



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

**Date of meeting: Tuesday, December 4, 2018 7:30 p.m. –  
Inaugural Meeting**

## **1.0 Opening**

- 1.1 Welcome and Call to Order (Director of Education)
- 1.2 Returns of Election (Director of Education)
- 1.3 Declaration of Oath of Office
- 1.4 Oath of Allegiance
- 1.5 Appointment of Scrutineers
- 1.6 Election of Chairperson
- 1.7 Election of Vice-Chairperson
- 1.8 Destruction of Ballots
- 1.9 Election of OPSBA Delegate Selection
- 1.10 Other Business
  - a. Approval of Trustee Training and Orientation
- 1.11 Adjournment

Zone	Successful Candidate(s)	Number of Votes
1	Jay Aspin Louise Sargent Bill Steer Donna Breault	5296 4497 4453 3955
2	Greg Barnes	1344
3	Rob Learn	Acclaimed
4	John Cochrane	3393
5	Alan Bottomley	Acclaimed
First Nations Representative	Nicole King	Approved

## Declaration

I, \_\_\_\_\_, do solemnly declare that:

1. I am not disqualified under any Act from being a member of the Near North District School Board.
2. I will truly, faithfully, impartially and to the best of my ability execute the office of board member, and that I have not received and will not receive any payment or reward or promise thereof for the exercise of any partiality or malversation or other undue execution of the said office and that I will disclose any pecuniary interest, direct or indirect, as required by and in accordance with the Municipal Conflict of Interest Act.

Declared before me at North Bay in the

Province of Ontario

this 4th day of December 2018

## Oath of Allegiance

I, \_\_\_\_\_, do swear (or affirm) that I will be faithful and bear true allegiance to Her Majesty, Queen Elizabeth II

Sworn before me at

North Bay in the Province of Ontario

This 4th day of December, 2018

## POLICY TYPE: GOVERNANCE PROCESS

### GP-5 - Chairperson's Role

DATE APPROVED: September 25, 2001

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*The Chairperson assures the integrity of the Board's process and represents the Board of Trustees to outside parties.*

Accordingly,

1. The role of the Chairperson is to ensure that the Board behaves consistently with its own By-Laws and policies and those rules legitimately imposed upon it from outside the organization.
2. Meeting discussion content will be only those issues which, according to Board policy, clearly belong to the Board to decide, not the Director of Education.
  - 2.1. Deliberation will be fair, open, and thorough but also timely, orderly, and kept to the point.
3. The authority of the Chairperson consists in making decisions that fall within topics covered by Board policies on **GOVERNANCE PROCESS** and **BOARD – DIRECTOR OF EDUCATION LINKAGE**, except where the Board specifically delegates portions of this authority to others. The Chairperson is authorized to use any reasonable interpretation of the provisions in these policies.
  - 3.1. The Chairperson is empowered to chair Board meetings, with all the commonly accepted power of that position (e.g. ruling, recognizing, etc.)
  - 3.2. The Chairperson has no authority to make decisions about policies created by the Board within **ENDS** and **EXECUTIVE LIMITATIONS** policy areas. Therefore, the Chairperson has no authority to supervise or direct the Director of Education.
  - 3.3. The Chairperson is the designated spokesperson and shall represent the Board to outside parties in announcing Board-stated positions and in stating Chairperson decisions and interpretations within the area delegated to the Chairperson.
  - 3.4. The Chairperson may delegate this authority but remains accountable for its use.
  - 3.5. The Chairperson and/or Vice-Chairperson shall be responsible for the preparation of the meeting by meeting agendas in accordance with the board's Annual Agenda Planning policy (GP4) and Bylaws.
  - 3.6. The Chairperson is empowered to monitor any negative Board Members Code of Conduct. The chairperson shall have the responsibility to bring these issues forward to the offending Trustee with the expectation that negative behaviour must cease and will

not be tolerated. A further violation will be presented and addressed by all trustees at the Board Meeting, and maybe subject to a motion of censure.

4. Under the leadership of the Chairperson, at least annually the Board will conduct a self-evaluation. As a result of this evaluation, the Board will include in its governance action plan specific goals and objectives for improvement of identified areas.

