unless a quorum (50% + 1) is present; if a quorum ceases to be present during the course of a meeting, the meeting shall immediately terminate.

PROCEEDINGS AT MEETINGS ...continued

Quorum ...continued

- (b) If there is no quorum present within one half-hour after the time appointed for the commencement of the meeting, or if during the course of the meeting a quorum ceases to be present, the Secretary of the meeting shall record the names of the Members then present.

6.02 Order of Business - Annual Meeting

- 1) Call to Order and National Anthem
- 2) Record of Attendance
- 3) Approval of Agenda
- 4) Approval of Minutes
- 5) Annual Report from Board Chair
- 6) Annual Reports from Standing Committees
- 7) Status Report(s) on Ad Hoc and Special Committees
- 8) Status Report on Goals and Objectives
- 9) Standing Committees for _____[year]
- 10) Chair Pro Tem
- 11) Election of Chair and Vice-Chair of the Board
- 12) Selection of Standing Committee Membership
- 13) Adjournment

6.03 Orders of the Day

An Order of the Day is placed on the agenda of a Board meeting when an issue or a public presentation is scheduled for a specific time.

6.04 Hours of Meetings

Board meetings will adjourn no later than 9:30 p.m., unless the Board unanimously agrees to extend this time of adjournment.

6.05 Variation of Order of Business

The Board may, by motion at any time, vary the business at any particular meeting.

6.06 Proceedings at Meetings

The in-camera meeting shall be scheduled immediately preceding the regular meeting of the Board. The purpose of the in-camera session will be to consider issues involving individual students, personnel matters, or other confidential information as determined by a majority of the Members of the Board present. The report from this session will be brought forward by the Vice-Chair of the Board at the regular meeting.

PROCEEDINGS AT MEETINGS ...continued

6.07 Public or Private Nature of Meetings

With the exception of a Committee of the Whole In-Camera session, all meetings of the Board shall be open to the public, and the Secretary shall take such steps to make the public aware of meetings of the Board as the Board shall from time to time direct. [See also ss.55, 58 and 59 of the *Education Act*.]

7. RULES OF ORDER

MOTIONS

7.01 Motions

- (a) No business, or matter, shall be debated or voted upon unless a motion in respect thereof has been moved and seconded.
- (b) The Chair may require that any motion be reduced to writing by the mover and seconder before being debated.
- (c) Any Member may request the division of any motion when, in the opinion of the Chair, or on an appeal thereof to the Board, it is reasonable to do so.
- (d) Negatively worded motions will not be entertained.

7.02 Motions Possession of Board

After a motion has been duly moved and seconded, it shall be deemed to be in possession of the Board, but may be withdrawn at any time by the mover and seconder, before decision or amendment, with the permission of the Board.

7.03 Motions During Debate

When a motion is under debate, no motion shall be received except the following motions, which shall have precedence in the order below:

- (a) to adjourn the meeting (not debatable)
- (b) that the main question be put to vote (not debatable)
- (c) to postpone the motion indefinitely (not debatable)
- (d) to postpone the debate to a specific time (debatable, but only with respect to the propriety of the postponement)
- (e) to refer the matter to Committee or staff (debatable, but only with respect to the propriety of the referral)
- (f) to amend (debatable)
- (g) to go into Committee of the Whole (debatable, but only with respect to the propriety of going into Committee of the Whole)

RULES OF ORDER ...continued

7.04 Motion to Adjourn

A motion to adjourn is always in order and takes precedence over all other motions, but such a motion must not be entertained while a Member is speaking or while a vote is in progress.

7.05 Motion to Refer Precludes Amendment

A motion to refer, until it is decided, shall preclude all amendments of the main motion.

7.06 Motion to Postpone Indefinitely

When a motion to postpone indefinitely is carried, the motion to which it applies, together with all amendments or proposed amendments thereto, shall be removed from the agenda, and shall be placed again before the Board only after a notice of motion to that effect has been given.

7.07 Amendments

- (a) All amendments to a motion shall be dealt with before the motion and in the reverse order in which they were moved.
- (b) An amendment shall be directly relevant to the main motion and shall propose some change in form or substance of the main motion, but shall not change the nature by the introduction of new substantive matter.
- (c) An amendment to an amendment shall be directly relevant to the main motion and amendment and shall propose some change in the form or substance of the amendment, but shall not change the nature thereof.
- (d) An amendment may propose to:
 - (i) add certain words
 - (ii) delete certain words
 - (iii) delete words in order to insert other words
- (e) A motion to amend should always include one of the following three expressions:
 - (i) "...that the main motion [or amendment] be amended by inserting the words..."
 - (ii) "...that the main motion [or amendment] be amended by deleting the words..."
 - (iii) "...that the main motion [or amendment] be amended by substituting the words..."
- (f) An amendment which is contrary to the main motion shall be declared out of order by the Chair.

RULES OF ORDER ...continued

Amendments ...continued

- (g) There is no limit on the number of times which a main motion may be amended before it is put to a vote.
- (h) Only one amendment shall be allowed to an amendment at a particular meeting.
- (i) As soon as one amendment has been voted upon, whether it is adopted, defeated, or referred, another amendment may be introduced.

7.08 Motions with Distinct Propositions

When the motion under consideration contains distinct propositions, the vote upon each proposition shall be taken separately, if so directed by the Chair or requested by a Member.

