



The Niagara Catholic District School Board through
the charisms of faith, social justice, support and leadership,
nurtures an enriching Catholic learning community for all
to reach their full potential and become living witnesses of Christ.

AGENDA AND MATERIAL

POLICY COMMITTEE MEETING

**TUESDAY, APRIL 27, 2021
4:30 P.M.**



*Electronic Meeting in Compliance with Education Act Section 207 and
Ontario Regulation 463/97 Section 5.1 (2)
Public Access Phone No: 1-647-558-0588 Meeting ID: 917 5760 9508 Password: 347427*

1. Opening Prayer – Trustee Huibers -
 2. Attendance -
 3. Approval of Agenda -
 4. Declaration of Conflict of Interest -
 5. Minutes of Policy Committee Meeting of March 23, 2021 5
 6. Governance Policies
- Action Required
- GOVERNANCE POLICIES – FOR RECOMMENDATION TO MAY COMMITTEE OF THE WHOLE
- 6.1 Board By-Laws Policy (100.1) – Camillo Cipriano 6.1
 - 6.2 Occupational Health and Safety Policy (201.6) – Pat Rocca 6.2
 - 6.3 Student Exclusion From School or Class Policy (NEW) – Lee Ann Forsyth-Sells 6.3
- GOVERNANCE POLICIES – PRIOR TO VETTING
- 6.4 Pupil Accommodation Review Policy (701.2) – Ted Farrell 6.4
 - 6.5 Trustee Code of Conduct Policy (100.12) – Camillo Cipriano 6.5
- Information
- 6.6 Governance Policies Currently Being Vetted -
Nil
 - 6.7 Governance Policy Review 2020-2021 Schedule 6.7
7. Date of Next Meeting
TBD
 8. Adjournment -

**TO: NIAGARA CATHOLIC DISTRICT SCHOOL BOARD
POLICY COMMITTEE MEETING
APRIL 27, 2021**

**TITLE: MINUTES OF THE POLICY COMMITTEE MEETING
MARCH 23, 2021**

RECOMMENDATION

THAT the Policy Committee approve the minutes of the Policy Committee Meeting of March 23, 2021, as presented.



MINUTES OF THE POLICY COMMITTEE MEETING

TUESDAY, MARCH 23, 2021

Minutes of the Policy Committee Meeting held on Tuesday, March 23, 2021 at 4:30 p.m. in the Holy Father Kenneth Burns c.s.c. Board Room, at the Catholic Education Centre, 427 Rice Road, Welland.

The meeting was called to order at 4:30 p.m. by Policy Committee Chair Prince.

1. Opening Prayer

The meeting was opened with a prayer by Trustee Burkholder.

2. Attendance

Committee Members	Present	Present Electronically	Absent	Excused
Leanne Prince (Committee Chair)	✓			
Rhianon Burkholder	✓			
Larry Huibers	✓			

Student Trustees:

Luca DiPietro

Sydney Yott

Staff:

Camillo Cipriano, Director of Education

Lee Ann Forsyth-Sells, Superintendent of Education

Kimberly Kinney, Superintendent of Education

Pat Rocca, Superintendent of Education

Anna Pisano, Administrative Assistant, Corporate Services/Recording Secretary

3. Approval of Agenda

Moved by Trustee Huibers

THAT the March 23, 2021 Policy Committee Agenda be approved, as presented.

APPROVED

4. Declaration of Conflict of Interest

No Disclosures of Interest were declared with any items on the agenda.

5. Minutes of the Policy Committee Meeting of February 23, 2021

Moved by Trustee Burkholder

THAT the Policy Committee approve the minutes of the Policy Committee Meeting of February 23, 2021, as presented.

APPROVED

6. Governance Policies

ACTION REQUIRED

GOVERNANCE POLICIES - FOR RECOMMENDATION TO APRIL COMMITTEE OF THE WHOLE MEETING

6.1 Complaint Resolution Policy (800.3)

Director Cipriano highlighted recommended amendments to the Complaint Resolution Policy (800.3) following legal advice.

Following discussion, the Policy Committee recommended the following additional amendments:

- No amendment

Moved by Trustee Burkholder

THAT the Policy Committee recommend to the April Committee of the Whole Meeting to approve the revisions to the Complaint Resolution Policy (800.3), as presented.

APPROVED

6.2 Bullying Prevention and Intervention Policy (302.6.8)

Lee Ann Forsyth-Sells, Superintendent of Education presented feedback received from the vetting process and highlighted recommended amendments to the Bullying Prevention and Intervention Policy (302.6.8) following the vetting process.

Following discussion, the Policy Committee recommended the following additional amendments:

- No amendment

Moved by Trustee Huibers

THAT the Policy Committee recommend to the April Committee of the Whole Meeting to approve the revisions to the Bullying Prevention and Intervention Policy (302.6.8), as presented.

APPROVED

6.3 Student Expulsion Policy (302.6.5)

Superintendent Forsyth-Sells presented feedback received from the vetting process and highlighted recommended amendments to the Student Expulsion Policy (302.6.5) following the vetting process.

Following discussion, the Policy Committee recommended the following additional amendments:

- No amendment

Moved by Trustee Huibers

THAT the Policy Committee recommend to the April Committee of the Whole Meeting to approve the revisions to the Student Expulsion Policy (302.6.5), as presented.

APPROVED

6.4 Employee Workplace Harassment Policy (201.7)

Pat Rocca, Superintendent of Education presented feedback received from the vetting process and highlighted recommended amendments to the Employee Workplace Harassment Policy (201.7) following the vetting process.

Following discussion, the Policy Committee recommended the following additional amendments:

- No amendment

Moved by Trustee Burkholder

THAT the Policy Committee recommend to the April Committee of the Whole Meeting to approve the revisions to the Employee Workplace Harassment Policy (201.7), as presented.

APPROVED

6.5 Employee Workplace Violence Policy (201.11)

Pat Rocca, Superintendent of Education presented feedback received from the vetting process and highlighted recommended amendments to the Employee Workplace Violence Policy (201.11) following the vetting process.

Following discussion, the Policy Committee recommended the following additional amendments:

- No amendment

Moved by Trustee Burkholder

THAT the Policy Committee recommend to the April Committee of the Whole Meeting to approve the revisions to the Employee Workplace Violence Policy (201.11), as presented.

APPROVED

GOVERNANCE POLICIES - PRIOR TO VETTING

Nil

INFORMATION

6.6 Governance Policies Currently Being Vetted to March 31, 2021

- Board By-Laws Policy (100.1)
- Occupational Health and Safety Policy (201.6)
- Student Exclusion From School or Class Policy (NEW)

6.7 Governance Policy Review 2020-2021 Schedule

Director Cipriano presented the Governance Policy Review 2020-2021 Schedule.

7. Date of Next Meeting

April 27, 2021 – 4:30 p.m.

8. Adjournment

The meeting adjourned at 5:07 p.m.

**TO: NIAGARA CATHOLIC DISTRICT SCHOOL BOARD
POLICY COMMITTEE MEETING
APRIL 27, 2021**

**TITLE: FOR RECOMMENDATION TO COMMITTEE OF THE WHOLE
BOARD BY-LAWS POLICY (100.1)**

RECOMMENDATION

THAT the Policy Committee recommend to the Committee of the Whole approval of the Board By-Laws Policy (100.1), as presented.

Prepared by: Camillo Cipriano, Director of Education/Secretary-Treasurer

Presented by: Camillo Cipriano, Director of Education/Secretary-Treasurer

Date: April 27, 2021



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BOARD BY-LAWS

Pursuant to the provisions of the *Education Act* and its Regulations, the By-Laws of Niagara Catholic District School Board shall regulate the powers and responsibilities of the Board, its officers and committees, and shall be observed for the procedure and dispatch of business at the meetings of the Board and its committees.

By-Laws of Niagara Catholic District School Board shall be approved by the Board and reviewed from time to time as directed by the Board or recommended by the Director of Education/Secretary-Treasurer.

Definitions used in these By-Laws and not otherwise defined in the text shall have the meanings set out in the attached Definitions Schedule.

BOARD ORGANIZATION

The administrative organization of Niagara Catholic District School Board shall be subject to periodic review to ensure that it is designed to meet the needs of the school system.

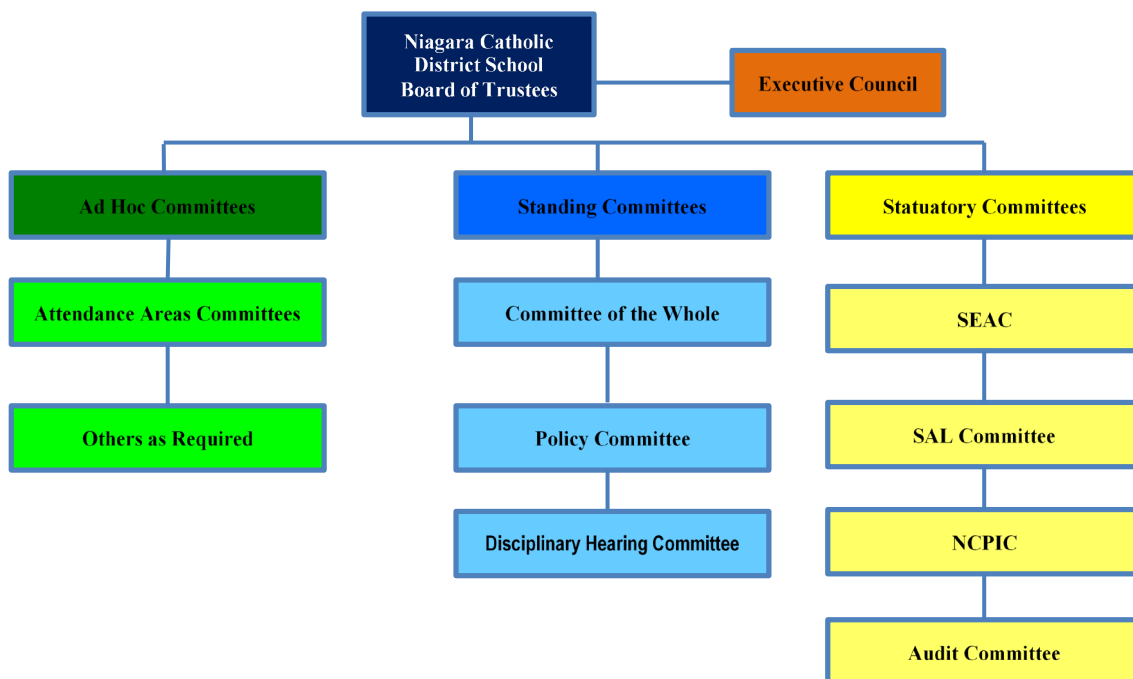
1. NAME AND JURISDICTION OF THE BOARD

The name of the Board shall be “Niagara Catholic District School Board” and it shall have jurisdiction as is provided by the *Education Act* and Regulations.

2. MISSION STATEMENT

The Niagara Catholic District School Board, through the charisms of faith, social justice, support and leadership, nurtures an enriching Catholic learning community for all to reach their full potential and become living witnesses of Christ.

