



BY-LAWS



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DEFINITIONS AND MEANINGS OF TERMS

For this By-law and all other By-laws of the Near North District School Board, unless the context otherwise requires:

1. Definition and Meaning of Terms

- the singular includes the plural;
- “ACT” means the Education Act as amended from time to time;
- “ANNUAL ORGANIZATIONAL MEETING” means the first meeting held in December of each year which is not a municipal election year;
- “BOARD” means the Near North District School Board which, in accordance with the Education Act, is a public school board representing the Districts of Nipissing and Parry Sound; and a portion of the District of Muskoka;
- “BOARD MEETING” means a meeting of the whole Board for the purpose of informal discussion, dialogue, information sharing, formulation and monitoring of policy;
- “CHAIR” means the Chair of the Board, and/or of any Committee or Subcommittee established by the Board.
- “COMMITTEE” means any special or ad-hoc Committee established by the Board;
- “CONSENSUS” means trustees present at the meeting can “live with” or “agree” with the proposed decision.
- “DIRECTOR OF THE BOARD” means the Chief Executive Officer of the school system and Secretary of the Board;
- “FIRST NATIONS REPRESENTATIVE” means a person elected by his/her peers to represent First Nations interests on the Board (this member is a voting member) in accordance with the Act and Regulations;
- “INAUGURAL MEETING: means the first meeting of a newly-elected Board to be held following a municipal election and the commencement of the term of office;
- “MEETING” includes a meeting of the Board and of Committees;
- “PRIVATE SESSION” matters will be dealt with in accordance with the Education Act (S.207[2]), which reads:
“Closing of certain committee meetings – A meeting of a committee of a board, including a committee of the whole board, may be closed to the public when the subject-matter under consideration involves:

- (a) the security of the property of the board;
 - (b) the disclosure of intimate, personal or financial information in respect of a member of the board or committee, an employee or prospective employee of the board or a pupil or his or her parent or guardian;
 - (c) the acquisition or disposal of a school site;
 - (d) the acquisition or disposal of property;
 - (e) decisions in respect of negotiations with employees of the board; or
 - (f) litigation affecting the board.”
- “QUORUM” means a majority of all members who are entitled to vote.
 - “SIMPLE MAJORITY” means a majority of trustees present and eligible to vote
 - “STUDENT TRUSTEE” means the student representative elected by his/her peers to represent pupils on the Board (not a member of the Board) in accordance with the Act and Regulations and GP#17 (3.4);
 - “TRUSTEE” means a person elected, acclaimed or appointed to the office of trustee of the Board pursuant to the provisions of the Municipal Elections Act;
 - “TWO THIRDS” means not less than two-thirds of trustees present and eligible to vote or not-less than two-thirds of all trustees eligible to vote.
 - “VICE CHAIR” means the Vice-Chair of the Board

By-Law I

INAUGURAL AND ANNUAL MEETING OF THE BOARD

A. Inaugural Meeting

The inaugural meeting to be held in the calendar year in which all trustees are elected or acclaimed at the regular Municipal Election under the Municipal Elections Act shall be held on the first Tuesday of December at 7:30 p.m. at the Near North District School Board Head Office.

At such a meeting, at the appointed time, the Director of Education shall call the meeting to order, and utilize the following procedure:

1. The Director of Education shall proceed to read the returns of election to the Board, as certified by the clerks.
2. The Director of Education shall certify that the members have met all procedural requirements and are eligible to take office.
3. The Director of Education may request a District Judge to attend to take the Declarations and the Oaths of Allegiance. In the event that a District Judge is unable to attend, the Director of Education shall take the Declarations and Oaths of Allegiance.
4. With the Director of Education presiding, the Board shall proceed to elect a Chair for the ensuing year.
 - a) The Director of Education shall name the scrutineers for the election of the Chair and Vice-Chair and shall then call for nominations for the Office of Chair.
 - b) Any Board member may nominate any other board member for the position of Chair. The nominator may speak on behalf of the nominee and the time limit shall not exceed three minutes. Nominations shall remain open for a period of at least one minute following the receipt of the last nomination. The Director of Education shall then declare nominations closed.
 - c) Any nominee may indicate to the Director of Education, a desire to speak before the vote is taken, and shall then be invited to address the Board for a period not exceeding three minutes.
5. A vote by ballot shall be conducted. The member receiving a clear majority of votes cast by all members present shall be elected but the count shall not be declared. Should no member receive a clear majority of votes cast, the scrutineers shall announce the result and the name of the member receiving the smallest number of votes shall be dropped and balloting shall be continued until a majority of ballots cast for the nominees shall be in favour of one person.
6. The person with the clear majority of votes shall be the Chair until the next annual organizational meeting and shall at once take the Chair and preside over the further conduct of the business of the meeting.