**Monitoring: Frequency - December**



Our mission is to educate learners to their fullest potential in preparation for life-long learning.

Governance Manual – Approved September 2006



Date: December 4, 2018

Motion No.

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

**That the Near North District School Board approve the election of \_\_\_\_\_ as Chairperson for the term December 2018 – November 2019.**

\_\_\_\_\_  
Director

- Carried
- Defeated
- Withdrawn

Recorded Vote

	Yea	Nay
Jay Aspin		
Greg Barnes		
Alan Bottomley		
Donna Breault		
John Cochrane		
Nichole King		
Rob Learn		
Louise Sargent		
Bill Steer		



Date: December 4, 2018

Motion No.

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

**That the Near North District School Board approve the election of \_\_\_\_\_ as Vice-Chairperson for the term December 2018 – November 2019.**

\_\_\_\_\_  
Chair

- Carried
- Defeated
- Withdrawn

Recorded Vote

	Yea	Nay
Jay Aspin		
Greg Barnes		
Alan Bottomley		
Donna Breault		
John Cochrane		
Nichole King		
Rob Learn		
Louise Sargent		
Bill Steer		



Date: December 4, 2018

Motion No.

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

**That the ballots used for the selection of the Near North District School Board Chairperson and Vice-Chairperson be destroyed immediately.**

\_\_\_\_\_  
Chair

- Carried
- Defeated
- Withdrawn

Recorded Vote

	Yea	Nay
Jay Aspin		
Greg Barnes		
Alan Bottomley		
Donna Breault		
John Cochrane		
Nichole King		
Rob Learn		
Louise Sargent		
Bill Steer		

# Welcome to the OPSBA Board of Directors

## Quick Start Introduction, 2018-2019



ONTARIO PUBLIC  
SCHOOL BOARDS'  
ASSOCIATION

Leading Education's Advocates

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*Welcome to your role as a Director on the OPSBA Board. As a Director, your work helps shape OPSBA's policies, direction and the overall management of OPSBA's affairs.*

***(This document is intended only as a "quick start" introduction to OPSBA. It is strongly recommended that you visit the OPSBA website to get acquainted with the reference materials listed at the bottom of page two.)***

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### **OPSBA's five 2018-19 multi-year strategic priorities are:**

- The Whole Child and Student Well-Being for Today and Tomorrow
- Advancing Reconciliation: First Nation, Métis and Inuit Education
- Labour Relations
- Education Funding
- Trustees as Leaders in Public Education

As a Director on the OPSBA Board, you will attend five board meetings throughout the year. The OPSBA Board of Directors generally meets in late September, late November or early December, late February, late April and in June immediately preceding the Association's Annual General Meeting. The OPSBA Board consists of approximately 50 individuals representing all of our member boards.

#### OPSBA Directors:

- Attend Board of Directors' meetings and ensure their board's concerns are presented to the Regional Council Chairs/Vice-Presidents and the Board of Directors
- Provide in camera updates to their boards, as appropriate, on bargaining matters
- Provide an opinion which he/she believes would reflect the general census of the board being represented at any Board of Directors meeting
- Help build Member Board commitment to OPSBA through liaison activities and information sharing with other trustees and Member Boards
- Keep senior administration informed of OPSBA issues, sharing available reports and position papers
- Ensure that their board, group of school authorities, treatment centre boards, or First Nation trustees they represent are kept fully informed of OPSBA activities
- Ensure that OPSBA is kept informed of local board needs, important issues and events
- Vote on certain collective bargaining matters such as the ratification of a memorandum of settlement of central terms during bargaining years in accordance with the *School Boards Collective Bargaining Act* (SBCBA)

***N.B: The Association pays the travel and accommodation costs for all Members of the Board of Directors when attending meetings of the Board. Alternate Directors will have their expenses paid ONLY when replacing an absent Director at meetings of the Board. (Guidelines on the back of the expense form.)***

## Board of Directors Operational Practices

- **The first four meetings are held in Toronto** on Friday from 7 p.m. to 9 p.m. and continue Saturday from 9 a.m. to approximately 3 p.m. Expenses are reimbursed for these four meetings according to OPSBA's trustee expense claim guidelines.
- **The Annual General Meeting and Program in June (this year in early July when Ontario hosts the Canadian School Boards Association Congress) includes a short Board meeting.** No expenses are reimbursed for this meeting as it is anticipated that each board member will also be attending the AGM.