3. ORGANIZATION CHART



4. STRUCTURE OF THE BOARD

The Structure of the Board, its Sections and its Committees will be set up according to the Organization Chart in Section 3 and the following description.

i. **Board of Trustees**

The Board shall be composed of all eight (8) trustees and the two (2) Student Trustees and shall perform duties in accordance with the *Education Act* and its Regulations, Board By-Laws and Policies.

ii. **Executive Council**

The Executive Council shall be composed of the ~~Chairperson~~Chair of the Board, the Vice-~~Chairperson~~Chair of the Board and the Director of Education/Secretary-Treasurer. It shall review and assist with the preparation of the agenda for Committee of the Whole and Board meetings.

iii. **Committees**

The Board is required by the *Education Act* to have the following Statutory Committees:

- Audit Committee
- Niagara Catholic Parent Involvement Committee (NCPIC)
- Special Education Advisory Committee (SEAC)
- Supervised Alternative Learning Committee (SAL)

In addition the Board has the following standing committees:

- Committee of the Whole
- Disciplinary Hearing Committee
- Policy Committee

The Board may also put in place other committees as required from time to time.

iv. **Terms of Reference**

Special Education Advisory Committee (SEAC)

The Special Education Advisory Committee is a statutory Committee of the Board established annually. The Special Education Advisory Committee will be responsible to the Board for examining, reviewing and making recommendations, as appropriate, relative to the provision of special education programs and services. The composition and role of the Special Education Advisory Committee is outlined in the *Education Act* and its Regulations and in particular O Reg 464/97.

Supervised Alternative Learning (SAL)

The Supervised Alternative Learning for Excused Pupils Committee is a statutory Committee of the Board established annually. The composition and role of the Supervised Alternative Learning for Excused Pupils Committee is outlined in the *Education Act* and its Regulations and in particular O Reg 374/10.

Niagara Catholic Parent Involvement Committee (NCPIC)

The Niagara Catholic Parent Involvement Committee is a statutory Committee of the Board established annually. The composition and role of the Parent Involvement Committee is outlined in the *Education Act* and its Regulations and in particular O Reg 612/00.

The purpose of the Niagara Catholic Parent Involvement Committee (NCPIC) is to support, encourage and enhance parent engagement at the Board level in order to improve student achievement and well-being. The NCPIC provides information and advice on parent engagement to the Board; communicates with and supports Catholic School Councils of the Board; and undertakes activities to help parents of pupils of the Board support their children's learning at home and at school.

The NCPIC is comprised of the number of parent members the Board determines appropriate; the Director of Education; two (2) members of the Board appointed by the Board and the number of community representatives, up to three (3), the Board determines appropriate. Subject to the By-laws of the NCPIC, the Board may appoint one (1) elementary principal, one (1) secondary principal, one (1) elementary teacher, one (1) secondary teacher and one (1) person employed by the Board, other than a Principal, Vice-Principal or teacher.

The NCPIC shall meet at least four (4) times in each school year.

Audit Committee

The Audit Committee is a statutory Committee of the Board established annually. The composition and role of the Audit Committee is outlined in the *Education Act* and its Regulations and in particular O Reg 361/10.

The Audit Committee assists the Board in fulfilling its duties related to governance and oversight. The duties of the Audit Committee fall under the following key areas: The financial reporting process, internal control framework, risk management practices, performance and function of the Board's internal and external auditors and the Board's compliance with its obligations under legislation.

The Committee shall meet at least three (3) times per year, plus ad hoc meetings as required.

The Committee is made up of three (3) trustees and two (2) external members approved by the ~~Chairperson~~Chair, Vice ~~Chairperson~~Chair and the Director of Education.

5. OFFICERS OF THE BOARD

The officers of the Board shall consist of the ~~Chairperson~~Chair, the Vice-~~Chairperson~~Chair of the Board who are elected trustees, and the Director of Education/Secretary-Treasurer, who is the Chief Executive Officer. They shall have such duties as are assigned to them by the *Education Act* and its Regulations, Board By-Laws and Policies.

6. DUTIES OF BOARD OFFICIALS

i. Trustees of the Board

In accordance with the *Education Act* and its Regulations, trustees, in addition to other duties under the *Education Act* and its Regulations, Board's By-Laws and Policies, are required to;

- (a) act in the best interest of publicly funded Catholic Education;
- (b) carry out their responsibilities in a manner that assists the Board in fulfilling its duties under the *Education Act*, the Regulations and the guidelines issued under the Act, Board's By-Laws and Board Policies;
- (c) attend and participate in meetings of the Board, including meetings of board committees of which they are members;
- (d) bring concerns of parents, students and supporters of the Board to the attention of Board staff through Policies determined by the Board;
- (e) uphold the implementation of any Board resolution after it is passed by the Board;
- (f) entrust the day to day management of the Board to its staff through the Board's Director of Education;
- (g) promote student achievement and well-being;
- (h) ensure effective stewardship of the Board's resources;
- (i) develop, monitor and evaluate the effectiveness of Policies;
- (j) develop and annually review the Board's Multi-Year **Strategic** plan;
- (k) comply with the Board's Code of Conduct Policy as addressed in Section 21 of these By-Laws.

ii. ~~Chairperson~~**Chair of the Board**

In accordance with the *Education Act* and its Regulations, the ~~Chairperson~~**Chair** of the Board, in addition to other duties under the *Education Act* and its Regulations, Board's By-Laws and Policies, is required to;

- (a) act in the best interest of publicly funded Catholic Education;
- (b) preside over meetings of the Board;
- (c) conduct the meetings in accordance with the Board's procedures and practices for the conduct of board meetings;
- (d) in consultation with Executive Council, establish agendas for the Committee of the Whole and Board Meetings, in consultation with the Director of Education or the Supervisory Officer acting as the Board's Director of Education;
- (e) ensure that members of the Board have the information needed for informed discussion of the agenda items;
- (f) with the Director of Education, act as spokesperson to the public on behalf of the Board, unless otherwise determined by the Board;
- (g) convey the decisions of the Board to the Director of Education or the Supervisory Officer acting as the Director of Education;
- (h) provide leadership to the Board in maintaining the Board's focus on the Multi-Year **Strategic** Plan;
- (i) provide leadership to the Board in maintaining the Board's focus on the Board's Mission Vision and Values;
- (j) serve as an Ad Hoc member of any Board committee;
- (k) be an official signing officer of the Board;
- (l) assume such other responsibilities as may be specified by the Board; and
- (m) perform such duties as are related to their position as a trustee.

iii. ~~Vice-Chairperson~~**Chair of the Board**

In accordance with the *Education Act* and its Regulations, the ~~Vice-Chairperson~~**Chair** of the Board, in addition to other duties under the *Education Act* and its Regulations, Board's By-Laws and Policies, is required to;

- (a) act in the best interest of ~~publically~~ publicly funded Catholic Education;
- (b) act in place of the Board ~~Chairperson~~**Chair** when absent and fulfill the duties of the ~~Chairperson~~**Chair** of the Board;
- (c) chair the Committee of the Whole Board Meeting;

- (d) perform such duties as determined by the Board or by the ~~Chairperson~~Chair;
- (e) perform such duties as are related to their position as a trustee; and
- (f) be an official signing officer of the Board and shall assume all responsibilities and duties of the Chair in the event that the Chair is absent or incapacitated for a period exceeding forty-eight 48 hours.

iv. **Director of Education – Chief Executive Officer**

The Director of Education is the Chief Education Officer and the Chief Executive Officer (CEO) of the Board. The Chief Executive Officer of a Board shall ensure that Board staff comply with the duties under the *Education Act* and its Regulations, Board By-Laws and Policies established by the Board and shall develop and maintain an effective organization and programs required to implement the *Education Act* and its Regulations, Board’s By-Laws, Governance Policies and Administrative Operational Procedures.

In accordance with the *Education Act* and its Regulations, the Director of Education, in addition to other duties under the *Education Act* and its Regulations, Board’s By-Laws and Governance Policies, is required to;

- (a) act in the best interest of ~~publically~~publicly funded Catholic Education;
- (b) oversee the day to day management of the Board through Board staff;
- (c) annually review with the Board the Multi-Year Strategic Plan;
- (d) ensure that the Multi-Year Strategic Plan establishes the Board’s priorities and identifies specific measures and resources that will be applied in achieving the priorities and in carrying out its duties under the *Education Act*, in particular, its responsibility for student achievement;
- (e) implement and monitor the implementation of the Multi-Year Strategic Plan; and other reports as required as CEO of the Board or as determined by Executive Council or by Board motion to provide the Board with information to fulfill their duties as trustees and as CEO of the Board;
- (f) report periodically to the Board on the implementation of the Multi-Year Strategic Plan and other reports as required as CEO of the Board and as determined by Executive Council or by Board motion to provide the Board with information to fulfill their duties as trustees and as CEO of the Board;
- (g) act as Secretary to the Board;
- (h) immediately upon discovery, bring to the attention of the Board any act or omission by the Board that in the opinion of the Director of Education may result in or has resulted in a contravention of the *Education Act* or any policy, guideline or regulation made under the *Education Act*; and
- (i) advise the Deputy Minister of Education if the Board does not respond in a satisfactory manner to an act or omission brought to its attention.

v. **Board Officers**

The duties of Board Officers shall be as outlined in the *Education Act* and its Regulations and in the job description and Terms and Conditions approved by the Board from time to time.

7. INAUGURAL MEETING OF THE BOARD

- i. Subject to any statutory requirement, on the first Tuesday of December following a municipal election, the Board will hold the Inaugural Meeting of the Board.
- ii. At the appointed time, the Director of Education who is the Chief Executive Officer (CEO) and Secretary-Treasurer or in the absence, a person designated by the Director of Education, shall

preside until the election of the ~~Chairperson~~Chair.

iii. The Agenda for the Inaugural Meeting of the Board will be:

A. ROUTINE MATTERS

1. Meeting Called to Order – (*Director of Education or Designate*)
2. Opening Prayer (*Bishop of St. Catharines or Designate*)
3. Roll Call
4. Declaration of Conflict of Interest
5. Returns of Election – (*Director of Education*)
6. Declaration of Office and Oath of Allegiance (*Director of Education or Designate*)
7. Election of ~~Chairperson~~Chair and Vice-~~Chairperson~~Chair
8. ~~Chairperson~~Chair's Remarks
9. Vice-~~Chairperson~~Chair's Remarks
10. Appointment of Board Auditors
11. Board Committees

B. MOMENT OF SILENT REFLECTION

C. ADJOURNMENT

iv. At the Inaugural Meeting following a municipal election, the Director of Education shall read the returns of the election to the Board as certified to them by the municipal clerks and may request a Judge to attend to take the Declaration and the Oath of Allegiance as set out in the *Education Act*.

v. At the Inaugural Meeting following a municipal election, every person elected to the Board shall make and sign the Declaration and the Oath of Allegiance before the Secretary of the Board or before any person authorized to administer an oath unless such requirement was fulfilled prior to the organizational meeting.

vi. **Election of ~~Chairperson~~Chair & Vice-~~Chairperson~~Chair**

(a) The Director of Education shall name the scrutineers appointed for the election of the ~~Chairperson~~Chair and Vice-~~Chairperson~~Chair.