7. In the case of an equality of votes at the election of the chair, the candidates shall draw lots to fill the position of chair. The name of the tied candidates will be placed on a separate ballot. The ballots will be placed in a ballot box and a scrutineer shall draw one ballot which will indicate the successful candidate. The same process will be followed when the first candidate does not have a clear majority and the candidates with the least votes are tied. The name drawn from the ballot box by a scrutineer shall remain for the next ballot.
8. With the Chair presiding, the Board shall then proceed to elect a Vice-Chair and the procedure shall be as for the election of the Chair, as per item 4. (b) and (c).
9. All ballots shall be destroyed at the Organizational Meeting by resolution of the Board.
10. Following a Municipal Election, it is the responsibility of the Director of Education to coordinate a series of mandatory orientation seminars for trustees. The first orientation seminar will be scheduled prior to the inaugural meeting to review the By-laws and the process for the election of Officers.

B. Annual Organizational Meeting

1. The December meeting of the Board each year, when not immediately after a Municipal Election, shall be designated as the annual organizational meeting, and shall be held on the fourth Tuesday in December prior to the Regular Board meeting at the Head Office of the Near North District School Board, 963 Airport Road, North Bay. At such a meeting, at the appointed time, the Director of Education shall call the meeting to order, and follow the procedures outlined in “Inaugural Meeting” (*above*).
2. At the next regular meeting of the Board, the Board shall appoint trustees to Board Committees.
3. The signing officers of the Board shall be the Chair, Director of Education and / or Superintendent of Business.

By-Law II

BOARD MEETINGS

1. The work of the Board of Trustees is to serve as trustees for the community in determining and demanding appropriate organizational performance. To distinguish the Board of Trustees’ own unique work from the work of its staff, the Board of Trustees will concentrate its efforts on the following outputs:
 - a) the link between the organization and the community
 - b) clarity of values and vision in written governing policies which, at the broadest levels, address:
 - i) Aims/Ends: Organizational impacts, benefits, outcomes, recipients, and their relative worth (what benefits, for what people, at what cost);

- ii) Executive Limitations: Constraints on executive authority which establish the prudence and ethics boundaries within which all executive activity and decisions must take place;
 - iii) Governance Process: Description of how the Board of Trustees conceives, carries out and monitors its own task as a Board of Trustees;
 - iv) Board/Director Relationship: Delegation of power and monitoring of its proper use; the Director of Education role, authority and accountability;
 - c) the assurance of organizational performance as described in all Board policies;
 - d) legislative impact to bring about positive changes to legislation;
 - e) proposed or necessary amendments to the by-laws.
2. Regular meetings of the Near North District School Board shall be held on the fourth Tuesday of each month, September through June, except when the third Tuesday falls during the school vacation period. In such cases, the regular meeting of the Board, so far as applicable, may be rescheduled.
 3. Videoconferencing at satellite offices may be provided if advanced notice (48 hours) is received by the Office of the Director.
 4. When the amount of business requires it, the Chair, or in the absence of the Chair, the Vice-Chair, may call additional meetings.
 5. All meetings of the regular Board in public session may be video-voice recorded.
 6. Meetings during July and August may be held, as needed, at the call of the Chair.
 7. The Board, by majority vote, may resolve itself into Private Session, during any regular meeting.
 8. Written or printed notice of all regular meetings of the Board, together with the agenda and supporting information, shall be transmitted by the Director of Education to the address of each member of the Board at least forty eight (48) hours before the time of the meeting. Electronic notice of all meetings of the Board together with the agenda and supporting information shall be transmitted by the Secretary to the Near North District School Board e-mail address of each member of the Board at least seventy two (72) hours before the time of the meeting. Agendas will also be sent electronically to senior staff, principals, local branches of employees federations or unions, First Nations' councils, school councils, student councils, the Ministry of Education and Training and local media. Agendas may also be sent electronically, upon request, to ratepayer groups, municipal councils, and other parties as deemed appropriate by the Secretary to the Board.
 9. Notice of postponement of a meeting, as determined by the Chair or in the absence of the Chair, the Vice-Chair, in consultation with the Director of Education or Designate, will be transmitted in the same manner as the notice of meeting. In the event of inclement weather or an unanticipated emergency, the Director of Education or Designate will notify members by telephone and a notice of cancellation shall be posted at the meeting place.