### What to Expect at an OPSBA Board of Directors Meeting

- You will receive your electronic or printed copy of the meeting's agenda at least one week prior to the board meeting. Private session (in camera) material is printed on **pink** paper.
- Board meeting resources are also posted for your review on the "Members Viewing Only" section of OPSBA's website. This password protected site gives you the option of downloading agenda items from the website. If you have difficulty accessing the "Members Only" section, please contact the OPSBA office at (416) 340-2540 or [dlazaroff@opsba.org](mailto:dlazaroff@opsba.org) for assistance.
- Board meetings are governed by Canadian Parliamentary Rules of Procedure, see Appendix 3, pg. 28 of the *OPSBA Board of Directors Orientation Material* for more details.
- At each board meeting, make sure to pick up your name plate, expense form, and any additional agenda material that might be provided. Please note there are no assigned seats around the board table.
- All Board of Directors members will be reimbursed for expenses incurred while attending the board meeting according to OPSBA's Expense Guidelines. You will receive an Expense Claim Form at each meeting. Please submit the completed form to OPSBA for payment. **Please note you must make your own travel and hotel arrangements.**

### Dates of OPSBA 2018-2019 Meetings

December 7-8	<b>UPDATED: Board of Directors - Sheraton Centre Hotel, 123 Queen St. West, room rate \$219 (Cut-off date for room reservation at the meeting rate is November 6, 2018)</b>
January 24	<b>PES Pre-Symposium</b>
January 24-26, 2019	<b>Public Education Symposium (PES) - Sheraton Centre Hotel, Toronto</b>
January 26	<b>Regional Meetings at PES (with common discussion items)</b>
February 22-23	<b>Board of Directors - Sheraton Centre Hotel, 123 Queen St. West, Room rate \$219 (Cut-off date for room reservation at the meeting rate is January 28, 2019)</b>
April 4-5	<b>Education Labour Relations &amp; Human Resources Conference</b>
April 13	<b>Regional Meetings with common agenda/priorities discussion</b>
May 3-4	<b>Board of Directors - Sheraton Centre Hotel, 123 Queen St. West, Room rate \$219 (Cut-off date for room reservation at the meeting rate is April 8, 2019)</b>
June 7	<b>Joint Policy Development and Education Program Work Team Meeting</b>
July 4-7, 2019	<b>OPSBA AGM and CSBA Congress in Toronto</b>

### Reference Materials Available

For a more in depth detail on the Association and the role of the director please see the following material, available on the [OPSBA Website](#) and at the board meeting:

- [OPSBA Board of Directors Orientation Material booklet](#)
- Roles and Responsibilities 2018-19 Guide
- [2018/2019 Key Work](#)
- [Annual Report](#)
- [OPSBA Meeting Dates Schedule 2018-19](#)



Date: December 4, 2018

Motion No.

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

**That the Near North District School Board approve the election of \_\_\_\_\_ as the OPSBA Director for the term December 2018 – November 2019.**

**That the Near North District School Board approve the election of \_\_\_\_\_ as the OPSBA Alternate Director for the term December 2018 – November 2019.**

**That the Near North District School Board approve the election of \_\_\_\_\_ as the OPSBA Voting Delegate for the term December 2018 – November 2019.**

**That the Near North District School Board approve the election of \_\_\_\_\_ as the OPSBA Alternate Voting Delegate for the term December 2018 – November 2019.**

\_\_\_\_\_  
Chair

- Carried
- Defeated
- Withdrawn

Recorded Vote

	Yea	Nay
Jay Aspin		
Greg Barnes		
Alan Bottomley		
Donna Breault		
John Cochrane		
Nichole King		
Rob Learn		
Louise Sargent		
Bill Steer		



# Staff Report

<b>Date:</b> December 4, 2018	
<b>Subject:</b> Trustee Training and Orientation	
<b>Submitted By:</b> Jackie Young, Director of Education	<b>Approved By:</b> N/A

## **Recommendation**

That the Board of the Trustees for the Near North District School Board (“NND SB”) authorize and direct the Director of Education and/or designate to secure the services of one of the proponents identified in this report to provide orientation and training for the Board of Trustees at a date to be determined.