7.09 Recommendations in Report

Every recommendation in a report presented to the Board may be considered separately. Upon the request of any Member, a vote shall be taken separately upon each or any of the recommendations contained in the report. **All** recommendations may be amended by the Board before adoption.

7.10 Motion to Suspend a Rule of Order

A motion to suspend a Rule of Order shall take precedence over all motions, except a motion to adjourn. No Rule of Order shall be suspended, except upon unanimous vote of the Members present.

7.11 Introduction of New Matter

When a Member wishes to bring an item of business before the Board, the Member shall provide the Secretary with the topic, in sufficient time for it to be included on the agenda of the next meeting. Notices so received shall be placed on the agenda according to the time at which they are received by the Secretary. With the consent of the Chair, a Member shall be permitted to introduce a new matter at a meeting.

DEBATES

7.12 Orderly Conduct in Debate

Every Member of the Board shall respectfully address the Chair when speaking. The Member shall confine comments to the motion under debate and shall not refer to any Member except in a respectful manner.

RULES OF ORDER ...continued

7.13 Chair Decides Right to Speak

- (a) Any Member wishing to speak shall raise their hand and address the Chair. The Chair shall recognize the Member by name and such Member may then, but not before, proceed to speak.
- (a) The Chair has the authority to limit debate length for speakers and also for subject debate.

7.14 Number and Length of Speeches

- (a) Each Member may speak twice on all motions, other than motions classed as non-debatable. Except with permission of the Board, no Member shall speak longer than five (5) minutes in the first instance and two (2) minutes in the second instance on the same motion.
- (b) No Member shall speak more than twice upon any motion, other than to obtain an explanation or to demand a recorded vote, except the Member who introduced the motion, who shall have the privilege of closing the debate thereon.
- (c) No Member may speak a second time as long as a Member who has not spoken wishes to speak from the floor. The Chair shall control, assisted by the Board Secretary.

7.15 Interruption of Speaker

No Member, while speaking, shall be interrupted by another Member, except upon a point of order or question of privilege. The Member so interrupting shall confine comments strictly to stating the point of order or the question of privilege.

7.16 Resolution to be Read

Any Member may require the resolution under discussion to be read for information at any time, but not so as to interrupt a Member when speaking.

7.17 Point of Order

- (a) The Chair may call any Member to order at any time, and any Member may raise a point of order.
- (b) Whenever the Chair is of the opinion that a motion is contrary to the rules and privileges of the Board, the Chair shall apprise the Members immediately thereof, and shall cite the rule or authority applicable to the case without argument or comment.

RULES OF ORDER ...continued

Point of Order ...continued

- (b) When the Chair is called upon to decide a point of order or practice, the Chair shall state the rule applicable to the case without comment and render the decision.

7.18 Member Called to Order

If a Member is called to order while speaking, the Member shall immediately stop speaking unless permitted to explain.

7.19 Leave to Explain

Any Member may, with the permission of the Chair, have leave to explain, but remarks so made shall be strictly confined to the explanation.

7.20 Opinion of Solicitor

An opinion of a solicitor on a matter of procedure or order shall only be obtained by the Board after adoption of a motion to that effect; notwithstanding which, the Chair may consult the Board's solicitor at any time as an aid in formulating a ruling on any point of order or procedure.

7.21 Chair to Decide Points of Order

- (a) The ruling of the Chair is final, subject only to an appeal to the Board, without debate.
- (b) If any Member challenges the ruling of the Chair, the Chair must then state reasons for the ruling.
- (c) The Vice-Chair will then conduct a vote without debate on the question of whether the decision of the Chair shall be sustained.

7.22 Role of the Board Members

Members are responsible for assisting the debate by:

- (a) being familiar with the Constitution and By-Laws, the approved procedures for meetings and elections, and with the various handbooks on policies and practices of the Board;
- (b) addressing all remarks to the Chair;
- (c) confining remarks strictly to the motion under consideration;
- (d) stating positions clearly and succinctly, without being repetitious;
- (e) maintaining an impersonal tone and avoiding personal comments;
- (f) drawing the attention of the Chair to a lack of a quorum; and
- (g) making an appeal to correct any improper procedure or to alleviate a detrimental situation.

RULES OF ORDER ...continued

7.23 Violations of Order and Decorum

- (a) If any Member uses insulting or improper language, and refuses to apologize when so directed by the Chair, or willfully obstructs the conduct of business, and refuses to desist when called upon to do so by the Chair, the Member shall be ordered by the Chair to retire from the Board for that meeting. Any Member so removed, on making an apology to the Chair and to the person insulted, may, by a vote of the Board, be permitted to resume his or her place at such meeting.
- (b) Any person interfering with the business of the Board, or acting in a disorderly manner may, upon the order of the Chair, be requested to be removed from the meeting by a police officer or other peace officer. [See s. 59(5) of the Education Act.]