10. The agenda for each meeting shall be prepared by the Chair and Vice-Chair, in consultation with the Director of Education or Designate.
11. The consideration of material presented at a later date must be deferred until a future meeting of the Board, unless at the time of approval of the agenda, two-thirds of the members eligible to vote vote in favour of approving the agenda as amended by the inclusion of the material.
12. The board agenda for regular meetings of the Board shall be approved by the Board and shall follow the format as in Appendix (A).
13. Trustees may raise questions under the appropriate section of the meeting agenda for information related to issues from the agenda of meetings or the business of the Board where the matter is of interest to all trustees and in the interests of the school system. Issues related to a violation of Board Policy must be discussed with the Chair of the Board as stated in GP # 13. Matters pertaining to the operations of the school system must be directed to the Director of Education as outlined in GP#12.
14. No matter will be placed on the agenda of a meeting of the Board:
 - a) unless it is a Notice of Motion as prescribed in Item 14 of these by-laws;
 - b) unless the matter is one for which Notice of Motion has been given at a prior meeting of the Board;
 - c) unless it is a presentation given without debate;
 - d) unless it is a communication for receipt, referral, or both receipt and referral;
 - e) unless it is the adoption of the annual budget estimates of the Board;
 - f) unless with two-thirds vote of all Trustees eligible to vote on the matter;
 - g) unless it is a matter that, in the opinion of the Director of Education, requires action by the Board as a matter of urgency.
15. A Trustee may place a Notice of Motion, regarding any matter with respect to which the Trustee has a right to vote, upon the Agenda of a meeting of the Board. Such Notice of Motion:
 - a) shall be wholly in writing, accompanied by explanatory rationale;
 - b) shall be delivered to the Secretary of the Board prior to the Agenda Setting before the Board meeting;
 - c) shall, after its appearance on the Agenda, be taken as read unless any Trustee requests that it be read in full; and
 - d) may be referred by resolution of the Board to a meeting of the Board or an appropriate Committee.
16. Attendance of all trustees will be recorded in the minutes of regular and special meetings of the Board, with absences with regrets, and absence without notice also recorded. The onus for reporting shall be on the trustees, who must advise the Director's Office prior to the meeting.

In accordance with the Education Act, ss. 228 (1), which states in part: b) "A member of a board vacates his or her seat if he or she, (b) absents himself or herself without being

authorized by resolution entered in the minutes, from three consecutive regular meetings of the board.”

17. a) Minutes of the meetings of the Near North District School Board shall be kept in accordance with the following provisions of the Education Act, ss. 170(4), 198(1)(a), and 207 (4), and shall be confirmed as accurate at the next regular Board meeting.
 - b) Minutes of the meeting of the Near North District School Board will record:
 - meeting date, time, place, attendance and the signature of the Secretary and Chair of the Board;
 - official actions of the Board that are decided by consensus or formal vote;
 - statements for the record upon request by an individual Board member.
18. The Board shall not remain in session later than 9:30 p.m. unless a majority of members present agree by *a majority vote* to extend the meeting for a specified period of time.

By-Law III

COMMITTEE OF THE WHOLE BOARD

1. Committee of the Whole Board will be open to the public.
2. Committee of the Whole Board is an opportunity for trustees to engage in informal discussion necessary for quality decision making. Since this knowledge-based decision-making process does not limit the number of times a trustee may speak, sufficient latitude is allowed for an in-depth discussion on any issue presented on a particular agenda item. Recommendations from these discussions held in Committee of the Whole Board are brought forward and presented to the Board as motions in regular session.

By-Law IV

SPECIAL MEETINGS OF THE BOARD

1. Special meetings of the Board shall be held:
 - a) At the call of the Chair, in consultation with the Vice-Chair and Director of Education, or in the absence of the Chair, the Vice-Chair, in consultation with the Director of Education; or
 - b) A special meeting shall be called on the written request of five members of the Board made to the Director of Education, or by Board resolution.
2. Notice of special meetings of the Board shall be given in the manner prescribed for regular meetings, or verbal notice of special meetings of the Board may be given by the Director of Education to each member of the Board at least forty-eight (48) hours before the time of the meeting and any such notice shall state all business to be transacted or considered thereat.
3. No other action items shall be transacted or considered thereat unless, all members of the Board qualified to vote on the matter are present, and agree unanimously to so consider.

By-Law V

MEETINGS IN PRIVATE SESSION

1. The Vice-Chair of the Board will Chair Private Session. The Vice-Chair of the Board will bring forward recommendations from Private Session to the Board.
2. In the absence of the Vice-Chair, the Chair of the Board will Chair Private Session.
3. A meeting in Private Session may only be closed to the public in accordance with the Education Act (see “Definitions” – “PRIVATE SESSION”). The Chair of Private Session will make this determination.
4. Except for permitting the request to record votes, the same rules shall be observed in Private Session as for other meetings of the Board. The request for recorded votes in Private Session will not be allowed and will be deferred until any issue is voted upon in Public Session.

By-Law VI

PLACE AND TIME OF MEETINGS / NOTIFICATION OF NEWS MEDIA

1. Regular meetings of the Board in Public Session, held the fourth Tuesday of each month, shall be held at 6:00 p.m.
2. At Regular Meetings of the Board, Private Session shall be held prior to the Public Session meeting commencing at 5:00 p.m.

By-Law VII

BOARD COMMITTEES

Ad Hoc Committees:

1. Ad Hoc Committees may be formed to assist the Board by doing “pre-board work”. An Ad Hoc Committee, which must adhere to the principles set out in GP#7 Board Committee Principles and GP#8 Board Committee Structure will cease to exist as soon as its task is complete and a final report to the Board has been made.
2. All Ad Hoc Committees shall have terms of reference determined and approved by the Board.
3. Where a Chair has not been named, the Ad Hoc Committee shall appoint a Chair.
4. A quorum shall be a majority of the appointed members.