## **Analysis**

Section 1.A. 10 of the NND SB By-laws states that following a Municipal Election, it is the responsibility of the Director of Education to coordinate a series of mandatory orientation seminars for trustees. It further states 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. However, the recent election results in seven out of nine newly elected Trustee positions. Based on initial feedback provided by new Trustees and questions regarding cost and background of trainers, a decision was made to bring forward recommendations to the Inaugural Meeting.

Trustee orientation and training is a key component in ensuring that Trustees are provided with the information, tools and resources necessary to make informed decisions. The recent election candidates brought forward a number of concerns and issues regarding openness, transparency and financial accountability for the NND SB. Training and information regarding roles, responsibility and proper board governance is highly advised to address those concerns. Training by third party independent legal counsel is a standard practice by Ontario School Boards and ensures that information is objective, correct and based on best and recommended practices. Further, as the authority and establishment of School Boards is dictated by legislation, initial training by someone familiar with such legislation and any caselaw developments is deemed appropriate.

It is recommended that training be provided in-house so that concerns and issues specific to the NNDSB can be addressed. This is also a more cost-effective method of training which ensures that all Trustees and senior administration can attend. A total of \$10,000 has been allocated for Trustee Professional Development during the 2018-2019 budget year. Having senior administration attend orientation is advisable to ensure that all parties understand each others' roles and responsibilities. In addition, the recent review of the Governance Manual and Ombudsman's' Investigation will result in legal recommendations that need to be considered by the Board of Trustees.

Costs were sought from three legal professionals as identified in the chart below:

Name	Cost	
Gillian Tuck	\$2500	Travel, accommodation and meals
Michael Hines	\$4000	Travel, accommodation and meals
Sheila MacKinnon	\$3900	Travel, accommodation and meals

All three proponents have provided legal services to the Board in past years. The following factors were considered when determining the eligible proponents:

- Knowledge and experience with Ontario School Boards
- Familiarity with NNDSB and our unique circumstances
- Cost
- Availability of dates

A summary of qualifications and experience for each proponent is attached hereto as Appendix "A". It is recommended that one of the above noted proponents be selected to provide orientation and training to the NNDSB Board of Trustees. GP-2 - Governing Style, which addresses requirements for training and orientation is attached as Appendix "B"

**Alternatives**

The Ontario Public School Board Association was contacted for recommendations with respect to training. The initial recommendation was to have all Trustees attend then Public Education Symposium in January. The cost of the symposium is approximately \$1700 per Trustee for a total of \$15,300 for all Trustees to attend. This is not recommended for the following reasons:

- Cost would exceed the budgeted allocation for Trustee Professional development
- Senior Administration would not be in attendance
- The conference would not address the unique and recent challenges of the NNDSB

### **Next Steps**

If the Board approves the recommendation, the Director of Education and/or designate will proceed with scheduling a date for training and providing Trustees with the required notification. After the initial training and orientation session, staff will proceed with scheduling further training and information sessions as needed.

Jackie Young  
Director of Education



## Gillian Tuck Kutarna

Partner | Guelph

519.780.4642

gtuckkutarna@millerthomson.com

### RELATED SERVICES

Anti-Spam (CASL)  
Charities & Not-for-Profit  
Corporate Governance  
Human Rights  
Labour & Employment

### RELATED INDUSTRIES

Agribusiness & Food Production  
Education  
Social Impact

## Biography

Gillian Tuck Kutarna focuses on education law and social impact, advocating for her clients at various levels of court, at the Human Rights and other Social Justice Tribunals, and in arbitration and mediation settings. Her knowledge of school board issues, governance, employment and labour law, not-for-profit and charities law, and the public policy process inform her pragmatic approach to legal issues and her commitment to developing cost-effective resolutions while protecting her clients' interests.

Clients rely on Gillian's expertise in drafting by-laws, policies, and contractual agreements in a manner that anticipates and addresses liability and avoidable conflict.

Gillian's commitment to community involvement has included membership on numerous boards of directors. Leadership positions as past Chair of the Halton District School Board and Vice Chair of William Osler Health Services, and her current position as Director of Guelph General Hospital, provide her with valuable first-hand experience working with multiple decision-makers, stakeholders, and funders.

