



School District No. 27 (Cariboo-Chilcotin)

PROCEDURAL BYLAW

Bylaw No. B2702

Effective: June 2014

Adopted: June 2009

BYLAW

WHEREAS under section 67(5) of the *School Act* a Board must establish procedures governing the conduct of its meetings and must permit any person to inspect those procedures.

AND WHEREAS under section 65(4) of the *School Act* unless expressly required to be exercised by bylaw, all powers of the board may be exercised by bylaw or resolution.

Pursuant to section 67(5) of the *School Act* conduct of Board meetings shall be in accordance to the following rules of procedure:

Definitions

1. **Board Meetings or Meetings of the Board:** For the purposes of this bylaw, the term “meetings of the Board” will refer to regular open, closed, special, and committee meetings of the Board of Education and excludes liaison and representative committees.
2. **Resolution or Motion:** For the purpose of this bylaw resolution and motion are interchangeable; the difference being a resolution is a more formal motion.

A. INAUGURAL MEETING and ELECTION OF OFFICERS

1. INAUGURAL MEETING

- a. Pursuant to section 67(1) of the *School Act*, the Secretary Treasurer shall convene a first meeting of the board, open to the public, by the first Monday after December 1 of a trustee election year, at the same time as for a regular meeting.
- b. The Secretary Treasurer shall announce results of trustee elections and the swearer of oaths will administer the oath of office as required by the *School Act*, following which the Officers of the Board shall be elected.

2. ELECTION OF OFFICERS OF THE BOARD

- a. In non-election years, officers of the Board shall be elected at the last meeting in November, with elected officers taking office on December 1st.
- b. In election years, the presiding officer of the inaugural meeting shall be the Secretary Treasurer until such time as all the Officers of the Board have been elected.

- c. The presiding officer shall call for nominations for Board Chair. Any trustee may be nominated for chair by any other trustee. A seconder for the nomination is not required.
- d. If more than one nomination is received for chair, a secret vote by ballot will take place immediately. A majority of more than 50% of the ballots cast by those trustees present is required for election.
- e. A similar election shall then be conducted by the presiding officer for the positions of vice-chair and Board representative and alternate to the BCSTA and BCPSEA, if required.
- f. For each of the above elections, balloting shall continue until one trustee receives a clear majority of more than 50% of the ballots cast by those trustees present. At each successive ballot the names of the trustee receiving the fewest votes shall be dropped from the ballot.
- g. If two or more candidates are tied and no candidate receives more than 50% of the votes cast, a second ballot will be taken. If after a second ballot two or more candidates receive an equal number of votes, lots will be drawn to determine which candidate is successful.
- h. Spoiled ballots will not be considered as cast ballots.
- i. The term of office for chair, vice-chair, and Board representatives to the BCSTA and BCPSEA shall be one year.
- j. Upon completion of elections in inaugural years, the newly elected officers shall assume their positions immediately. Upon completion of elections in non-election years, they shall assume their offices as of December 1st.
- k. The Board Chair will, after consultation with all trustees, recommend trustees to committees and have the appointments approved at the next regular meeting of the Board.

3. CHAIR AND PRESIDING OFFICERS

- a. The Chair shall preside at all meetings of the Board, with the exception of committee meetings where a committee chair is appointed.
- b. The Vice-Chair shall preside in the absence of the Chair or when the Chair vacates the Chair.
- c. In the event that neither the Chair nor the Vice-Chair is able or willing to take the Chair, the presiding officer shall be such person as

the Board may elect for that meeting.

- d. The presiding officer shall rule on all points of order and shall state the reasons and the authority for 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.
- e. The Chair shall have the same rights as other trustees to offer resolution, to make or second motions, to discuss questions and shall vote in accordance with paragraph B.7.c. without having to vacate the chair.
- f. The Chair normally acts as spokesperson for the Board to the media, community and schools.

B. MEETINGS OF THE BOARD

1. CONDUCT OF MEETINGS

- a. Meetings of the Board will be held at the School Board Office unless the Chair gives notice on the written notice of meeting and agenda or the Board otherwise resolves.
- b. The agenda and notice of meetings of the Board shall be prepared by the Secretary Treasurer under the direction of the Chair. Written notice of each meeting of the Board, together with the proposed agenda, must be distributed to each trustee at least 48 hours in advance of the meeting and preferably the Friday preceding the Board and/or Committee meeting day.
- c. To allow all trustees time for thoughtful reflection prior to the meeting, items to be included on agendas are to be referred to the Superintendent or Secretary Treasurer at least eight days before the regular Board day. The Chair, Committee Chairs, Superintendent, and Secretary Treasurer will consult as required to determine the appropriate items for agendas. Any trustee may make a motion to add an agenda item at the time the agenda is adopted at the meeting. Items added at the time of the meeting should be of an urgent nature. Any motions to be made should be written, and after read, passed to the Chair.
- d. Agenda items are to note what, if any, Board action is required, and a recommendation from administration is to be included, if appropriate.
- e. All items that are deemed to be non-controversial (such as the approval of previous minutes, motions to receive reports, proposals

to change the agenda or add late items or motions to it, and other routine business) may be grouped together under "Consent Agenda."