5. The Chair shall be an ex-officio voting member of all Ad Hoc Committees and the Director of Education or Designate shall attend all meetings of the Ad Hoc Committees.
6. Minutes will be recorded at all Ad Hoc Committee meetings which will include: meeting date, time and location, attendance and an itemized list of all actions of the Committee that are decided by consensus or formal vote.
7. Ad Hoc Committees shall provide regular progress reports to the Board.

By-Law VIII

QUORUM

1. At all meetings of the Board the presence of a majority of all the members constituting the Board shall be necessary to form a quorum.
2. Should there be no quorum present within thirty (30) minutes after the time appointed for the meeting, the Recording Secretary shall record the names of those members present and the Board shall forthwith stand adjourned until the next regular meeting of the Board.
3. When a quorum is no longer in attendance, no business can be legally transacted and it shall be the responsibility of the presiding Chair and the Recording Secretary to note the lack of a quorum and have the fact recorded in the minutes. The Presiding Chair may then adjourn the meeting or declare a recess.

By-Law IX

THE PRESIDING OFFICER

1. The Chair of the Board, or in the Chair's absence, the Vice-Chair, shall preside at all regular meetings of the board.
2. The presiding officer shall call the meeting to order at the hour appointed and shall preserve order and decorum and decide upon all questions of order, and shall cause the Recording Secretary to record the names of the members absent and the times of arrival and departure of members not attending the entire meeting in the minutes.
3. In case of the absence of both the Chair and Vice-Chair for five minutes after the hour appointed, as soon as a quorum shall be present, the Director of Education or Designate shall call the meeting to order and the Board shall choose a Chair pro-tempore.
4. In the event of the position of Chair or Vice-Chair becoming vacant for any reason, a new Chair or Vice-Chair as the case may require, shall be elected in the same manner as at an annual organizational meeting.

By-Law X

DUTIES OF THE VICE-CHAIR

1. In the absence of the Chair from any meeting of the board or until he / she arrives, the Vice-Chair shall preside. During absence of the Chair for such a time as to result in the non-performance of any of his / her duties, or upon his / her written request, the Vice-Chair shall perform such unattended duties until the chair is able to continue. He / She will also be present at Board Agenda setting meetings.
2. It is the responsibility of the Vice-Chair to maintain a speakers' list.
3. The Vice-Chair will preside at all Private Sessions of the meeting.

By-Law XI

CORRESPONDENCE

1. All correspondence, which is addressed to the Board and received by the Chair, the Vice-Chair or the Secretary to the Board shall be forwarded to all Board members.

By-Law XII

DELEGATIONS

1. The Board will consider requests from members of the public to make presentations at Board meetings under three separate categories:
 1. requests to present perspectives regarding Board Policy development;
 2. allegations that existing Board policy is inadequate; and
 3. allegations that administration has violated a Board policy.
2. Each delegation, at the time of registration with the Secretary of the Board (Director of Education), or designate, shall be informed of the requirements of a delegation as set out under this By-Law.
3. The Board retains the right to determine if the subject of the requested presentation is relevant to a Board policy, or whether it would be more appropriately addressed by administration.
4. In the interest of effective and timely decision making, the Board retains the right to limit the number of presentations made on a policy issue by the same group, and the total number of groups which will be heard on a given issue.
5. Groups shall be limited to two presenters, and presentations should not exceed ten (10) minutes. Questions for clarification may follow at the Board's discretion.

6. The spokesperson(s) for a delegation is expected to refrain from the use of abusive or derogatory language at all times. Statements concerning the character or performance of named individuals (students, staff, citizens or trustees) shall be ruled out of order by the Chair.
7. Following the presentation, the Chair will ask the members of the Board if there is any point which they wish clarified. Except for questions of clarification, members of the Board or Executive staff shall not enter into discussion, or debate with the speaker or any member of the delegation concerning the presentation.
8. As soon as the Chair is satisfied that all points have been clarified, the speaker of the delegation will be thanked and informed that the delegation material(s) have been received for information. The Board will provide a timely response to presentations but shall not commit to responding at the same meeting in which the presentation is made. Trustees may refer the matter, along with any additional written information pertaining to the issue, to a future meeting.
9. Where a matter presented by a delegation deals with topics properly considered in Private Session of the Board, the Chair shall direct that the matter be discussed in Private Session of the Board.
10. The Board shall always discharge its responsibility to act on behalf of the owners as a whole. Presentations by groups from within the ownership shall be considered in this context.
11. The Board will provide a timely response to presentations but shall not commit to responding at the same meeting in which the presentation is made.
12. Employees of the Board, or representatives of employee groups shall not utilize Delegations to the Board to express their views relative to their employment or professional interests. This will, however, not impede employee rights as found in Terms and Conditions of Employment and Collective Agreements.

By-Law XIII

PUBLIC QUESTION PERIOD

1. During the Board meeting, questions will pertain only to agenda items appearing on the agenda for that meeting
2. The purpose of the Public Question Period is to allow members of the Public to address specific questions to the members of the Board.
3. Each agenda will include a Question Period not to exceed ten minutes during which any member of the audience may ask a question of the Board. Speakers are asked to limit their questions to two (2) minutes or less. The Chairperson reserves the right to limit the time allotted to any speaker. Questions related to operational areas that the Board has delegated

to the Director of Education will be referred to the Director for response within a reasonable time period.