Gillian is a frequent contributor to Miller Thomson's *Education Law* and *Social Impact* newsletters, Morning Recess webinars, and client seminars. She is a regular presenter at various provincial and national conferences.

Gillian is particularly experienced in helping school boards and social organizations:

**School boards** rely on Gillian for advice relating to issues relating to students, staff, trustees, and stakeholders.

**Charities and not-for-profit organizations** consult Gillian for assistance with incorporation, policies and by-laws, contracts, statutory compliance, and employment issues.

Before joining Miller Thomson, Gillian was a staff lawyer with Halton Community Legal Services, and was in general practice for a number of years with a focus on family law.

Before attending law school, Gillian worked for several years as a youth counsellor and community worker.

## Professional achievements & leadership

- Canadian Legal Expert Directory, Charities/ Not-For-Profit, 2018
- Certificate in Effective Health Care Governance, Ontario Hospitals Association
- Principles and Practices of Effective School Board Governance, Schulich School of Business

## Thought leadership

### Presentations

- Co-presenter, Canadian Associate of School System Administrators Annual Conference, July 7, 2018

- Co-presenter, "Accommodation Obligations: Expansion and Exposure for Employers", Miller Thomson's 2017 Labour Relations & Employment Law Conference, April 6, 2017

## Publications

- Co-author, *An Educator's Guide to Internet and Social Media Law in the Classroom*, 2018
- "Mandatory Requirements for Receiving Charitable Donation Tax Credit," *Education Law Newsletter*, February 25, 2016
- "TDSB Advisory Panel Report Highlights Structural Governance Issues for School Boards," *Education Law Newsletter*, January 2016
- "Mandatory Requirements for Receiving Charitable Donation Tax Credit," *Charities and Not-for-Profit Newsletter*, October 19, 2015
- "The Volunteer Relationship," *Charities and Not-for-Profit Newsletter*, July 2015
- "Canada's Anti-Spam Legislation ("CASL") Enforcement Update," *Education Law Newsletter*, May 8, 2015
- "School Board Found Liable for Student's Harassment of a Teacher," *Education Law Newsletter*, February 4, 2015
- "Welcome Newly Elected School Councils," *Education Law Newsletter*, October 2014
- "Keeping Abreast of the Standard of Care: Automated External Defibrillators in Schools," *Education Law Newsletter*, September 2014
- "The Accountability & Transparency Act – How It Might Impact School Boards," *Education Law Newsletter*, July 2014
- "School Boards Collective Bargaining Act Enshrines Two-Tiered Bargaining," *Education Law Newsletter*, April 11, 2014
- "CASL is here. Are you ready?" *Education Law Newsletter*, March 13, 2014
- "OHRT Decision on Distribution of Religious Materials in Schools," *Education Law Newsletter*, September 2013
- "Staff Advice and Recommendations Not Publicly Accessible Upon Request," *Education Law Newsletter*, June 2013
- "Canada's Top Court Rules that Specific Performance Not Required For All Land Deals and Duty to Mitigate Applies," *Education Law Newsletter*, June 2013
- "Financial Hardship Not Justification for Reduction in Accommodation Services," *Education Law Newsletter*, June 2013
- "Teacher Awarded \$20K in Damages for Harassment by Principal and Board Staff," *Education Law Newsletter*, June 2013
- "What's Happening," *Charities and Not-for-Profit Newsletter*, April 2013
- "Reasonableness "Invited", but not "Required" under terms of Collective Agreement," *Education Law Newsletter*, February 2013
- "Teacher Awarded \$20K in Damages for Harassment by Principal and Board Staff," *Education Law Newsletter*, January 2013
- "School Board Foundations and the new Ontario Not-for-Profit Corporations Act – Part I," *Education Law Newsletter*, November 2012
- "Financial Hardship Not Justification for Reduction in Accommodation Services," *Education Law Newsletter*, Client Alert – Special Education
- "Canada's Top Court Rules that Specific Performance Not Required For All Land Deals and Duty to Mitigate Applies," *Education Law Newsletter*, October 2012
- "Staff Advice and Recommendations Not Publicly Accessible Upon Request," *Education Law Newsletter*, September 2012
- "Gender Identity & Expression Added to Code," *Education Law Newsletter*, June 2012
- "Responsive Records' Under FIPPA Can Include Deleted Emails," *Education Law Newsletter*, June 2012
- "MFIPPA Duty to Disclose: "Some Form of Connection" to Employment is Sufficient for Exemption," *Education Law Newsletter*, April 2012
- "Board Does Not Have to Compensate Teachers for Work that is not Performed," *Education Law Newsletter*, March 2012
- "Pre-Reform Decisions from the Ontario College of Teachers Discipline Committee," *Education Law Newsletter*, February 2012
- "Limits to Supervision Time is a "Hard" 80 Minute Cap, for all Teachers", *Education Law Newsletter*, January 2012
- "Board Ordered to Pay a Proportional Share of Teacher's Hearing Aid," *Education Law Newsletter*, November 2011
- "When is a Record Collected and Used? Case Note: Privacy Complaint No. MC08-91 and MC08-92, City of Vaughn," *Education Law Newsletter*, November 2011