(b) The election of the ~~Chairperson~~Chair shall be by nomination and vote by ballot. The candidate receiving a clear majority of votes cast by all members present shall be elected but the count shall not be declared. Should no candidate receive a clear majority of votes cast, the candidate receiving the least number of votes shall be dropped and balloting shall be continued in this manner until a majority of ballots cast shall be in favour of one (1) person or an equality of votes results in a tie, in which case one (1) further ballot shall be held. If an equality of votes shall result again, the candidates shall draw lots (straws) to fill the position. The drawing of lots shall be done in alphabetical order and the person who draws the longest straw shall be elected.

(c) The person elected ~~Chairperson~~Chair shall be ~~Chairperson~~Chair until the next organizational meeting and shall at once take the chair and preside over the election of Vice-~~Chairperson~~Chair (in the manner set out with respect to the election of the ~~Chairperson~~Chair in section (vi. (b) above) and the further conduct of the meeting. The ~~Chairperson~~Chair has the right to vote as any other trustee for the position of Vice-~~Chairperson~~Chair. The person elected Vice-~~Chairperson~~Chair shall be Vice-~~Chairperson~~Chair until the next organizational meeting of the Board.

- vii. Ballots - The scrutineers shall be instructed by resolution to destroy the ballots.

8. ANNUAL ORGANIZATIONAL MEETING OF THE BOARD

- i. Excluding the Inaugural Meeting of the Board, annually, the first Tuesday of December will be designated as the Annual Organizational Meeting unless otherwise determined by the Board.
- ii. At such meeting, at the appointed time, the Director of Education who is the Chief Executive Officer (CEO) or in their absence a person designated by a two-thirds (2/3) majority of the trustees present at the meeting shall preside until the election of the ~~Chairperson~~Chair.
- iii. **The Agenda for the Annual Organizational Meeting of the Board will be:**

A. ROUTINE MATTERS

1. Meeting Called to Order (*Director of Education or Designate*)
2. Opening Prayer and Comments (*Bishop of St. Catharines or Designate*)
3. Roll Call
4. Approval of Agenda
5. Declaration of Conflict of Interest
6. Election Procedures
7. Election of ~~Chairperson~~Chair
8. Election of Vice-~~Chairperson~~Chair
9. ~~Chairperson~~Chair's Remarks
10. Vice-~~Chairperson~~Chair's Remarks

B. COMMITTEE AND STAFF REPORTS

1. Board Committees

C. MOMENT OF SILENT REFLECTION FOR LIFE

D. ADJOURNMENT

- iv. **Election of ~~Chairperson~~Chair & Vice-~~Chairperson~~Chair**
 - (a) The Director of Education/CEO shall name the scrutineers appointed for the election of the ~~Chairperson~~Chair and Vice-~~Chairperson~~Chair.
 - (b) The election of the ~~Chairperson~~Chair shall be by nomination and vote by ballot. The candidate receiving a clear majority of votes cast by all members present shall be elected but the count shall not be declared. Should no candidate receive a clear majority of votes cast, the candidate receiving the least number of votes shall be dropped and balloting shall be continued in this manner until a majority of ballots cast shall be in favour of one (1) person or an equality of votes results in a tie, in which case one (1) further ballot shall be held. If an equality of votes shall result again, the candidates shall draw lots (straws) to fill the position. The drawing of lots shall be done in alphabetical order and the person who draws the longest straw shall be elected.
 - (c) The person elected ~~Chairperson~~Chair shall be ~~Chairperson~~Chair until the next organizational meeting and shall at once take the chair and preside over the election of Vice-~~Chairperson~~Chair (in the manner set out with respect to the election of the ~~Chairperson~~Chair in section (iv. (b) above) and the further conduct of the meeting. The

~~Chairperson~~Chair has the right to vote as any other trustee for the position of Vice-~~Chairperson~~Chair. The person elected Vice-~~Chairperson~~Chair shall be Vice-~~Chairperson~~Chair until the next organizational meeting of the Board.

- v. Ballots - The scrutineers shall be instructed by resolution to destroy the ballots.

9. REGULAR MEETINGS OF THE COMMITTEE OF THE WHOLE AND BOARD

i. Schedule of Meetings

Regular meetings of the Committee of the Whole shall be held on the second Tuesday of the month, except July and August when there shall be no meetings. The Board Meeting shall be held on the fourth Tuesday of the month, except July and August when there shall be no meetings, unless otherwise decided by the Board or the Director of Education, in consultation with the ~~Chairperson~~Chair of the Board. In the event of a change to the posted schedule of meetings, the change will be ~~publically~~publicly communicated through the Boards communication process.

ii. Agenda Distribution

A copy of the agenda for regular meetings of the Committee of the Whole and the Board shall be transmitted electronically to Trustees ~~through My Niagara Catholic Trustee~~ and to Senior Administrative Council through the Secretary of the Board at least two (2) clear days, including Saturday and Sunday, before the time of the meeting.

To the extent possible, agendas with background material will be posted on the Board's website the day before the regular scheduled meeting--.

Hard copies of the agenda will also be available for public in attendance at meetings. Portions of the agenda dealing with In-Camera items shall be distributed only to Board members and if applicable to Supervisory Officers.

iii. Physical Presence

The ~~Chairperson~~Chair or designate, the Vice-~~Chairperson~~Chair or designate and the Director of Education / Secretary to the Board or designate must be physically present at all public (open) and in-camera (closed) sessions of the Board Meeting in the Board Room or at a site otherwise determined by the Board.

The ~~Chairperson~~Chair or designate, the Director of Education or designate and at least one (1) other Trustee must be physically present at all public (open) and in-camera (closed) sessions of an electronic meeting of the Board Meeting in the Board Room or at a site otherwise determined by the Board.

iv. Amendment of Agenda

The agenda may be amended at the opening of the meeting with the consent of the majority of the trustees present at the meeting.

v. Trustee Absences and Attendances at Meetings

Trustees are expected to attend all Board meetings and all meetings of Board committees of which they are members, either physically or through electronic means. A member of the Board

who participates in a meeting through electronic means in compliance with Ontario Regulation 463/97 is considered to be present at the meeting. (Reference Board Policy: 100.8 – Electronic Meetings Board and Committees).

A trustee who is unable to attend a scheduled Board meeting must request that the Board excuse them at that Board meeting, by so requesting through the Secretary of the Board. Trustees excused from a Board meeting will be marked as excused in the official minutes of the Board.

A trustee, who, prior to the adjournment of a meeting, have excused themselves or depart at any time during a Board meeting for the remainder of the meeting, will have the time of departure noted in the official minutes of the Board.

Trustees who are not excused from attendance at a Committee of the Board or a Board meeting or fail to notify the Secretary of the Board or designate if unable to attend a Committee of the Board or Board meeting will be marked as absent in the official minutes of the Committee of the Board or Board meeting.

As set out in the *Education Act*, a trustee must physically attend at least three (3) Board meetings in each calendar year. A trustee will lose his or her seat for being absent for three (3) consecutive meetings of the Board, including special meetings of the Board, without being authorized as entered in the minutes.

Trustees are required to notify the Secretary of the Board if unable to attend a Committee of the Whole or a Board meeting.

vi. Closing Hour of Meeting

The Board and all its committees shall not remain in session later than 9:30 p.m. unless a time is otherwise determined by a 2/3 majority of the trustees present at the time such determination is made.

vii. Presiding Officer

In the absence of the ~~Chairperson~~Chair, the Vice-~~Chairperson~~Chair shall preside. In the absence of both the ~~Chairperson~~Chair and the Vice-~~Chairperson~~Chair, the Secretary of the Board shall call the meeting to order and if there is quorum the Secretary shall request that the trustees present at the meeting appoint a ~~Chairperson~~Chair for the meeting by a two-thirds (2/3) majority of the trustees present at the meeting.

In the absence of the Vice-~~Chairperson~~Chair, the ~~Chairperson~~Chair will select the Vice-~~Chairperson~~Chair to preside with the ~~Chairperson~~Chair.

10. SPECIAL MEETINGS OF THE BOARD

Special meetings of the Board shall be held by order of the Board, on the written request of three (3) trustees, to the ~~Chairperson~~Chair or the Director of Education, on the call of the ~~Chairperson~~Chair, or at the request of the Director of Education. The trustees shall be given a twenty-four (24) hour notice for special meetings except in emergency situations. Such meetings shall be called for specific reasons. Such subjects shall be stated in the notice calling the meeting. Notwithstanding any other provisions to the Board's By-Laws, no other business shall be considered at a special meeting other than the subjects stated in the notice.

11. ELECTRONIC MEETINGS OF THE BOARD

The ~~Chairperson~~Chair or designate, the Director of Education or designate and at least one (1) other Trustee must be physically present at all public (open) and in-camera (closed) sessions of an electronic meeting of the Board Meeting in the Board Room or at a site otherwise determined by the Board.

At the request of a trustee or student trustee, the Board shall provide the appropriate technology to ensure that two way communication is available for trustee participation in the meeting. A written request shall be made to the Director of Education a minimum of forty-eight (48) hours (excluding weekends or holidays) prior to the date of the meeting.

Subject to any condition or limitations provided for under the *Education Act* or its Regulations, a member of the board who participates in the full Committee of the Whole Meeting, Board Meeting or Committee Meeting through electronic means shall be deemed to be present at the said meeting for the purposes of every *Act* and shall be recorded as being in attendance, electronically, in the minutes of the meeting. (Reference Board Policy: 100.8 – Electronic Meetings (Board and Committees).

A trustee or student trustee will be entitled to vote on any matter on which they are eligible to vote.

12. QUORUM

- i. At all meetings of the Board, the presence of a majority of all trustees constituting the Board shall be necessary to form a quorum.
- ii. At meetings of all Committees of the Board the presence of a majority of all trustees constituting the committee shall be necessary to form a quorum.
- iii. Trustee attendance at Board and Committee meetings and notification of absence is dealt with under Trustee Absence and Attendance at Meetings within these By-Laws (Section 9 Sub v).
- iv. Where required, alternates to Board Committees will be determined at the time of selection to Board committees, recorded in the minutes and posted on the Board Committee Membership Form. Alternates have all rights and privileges as the appointed trustee.
- v. Only Board approved alternates may represent the Board on Board Committees and participate on Board committees.
- vi. Unless there is a quorum present within thirty (30) minutes after the time appointed for the start of the meeting, the Secretary of the Board or ~~Chairperson~~Chair of the Board Committee shall record the names of those present, the time of adjournment, and the Board and its Committees shall stand adjourned.
- vii. Board appointed ex-officio members of Committees are not to be considered in the count for a quorum but, if present, have the right to vote.

13. RIGHT OF THE ~~CHAIRPERSON~~CHAIR TO VOTE

The ~~Chairperson~~Chair of the Board may vote only once with the other members of the Board upon all motions, and any motion on which there is an equality of votes is lost. The ~~Chairperson~~Chair shall be recorded as voting yea, nay or abstaining on a recorded vote.