4. The Chair of the Board will explain the procedures for Question Period as set out in this Board's By-Law # 11 at the beginning of question period.
5. Questions will be addressed to the Chair of the Board. The Chair, if unable to provide an immediate response, may direct the question to another trustee, or the Director of Education.
6. Questions shall be submitted, in writing, using the form as attached in Appendix (B).
7. Questions will be addressed in order of submission; each questioner will be allowed one question with additional questions if time allows.
8. The Question period will last a maximum of ten (10) minutes. The Chair will ensure adherence to the principles of this By-Law.
9. Questions concerning the character or performance of named individuals (students, staff, citizens or trustees) shall be ruled out of order by the Chair.
10. Employees of the Board, or representatives of employee groups shall not utilize the Public Question Period to express their views relative to their employment or professional interests.

By-Law XIV

VOTING METHODS

1. It is a privilege of the presiding officer to select the method by which a vote will be taken. The choice will be based on the following considerations:
 - Size of the group
 - Nature of the motion to be voted on
 - Anticipated closeness of the vote.
2. Although the choice of voting methods ultimately rests with the Chair any member has the right at anytime to suggest an alternate method by putting forth a *motion on voting in writing*.
3. **Consensus** also called *general consent* may be used as meeting shortcut and timesaver because it permits the members to take action without going through the process of a regular vote.
4. The request for recorded votes in Private Session shall not be allowed and shall be deferred until any issue is voted upon in Public Session.

By-Law XV

MOTIONS AT BOARD MEETINGS

1. Prior to introducing a formal motion on any issue, the trustees may need to engage in informal dialogue to ensure they have all the relevant information necessary for quality decision making. Since this knowledge-based decision-making process does not limit the number of times a trustee may speak, sufficient latitude is allowed for an in-depth discussion on any issue. Once the Chairperson is satisfied that the Board has sufficient information to make a quality decision the Chairperson may then introduce a formal motion to move the Board forward from dialogue to deliberation. Once the motion has been introduced all rules regarding motions shall apply.
2. A member may introduce a motion and, if seconded, be the first speaker to the motion. The seconder of the motion may speak next. No motion shall be debated or put to a vote unless it is in writing and has been seconded. (Also refer to “Regular Meetings of the Board” – Notices of Motion as outlined on page 6.
3. Any member may request the motion under discussion to be read at any time in the course of the debate, provided that no such request shall be made so as to interrupt a member speaking to the question.
4. The mover and seconder of a motion, by permission of the Chair, may alter or withdraw the motion, prior to the motion having been stated by the Chair. Once stated by the Chair, the motion cannot be withdrawn without the unanimous consent of the Board.
5. No member shall speak longer than three minutes at any one time.
6. When the question under consideration contains two or more distinct propositions, any particular proposition, upon the request of any member, may be considered and voted upon separately.
7. Any member desiring to speak shall indicate by up-raised hand and await recognition by the Chair. Speakers may speak when recognized by the Chair, and may not speak to the issue again until all other Trustees who wish to speak have been recognized by the Chair.
8. It is the responsibility of the Vice-Chair to maintain a speaker’s list.
9. After recognition by the Chair, a member shall at all times during decision-making:
 - a) maintain a courteous tone;
 - b) avoid personalities;
 - c) avoid allusion to motives of other members;
 - d) address all remarks, questions and the like to the Chair; and
 - e) confine all remarks, questions and the like to the motion which is the subject of discussion.

10. When the Board of Trustees is engaged in decision-making, no Trustee who has not been recognized by the Chair shall interrupt a Trustee who has been recognized by the Chair. If two or more members attempt to speak at the same time, the Chair shall name the member who is to speak.
11. No member shall be interrupted while speaking except to be called to order by a member on a matter of privilege or a point of order. In such case, the member shall remain silent until the point of order has been decided by the Chair. A member so interrupting shall speak to the point of order or in explanation only.
12. If the Board moves into consideration of a motion, the following protocol shall apply:
 - a) on a point of order;
 - b) on a question of privilege;
 - c) to request permission to withdraw a motion;
 - d) to appeal a ruling of the Chair;
 - e) on a motion to extend the time limit; and
 - f) in the event that a Trustee interrupts a speaker pursuant to the authority given in this section, the Trustee shall confine all remarks to the particular point.
13. The rules of the Board shall be observed at all meetings of the Board, while recognizing that the meetings of committees are less formal and appropriate modifications may be made.