## Community involvement

Gilllan currently serves on the Board of Directors of the Guelph General Hospital

Gilllan has served as:

- Past Director, Centre for Skills Development and Training
- Past Chair and Trustee, Halton District School Board
- Past Director, Halton Healthcare Services
- Past Director and Vice Chair, William Osler Health Centre
- Past Director, Bennett Long Term Care Centre
- Past Director, Halton Community Legal Services
- Past Director, Georgetown and District Memorial Hospital
- Past Director, Health Insurance Reciprocal of Canada
- Past Director, Big Sisters Association
- Past Member, Committee of Adjustments, Town of Halton Hills

### **Professional memberships**

- Executive Committee, Education Law Section, Ontario Bar Association
- Law Society of Ontario
- Canadian Bar Association
- Ontario Bar Association
- Canadian Association for the Practical Studies in Law and Education
- Wellington County Law Association
- Law Society of Alberta
- Miller Thomson Pro Bono Committee

### **Bar admissions & education**

- Ontario Bar, 2001
- Alberta Bar, 1994
- LL.B., Queen's University
- Masters of Public Administration, Queen's University
- B.A.(Honours), Political Studies, Queen's University

Home / People /

## Michael A. Hines



### Partner, Toronto

[michael-hines@hicksmorley.com](mailto:michael-hines@hicksmorley.com)

Direct: [416.864.7248](tel:416.864.7248)

Main: [416.362.1011](tel:416.362.1011)

[vCard](#) | [LinkedIn](#)

Year of Call: Ontario, 1983

### Biography

Michael Hines is a senior management-side labour lawyer working in Hicks Morley's Toronto office. Michael has over 30 years of experience advising both public and private sector employers on all aspects of labour and human rights law.

In his practice, Michael has a particular focus on the school board and police sectors. Michael has acted as counsel to more than two-thirds of Ontario's public school boards and the Ontario Public School Boards' Association on such matters as labour relations, teacher injunctions, school closures, teacher dismissals, board governance, equality rights and collective bargaining.

Michael has additional specialized experience in the steel manufacturing, forestry, municipal and news media sectors, and has been successful in a number of precedent-setting private sector human rights decisions. He is a frequent speaker on the duty of accommodation and constitutional law issues and, since 2014, has been an Adjunct Professor of Labour Law at the University of Toronto's Faculty of Law.

## Practice Areas

Employment Law, Human Rights, Labour Relations, Litigation

## Industries

Education, Media & Communications, Mining & Natural Resources, Municipalities & Municipal Agencies, School Boards

## Awards & Recognition

**Best Lawyers® in Canada (2014-2019)**

Labour & Employment Law

**Canadian Legal Lexpert Directory (2013-2018)**

Labour Relations (Consistently Recommended)

## Memberships & Affiliations

University Tribunal (Academic Discipline), University of Toronto – Co-Chair

University of Toronto Faculty of Law – Adjunct Professor

Ontario Bar Association – Member (Constitutional, Civil Liberties and Human Rights, and Education Law Sections), Former Chair (Education Law Section)

## Select Publications & Presentations

“Family Status: The Accommodation of Childcare Needs” *Education Today*, Vol 28/1 (2016)

“New Pupil Accommodation Review Guidelines” *Education Today*, Vol 27/3 (2015)

“School Closures – Some questions answered” *Education Today*, Vol 27/2 (2015)

“The Legal Framework for the Early Learning Program” *Education Today*, Vol 22/2 (2010)

“School Closures in Ontario” Conference of the Canadian Association for the Practical Study of Law and Education (2004)

## **Education**

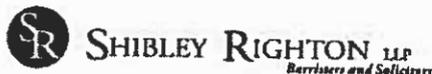
Osgoode Hall Law School, LL.M.