14. ACCESS TO MEETING

- i. The meetings of the Board, and meetings of committees of the Board, including the Committee of the Whole ~~Board~~, shall be held on regular meeting dates, and shall be open to the public, except 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 their parent or guardian;
 - (c) the acquisition or disposal of a school site;
 - (d) decisions in respect of negotiations with employees of the Board;
 - (e) litigation or possible litigation affecting the Board; or
 - (f) an ongoing investigation under the *Ombudsman Act* respecting the Board.
- ii. The presiding officer shall expel or exclude from any meeting any person who has been guilty of improper conduct at the meeting.

15. ACCESS TO RECORDS

Any person may, at all reasonable hours, at the head office of the Board (Catholic Education Centre, 427 Rice Road, Welland Ontario), inspect the minute book, the audited annual financial report and the current accounts of the Board and, upon written request of any person and upon the payment to the Board of expenses associated with the reproduction of materials, the Secretary of the Board shall furnish copies of them or extracts therefrom certified under their hand in accordance with the Freedom of Information and Protection of Privacy Act and all relevant legislation and regulations.

16. DELEGATIONS

- i.
 - (a) Any Catholic School elector or group (a “Delegation”) may request to address or ask questions of the Board.
 - (b) The Delegation or individual must provide the request in writing to the Director of Education or the ~~Chairperson~~Chair of the Board, at least 6 (six) days prior to the next regular meeting of the Board or Committee at which the Delegation may be heard.
 - (c) The request shall contain the topic to be discussed or questions to be asked and the identity of the Spokesperson(s).
 - (d) Copies of the complete presentation shall be shared with the Board or Committee at the same time that the agenda is distributed.
 - (e) In any case, the subject matter of the Delegation will not be discussed nor will a decision be made at the meeting at which the presentation is made.
 - (f) Following the presentation by the Delegation, questions of clarification only will be allowed by the ~~Chairperson~~Chair.
 - (g) A Delegation’s presentation will be limited to fifteen (15) minutes with a five (5) minute question period following. Amendments as to the length of time are at the discretion of the ~~Chairperson~~Chair.
 - (h) In Camera rules shall apply to Delegations of an In Camera nature.
 - (i) The person or persons wishing to address the Board, Section or Committee shall be notified of the date, time and location of the meeting at which the presentation may be made.

- (j) Delegations will upon notification have these regulations shared with them prior to their presentation.
- ii. Notwithstanding the above, the Board retains discretion to decide all matters concerning Delegations. Decisions however, will not be discussed nor decided at the meeting at which the presentation is made.

17. OPEN QUESTION PERIOD

The purpose of the Open Question Period is to allow members of the Catholic school supporting public to ask about items on that night's public agenda or any previous agendas, and the Board to answer.

- i. Questions shall be submitted in writing to the ~~Chairperson~~Chair or Secretary to the Board prior to the commencement of the Open Question Period and if possible prior to the beginning of the Board meeting, along with the name, address and telephone number of the questioner.
- ii. The Director of Education or designate will validate that the individual submitting the question is a member of the Catholic school supporting public through the Municipal Property Assessment Corporation.
- iii. The ~~Chairperson~~Chair will determine the validity of the questions.
- iv. The Open Question Period will last a maximum of fifteen (15) minutes. The ~~Chairperson~~Chair will attempt to provide a response or direct the question to another trustee or to the Director of Education. If no immediate response can be provided, a verbal response will be communicated by the Board to the questioner at the earliest possible date, through the Director of Education as Secretary to the Board. Copies of any written responses to question will be added to the minutes of the subsequent regular Board meeting.

18. ORDER OF BUSINESS

The order of business for the Committee of the Whole shall be as follows:

- A. Routine Matters**
 - 1. Opening Prayer
 - 2. Roll Call
 - 2. Approval of Agenda
 - 4. Declaration of Conflict of Interest
 - 5. Approval of Minutes of Board Meeting
 - 6. Consent Agenda Items
- B. Presentations**
- C. Committee and Staff Reports**
- D. Information**
- E. Other Business**
- F. Business In-Camera**

G. Report on the In Camera Session

H. Adjournment

The order of business for Board Meetings shall be as follows:

A. Routine Matters

1. Opening Prayer
2. Roll Call
2. Approval of Agenda
4. Declaration of Conflict of Interest
5. Approval of Minutes of Board Meeting
6. Consent Agenda Items

B. Delegations/Presentations

C. Committee and Staff Reports

D. Trustee Items, Open Question Period & Other Business

E. Notices of Motion

F. Business In Camera

G. Report on the In Camera Session

H. Future Meetings and Events

I. Moment of Silent Reflection for Life

J. Adjournment

19. COMMITTEE MEETINGS

- i. Only members of a committee are required to attend that committee's meeting. All members of the Board shall receive notice, agenda, and minutes of all committee meetings. All Board members shall be permitted to attend committee meetings and may take part in discussion, but only appointed trustees of the committee shall have voting power.
- ii. In dealing with committee reports at the Board meeting, it shall be the prerogative of the ~~Chairperson~~Chair to rule on a request by a trustee to have the recommendations dealt with item by item or as a whole.
- iii. Committee reports shall be considered public documents, except the reports and minutes presented to the In Camera session.
- iv. In accordance with the *Education Act*, In-Camera agenda items and minutes may only involve:
 - (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 their parent or guardian;
 - (c) the acquisition or disposal of a school site;
 - (d) decisions in respect of negotiations with employees of the Board;
 - (e) litigation or potential litigation affecting the Board; or

- (f) an ongoing investigation under the *Ombudsman Act* respecting the Board.
- v. All committees shall be established by Board resolution. The ~~Chairperson~~Chair, in consultation with the Vice-~~Chairperson~~Chair, shall, by the Board meeting following the meeting at which a committee is established, appoint members to Board Committees, excluding the Committee of the Whole, which is made up of all trustees.

(a) **Committee of the Whole Board**

All Trustees, the Director of Education / Secretary-Treasurer and Senior Administrative Council are members of this committee. The Vice-~~Chairperson~~Chair of the Board chairs the Committee of the Whole ~~Board~~meeting. In the absence of the Vice-~~Chairperson~~Chair, the ~~Chairperson~~Chair shall preside. In the absence of both the ~~Chairperson~~Chair and the Vice-~~Chairperson~~Chair, trustees present at the meeting shall appoint a ~~Chairperson~~Chair for the meeting by a two-thirds (2/3) majority of the trustees present. The ~~Chairperson~~Chair will select the Vice-~~Chairperson~~Chair to preside with the ~~Chairperson~~Chair.

Regular meetings of the Committee of the Whole ~~Board~~ shall be held on the second (2nd) Tuesday of the month (except July and August) unless otherwise decided by the Board.

(b) **Ad-Hoc Committees**

The Board may establish Ad-Hoc committees as required. The establishing motion shall indicate the specific mandate of the committee, the membership of the committee, and the due date of the final report. All Ad-Hoc committees shall require a new Board motion at the yearly organizational meeting of the Board. The ~~Chairperson~~Chair of the Ad-Hoc committees shall be elected at the first meeting of the committee by the members of the committee held after the Annual Organizational Meeting of the Board.

(c) **Policy Committee**

Three (3) trustees one (1) being the ~~Chairperson~~Chair of the Board or designate) shall be members of the Policy Committee. This committee will receive reports from staff regarding Policy Governance recommendations and will forward recommendations and minutes to the Board through the Committee of the Whole.

The ~~Chairperson~~Chair of this committee will be elected by the members at the first meeting of the committee held after the Inaugural or Annual Organizational Meeting of the Board.

The committee may recommend to the Committee of the Whole the areas in which policy formation and/or review is desirable. (Reference Board Policy 100.5, The Establishment and Cyclical Review of Policies)

The meeting of the committee shall normally be held prior to each monthly Board Meeting scheduled on the fourth (4) Tuesday of each month except December, June, July and August, when there shall be no meetings. Additional meetings, as required, will be called by the ~~Chairperson~~Chair of the committee and the Director of Education.

- vi. Meetings of a committee shall be called by the ~~Chairperson~~Chair of the committee. If the ~~Chairperson~~Chair of a committee neglects to call meetings, it is the duty of the Committee to meet on the call of any two (2) of its members. All meetings shall be called or cancelled through

the Office of the Director of Education. In the absence of the ~~Chairperson~~Chair, providing there is a quorum, the members will elect an interim ~~Chairperson~~Chair.

- vii. The ~~Chairperson~~Chair of the Board shall be an ex-officio member of all committees of the Board. Ex-Officio members of committees are not to be considered in the count for a quorum but, if present, have the right to vote (By-Laws Section 12 Sub vii). The ~~Chairperson~~Chair may delegate some of the ex-officio duties to the Vice-~~Chairperson~~Chair of the Board.

20. RULES OF ORDER

- i. Any of these By-Laws may be temporarily suspended by a vote of three-quarters (3/4) of the members present at a duly constituted Board meeting. The By-Laws shall not be repealed, altered, or amended without a minimum of one (1) month's previous notice in writing having been given to the Policy Committee or the Board of the intended alteration or amendment.
- ii. Temporary suspension of any of these By-Laws shall be active for a specified period not to exceed two (2) months in any one (1) calendar year.
- iii. Whenever an adjournment takes place in consequence of there not being a quorum present, the time of adjournment and the names of the members present shall be entered in the records of the Board.
- iv. The ~~Chairperson~~Chair or other presiding officer shall preserve order and decorum and decide upon all questions of order.
- v. In the absence of the ~~Chairperson~~Chair and Vice-~~Chairperson~~Chair for any cause, the Board may, from the members present, appoint a presiding officer who, during such absence, shall have the powers of the ~~Chairperson~~Chair of the Board.
- vi. The ~~Chairperson~~Chair may participate in any debate or discussion from their position as ~~Chairperson~~Chair. Should the ~~Chairperson~~Chair elect to vacate the chair to take part in any debate or discussion or for any other reason, they shall call upon the Vice-~~Chairperson~~Chair or in their absence one (1) of the members to fill their place until they resume it. The right of the ~~Chairperson~~Chair to vote is outlined in Section 13 of these By-Laws.
- vii. Where a question is before the Board, the mover may speak first and the seconder may speak next, and the ~~Chairperson~~Chair will attempt to allow each person wishing to speak the opportunity to speak once before any member may speak for a second time. The mover also has the prerogative to be the last speaker before the question is decided and the seconder shall be the penultimate speaker.
- viii. No member shall speak for more than a total of fifteen (15) minutes or more than three (3) times (not to exceed five (5) minutes each time) on the same question without the permission of the ~~Chairperson~~Chair of the Board.

21. MOTIONS AND DEBATE

In all cases not provided for by these By-Laws, the rule and practice of the most recent edition of "Robert's Rules of Order" shall govern so far as applicable.

- i. All motions shall be recorded in the minutes of the meeting in which it is presented and discussed and shall be seconded before being stated by the ~~Chairperson~~Chair, whereupon the ~~Chairperson~~Chair shall ask if there is any future discussion on the motion, before the vote.