By-Law XVI

VOTING

1. Every Trustee present, including the Chair, but excluding those trustees who have declared a pecuniary interest as required by the Municipal Conflict of Interest Act, shall vote on all questions on which the member is entitled to vote.
 - a) The members shall indicate their vote by clearly up-raised hands;
 - b) All votes at meetings shall be taken by a show of hands, and the result shall be declared by the Chair, but if the declaration be questioned, the Chair shall call for a recorded vote.
 - c) Where a pecuniary interest is declared, the Trustee shall act in accordance with the Municipal Conflict of Interest Act. (See Appendix C)
2. No member of the Board shall have more than one vote either at board meetings, or on any committee. In all cases where a vote is taken on any question and there is with the Chair's vote, a tie, the motion or amendment shall be declared lost. Any abstention without permission of a majority vote of the Board will be considered a negative vote.
3. After the Chair has put a question to vote, there shall be no further debate and no member shall walk across or out of the room. The decision of the Chair as to whether the question has been finally put shall be conclusive.

4. The vote shall not be recorded on any question unless requested by at least one member. Such a request must be made before the Chair calls upon the members to vote upon the same question.

By-Law XVII

RULES FOR MEETINGS OF THE BOARD

A. Miscellaneous Rules for Meetings of the Board:

1. In all cases, not provided for by these rules, the rules and practice of Robert's "Rules of Order" shall govern. A summary of "Rules of Order" is included in Appendix D.
2. All meetings, except those subject to Section 207(2) of the Education Act, shall be open to the public.
3. a) When a motion is under debate, the only motion in order shall be:
 - i. to adjourn;
 - ii. to lay on the table;
 - iii. to postpone;
 - iv. to put the previous question (close debate);
 - v. to refer;
 - vi. to amend.b) The above motions shall have precedence in the order above named.
c) The first, second, third and fourth shall be decided without debate.
4. Any motion or resolution decided in the negative may not be reintroduced at a subsequent meeting during the current term of the Board or within a period of 4(four) months, whichever is less, unless approved unanimously by all members of the Board present and entitled to vote.
5. At any time during a meeting, the Chair of the meeting may declare a recess.

B. Motion to Adjourn:

1. To adjourn means to close the meeting. The adoption of any motion to adjourn closes the meeting immediately unless the motion specifies a later time for adjourning.
2. A motion to adjourn shall be in order, except when a member is speaking, or a vote is being taken, or when the previous question has been called. A motion to adjourn only, shall not be open to amendment or debate but a motion to adjourn to a certain time may be amended and debated.
3. No second motion to adjourn shall be made until some business shall have been transacted after the first motion shall have failed.

4. The Board meeting shall remain in session no later than 9:30 p.m., unless a majority of members eligible to vote, agree to extend the meeting.

C. Motion to Lay on the Table:

1. A motion to Lay on the Table enables the Board to lay the pending question aside temporarily when something else of immediate urgency has arisen, in such a way that (a) there is no set time for taking up the matter again; and, (b) its consideration can be resumed at the will of a majority of those present and entitled to vote.
2. A motion to Lay on the Table is not debatable, but a motion to Lay on the Table with any other condition is subject to debate and amendment.

D. Motion to Postpone Indefinitely:

1. To Postpone Indefinitely is a motion that the Board declines to take a position on a main question.
Its adoption kills the main motion and avoids a direct vote on the question.
2. When a question has been postponed, it shall not be taken up again at the same meeting, except by a vote in favour thereof by two-thirds of the members present and entitled to vote.

E. Motion to Postpone to a Certain Time (or definitely):

1. To Postpone to a Certain Time is a motion by which action on a pending question can be cut off, within limits, to a definite day, meeting, hour, or until after a certain event.

F. Motion to Put the Question:

1. This motion is used to bring the Board to an immediate vote on one or more pending questions. The motion is allowed in committees.
2. A motion to end debate and vote on the previous question shall preclude all further amendments or debate. If adopted, the Chair shall at once proceed to put the main question, first putting any amendments pending to the vote of the Board.

G. Motion to Amend:

1. The Motion to Amend is a motion to modify the wording - and within certain limits the meaning of a pending motion before the pending motion itself is acted upon.
2. After a resolution is made and seconded, a motion to amend may be made, and a motion to amend the amendment; but no further motion to amend shall be made until those have been decided.
3. An amendment modifying the subject of a motion shall be in order, but an amendment relating to a different subject shall not be in order.
4. All amendments shall be put in the reverse order in which they have been moved.

5. Every amendment submitted shall be in writing and be decided upon or withdrawn before the main question shall be put to a vote; and if the vote on an amendment is decided in the affirmative the main question as amended shall be put to a vote.

H. Motion to Reconsider:

1. After a vote has been taken on any question, only a member who has voted on the prevailing side may make a motion to Reconsider.
2. The motion to Reconsider can be made only during the same meeting at which the vote to be reconsidered was taken.
3. The motion to Reconsider is debatable in all cases in which the motion proposed to be reconsidered is debatable, and when debatable, opens to debate the merits of the question whose reconsideration is proposed.
4. If a *motion to Reconsider* is voted on and lost, no further motion to Reconsider *shall be entertained during the next twelve months*, unless approved unanimously by all members of the Board entitled to vote.