7.24 On a Point of Personal Privilege

- (a) A Member who seeks redress with respect to personal remarks made in a speech at a meeting may make an appeal to the Chair using a form of words such as: "I wish to appeal on a point of personal privilege."
- (b) The appeal must be made immediately, i.e., while the statements are fresh in the minds of the listeners. Further, the nature of the remarks referring to the Member must be such that, if true, this Member would be considered to have infringed the approved code of ethics of the Board. Using this criterion, the Chair rules on whether the appeal constitutes a matter of personal privilege. This ruling can be challenged by moving an appeal against the ruling of the Chair.
- (c) If the Chair supports the appeal (or if a negative ruling by the Chair is overturned by the meeting), the speaker concerned is asked to withdraw the statement. Failure to do so at the request of the Chair can result in disciplinary action, such as requesting the Member to withdraw from the meeting.
- (d) It is important to note that a point of personal privilege can only be raised for remarks made at the time. This situation can be dealt with by the meeting, because everyone present has heard the remarks and can evaluate them in the context of the speech. Written or spoken statements made in some other context cannot be raised as matters of privilege, even though they may have been made by one member in reference to another. Such statements must be dealt with as matters of libel or slander.

7.25 Questions and Replies

All questions asked and replies given to Members shall be made through the Chair.

RULES OF ORDER ...continued

7.26 Visitors

No visitors shall be allowed to address the Board without special permission from the Board.

7.27 Members not to Leave Without Permission

No Member shall leave a meeting during the course of the meeting without permission of the Chair.

VOTING

7.28 Putting Motion to Vote

Before putting any motion to vote, the Chair shall state the motion clearly and ask the Board if it is ready to vote on the motion. In any matter on which there has been no discussion, the Chair may ask if there is any objection to such motion, and if none is made, declare the motion carried.

7.29 No Debate after Vote is Called

After a vote has been called for by the Chair on any question, no Member shall speak on the question, nor shall any motion be made until after the result is declared and the decision of the Chair, as to whether the question has been finally called for, shall be conclusive.

7.30 Decision of Motion

Except for the election of the Chair and the Vice-Chair, every motion shall be decided in the first instance by a show of hands, unless the Chair directs or a Member requires a recorded vote prior to the vote, in which case the vote of each Member shall be taken by the Secretary and recorded in the Minutes, and the motion decided accordingly.

7.31 All Members Must Vote

- (a) Every Member, including the Chair and Vice-Chair, who is present when any question is put to vote, shall vote on that question unless excused by the Board. No Member shall be excused unless excluded by interest, or unless the Member furnishes the Board with satisfactory reasons for being excused before the Chair proceeds to put the question. The right to be excused shall be decided by the Chair without debate.
- (b) A Member who abstains from voting without being excused shall be deemed to have voted in the negative.

A copy of Policy No. 105, Conflict of Interest for Board Members is attached to these By-Laws as Appendix D.

RULES OF ORDER ...continued

7.32 Reference Authority

In all procedural matters not provided for in these By-Laws, the rules and practices of *Procedures for Meetings and Organizations, Kerr and King, Third Edition, Toronto*, shall govern as far as applicable.

POST VOTES AND MOTIONS

7.33 Notice of Motion to Rescind

A notice of motion to rescind any previous resolution of the Board may be given by any Member at any regular meeting of the Board.

7.34 Motion of Reconsideration

- (a) After any motion, other than a motion of sub-amendment, has been decided in the affirmative, any Member of the Board, at that meeting or any subsequent meeting, may give notice of reconsideration of such resolution, and such notice of reconsideration shall be the first item of "Business Arising from the Minutes" at the next meeting.

When the matter is considered at the next regular meeting, the mover of the motion to reconsider, or in their absence, any other Member on their behalf, may briefly state their reasons for the reconsideration, and if the motion to reconsider is seconded, the same shall be put to vote without further debate.

If the motion of reconsideration is carried, then the resolution so reconsidered shall then be read and dealt with.

- (b) If after reconsideration the reconsidered motion is again adopted, no other motion to reconsider or to rescind such motion can be made within three months of the reconsideration.

7.35 Reconsideration of a Defeated Motion

A motion that has been rejected at a previous meeting may be brought up for consideration at a later meeting, but proper notice of this intention must be included in the agenda for the meeting.

7.36 Reconsideration Acts as Stay of Activity

A notice of motion to reconsider or rescind shall have the effect of delaying or impeding any action necessary to give effect to any resolution, unless otherwise ordered by the Board.

RULES OF ORDER ...continued

8. POLICY DEVELOPMENT

Policy development will follow the steps outlined on the attached Appendix C.

Appendix C may be revised by the Board at any regular monthly meeting of the Board.

- Process for New Policy Development or Major Revision to a Current Policy.
- Process for Minor Revision to a Current Policy.

9. COMMITTEES OF THE BOARD

9.01 Committee of the Whole

- (a) When the Board wishes to permit, in respect of any matter, freer debate and more detailed consideration than the Rules of Order permit, the Board, on motion, may resolve itself into a Committee of the Whole.
- (b) When the matter before the Committee of the Whole is one involving a matter mentioned in 9.01 (c), the Committee may resolve to meet in Committee of the Whole, In Camera, and exclude from the meeting, while that matter is under discussion, all persons other than Members and other persons specifically authorized by the Committee to be present.
- (c) Matters to be discussed In Camera include the following:
 - i. security of the property of the Board;
 - ii. The disclosure of intimate, personnel or financial information in respect of a Member, an employee or prospective employee, or a pupil or parent or guardian;
 - iii. The acquisition or disposal of a school site;
 - iv. Decisions with respect to personnel and/or collective bargaining
 - iv. Litigation affecting the Board.
- (d) When the Board resolves into Committee of the Whole, the Vice-Chair shall assume the Chair or, in the absence of the Vice-Chair, such other Member as the Committee shall select.
- (e) The Rules of Order of the Board shall be observed in all meetings of the Committee of the Whole as may be applicable, except that no motions shall be in order to record the vote, to limit the debate, or to adjourn the debate. The number of times a Committee Member may speak shall not be limited.
- (f) Unless required to disclose the information by a Court, no Member shall disclose to any person, other than another Member, the nature, substance or any detail of In Camera proceedings of Committee of the Whole meetings relating to matters referred to in items 9.01 (c).