University of Toronto, LL.B.

McMaster University, B.A.

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## Contact Information

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 sheila.mackinnon@shibleyrighton.com

Download my vCard

## Areas of Practice

Civil and Commercial Litigation  
 Education and Public Law  
 Labour and Employment  
 Professional Regulation and Discipline  
 Law

## Year of Call

1987 (Ontario)

## Education

Osgoode Hall Law School, LL.B., 1985  
 Carleton University - B.Comm (Honours)  
 1982

## Sheila MacKinnon | Partner

Sheila is a partner at Shibley Righton LLP whose civil litigation practice currently focuses on education and public law and labour and employment matters.

Sheila brings a wide variety of skills and business experience to the Education and Public Law Group at Shibley Righton. In the early years of Sheila's legal practice, she specialized in the areas of corporate - commercial law and income tax planning and litigation. As well, for many years, Sheila gained practical business experience as the operator and manager of her family-owned retirement home business in Essex County.

Sheila has provided advice in the areas of legislative analysis; policy development; privacy law; special education; human rights; workplace investigations; and employment matters. In addition, Sheila has a particular interest in Corporation and School Board Governance. She has developed and delivered workshops and provided legal advice on Parliamentary Procedure, running effective board meetings, conflict of interest and Trustee Code of Conduct and Enforcement. She has also advised on the development and amendment of corporate and school board by-laws and governing policies. Sheila developed and presented webcasts for the Ontario Public School Boards Association on governance and parliamentary procedure and may be accessed at [www.opsba.org](http://www.opsba.org).

Sheila has conducted many internal workshops for various organizations and spoke at numerous conferences on a variety of issues.

Sheila is currently past Chair and a member of the Board of Governors of the University of Windsor. She is the past Chair of the Board of United Communities Credit Union (now Libro Credit Union). Sheila has volunteered on such other community and professional boards as Canadian Association for the Practical Study of Law in Education; the Toronto Educational Opportunity Fund; the Crime Concern of Metropolitan Toronto; and the Essex Business Improvement Association.

COLLAPSE

## PUBLICATIONS

## Publications

Education Law eBulletin - September 2018 – 2018-09-01  
 The big picture: life as a school board trustee – 2017-12-01  
 Women on corporate boards: a worthy mission – 2017-08-11  
 External counsel a good bet when lacking in-house experience – 2017-07-21  
 Bill 68 would modernize municipal councils, school boards – 2017-06-01  
 Employer's financial position not relevant in termination pay – 2016-07-27  
 Students with special needs aged 18 and older falling between the cracks – 2016-06-28  
 NOTL's last elementary school to close: Divisional Court – 2015-06-29  
 Dress code rules unlikely to be black and white – 2015-05-20  
 Transgender guidelines helpful to schools, staff, students – 2015-04-15  
 Ombudsman's oversight expanded to cover school boards – 2015-03-09  
 Questions raised over trustees' scope of power – 2015-02-23  
 How to use social media as a screening tool – 2015-01-15  
 Education Law eBulletin - March 2014 – 2014-04-01  
 Education Law eBulletin - February 2014 – 2014-02-28  
 Education Law eBulletin - January 2014 – 2014-01-31  
 Shibley Righton's September 2013 Education Law eBulletin – 2013-09-30  
 Education Law eBulletin - June 2012 – 2013-06-01  
 Education Law eBulletin - May 2013 – 2013-05-01  
 Education Law eBulletin - February 2013 – 2013-02-01

## SHIBLEY RIGHTON LLP

A full-service law firm with offices in Toronto and Windsor, Ontario.