- ii. When a motion has been stated by the ~~Chairperson~~Chair, it shall be open to debate and shall be disposed of only by a vote, unless the mover, by permission of the seconder, withdraws it, in which case such motion shall not appear in the minutes of the meeting.
- iii. Any trustee of the Board may require the question under discussion to be read at any part of the debate, but not so as to interrupt a speaker.
- iv. A member, prior to speaking to any question or motion, shall address the ~~Chairperson~~Chair. The member shall confine remarks to the question at hand.
- v. When two (2) or more members wish to speak at the same time, the ~~Chairperson~~Chair shall name the member who is to speak.
- vi. No member shall be interrupted while speaking, except in a case where the member is called to order by a member for a transgression of rules of the Board, in which case the member shall remain silent until the point of order has been decided by the ~~Chairperson~~Chair.
- vii. Where a member wishes to make a point of order or to seek clarification he or she should so indicate in addressing the ~~Chairperson~~Chair and the ~~Chairperson~~Chair will rule on such matters before the next speaker is allowed to speak.
- viii. When the question under consideration contains two (2) or more distinct propositions, any particular proposition upon the request of any member, shall be considered and voted upon separately.
- ix. If it is desired to defer action on a question until a particular time, the proper motion to make is “to postpone it to that time”. This motion allows limited debate, which must be confined to the propriety of the postponement to that time; it can be amended by altering the time, and this amendment allows the same debate.
- x. Whenever a motion has been made and seconded, it is the duty of the ~~Chairperson~~Chair, if the motion is in order, to state the question, so that the members may know what question is before them.
- xi. In stating the question on an amendment, the ~~Chairperson~~Chair should read the passage to be amended; the words to be struck out, if any, the words to be inserted, if any; and the whole passage as it will stand if the amendment is adopted.
- xii. The motion to adjourn is not debatable, it cannot be amended, or have any other subsidiary motion applied to it; nor can a vote on it be reconsidered.
- xiii. If a trustee does not put new motions or amendments in writing for the ~~Chairperson~~Chair, the motion, as stated by the ~~Chairperson~~Chair and recorded by the secretary, shall be the motion.

(a) **Amendment(s) to Motion**

An amendment may be in any of the following forms:

- (i) to “add” or “insert” certain words or paragraphs;
- (ii) to “strike out” certain words or paragraphs, and if this fails it does not preclude any other amendment than the identical one that has been rejected;

- (iii) to “strike out certain words and insert others,” which motion is indivisible, and if lost does not preclude another motion to strike out the same words and insert different ones;
- (iv) to “substitute” another resolution or paragraph on the same subject for the one pending;
- (v) to “divide the question” into two (2) or more questions as the mover specifies, so as to get a separate vote on any particular point or points;
- (vi) if an amendment is defeated, vote on the motion. If an amendment is carried, vote on the amended motion.

(b) **Notice of Motion**

A member of the Board must give notice of motion in writing so that it appears on the agenda of the meeting at which the notice of motion is presented, if they wish to:

- (i) repeal or make permanent amendment to any of the Board’s By-Laws;
- (ii) recommend an action which has not been considered and recommended to the Board by a Committee of the Board;
- (iii) consider a matter by the Board without reference to a Committee.

(c) **Regulations - Notice of Motion**

- A Notice of Motion shall not be discussed or seconded at the meeting at which it is initially presented.
- Before any discussion shall take place at the meeting at which a Notice of Motion is presented as a proposed Board motion / resolution, a trustee must second it.
- The number of Notices of Motion which are presented as proposed Board motions / resolutions at any single meeting shall be limited in number at the discretion of the ~~Chairperson~~Chair.
- Notices of Motion which are not presented for discussion as proposed motions / resolutions at the meeting, shall be presented at the next regular meeting.
- Notices of Motion which require reports, or information, shall be presented to the Board without any written reports by the Director of Education. The Director of Education or his delegate, may be permitted to make oral statements relating to these Notices of Motion at the time of presentation.
- The Director of Education or his delegate may make written reports and/or recommendations supporting or opposing Notices of Motion, when they are presented as Motions, and which if carried will require direct action by the Board or its officials.

(d) **Reconsideration of a Motion**

- An adopted motion can be re-visited, provided that it (or the parts that the Board wishes to change or cancel) was not acted upon.
- Adopted Motion: An adopted motion that was not acted upon can be brought back for consideration at the same meeting, by majority vote. The motion to reconsider must be made by a trustee who voted in favor of the motion. If the motion to reconsider is adopted, the motion to which it applies is re-opened for debate and a new vote.

- Defeated Motion: A defeated motion can be brought back for consideration at the same meeting if the trustees, by a majority vote, agree to do so. Only a member who voted against the motion may make the motion to reconsider in this case.

22. VOTING

(a) Voting by ballot for the Election of the Chair and Vice-Chair of the Board

- i. Voting by ballot will only take place for the election of the Chair and Vice-Chair of the Board.
- ii. The Director of Education should appoint two (2) or more persons to conduct the vote by distributing, collecting and counting the ballots. Following the voting by ballots, the Director of Education will announce the vote publicly. The ~~Chairperson~~Chair will move to destroy the ballots.
- iii. Trustees electronically attending the Inaugural or Annual Organizational Meeting of the Board may cast their vote by communicating their decision electronically through a private communication link with the Board solicitor (or designate) as determined by the Board solicitor. The Board solicitor or designate shall be present physically at the meeting and will cast the communicated decision of the trustee by ballot with the other ballots casted by trustees present at the Board meeting. Trustee(s) joining electronically for the Inaugural or Annual Organizational Meeting of the Board and requesting to cast their vote electronically are to provide the Director of Education, Secretary to the Board 48 hours of advanced notice to make the necessary arrangements with the Board Solicitor or designate.

(b) Recorded Vote

Each member's vote shall not be recorded upon any motion unless requested by a member before the ~~Chairperson~~Chair calls upon the members to vote upon the question. Provided a request is made in the manner herein before mentioned, the names of those who vote in favour of the question, those who vote in opposition and those who abstain, shall be entered upon the minutes. Any member may request that their individual vote be recorded either before or after the ~~Chairperson~~Chair calls the question.

23. CONFLICT OF INTEREST

Any Conflict of Interest shall be declared and dealt with in accordance with the *Municipal Conflict of Interest Act*, these By-Laws and the Code of Conduct Policy.

24. CODE OF CONDUCT

All Trustees are required to be in full compliance with the Code of Conduct Policy as approved by the Board. The Board approved Code of Conduct Policy for trustees is in compliance with the *Education Act*.

Code of Conduct is addressed in the Niagara Catholic District School Board Trustee Code of Conduct Policy (100.12).

DEFINITIONS SCHEDULE

For this By-Law and all other By-Laws of the Board unless the context otherwise requires:

Words importing gender shall include all genders;

A reference to a statute, refers to that statute, and any regulations or rules issued thereunder, as amended, supplemented or replaced from time to time;

“**Board**” for the By-Laws means the Board of Trustees of the Niagara Catholic District School Board and, where the context requires, means the NCDSB;

“**committee**” includes any committee or subcommittee of the Board established under this By-law;

“**Committee of the Whole-Board**” for the purposes of this By-Law references in the Act to a Committee of the Whole or of the whole board are to situations when the trustees meet as a body but not as the Board. All trustees are members of the Committee of the Whole as described in more detail in section 17(v)

“**Director of Education**” means the Director of Education, who is also the Chief Executive Officer of the Niagara Catholic District School Board as well as the Secretary-Treasurer;

“**Education Act**” and “**Act**” means the Education Act, R.S.O. 1990, c.E.2, and includes, where the context requires, the Regulations enacted thereunder;

“**Inaugural Meeting**” means the meeting at which the ~~Chairperson~~Chair of the Board and the Vice-~~Chairperson~~Chair of the Board are elected and members of Committees are appointed in the year after a municipal election;

“**Meeting**” includes a meeting of the Board and a meeting of a Committee;

“**Multi-Year Strategic Plan**” means the plan developed by the Board in accordance with Article 2.1.6;

“**Municipal Elections Act**” means the *Municipal Elections Act*, 1996, S.O. 1996, c.32 and includes, where the context requires, the Regulations enacted thereunder;

“**Annual Organizational Meeting**” means the meeting at which the ~~Chairperson~~Chair of the Board and the Vice-~~Chairperson~~Chair of the Board are elected and members of committees are appointed in each year other than a year in which an inaugural meeting is held.

“**Policies**” means the governance policies put in place by the Board from time to time;

“**Roll Call**” means taking attendance by the Chair of the meeting by way of calling out the names of the Trustees;

“**Statutory Committee**” means any committee that, by law, the Niagara Catholic District School Board is required to establish;

“**Student Trustee**” means a Roman Catholic secondary school student, elected by a student body, to represent the interest of students in the last two (2) years of the intermediate division and students in the senior division of the Niagara Catholic District School Board;

“**NCDSB**” means the Niagara Catholic District School Board;

“**Trustee**” means a person elected, acclaimed, or appointed to the office of trustee of the Board of Trustees according to the provisions of the *Education Act* or the *Municipal Elections Act*;

Adopted Date:	December 18, 1997
Revision History:	June 26, 2001 May 28, 2002 November 26, 2002 December 20, 2005 April 24, 2007 October 26, 2010 June 21, 2016

**TO: NIAGARA CATHOLIC DISTRICT SCHOOL BOARD
POLICY COMMITTEE MEETING
APRIL 27, 2021**

**TITLE: FOR RECOMMENDATION TO COMMITTEE OF THE WHOLE
OCCUPATIONAL HEALTH AND SAFETY POLICY (201.6)**

RECOMMENDATION

THAT the Policy Committee recommend to the Committee of the Whole approval of the Occupational Health and Safety Policy (201.6), as presented.

Prepared by: Pat Rocca, Superintendent of Education

Presented by: Pat Rocca, Superintendent of Education

Date: April 27, 2021



Niagara Catholic District School Board
OCCUPATIONAL HEALTH & SAFETY POLICY
STATEMENT OF GOVERNANCE POLICY

200 – Human Resources

Policy No 201.6

Adopted Date: January 29, 2002

Latest Reviewed/Revised Date: November 27, 2018

In keeping with the Mission, Vision, and Values of the Niagara Catholic District School Board the Niagara Catholic District School Board believes that the prevention of employee occupational illness and injury and the prevention of accidents to volunteers, students and visitors on Board premises, is of the utmost importance. The Board, therefore, shall maintain as safe a working environment as possible and take all reasonable precautions to prevent injury or occupational illness at Niagara Catholic District School Board sites and is committed to providing a safe, respectful and healthy workplace and learning environment for all employees, students, volunteers, visitors and contractors. The Board is committed to continually improving health and safety practices and performance in compliance with the Occupational Health and Safety Act.

The Director of Education shall issue [*Administrative Operational Procedures*](#) for the implementation of this Policy.