- f. At the request of any member, an item may be removed from the Consent Agenda for separate consideration.
- g. After giving members an opportunity to remove items from the Consent Agenda, the Presiding Officer shall take one vote on the items remaining on the Consent Agenda, and shall then proceed with the items (if any) that were removed from it for separate consideration.
- h. The quorum for a meeting of the Board, shall be a majority of trustees holding office at that time or the majority of those trustees appointed to a committee. The exception to this will be the Agenda Setting Committee which, for quorum purposes, will require the Board Chair, or in the absence of the Board Chair, the Vice-Chair, to be present, In the case where the Board Chair or Vice-Chair are not named (i.e. the inaugural meeting), the Secretary Treasurer will be present.
- i. 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 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 Bylaws.

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 no more than 30 minutes later, or to the next regular meeting date, or a special meeting may be called in accordance with this bylaw, at the presiding officer's discretion.

- j. Trustees may participate in regular, closed, special and committee meetings electronically. The communication must allow two-way conversation i.e. Trustees can ask questions and respond to questions.
- k. In accordance with section 67(7) of the *School Act*, a trustee who participates in a meeting electronically will be counted for the purposes of establishing quorum. Trustees who participate electronically will have the same rights and privileges as any other trustee.

- l. All meetings of the Board shall stand adjourned at three and a half (3.5) hours after commencement unless a resolution is passed by a two-thirds majority to extend the hour of adjournment.
- m. Meetings of the Board will adjourn no later than 10:00 pm unless a majority of the trustees present approve an extension of the time. This extension cannot continue beyond 10:30 pm. Items remaining on the agenda after adjournment are to be directed to future meetings by the agenda setting committee.
- n. Minutes shall be kept by the Secretary of the Board of all proceedings passed at meetings of the Board. Such minutes are to be concise and to detail proceedings of the Board, but not the contents of speeches or debates.

2. RULES OF ORDER

- a. Robert's Rules of Order shall govern, so far as applicable, the proceedings and debate of the Board, except as hereinafter provided.

3. BYLAWS AND RESOLUTIONS

- a. All matters shall be dealt with by resolution or bylaw. A resolution shall have only one reading but a bylaw shall have three readings.
- b. The following matter shall only be resolved by bylaw:
 - i. Amendments to bylaws;
 - ii. The rules of procedure of the Board and rules relative to the organization of meetings of the Board;
 - iii. Regulation and control of the use of property owned and administered by the Board;
 - iv. Where required by the *School Act*.

4. PROCEDURE ON BYLAWS

- a. Before it is passed, a bylaw of the Board must be given three distinct readings.
- b. Subject to subsection B.4.c, at each of the readings of a bylaw, the bylaw must be read in full.
- c. Full reading of a bylaw may be forgone, if an electronic or printed copy of said bylaw is in the possession of each trustee and is available to the public in attendance at the meeting at which the bylaw is to be read, and consists of a description of the bylaw by:
 - i. its title; and
 - ii. a summary of its contents.

- d. The Board shall not give a bylaw more than two readings at any one meeting unless the members of the Board who are present at the meeting unanimously agree to give the bylaw all three readings at that meeting.

5. MOTIONS and RESOLUTIONS

- a. 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.
- b. 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.
- c. No motion other than to postpone consideration of a question, or a procedural motion, shall be repeated during the calendar year except by the reconsideration process.
- d. All motions shall be seconded.
- e. Movers and seconders of motions will not appear in the official minutes.
- f. All motions are debatable, except the following:
 - i. 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;
 - ii. Motion to fix time for adjournment of a meeting;
 - iii. Motion to proceed to the next meeting;
 - iv. Motion to go into committee of the whole or closed session;
 - v. Motion to table;
 - vi. Motion to recess;
 - vii. Motion to suspend rules;
 - viii. Motion to lift from the table;
 - ix. Motion to move the previous question.
- g. All motions shall be subject to amendment except the following:
 - i. Motion that the question be now put;
 - ii. Motion for adjournment of debate or adjournment of a meeting;
 - iii. Motion to table unless such a motion contains a date for further consideration of the matter tabled;
 - iv. Motion to refer to committee;
 - v. Motion to proceed to next business;
 - vi. Motion to lift off the table;
 - vii. Motion to reconsider;
 - viii. Motion to postpone indefinitely;

ix. Motion to suspend the rules.

h. 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.