COMMITTEES OF THE BOARD ...continued

Committee of the Whole ...continued

- (g) Upon completion of its consideration of the matters before it, the Committee of the Whole shall resolve to rise and report, whereupon the Chair shall resume the Chair, the Committee shall report, and the Board shall take such action of such report as the Board resolves to be appropriate.

9.02 Standing Committees

The structure of the Standing Committee(s) of the Board shall be established at the Annual Meeting of the Board.

9.03 Quorum for Standing Committees

The Chair and Vice-Chair are ex-officio Members of each Standing Committee. The quorum for Standing Committee meetings shall be 50% + 1 of the remaining committee members. Notwithstanding, if the number of those remaining members is not sufficient to make a quorum, the Chair and Vice-Chair, if present, shall be counted for the purpose of a quorum.

Each standing committee shall have a written mandate.

A copy of the mandate of each Standing Committee of the Board is attached to these By-Laws as Appendix E.

9.04 Ad Hoc Committees

- (a) The Board may, from time to time by resolution, establish such other committees as it determines to be necessary.
- (b) The terms of reference, membership and reporting requirements of a committee shall be decided at its inception.
- (c) When the assigned task of the committee has been completed, the committee shall be dissolved by motion of the Board.
- (d) Appropriate members of staff shall be assigned to assist each committee by the Board and/or the Superintendent.

9.05 Appointment to Committees

- (a) All committees of the Board must be approved by motion of the Board.

COMMITTEES OF THE BOARD ...continued

Appointment to Committees ...continued

- (b) At the Annual Meeting of the Board, each regular Member of the Board shall, if applicable, indicate on which standing committee they wish to serve and Standing Committees shall be formed in an open process. The Chair shall provide the opportunity, before the end of the Annual Meeting, for the Standing Committees to elect their respective Chairs and Vice-Chair.
- (c) When the Board decides to form an Ad Hoc Committee, those Members who are interested will indicate this to the Chair.
- (d) When membership on a committee is specified by position (for example, Chair of a Standing Committee), "or designate" shall be implied.

10. PUBLIC PRESENTATIONS

The procedures for making a presentation to the Board are attached to these By-Laws as Appendix G.

10.01 Right to Appear

Any person or group has the right to appear, in the manner provided in this article, as a delegation before the Board or a committee of the Board to express concern and to make proposals on any issues within the jurisdiction of the Board or the committee, as the case

10.02 Advanced Notice

- (a) Delegations are required to inform the Board Secretary of their intent to appear before the Board or Committee, stating, in writing, the reasons for the delegation and any remedy requested of the Board or Committee.
- (b) The delegation must deliver or send the written notice so it reaches the Board Secretary at least seven days before the date of the meeting at which the delegation wishes to appear.
- (c) The Chair shall decide which Board or Committee meeting the delegation will appear before, and the Secretary shall inform the delegation as to the date of the meeting and the time during the meeting when the spokespersons shall be heard. The delegation will be required to provide a copy of the entire presentation no later than noon on the Friday immediately preceding the Board meeting. If Friday is a holiday, then the presentation must be submitted by Thursday at noon.

PUBLIC PRESENTATIONS ...continued

Advanced Notice ...continued

- (d) Notwithstanding 10.01, employees of the Board who have concerns or proposals relating to their employment with the Board or other confidential matters, including personnel matters or issues involving individual students, shall address these issues through the usual internal administrative channels and not through the public participation process.
- (e) In the event new information becomes available to the presenter, that information may be submitted to the Board Secretary/Communications Officer by noon on the Monday before the Board meeting.
- (f) Failure to comply with the above conditions will result in the presentation being withdrawn from the agenda.

10.03 Distribution of Notice

The Secretary shall distribute the written presentation/submission submitted by a delegation with the agenda for the meeting at which the delegation will appear.

10.04 Spokesperson

A delegation may appoint up to two spokespersons and no other member of the delegation shall address the Board or Committee, except at the request of a Board Member, or with permission of the Board. **The spokesperson(s) may address the Members of the Board or Committee for up to ten (10) minutes in total**, to give a summary of their submission. At the conclusion of the submission, the Members shall have the opportunity to ask questions for the purpose of clarification.

10.05 Reappearance

A delegation, once heard, shall not be entitled to be received again by the Board and/or Committee on substantially the same information for a period of three (3) months from the date of the first hearing. The Chair of the Board or Committee shall decide whether the delegation shall be entitled to a re-appearance in advance of the meeting concerned.

10.06 Waiver of Notice

Notwithstanding the foregoing, if a matter is of a serious and urgent nature, a delegation may be received at a Board Meeting, or at a Committee meeting if the subject matter is within the purview of the Committee, and if the matter in question is of a serious and urgent nature, by motion supported by a majority of votes.