Reference

- [*Occupational Health and Safety Act and Regulations for Industrial Establishments, R.S.O. 2001, Chapter 0.1*](#)

Adopted Date:	January 29, 2002
Revision History:	December 20, 2011 November 26, 2013 June 21, 2016 May 23, 2017 November 27, 2018

**TO: NIAGARA CATHOLIC DISTRICT SCHOOL BOARD
POLICY COMMITTEE MEETING
APRIL 27, 2021**

**TITLE: FOR RECOMMENDATION TO COMMITTEE OF THE WHOLE
STUDENT EXCLUSION FROM SCHOOL OR CLASS POLICY
(NEW)**

RECOMMENDATION

THAT the Policy Committee recommend to the Committee of the Whole approval of the Student Exclusion From School or Class Policy (NEW), as presented.

Prepared by: Lee Ann Forsyth-Sells, Superintendent of Education
Presented by: Lee Ann Forsyth-Sells, Superintendent of Education
Date: April 27, 2021



Niagara Catholic District School Board

STUDENT EXCLUSION FROM SCHOOL OR CLASS

STATEMENT OF GOVERNANCE POLICY

Policy No. NEW

Adopted Date:

Latest Reviewed/Revised Date:

The Niagara Catholic District School Board (the “Board”) is committed to promoting, supporting and sustaining a safe, inclusive, and accepting learning and teaching environment for all students and staff to reach their full potential and become living witnesses of Christ.

The *Education Act* provides the Principal of the subject school with the authority to impose an exclusion of individuals from the school or class in order to uphold the physical or mental well-being of students and staff in the school.

The exclusion of a student is not a form of discipline, but instead a tool available to the Principal under the *Education Act*.

An individual who is subject to an exclusion has a right to appeal same in accordance with the Administrative Operational Procedures set out by the Director of Education and the *Education Act*.

The Director of Education will issue *Administrative Operational Procedures* for the implementation of this Policy.

References

- [Accessibility for Ontarians with Disabilities Act 2005](#)
- [Education Act and Regulations](#)
- [Municipal Freedom of Information and Protection of Privacy Act](#)
- [Ontario Human Rights Code](#)
- [Policy/Program Memorandum 120: Reporting Violent Incidents to the Ministry of Education](#)
- [Policy/Program Memorandum 124: The Provincial Code of Conduct and School Board Codes of Conduct-Issued October 17, 2018](#)
- [Policy/Program Memorandum 144: Bullying Prevention and Intervention-Issued October 17, 2018](#)
- [Policy/Program Memorandum 145: Progressive Discipline and Promoting Positive Student Behaviour –Issued October 17, 2018](#)
- [Regulation 472/07: Behaviour, Discipline and Safety of Pupils](#)
- [Child, Youth and Family Services Act 2017](#)
- *Niagara Catholic District School Board Policies/Procedures/Documents*
 - [Access to Board Premises \(302.6.3\) AOP](#)
 - [Accessibility Standards Policy \(800.8\)](#)
 - [Bullying Prevention and Intervention Policy \(302.6.8\)](#)
 - [Catholic School Councils \(800.1\) AOP](#)
 - [Code of Conduct Policy \(302.6.2\)](#)
 - [Complaint Resolution Policy \(800.3\)](#)
 - [Dress Code – Secondary Uniform Policy \(302.6.6\)](#)
 - [Electronic Communications System \(Students\) \(301.5\) AOP](#)

- [Elementary Standardized Dress Code Policy-Safe Schools \(302.6.10\)](#)
- [Equity and Inclusive Education Policy \(100.10\)](#)
- [Niagara Catholic Parent Involvement Committee Policy \(800.7\)](#)
- [Ontario Student Record \(301.7\) AOP](#)
- [Privacy Policy \(600.6\)](#)
- [Records and Information Management Policy \(600.2\)](#)
- [Safe Physical Intervention with Students \(301.8\) AOP](#)
- [Safe and Accepting Schools Policy \(302.6\)](#)
- [Student Expulsion Policy \(302.6.5\)](#)
- [Student Suspension \(302.6.4\) AOP](#)
- [Student Transportation Policy \(500.2\)](#)
- [Protocol between Niagara Catholic District School Board and Family and Children's Services Niagara](#)
- [Protocol Between the Niagara Regional Police Service and the Niagara Catholic District School Board](#)

Adopted Date:	NEW
Revision History:	

**TO: NIAGARA CATHOLIC DISTRICT SCHOOL BOARD
POLICY COMMITTEE MEETING
APRIL 27, 2021**

**TITLE: POLICIES – PRIOR TO VETTING
PUPIL ACCOMMODATION REVIEW POLICY (701.2)**

Deferred

Prepared by: Ted Farrell, Superintendent of Education
Presented by: Ted Farrell, Superintendent of Education
Date: April 27, 2021

**TO: NIAGARA CATHOLIC DISTRICT SCHOOL BOARD
POLICY COMMITTEE MEETING
APRIL 27, 2021**

**TITLE: POLICIES – PRIOR TO VETTING
TRUSTEE CODE OF CONDUCT POLICY (100.12)**

Prepared by: Camillo Cipriano, Director of Education/Secretary-Treasurer
Presented by: Camillo Cipriano, Director of Education/Secretary-Treasurer
Date: April 27, 2021



Niagara Catholic District School Board
TRUSTEE CODE OF CONDUCT POLICY
STATEMENT OF GOVERNANCE POLICY

100 – Board

Policy No 100.12

Adopted Date: November 23, 2010

Latest Reviewed/Revised Date: March 20, 2018

MISSION STATEMENT

In keeping with the Mission, Vision and Values of the Niagara Catholic District School Board (the “Board”), the Trustee Code of Conduct Policy is in compliance with the Ontario *Education Act*, Regulations, other relevant legislation and the Board’s Mission Statement. The Board, through the charisms of faith, social justice, support and leadership, nurtures an enriching Catholic learning community for all to reach their full potential and become living witnesses of Christ.

INTEGRITY AND DIGNITY OF OFFICE

The Niagara Catholic District School Board Trustee Code of Conduct Policy (“Code of Conduct”) governs individuals elected as a Trustee (“Trustees”) under ~~section 218 of the~~ *Education Act*.

Elected Catholic Trustees occupy positions of public trust and confidence. They are expected to discharge their duties and responsibilities in a professional and ethical manner, consistent with Gospel Values, the teachings of the Catholic Church. To minimize risk and legal exposure to the Board and to protect a Trustee’s personal liability, Trustees must comply with the *Education Act* and Regulations, the *Municipal Freedom of Information and Protection of Privacy Act* and Regulations, the *Municipal Conflict of Interest Act*, the *Niagara Catholic District School Board's By-Laws (100.1)* and Policies and Administrative Procedures and any other Act or Regulation that may be applicable to the Trustee's duties.

Individual Trustees are committed to open and transparent communication with ~~its~~ ~~the~~ **the Board’s** students, parents/ guardians, employees, Catholic ratepayers and all educational partners through effective system and school-based communication procedures.

It is imperative that the Trustees act, and be seen to act, in the best interests of the public they serve. Catholic Trustees are elected to represent all stakeholders in the Board by articulating and supporting a shared commitment to excellence in Catholic education that promotes student achievement and well-being through the delivery of effective and appropriate education programs, services and effective stewardship of the Board's resources.

Trustees are governors, advocates and community leaders. As governors, Trustees provide strategic direction and oversight through Board policies to maintain the focus on student achievement and well-being. As advocates, Trustees inform and influence public perceptions of Catholic education and provincial education law and policy. As community leaders, Catholic Trustees engage with the public they serve to build understanding, awareness, guidance and active support for publicly funded Catholic education.

In compliance with subsection 218.1 (f) of the *Education Act*, Trustees are statutorily required to entrust the day to day management of the Board to its staff through the Board’s Director of Education. ~~As outlined in Section 218.1 of the Education Act no individual or group of Trustees has the authority to give direction to staff.~~

In keeping with this statutory obligation, Trustees who are contacted by an employee of the Board with respect to an issue of employment, may listen to the concern, offer no judgement on the specifics of any concern presented and, if required, will facilitate in guiding the employee to the relevant Collective Agreement, Terms and Conditions or Board Policy. Trustees will bring information regarding the concern to the attention of the Director of Education.

Trustees who are contacted by a student, parent, guardian, constituent or supporter of Catholic education will listen to the concern, provide no judgement on the specifics of the concern presented, and if required, direct the individual to the Board's Complaint Resolution Policy or relevant Board Policy. Trustees will bring information regarding the concern to the attention of the Director of Education.

CATHOLIC FAITH, COMMUNITY AND CULTURE

Each Niagara Catholic District School Board Trustee shall, within the duties prescribed in the *Education Act*, its Regulations and other applicable legislation and reflecting a ministry within the Church:

- Acknowledge that Catholic schools are an expression of the teaching mission of the Church;
- Provide an example to the Catholic community that reflects the teaching of the Church;
- Provide the best possible Catholic education according to the programs approved by the Canadian Conference of Catholic Bishops and the Minister of Education;
- Recognize and rigorously defend the constitutional right of Catholic education and the democratic and corporate authority of the Board;
- Respect the confidentiality of the Board;
- Ensure the affairs of the Board are conducted with openness, justice and compassion;
- Work to improve personal knowledge of current Catholic educational research and practices;
- Affirm a strong sense of Christian Catholic community; and
- Provide support, encouragement and prayer for the efforts of all persons engaged in the ministry of Catholic education in Canada.

CIVIL BEHAVIOUR AND COMMUNICATION

Catholic Trustees share in the responsibility for creating a positive environment that is safe, harmonious, comfortable, inclusive and respectful. Trustees shall at all times act with decorum and shall be respectful of other Trustees, the Director of Education, staff, all members of the Niagara Catholic community, as well as the public. As stewards of the system, Catholic Trustees are held to a high standard of conduct and should serve as role models of exemplary behaviour reflective of the values articulated in the *Ontario Catholic School Graduate Expectations*.

Trustees must:

- Respect and comply with all applicable federal, provincial and municipal laws;
- Demonstrate honesty and integrity;
- Respect differences in people, their ideas, and their opinions;
- Treat one another with dignity and respect at all times, and especially when there is disagreement;
- Respect and treat others fairly, regardless of, for example, race, ancestry, place of origin, colour, ethnic origin, citizenship, religion, gender, sexual orientation, age, or disability; and
- Respect the rights of others.

Trustees shall be prepared for meetings, avoid disrupting the process and refrain from engaging in conduct or contributing to a tone of sarcasm or denigration during meetings of the Board and at all other times that would discredit or compromise the integrity of the Board.

In performing their duties as Trustees, and in all matters of communication including email, telephone and face-to-face meetings, respectful language and professionalism are expected.

The Trustees are bound to uphold and comply with all Board Policies, procedures and protocols. Subject to the duty of a Trustee under subsection 218.1(e) of the *Education Act* to uphold the implementation of any Board resolution after it is passed by the Board, a Trustee may not make disparaging remarks about another Trustee or a group of Trustees in expressing comments, or disagreement or speculate on the motives of a Trustee, a group of Trustees, or Board staff. With the exception of the Chair of the Board and/or the Director of Education, no individual Trustee or group of Trustees has the authority to speak on behalf of the Board.