I. Motion to Rescind; Amend Something Previously Adopted:

1. The effect of the motion to Rescind is to strike out an entire main motion, resolution, policy, regulation or bylaw that has been adopted at some previous time. Amend Something Previously Adopted is the motion that can be used if it is desired to change only a part of the text, or to substitute a different version.
2. The motions to Rescind or to Amend Something Previously Adopted are not in order when the subject can be reached by "Reconsideration".
3. Adoption of a motion to Rescind or to Amend Something Previously Adopted requires a two-thirds vote of the members present and entitled to vote.
4. The motions are debatable; debate can deal with the merits of the question which it is proposed to rescind or amend.

J. Motion for Immediate Consideration:

1. The Board may, if two-thirds of the members eligible to vote, vote in favour thereof, enter upon the immediate consideration and disposition of any eligible motion, except for Board policies and by-laws.
2. No discussion of the main question shall be allowed until the motion for Immediate Consideration has been decided in the affirmative.

By-Law XVIII

DECORUM AT BOARD MEETINGS

1. All persons attending meetings of the Board shall show respect for others in their language and conduct.
2. Any person who interrupts or disrupts a meeting of the Board shall be expelled from the meeting in accordance with the Education Act, 1990 ss. 207 (3).
3. Audio or video recording devices may not be used at any meeting of the Board or its committees without the prior permission of the Chair of the Board, or the Director of Education.

By-Law XIX

AMENDMENTS TO BY-LAWS AND POLICY

1. **Amendment to the By-laws**
No amendment or addition to the by-laws shall be made unless due notice is made in writing, setting forth the proposed amendment or addition, shall have been given at a meeting previous to that at which the same comes up for consideration; and during consideration a two-thirds majority of all members of the Board entitled to vote on the question, vote therefore.
2. **Amendment to Board Policy**
No amendment or addition to board policy shall be made unless due notice thereof in writing, setting forth the proposed amendment or addition, shall have been given at a meeting previous to that at which the same comes up for consideration; and during consideration of all members of the Board entitled to vote on the question vote therefore.
3. Amendments or additions to Board Policy will adhere to the Policy Development Process outlined in GP-14.

By-Law XX

OFFICERS OF THE BOARD

1. The Director of Education shall be Secretary of the Board and shall be empowered to delegate the duties of Recording Secretary. The Superintendent of Business shall be the Treasurer of the Board.
2. The signing officers of the Near North District School Board shall be the Chair of the Board together with the Director of Education and/or the Superintendent of Business.
3. In the absence of explicit directions to individual board members or to committees of the Board, it is the duty and responsibility of the Director of Education to carry out all

administrative functions on behalf of the Board.

4. Individual board members or groups of members shall not undertake any action, investigation or negotiation, that may be construed as acting on behalf of the Board, except by explicit direction from the Board.

DUTIES OF RESOURCE OFFICIAL

1. A resource official, shall be responsible for:
 - meeting with the committee chairperson to establish the agenda and appropriate reports
 - reviewing the proposed agenda with the Director
 - preparing the minutes
 - discussing the meeting with the Director immediately after the meeting.
2. Agenda
 - distributing the agenda to trustees at least 3 days in advance of the meeting
 - deal with items referred from the Board
 - for all committees, the agenda and attachments are to be sent to all trustees.
3. Minutes
 - minutes are to follow the order of the agenda
 - all actions to be taken are to be in the form of motions
 - minutes record motions and where there are no motions a brief statement of direction taken or to be taken is recorded.
 - list of items pending further action by the committee with dates for action are to be included at the end of the minutes.
4. Reports for Board Committees are
 - to be written in a common format*

* the format includes the following headings: Issue, Background, Discussion, Recommendation.



Near North District School Board
963 Airport Road, Box 3110
North Bay, ON P1B 8H1

Day, Month Date, Year Time – Regular Meeting

Trustees, please bring your Governance Manual

1.0 Private Session

1.1 In-camera items

1.2 Adoption of the Agenda for Private Session meeting

That the Near North District School Board approve the Agenda as presented/amended for the Private Session meeting of “date”

1.3 Conflict of Interest

1.4 Items for Discussion or Action

- Personnel
- Property
- Legal

1.5 Arise and Report

That the Near North District School Board arise and report from Private Session at ____p.m.

2.0 Opening

2.1 Welcome and Call to Order

2.2 Adoption of the Agenda for Public Session meeting

That the Near North District School Board approve the Agenda as presented/amended for the meeting of “date”

2.3 Attendance

2.4 Celebrating Near North District School Board Success

- 2.5 Announcement of Governance Monitor
- 2.6 Meeting Dates
- 2.7 Declaration of Conflict of Interest
- 2.8 Question Period
- 2.9 Minutes from previous meetings of NNDSB

That the Near North District School Board approve the minutes as presented/amended for the meeting held:

3.0 Ownership Linkage

4.0 Communication to the Board

- 4.1 Presentations by Public
- 4.2 Committee Reports
- 4.3 Items Arising from Board Committees
- 4.4 OPSBA Reports
- 4.5 Trustee Comments
- 4.6 Director's Report

5.0 Monitoring Reports

5.1 ENDS

That the Near North District School Board receive the report on ENDS# 00 "Title" as presented on "date"

5.2 Executive Limitations

That the Near North District School Board receive the report on EL#00 "Title" as presented...