PUBLIC PRESENTATIONS ...continued

10.07 Decision of Board and/or Committee

If a decision is not made at the same meeting at which a delegation appears before the Board, or a Committee of the Board, the delegation shall be notified by letter of the date of the meeting at which a decision is to be made, or if a staff report is to be considered concerning the delegation's submission.

11. MINUTES AND RECORDS

11.01 Minutes

Minutes of proceedings of all meetings of the Board and its Committees shall be taken and kept with the records of the Board.

11.02 Destruction of Board Records

The Superintendent shall oversee the preservation and safekeeping of all records of the Board for at least six years after each item comes into existence. At the conclusion of such six-year period, and subject to the provisions of the *Education Act*, records shall be destroyed. [See also ss. 61, 62, and 63 of the *Education Act*.]

12. CORRESPONDENCE

12.01 Handling of Correspondence

- a) The Chair shall consider each piece of correspondence received to determine if it raises an issue of substance and, if so, whether the matter should be directed to Board Staff for investigation. All correspondence to the Chair is to be circulated to all Members.
- b) The Chair will ensure the original of any correspondence raising a matter of substance will be kept on file at the offices of the School Board. During the 'Inquiries and Responses' portion of the Order of Business of a regular Board meeting, any Member (other than the Chair) shall be permitted to bring any correspondence of substance received by the Member to the Board's attention. Where such correspondence is brought to the Board's attention, the Member will ensure the original of said correspondence is kept on file at the offices of the School Board.
- c) Correspondence to the Chair/Board will be directed to the Secretary, who shall bring the correspondence to the attention of the Chair.

12.02 Doubt Regarding Correspondence

If doubt arises regarding correspondence, either circulated or assigned to staff, said correspondence will be circulated if deemed appropriate by the Chair. Mail addressed to Members shall be circulated to all Members.

13. AMENDMENTS TO BY-LAWS

13.01 Amendments to By-Laws

Any major amendment to these By-Laws shall be

- (a) Read as a notice of motion at a regular meeting of the Board;
- (b) Placed on the agenda for the subsequent regular meeting of the Board; or
- (c) Approved by a majority of the Board Members.

13.02 Housekeeping Changes to By-Laws

Any housekeeping change to these By-Laws and Appendices can be approved by the Board at a regular Board Meeting.

13.03 Suspension of By-Laws

Unless otherwise specified in a particular By-Law, any By-Law can be suspended for any part of a meeting by a majority of the Members present. [See also s. 67 of the *Education Act*.]

APPENDIX A

CODE OF ETHICS

1. I will be motivated by an earnest desire to serve the students of the Tri-County Regional School Board. I will represent the entire community and the best interests of all schools in the Region.
2. I will recognize that authority rests with the Board in legal and public session and not with individual members of the Board.
3. I will observe the by-laws, rules of order, policies and regulations of the Board and the laws and regulations governing education in Nova Scotia.
4. I will respect and share the responsibility for all decisions of the Board. I may voice a minority viewpoint in the public only as a personal opinion and not a Board opinion.
5. I will endeavour to attend all Board meetings and the meetings of all Committees on which I volunteered to serve. I will notify the Board or Committee Chair as early as possible of my inability to be present.
6. I will prepare myself carefully before each Board meeting so when I have the floor, I can make comments that are concise, organized and clear. I will devote time, thought and study to proposed Board actions. I will consider alternative solutions to problems. I will learn and practice the art of compromise.
7. I will encourage full and open discussion with my fellow Members of the Board. I will listen carefully and with courtesy when other Members have the floor and are speaking during Board meetings. I will also speak to other Members in a respectful manner as evidenced by my words and actions. I will not withhold or conceal any information or matter in which fellow Members should be concerned.
8. I will encourage ideas and opinions from students, staff, parents and the public at large and I will endeavour to incorporate these views into my decisions and positions whenever possible.
9. I will recognize that the expenditure of educational funding is a public trust and I will endeavour to see that all such money is expended efficiently, economically and fairly in the best interests of the students and the school system.
10. I will confine Board action to policy-making, planning, public relations and system evaluation. I will recognize it is the Superintendent who is responsible for day-to-day administration of the school system. I will support the Superintendent and give him/her wise and constructive counsel and advice, and do all possible to ensure he/she is effectual in his/her position.

APPENDIX A ...continued

CODE OF ETHICScontinued

11. I will encourage any parent/guardian or member of the public who has raised a school concern with me to contact the appropriate teacher or principal for resolution. If there is no resolution, I will advise her/him to refer the concern to the Superintendent for appropriate action. I will refer all other system complaints, which are not related to a particular school, to the Superintendent for resolution.
12. I will respect the confidentiality of Board with anyone other than a Member or managerial/confidential staff.
13. I will consider it unethical to pursue any procedure calculated to embarrass another Member. I will make no disparaging remark in or out of the Board meeting about the opinions of other Members, but I reserve the right to make honest and respectful criticism of a Member's ideas and opinions.
14. I will accept the fact that personal disagreements are bound to arise from time to time, and that they should be worked through in private between the Members.
15. I will refrain from pursuing, or accepting, employment with the Board during my term as a Member and for a period of three months following my term.