6. DEBATE

a. Debate shall be strictly relevant to the question before the meeting and the presiding officer shall warn speakers who violate this rule.

b. No trustee shall speak until recognized by the Chair.

c. No trustee shall speak a second time until the Chair has given the opportunity to all trustees to speak. The mover of the motion will have the opportunity to close the motion. No trustee shall speak for a period in excess of five minutes at one time. The Chair may caution a trustee who persists in tedious and repetitious debate and may direct the trustee to discontinue.

d. 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.

e. No trustee shall interrupt another trustee who has the floor except to raise a point of order or a point of privilege.

7. VOTING

a. All trustees present at a meeting may vote although a trustee must abstain from voting in the event that he has a conflict of interest by reason of having a direct pecuniary interest in a vote. A trustee may also abstain from voting if reasons are stated.

b. 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.

c. The Chair 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 Chair shall so declare.

d. All questions shall be decided by a majority of the votes of the trustees present and voting save as otherwise provided by these bylaws or the *School Act*.

8. REGULAR MEETINGS OF THE BOARD

- a. Regular meetings of the Board shall be held at least once a month on the fourth Tuesday of the month, at 6:30 pm in months that school is in session or upon such other day or at such other hour as the Board may decide. Additional meetings shall be held as the Board may decide.
- b. The order of business at all regular meetings, unless varied by motion, shall be as follows:
 1. Opening by Chair
 - 1.1 Call to Order
 2. Agendas and Minutes
 - 2.1 Approval of Agenda
 - 2.2 Adoption of Minutes
 - 2.3 Receipt of Closed Meeting Report
 3. Public Participation
 4. Action Items
 5. Discussion Items
 6. Information Items
 7. Public Participation Cont.
 8. Adjournment
- c. A change to the prescribed order of business subsequent to Part B 8.b.2 may be proposed by a trustee and shall require unanimous consent.
- d. All regular 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, by resolution, may order a meeting or part thereof to be closed. The Board may exclude persons other than trustees or persons other than trustees and officers.
- e. Public Participation and petitions and delegations will follow the process as outlined in Board Bylaw B2705 – Public Participation at Board Meetings.
 - i. The Board’s decision on the course of action to be followed in connection with the matter or matters presented will usually be delayed to a subsequent regular meeting.
 - ii. The presiding officer may expel and exclude from a Board meeting any person whom she/he considers has been guilty of improper conduct.

9. CLOSED SESSION

- a. If the Board has resolved pursuant to paragraph B.9.c, and in accordance with section 69 of the *School Act*, 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. The Secretary Treasurer or another employee designated by the Board must be present at the time that a decision of the Board is rendered and must record any decision. 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.
- b. Pursuant to the *School Act*, a record of each closed meeting shall be kept available at all reasonable times for any person. The record shall contain a general statement as to the nature of the matters discussed and the general nature of the decisions reached.
- c. Unless otherwise determined by the Board, the following matters shall be considered in closed session:
 - i. Personnel
 - ii. Contract
 - iii. Legal
 - iv. Property
 - v. Appeals in accordance with Board Bylaw B2706
 - vi. Such other matters as the Board may decide
- d. The order of business at all closed sessions, unless varied by motion, shall be as follows:
 1. Opening by Chair
 - 1.1 Call to Order
 2. Agenda and Minutes
 - 1.1 Approval of Agenda
 - 1.2 Adoption of Minutes
 3. Action Items
 4. Discussion Items
 5. Information Items
 6. Adjournment

10. SPECIAL MEETINGS

- a. A special meeting of the Board may be called by the Chair or, upon written request of a majority of the trustees, may be called by the Secretary Treasurer.
- b. Written notice of a special meeting and an agenda shall be distributed to each trustee at least 48 hours in advance of the meeting. Delivery of a written notice and the agenda may be waived by a majority vote of the Board, provided all reasonable steps have been taken to notify all trustees of the meeting.

c. No business other than that for which the meeting was called shall be conducted at the meeting. If it becomes urgent in an emergency to take action for which no notice was given, that action, to become legal, must be ratified by the Board at a regular meeting or, if ratification cannot wait, at another special meeting properly called for that purpose.

11. TITLE

This bylaw may be cited as "School District No. 27 (Cariboo-Chilcotin) Procedural Bylaw B2702".

12. REPEAL

The following School District No. 27 (Cariboo-Chilcotin) Bylaws are repealed August 2010:
B2701 Inaugural Meeting of the Board
B2702-A Annual Election of Officers of the Board
B2703 Agenda Preparation
B2704-B Conduct of Board Meetings

This bylaw repeals and replaces Bylaw B2702 Procedural Bylaw, dated March 2012.

Read a first time this 25th day of March 2014.
Read a second time this 29th day of April 2014.
Read a third time and passed, this 24th day of June 2014.

Original Signed

Original Signed

Tanya Guenther
Chair

Kevin Futcher
Secretary Treasurer