5.3 Governance Process

That the Near North District School Board has reviewed GP#00 Title on "date" and the board has complied

5.4 Board-Director Linkage

That the Near North District School Board receive the report on BDL#00 "Title" on "date" and the board has complied

6.0 Items for Decision

6.1 Consent Agenda

- Staff Changes
- EL#7 Financial Condition

That the Near North District School Board approve the Staff Changes and EL# 7 Financial Condition as presented on “date”

7.0 Pending Items

7.1 Notice of Motion

7.2 Trustee request for information Sheets

8.0 Board Education

8.1 Environmental Scan

9.0 Information

10.0 Public Question Period

11.0 Ratification/Action

11.1 Ratification of Business Transacted in Private Session

That the Near North District School Board ratify the following items from Private Session:

12.0 Adjournment

12.1 Motion to Adjourn

That the Near North District School Board meeting of “date” adjourn at _____p.m.



**Near North District School Board
Board Meeting
Question Period**

Name: _____ **Phone: (home)** _____

Address: _____ **(business)** _____

_____ **(e-mail)** _____

Question:

Signature: _____ **Date:** _____

Conflict of Interest Act

Conflict of Interest is a component identified in the Board agenda. We are providing excerpts from the Conflict of Interest Act that clarify the responsibility of individual members of the Board as it pertains to the requirement and process for declaring a conflict of interest and the duty of the Board to record every declaration.

Conflict of Interest Act: Section 5 and 6

Duty of a Member

5. (1) Where a member, either on his own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the council or local board at which the matter is the subject of consideration, he,
 - (a) shall, prior to any consideration of the matter at the meeting, disclose his interest and the general nature thereof;
 - (b) shall not take part in the discussion of, or vote on any question in respect of the matter; and
 - (c) shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question.
- (2) Where the meeting referred to in subsection (1) is not open to the public, in addition to complying with the requirements of that subsection, the member shall forthwith leave the meeting or the part of the meeting during which the matter is under consideration.
- (3) Where the interest of a member has not been disclosed as required by subsection (1) by reason of his absence from the meeting referred to therein, the member shall disclose his interest and otherwise comply with subsection (1) at the first meeting of the council or local board, as the case may be, attended by him after the meeting referred to in subsection (1).

Record of Disclosure

6. (1) Every declaration of interest and the general nature thereof made under section 5 shall, where the meeting is open to the public, be recorded in the minutes of the meeting by the clerk of the municipality or secretary of the committee or local boards, as the case may be.
- (2) Every declaration of interest made under section 5, but not the general nature of that interest, shall, where the meeting is not open to the public, be recorded in the minutes of the next meeting that is open to the public.

RULES OF ORDER – SUMMARY

Appendix D

Class of Motions	Kind of Motions	Must be Seconded	Debatable	Vote Required	Amendable	How Used
Main Motion: introduces subject	Main Motion	Yes	Yes	Majority	Yes	To open discussion
Subsidiary Motions: seek to properly dispose of main motion	Amend	Yes	Yes	Majority	Yes	To modify motion
	Amend the amendment	Yes	Yes	Majority	No	To modify amendment
	Refer to a committee (or others)	Yes	Yes	Majority	Yes	To study and/or modify
	Postpone to a certain time	Yes	Yes	Majority	Yes	To defer action
	To put the question	Yes	No	$\frac{2}{3}$ rds	No	To close debate
	Table a motion	Yes	No	Majority	No	To defer action
Incidental Motions: Handled before action is taken on subject to which it relates	Withdraw a motion	No	No	Majority	No	To prevent wasting time
	Division of a question	No	No	Majority	Yes	To divide question
	Object to consideration of question	No	No	$\frac{2}{3}$ rds	No	Must be moved before debate opens
	Suspension of the rules	Yes	No	$\frac{2}{3}$ rds	No	To conduct special business
	Challenge a ruling of Chair	Yes	No	Majority	No	To correct Chair
	Close nominations	Yes	No	$\frac{2}{3}$ rds	Yes	To limit nominations
	Reopen nominations	Yes	No	Majority	Yes	To expand nominations
Unclassified Motions: These will bring a question before the group again	Take from table	Yes	No	Majority	No	To re-open discussion of tabled motion
	Motion to reconsider	Yes	Yes	$\frac{2}{3}$ rds	No	To consider previously lost motion
	Motion to rescind or appeal	Yes	Yes	$\frac{2}{3}$ rds	No	To overturn previously approved motion
Privileged Motions: interrupts the proceedings	Point of order	No	Chair and Mover	Chair rules	No	To keep an order of business
	Question of privilege	No	No	Chair disposes	No	For comfort of members
	Motion to recess	Yes	Only re: length	Majority	Yes	To recess
	Adjourn	Yes	No	Majority	No	To close meeting