APPENDIX B

PROCEDURES

BREACH OF CONFIDENTIALITY BY A BOARD MEMBER

1. When a breach of confidentiality is alleged, the Chair shall call a special meeting of the Board to consider the charge and to determine the consequences if the allegation is upheld.
2. The Board Member(s) named shall be so informed prior to the beginning of the meeting, in private, and shall be reminded of his/her/their right to present his/her/their case to the Board. This notification and reminder will be delivered by the Superintendent and/or Board Chair.
3. Once the meeting has been called to order, the Board shall move to Committee of the Whole, In-camera.
4. The issue shall be presented to the Board.
5. The Board Member(s) shall be given an opportunity to respond to the allegation.
6. After full discussion, the Board shall indicate by a straw vote whether to uphold the allegation.
7. If yes, the Board must determine the consequences to be assigned as per Article 2.03(a).
8. The Board shall return to public meeting status and the Chair shall call for a report from the In-camera session.
9. If the allegation is to be upheld, the Vice-Chair shall report that confidentiality has been violated by Board Member # ____, and that the consequences are that _____; if the allegation is not to be upheld, the Vice-Chair shall respond that there is no report.
10. The Chair shall call for a motion to adjourn.

APPENDIX C

PROCESS FOR NEW POLICY DEVELOPMENT or MAJOR REVISION TO A CURRENT POLICY

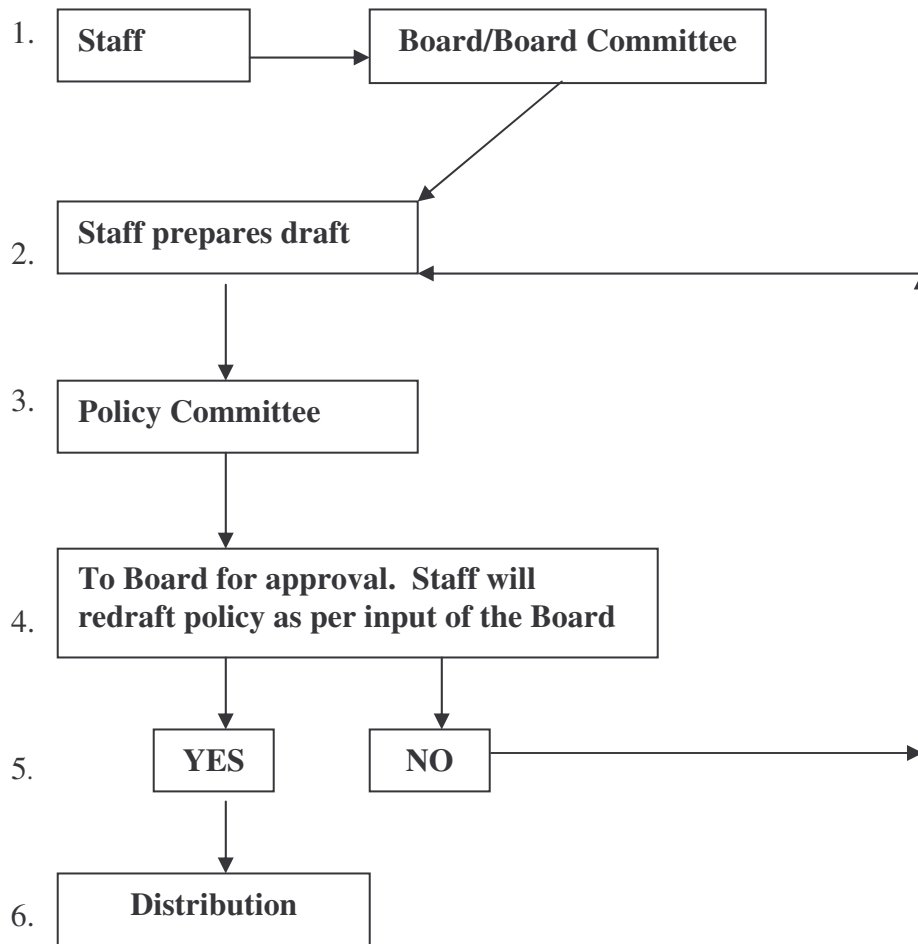
Also

PROCESS FOR MINOR REVISION TO A CURRENT POLICY

(see attached)