Any Trustee who fails or refuses to comply with the rules of the Board, uses offensive language, disobeys the decisions of the Chair or the Board on points of order, or makes any disorderly noise or disturbance may be ordered by the Chair to leave for the remainder of the meeting and, in the case of a refusal to do so, may, on the order of the Chair, be removed from the room where such meeting is taking place and/or the Board office. Such a removal will be recorded in the ~~Minutes~~ minutes of the meeting.

Subsection 207(3) of the *Education Act* addresses the exclusion of persons from Board Meetings. It provides:

“The presiding officer may expel or exclude from any meeting any person who has been guilty of improper conduct at the meeting.”

COMPLYING WITH LEGISLATION

All Trustees will comply with the letter and spirit of all laws of Canada and the Province of Ontario and any contractual obligations of the Board in conducting the business of the Board.

Trustees acknowledge they may only act on behalf of the Board through resolution and may not act individually or purport to represent the interests of the Board without the knowledge and consent of the Board of Trustees shown through resolution.

Trustees shall ensure that all information they communicate in the course of their duties is accurate and complete.

It is every Trustee's responsibility to familiarize themselves with their duties and any requirements of them as prescribed by the *Education Act and Regulations*, the *Municipal Freedom of Information and Protection of Privacy Act and Regulations*, the *Municipal Conflict of Interest Act* and any other Act or Regulation that may be applicable to the Trustee's duties and/or Ministry of Education requirements and the *Niagara Catholic District School Board's By-Laws (100.1)*, Governance Policies and Administrative Operational Procedures.

All Trustees are expected to comply with the following duties of Board members as set out in section 218.1 of the *Education Act*:

A member of a board shall,

- a. carry out his or her responsibilities in a manner that assists the board in fulfilling its duties under this Act, the regulations and the guidelines issued under this Act, including but not limited to the board's duties under section 169.1;
- b. attend and participate in meetings of the board, including meetings of board committees of which he or she is a member;
- c. consult with parents, students and supporters of the board on the ~~Board's~~ board's multi-year plan under clause 169.1 (1) (f);
- d. bring concerns of parents, students and supporters of the board to the attention of the board staff through ~~Policies determined by the Board~~ the board;
- e. uphold the implementation of any ~~Board~~ board resolution after it is passed by the ~~Board~~ board;
- f. entrust the day-to-day operations and management of the board to its staff through the board's director of education;
- g. maintain focus on student achievement and well-being; and

- h. comply with the board's code of conduct.

UPHOLDING DECISION

Trustees must understand their role as a corporate body and the expectation that they may deliberate with many voices but must act as one.

Trustees must:

- Accept that authority rests with the Board and that they have no individual authority other than that delegated by the Board;
- Uphold the implementation of any Board resolution after it is passed by the Board;
- Comply with *Niagara Catholic District School Board By-Laws (100.1)*, Policies and Administrative Procedures; and
- Refrain from speaking on behalf of the Board unless authorized to do so by the Board. The only official spokespersons for the Board are the Chair of the Board and the Director of Education.

AVOIDANCE OF PERSONAL ADVANTAGE AND CONFLICT OF INTEREST

Pecuniary Interests

All Trustees are expected to comply with the provisions of the *Municipal Conflict of Interest Act*, which requires that Trustees ~~declare and disclose the general nature of the~~ **their direct or indirect pecuniary interest for all direct and indirect pecuniary conflicts of interest and abstain from participating in related decisions in any matter that is the subject of consideration at a Board meeting, and abstain from participating in the discussion of the matter.-**

Trustees are not permitted to vote on, ~~discuss,~~ **or attempt in any way, whether before, during or after the meeting,** to influence **the** voting on matters in which they have a direct or indirect pecuniary interest. **Pursuant to section 3 of the *Municipal Conflict of Interest Act*, ~~the~~ direct or indirect pecuniary interest of a parent, spouse or child is deemed to be the interest of the Trustee. Subsection 3(1) of the *Municipal Conflict of Interest Act* provides: **is deemed to be the interest of the Trustee.****

“For the purpose of this Act, the pecuniary interest, direct or indirect, of a spouse or any child of the member shall, if known to the member, be deemed to be also the pecuniary interest of the member.”

~~Any direct or indirect financial interest on the part of the Trustee may raise a conflict of interest. A direct conflict of interest will arise where the Trustee himself or herself stands to benefit or suffer financially by a decision of the Board.~~

Trustees who disclose a pecuniary interest in accordance with the *Municipal Conflict of Interest Act* will be required to file a written statement with the Director of Education declaring their interest and including a description of its general nature. Pursuant to section 6.1 of that Act, the Board will be required to maintain a registry that may be accessed by members of the public, containing copies of (i) Trustees’ written statements declaring their interest; and (ii) corresponding meeting minutes. The Board will develop and maintain procedures for public access to the registry, including any reasonable limits on such access.

General Conflicts of Interest

Generally, ~~where a Trustee, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest,~~ identifies a direct, ~~or~~ indirect, or ~~any other~~ deemed conflict of interest in any matter and is present at a meeting of the Board at which the matter is the subject of consideration, the Trustee shall:

- Prior to any consideration of the matter of the meeting, disclose the interest and the general nature thereof;
- Not take part in the discussion of, or vote on any question in respect of the matter;
- Not discuss the issue with any other person;
- Not attempt in any way whether before, during or after the meeting to influence the voting on such question; and
- Where the meeting is not open to the public, the Trustee shall, in addition to complying with the requirements outlined above, leave the meeting or the part of the meeting during which the matter is under consideration.

Where the interest of the Trustee has not been disclosed by reason of the Trustee's absence from the meeting, the Trustee shall disclose the interest and otherwise comply with the above requirements at the first meeting of the Board attended by the Trustee, after the meeting referred to above.

When the meeting is open to the public, every declaration of interest and the general nature of that interest shall be recorded in the minutes of the Board meeting. When the meeting is not open to the public, every declaration of interest, but not the general nature of that interest, shall be recorded in the minutes of the next meeting of the Board that is open to the public.

It is an expectation of the Board that Trustees will comply with the provisions of the *Municipal Conflict of Interest Act* and avoid conflicts of interest as set out in this ~~Trustee Code of Conduct Policy~~. (~~"Code of Conduct"~~).

Every Trustee is responsible and accountable for exercising good judgment and avoiding situations that might present a conflict of interest or the appearance of a conflict of interest and, where a conflict of interest might exist, each Trustee has an affirmative duty to disclose such conflict when it becomes apparent.

No Trustee shall use his or her position, authority or influence for personal, financial or material gain or personal business purposes or for the personal, financial or material gain or business purposes of a relative, friend and/or business associate. Every Trustee shall uphold and enhance all Board business operations by:

- Maintaining an unimpeachable standard of integrity in all their relationships, both inside and outside the Board;
- Fostering the highest standard of professional competence among those for whom they are responsible;
- Complying with and being seen to comply with the letter and spirit of:
 - the laws of Canada and the Province of Ontario
 - contractual obligations applicable to the Board; and
- Rejecting and denouncing any business practice that is improper or inappropriate or may appear to be improper or inappropriate.

A Trustee shall not use his or her position, authority or influence to give any person or organization special treatment that might, or might be perceived to, advance the interests of the Trustee, or the interests of a relative, friend and/or business associate of the Trustee.

A Trustee must not participate in any decision or recommendation in which he or she or a relative, friend or business associate may have a financial, commercial or business interest.

~~When the Board is to decide on an issue, at a meeting that is open to the public, about which a member has an unavoidable conflict of interest, that member shall not comment or vote on the issue or influence the voting on the issue either prior to, during or after the meeting and must leave the Board Room.~~

~~When the Board is to decide on an issue, at a meeting that is not open to the public, about which a member has an unavoidable conflict of interest, that member shall not comment or vote on the issue or influence the voting on the issue either prior to, during or after the meeting and must leave the Board Room.~~

LOBBYING

On occasion, lobbyists may attempt to communicate with Trustees for the purpose of influencing Trustees with respect to the procurement of goods and services and the awarding of contracts. Trustees must report such inquiries to the Director of Education forthwith. Trustees must not use their influence to gain or advance the interest of any particular party during a procurement process.

CONFIDENTIALITY

All Trustees acknowledge that, as part of their duties to the Board they may be privy to private, confidential and/or legally privileged financial, business and/or commercial information belonging to the Board that may provide a financial, business, commercial or competitive advantage, and that they may be privy to private and confidential student and personnel information, and/or legal matters and opinions. Such information may include, but is not limited to, information relating to the Board's organizational structure, operations, financial information, business plans, technical projects, business costs, research data results, inventions, trade secrets or other work produced, developed by or for the Board.

Except as required by law, all Trustees and former Trustees agree not to use, directly or indirectly, for the Trustee's benefit or the benefit of any person, organization, firm, or other entity, or disclose to any third party the Board's proprietary or confidential information disclosed or entrusted to that Trustee, and Trustees recognize that such inappropriate use of confidential information for their benefit may constitute a breach of trust contrary to section 122 of the *Criminal Code* and this Code of Conduct.

The confidentiality of personal/educational student and family information received in the course of duties must be respected, protected and kept confidential. Trustees are required to keep all information received, including but not limited to, in-camera discussions and actions in complete confidence. Information received should not be discussed or reviewed in public or where another student, parent, employee or member of the school community or public could accidentally overhear or read such information.

Except as required by law, and in accordance with the *Education Act* and *Municipal Freedom of Information and Protection of Privacy Act*, all Trustees agree not to use or disclose the personal and/or educational information of students and their families that may come to the attention of a Trustee.

Except as required by law, and in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*, all Trustees agree not to use or disclose the personal and/or employment information of Board employees and their families that may come to the attention of a Trustee.

A Trustee's duty of confidentiality with respect to private and confidential financial, business and/or commercial information, personnel information, student information, and legal matters and opinions survives his or her term as Trustee.

BOARD RESOURCES

No Trustee shall use Board resources for personal gain. No Trustee shall permit relatives, friends and/or business associates to use Board resources for personal gain. Trustees recognize that such inappropriate use of Board resources, directly or indirectly, for their benefit may constitute a breach of trust contrary to section 122 of the *Criminal Code* and this Code of Conduct.

All Trustees shall fully comply with all Board Policies, Protocols, Procedures and Administrative Procedures regarding the use of Board resources, including information technology resources.

PROCEDURES FOR GIFTS AND HOSPITALITY

Although moderate hospitality is an accepted courtesy in business relationships, Trustees should not allow themselves to reach a perceived position whereby they might influence a Board decision as a consequence

of accepting such hospitality. If there is uncertainty regarding what is considered an appropriate honoraria or hospitality to give or receive, the Trustee should discuss this with the Chair of the Board.

Trustees should not use their position for improper gain or benefit, nor under any circumstances accept gifts.

Gifts and donations, by any Trustee, to any groups or individuals will not be reimbursed.

Gifts and donations may be made on behalf of the Board of Trustees as a whole, if approved in advance by the Chair of the Board and the Director of Education.