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## Toronto

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 Burlington, Ontario  
 L7L 6A3  
 Canada

## Windsor

2610 Ouellette Avenue  
 Suite 301  
 Windsor, Ontario  
 N8X 1L4  
 Canada

## Appendix B

### **POLICY TYPE: GOVERNANCE PROCESS**

#### **GP-2 - Governing Style**

**DATE APPROVED: January 21, 2006**

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*The Board will govern lawfully, in accordance with its By-laws, and with an emphasis on outward vision, encouragement of diversity of viewpoints, strategic leadership, clear distinction of Board and Director of Education roles, collective decisions, and pro-activity rather than reactivity.*

Accordingly, the Board will:

1. Deliberate in many voices, but govern in one.
  2. Cultivate a sense of group responsibility. The Board will allow no officer, individual or committee of the Board to hinder or be an excuse for not fulfilling Board commitments.
  3. Direct, control, and inspire the organization through the careful establishment of broad written policies reflecting the Board's values and perspectives about **ENDS** to be achieved and means to be avoided.
  4. Enforce upon itself whatever discipline is needed to govern with excellence.
    - 4.1. Continual Board development will include education about governance, and retraining and orientation of new Board members as per By-Law IA.10.
      - a) New trustees when elected or appointed will receive an orientation within one month of election, which shall include training in Policy Governance<sup>®</sup>, background information on the School Board, Board Bylaws, Board policies and other pertinent documents.
      - b) The orientation process shall include: history of the School Board; the Education Act; Mission and Vision of the School Board; Board policies and bylaws; funding sources/budgets; organizational chart; programs and services offered by the School Board, current issues; strategic plan; annual report for the previous year; annual agenda, including calendar of meetings; list of Board members and senior staff with biographies; tour of head office and satellite offices, with map of school locations; list of acronyms.
  5. Trustees shall be encouraged to pursue professional development activities which will enable them better to meet the demands of their position.
  6. The Board will regularly monitor its adherence and discipline with its own policies in the
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**GOVERNANCE PROCESS and BOARD-DIRECTOR OF EDUCATION LINKAGE**

categories. Upon the choice of the Board, any policy can be monitored at any time. The Board will use the following schedule for annual policy review and monitoring purposes:

<b>Policy</b>	<b>Review Policy and Monitor Compliance</b>
<b>Governance Process</b>	
GP-1 - Global Governance Commitment	Annually - February
GP-2 - Governing Style	Annually - February
GP-3 - Board Job Contribution	Annually - February
GP-4 - Agenda Planning	Bi-Annually – September and January
GP-5 - Chairperson's Role	Annually - December
GP-6 - Board Member’s Code of Conduct	Annually - December
GP-7 - Board Committee Principles	Annually - December
GP-8 - Board Committee Structure <ul style="list-style-type: none"> <li>• Special Education Advisory Committee.</li> <li>• SALEP Committee</li> <li>• Internal Audit Committee</li> <li>• First Nations Advisory Committee.</li> </ul>	Annually - January
GP-9 - Investment in Governance Capacity / Trustee Honorarium and Expenses	Bi-Annually – September and January
GP-10 - Board Linkage With Ownership	Annually - October
GP-11 – Student Trustee on the Board	Annually - May
GP-12 – Handling of Operational Complaints	Annually - April
GP-13 – Handling of Apparent Policy Violations	Annually - April
GP-14 – Policy Development Processes	Annually - March
<b>Board-Director of Education Linkage</b>	
BDL-1 - Global Board-Director of Education Linkage Policy	Annually - March
BDL-2 - Unity of Control	Annually - March
BDL-3 - Accountability of the Director	Annually - May
BDL-4 - Monitoring Director of Education Performance	Annually - May

**Monitoring: Frequency: - February**





Date: December 4, 2018

Motion No.

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

**That the Near North District School Board Inaugural Meeting of December 4, 2018 adjourn at \_\_\_\_\_ p.m.**

\_\_\_\_\_

Chair

- Carried
- Defeated
- Withdrawn

Recorded Vote

	Yea	Nay
Jay Aspin		
Greg Barnes		
Alan Bottomley		
Donna Breault		
John Cochrane		
Nichole King		
Rob Learn		
Louise Sargent		
Bill Steer		