APPENDIX C ...continued

Process for Minor Revision to a Current Policy



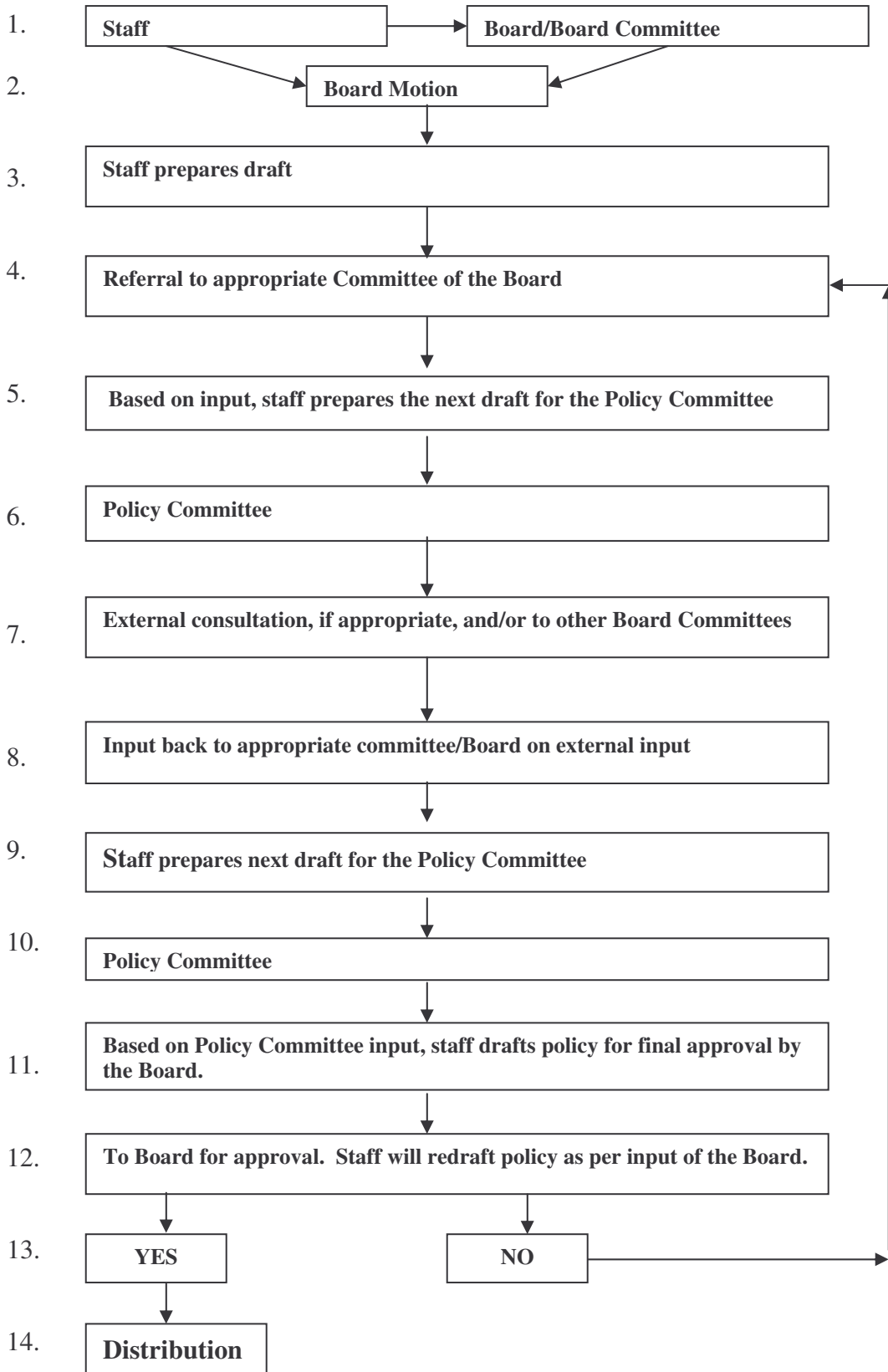
Note: Steps 2 to 4 may be repeated as often as necessary.

Each version will be clearly stamped on each page to indicate the step in the process.

Policy # _____
Draft # _____
Step # _____
Date _____

APPENDIX C ...continued

Process for New Policy Development or Major Revision to a Current Policy



APPENDIX C ...continued

**Process for New Policy Development or Major Revision to a Current Policy
...continued**

Note: Step 7 may not apply
Step 5 to 8 may be repeated as necessary
Major revisions may move from Step 4 to Step 9 – 10 skipping steps as needed

Each version will be clearly stamped on each page to indicate the step in the process.

Policy # _____
Draft # _____
Step # _____
Date _____

APPENDIX D

TRI-COUNTY REGIONAL SCHOOL BOARD POLICY and PROCEDURES

Title	Effective Date	Revision Date	Page
# 105 - Conflict of Interest for Board Members	February 26, 2002		1 of 1

It is the policy of the Tri-County Regional School Board that all Board members refrain from placing themselves in any position, which may result in a charge of conflict of interest.

PROCEDURE under Policy No. 105
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Preamble

Members of the Tri-County Regional School Board are bound by the Municipal Conflict of Interest Act, which generally disqualifies members from voting on any question in which they have a special and personal interest distinct from that of the general public.

Where a member has any direct or indirect pecuniary interest or any special and personal interest based on family or close personal relationship(s) in any matter, and is present at a Board meeting at which the matter is subject of consideration, the member must:

1. immediately disclose to those present his/her interest and the general nature thereof;
- and**
2. withdraw from the meeting;
 3. refrain from taking part in the consideration and/or discussion of the matter and from voting on any question relating to the matter;
 4. refrain from attempting to influence the decision of the Board with respect to the matter.

APPENDIX E

MANDATES OF STANDING COMMITTEES

GOVERNANCE & OPERATIONS COMMITTEE

1. The Governance & Operations Committee will review the By-Laws of the Board and present any recommended changes to the Tri-County Regional School Board for approval.
2. The Committee will review and update the existing Southwest Regional School Board policy book for Board approval.
3. The Committee will review new policies in accordance with the policy flow chart.
4. The Committee will develop a Code of Ethics and a Conflict of Interest policy for staff.
5. The Goals and Objectives established by the Southwest Regional School Board will be reviewed with the intent of developing Goals and Objectives specific to the Tri-County Regional School Board.
6. The Committee will receive and review reports from the Operations Department of the Board.
7. The Committee will take on other duties as assigned by the Board.

EDUCATION COMMITTEE

1. Be responsible for the delivery of the Public School Programs in Tri-County Regional School Board schools;
2. Be responsible for school-based courses when approved by the Department of Education.
3. Encourage early and late French Immersion Programs when requested from the SAC and/or the principal of the school.
4. Maintain effective communications with teachers, students and parents.
5. Keep itself informed of professional school in-services as requested and combine them if at all possible.
6. Promote the regions schools as safe, quality learning environments.
7. Receive reports from the board's coordinators and make recommendations to the board.

APPENDIX E ...continued

SCHOOL ADVISORY COUNCIL

1. The School Advisory Council Committee will actively promote the successful operation or functioning of School Advisory Councils in all the schools of the Tri-County Regional School Board.
2. The committee will review and recommend to the Board the approval of S.A.C. Letters of Agreement and annual revisions.
3. The committee will ensure that in-service opportunities will be made available to all members of S.A.C.s.
4. The committee will ensure that the Board fulfills its obligations to S.A.C.s as agreed to in the Letters of Agreement, including financial obligations.
5. The committee will respond in a timely manner to written and verbal communication addressed to the S.A.C. Committee.

FINANCE & HUMAN RESOURCES COMMITTEE

The Finance and Human Resources Committee is a standing committee of the board that develops and reports recommendations for consideration by the Board. The responsibilities include, but are not limited to the following:

Finance Matters

- a) To review and recommend the annual budget to the Board
- b) To review monthly financial statements of the Board
- c) To develop new and review existing policies of the Board that pertain to finance
- d) To review any Board report that has a financial impact
- e) To monitor financial performance against budget
- f) To receive and consider financial reports
- g) To review insurance issues of the Board
- h) To review contracts of the Board
- i) To review the financial impact of all employee pension agreements
- j) To develop resolutions and recommendations to the NSSBA

Human Resources Matters

- a) To review and recommend to the school board the appointment of staff
- b) To review and recommend, where appropriate, applications for various staff requests for leaves, transfers, etc.
- c) To review and recommend staffing formulae
- d) To review and recommend staffing levels for each school
- e) To review and recommend the granting of permanent contracts for teachers
- f) To deal with personnel issues as presented by senior administration
- g) Initiate for referral new policies that pertain to Human Resources.
- h) To review and make recommendation to the Board on improvements to the delivery of Human Resources services

APPENDIX F

ORDER OF BUSINESS FOR REGULAR BOARD MEETINGS

1st Tuesday of each Month

1. Call to order & National Anthem
2. Record of Attendance
3. Approval of Agenda
4. Approval of Minutes of Previous Meeting
5. Business Arising from the Minutes
6. Unfinished Business from Previous Meeting
7. Rise and Report from meeting in Committee-of-the-Whole, In-Camera
8. Receipt of Correspondence
9. Report from the Board Chair
10. Reports from Senior Administration
 - a) Report from the Superintendent
 - b) Report from the Director of Programs & Student Services
11. Reports from Coordinators/Consultants
12. Report from Finance & Operations Committee
13. New Business
14. Inquiries and Comments from School Board Members
15. Inquiries and Responses from the Public
16. Notice of Motion
17. Adjournment

3rd Tuesday of each Month

1. Call to Order & National Anthem
2. Record of Attendance
3. Approval of Agenda
4. Approval of Minutes
5. Business Arising from the Minutes
6. Unfinished Business from Previous Meeting
7. Rise and Report from meeting in Committee-of-the-Whole, In-Camera
8. Receipt of Correspondence
9. Report from Policy Committee
10. Report from SAC Committee
11. Reports from Ad Hoc/other committees
12. Reports from the NSSBA
13. New Business
14. Inquiries and Comments from School Board Members
15. Inquiries and Responses from the Public
16. Notice of Motion
17. Adjournment

APPENDIX G

GUIDELINES FOR PRESENTATIONS TO BOARD/COMMITTEE

1. The Board Secretary must be contacted at least seven (7) days before the meeting at which the presentation is to be made.
2. A written copy of the full presentation must be received by the Board Secretary no later than 4:30 p.m. on the Wednesday immediately preceding the Board/Committee meeting.
3. Presentations must be conducted in-camera if it involves naming or otherwise clearly identifying (through use of title or reference to positions) persons.

PLEASE NOTE

Although 2 people may participate in the presentation, a total of ten (10) minutes per presentation is allocated.

Board Members may ask questions for clarification at the conclusion of the presentation.

A response to the presentation may not occur at the same meeting at which the presentation is made. The Board tries to address all concerns as soon as possible, but often more time is required to thoroughly assess the situation so that the most reasonable decision is taken.

If the timelines (see numbers 1 and 2 above) are not met, the presentation will be rescheduled.

The actual presentation is meant to be an opportunity to highlight main points and to make clear what is being asked from the Board/Committee.

Under exceptional circumstances, alternate arrangements may be made, at the discretion of the Superintendent and the Chair of the Board.

REGULAR MONTHLY BOARD MEETINGS:

- 1st Tuesday - Board Meeting at 7:00 p.m.
- 3rd Tuesday - Board Meeting at 7:00 p.m.

REGULAR MONTHLY COMMITTEE MEETINGS:

- 2nd Tuesday - SAC Committee at 2:00 p.m.
- 4th Tuesday - Policy Committee at 3:00 p.m. and
- Finance & Operations Committee at 6:15 p.m.