ENFORCEMENT OF CODE OF CONDUCT AND MUNICIPAL CONFLICT OF INTEREST ACT

A breach of this Code of Conduct by a Trustee may be dealt with by the following procedures:

Pursuant to section 218.3 of the *Education Act*, ~~A Trustee or a supporter of Catholic education who is eligible to participate in the election of a Niagara Catholic trustee~~ who has reasonable grounds to believe that a Trustee(s) has breached this Code of Conduct may bring the alleged breach, in writing, to the attention of the Board through the Chair of the Board, or the Vice-Chair, in the event that the alleged breach is with the Chair of the Board or the Chair of the Board is unavailable.

If a Trustee has reasonable grounds to believe that another Trustee has breached this Code of Conduct, ~~he or she~~ they must bring the alleged breach forward as soon as reasonably possible. The Board may choose not to deal with an alleged breach should the alleged breach come to the Board's attention after: (a) one year after the incident to which the alleged breach relates; or (b) if there are a series of incidents, after one year after the last in the series. A Trustee may apply to the Board for an extension of this time limit, and the Board may grant such an extension if the Board is satisfied that the delay in bringing the alleged breach forward was incurred in good faith and no substantial prejudice will result to any person affected by the delay.

If an alleged breach is brought to the attention of the Board, **the Board shall make inquiries into the matter.** the document setting out the breach together with any other materials will be provided to the Director of Education in the Director's role as Secretary to the Board. The Director of Education will place the matter in the Trustee and Director Only section of the next *In-Camera* Board Meeting.

At the *In-Camera* Board Meeting where the alleged breach of the Code of Conduct is presented, legal counsel to the Board will be present to advise the Board with respect to legal matters related to relevant legislation and the Code of Conduct process as set out in the Code of Conduct. In compliance with Sections 198 and 283.1 of the *Education Act*, for the Board to meet, the Director of Education will be present as Secretary to the Board to take minutes. All other staff who attend meetings of the Board will be excused from the Trustee and Director Only section of the *In-Camera* portion of the meeting of the Board where the Code of Conduct complaint is presented.

At the *In-Camera* meeting of the Board at which the alleged breach is presented, the Board will direct Board legal counsel to oversee an independent investigation conducted by an external investigator as selected by Board legal counsel. The results of the external investigation will be presented to the Board by Board legal counsel and the external investigator upon completion.

Based on the results of the external investigation, the Board will determine whether ~~there~~ **the Trustee** has ~~been a breach of~~ **breached** the Code of Conduct.

If the Board determines that a Trustee has not breached the Code of Conduct, the Board may impose sanctions or consequences on the relevant individual(s), which includes a Trustee or Trustees, who have brought the complaint forward. The sanctions or consequences will be determined in consultation with Board legal counsel.

If the Board determines that a Trustee has breached the Code of Conduct, the Board may impose one or more of the following sanctions:

- Censure of the Trustee.
- Barring the Trustee from attending all or part of a meeting of the Board or a meeting of a committee of the Board.
- Barring the Trustee from sitting on one or more committees of the Board, for the period of time specified by the Board.

A Trustee who is barred from attending all or part of a meeting of the Board or a meeting of a committee of the Board is not entitled to receive any materials that relate to that meeting or that part of the meeting that are not available to the members of the public.

In appropriate circumstances, the Board may also resolve to disassociate the Board from any action or statement of a Trustee.

If a Board determines that a Trustee has breached this Code of Conduct, the Board shall give the Trustee written notice of the determination and of any sanction imposed by the Board.

The notice shall inform the Trustee that ~~he or she~~they may make written submissions to the Board in respect of the determination or sanction by the date specified in the notice, which date will be at least 14 days after the notice is received by the Trustee.

The Board shall consider any written submissions made by the Trustee and shall confirm or revoke the determination within 14 days after the Trustee's submissions are received.

If the Board revokes a determination that a Trustee has breached this Code of Conduct, any sanction imposed by the Board is also revoked.

If the Board confirms a determination that a Trustee has breached this Code of Conduct, the Board shall, within 14 days after the Trustee's submissions were received, confirm, vary or revoke the sanction(s) imposed by the Board.

If a sanction is varied or revoked **by the Board**, the variation or revocation shall be deemed to be effective as of the date the original determination of the alleged breach was made by the Board.

Despite subsection 207(1) of the *Education Act* which requires meetings of the Board to be open to the public, but subject to the requirements below for specific resolutions of the Board to be made in public, the Board may close to the public the part of the meeting during which a breach or alleged breach of this Code of Conduct is considered when the breach or alleged breach involves any of the following matters:

- The security of the property of the Board;
- The disclosure of intimate, personal or financial information in respect of a Trustee or committee **member**, an employee or prospective employee of the Board or a student or ~~his or her~~their parent or guardian;
- The acquisition or disposal of a school site;
- Decisions in respect of negotiations with employees of the Board; or
- Litigation affecting the Board.

The meeting of the Board shall be In-Camera (closed to the public) when the subject matter under consideration involves an ongoing investigation under the *Ombudsman Act* respecting the Board.

The Board shall take the following actions by resolution at a meeting of the Board, and the vote on the resolution shall be open to the public:

- Make a determination that a Trustee has breached this Code of Conduct.

- Impose a sanction on a Trustee for a breach of this Code of Conduct.
- Confirm or revoke a determination regarding a Trustee's breach of this Code of Conduct.
- Confirm, vary or revoke a sanction after confirming or revoking a determination regarding a Trustee's breach of this Code of Conduct.

A Trustee who is alleged to have breached this Code of Conduct shall not vote on any of the resolutions listed above.

When a resolution listed above is passed, the resolution shall be recorded in the ~~Minutes~~ minutes of the meeting.

The *Statutory Powers Procedure Act* does not apply to any of the enforcement provisions under section 218.3 of the *Education Act*.

Nothing in this Code of Conduct prevents a Trustee's breach of the *Municipal Conflict of Interest Act* from being dealt with in accordance with that Act.

A Trustee who is subject to a Board inquiry to determine whether the Trustee has breached the Code of Conduct has a right to retain and be represented by legal counsel throughout the process.

In the event that a Trustee has been found to have not breached the Code of Conduct, all legal expenses for the Trustee involved in a Code of Conduct complaint will be reimbursed by the Board.

On May 30, 2017, the *Modernizing Ontario's Municipal Legislation Act, 2017* ("Bill 68") received royal assent. The provisions of Bill 68 amending the *Municipal Conflict of Interest Act* (the "Amendments") do not come into force until March 1, 2019.

~~Under the Amendments, Trustees who declare a conflict of interest in accordance with the *Municipal Conflict of Interest Act* will be required to file a written statement with the Secretary of the Board declaring their interest and including a description of its general nature. The Board will be required to maintain a registry that may be accessed by members of the public, containing copies of (i) Trustees' written statements declaring their interest; and (ii) corresponding meeting minutes. The Board will develop and maintain procedures for public access to the registry, including any reasonable limits on such access.~~

~~The Amendments also enable Trustees to consult municipal Integrity Commissioners for the purpose of ensuring compliance with the *Municipal Conflict of Interest Act*, and to mitigate any penalty imposed on a Trustee in the event of their later having been found to have acted in contravention of the Act. The Board will develop and maintain procedures to facilitate Trustees' consultation with municipal Integrity Commissioners, where appropriate.~~

~~The Board will comply with the requirements contained in the Amendments when these come into force.~~

References

- [*Criminal Code, Section 122*](#)
- [*Education Act, Subsection 207\(1\); Subsection 207\(3\); Section 218.1; Section 218.3*](#)
- [*Municipal Conflict of Interest Act, ~~Sub~~Section 3, Section 6.1\(1\)*](#)
- [*Municipal Freedom of Information and Protection of Privacy Act*](#)
- [*Ombudsman Act*](#)
- [*Ontario Catholic School Graduate Expectations*](#)
- [*Niagara Catholic District School Board Policies/Procedures*](#)
 - [*Board's By-Laws Policy \(100.1\)*](#)
 - [*Complaint Resolution Policy \(800.3\)*](#)
 - [*Trustee Expenses and Reimbursement Policy \(100.13\)*](#)
 - [*Trustee Honorarium Policy \(100.11\)*](#)
- [*Terms and Conditions and Collective Agreements*](#)

Adopted Date:	November 23, 2010
Revision History:	March 20, 2018

**TO: NIAGARA CATHOLIC DISTRICT SCHOOL BOARD
POLICY COMMITTEE MEETING
APRIL 27, 2021**

TITLE: POLICY REVIEW SCHEDULE

The Policy Review
Schedule is presented for information.

Prepared by: Camillo Cipriano, Director of Education/Secretary-Treasurer
Presented by: Camillo Cipriano, Director of Education/Secretary-Treasurer
Date: April 27, 2021



GOVERNANCE POLICY REVIEW SCHEDULE

SEPTEMBER 2020 - JUNE 2021

Updated: April 27, 2021

SORTED BY POLICY COMMITTEE MEETING DATE				
Policy Issued	Reviewed Revised	Policy #	POLICY NAME	Prior to Vetting
				After Vetting
2010	2015	100.10	Equity and Inclusive Education	September 2020
1998	2015	201.2	Retirement & Service Recognition Celebration	September 2020
2007	2015	800.4	Volunteer Recognition	September 2020
2013	2013	203.4	Leadership Pathways	October 2020
2001	2016	302.6.6	Dress Code - Secondary Uniform - Safe Schools	October 2020
2012	2016	302.6.10	Elementary Standardized Dress Code - Safe Schools	October 2020
2011	2016	800.7	Niagara Catholic Parent Involvement Committee & By-Laws	October 2020
2003	2019	302.6.8	Bullying Prevention and Intervention	January 2021
2001	2019	302.6.5	Student Expulsion	January 2021
2002	2020	201.7	Employee Workplace Harassment *	January 2021
2002	2020	201.11	Employee Workplace Violence *	January 2021
2009	2016	800.8.1	Accessibility Customer Service	January 2021
1997	2016	100.1	Board By-Laws	February 2021
2012	2015	201.16	Attendance Support Program	February 2021
2002	2020	201.6	Occupational Health & Safety *	February 2021
NEW	NEW	NEW	Student Exclusion From School or Class	February 2021
1998	2017	800.3	Complaint Resolution	March 2021
2003	2019	302.6.8	Bullying Prevention and Intervention	March 2021
2001	2019	302.6.5	Student Expulsion	March 2021
2002	2020	201.7	Employee Workplace Harassment *	March 2021
2002	2020	201.11	Employee Workplace Violence *	March 2021
1998	2016	701.2	Pupil Accommodation Review	April 2021
2010	2018	100.12	Trustee Code of Conduct	April 2021
1997	2016	100.1	Board By-Laws	April 2021
2002	2020	201.6	Occupational Health & Safety *	April 2021
NEW	NEW	NEW	Student Exclusion From School or Class	April 2021

* Ministry of Labour Compliance Annual Review

SORTED BY CW/BOARD MEETING DATE				
Policy Issued	Reviewed Revised	Policy #	POLICY NAME	CW/BD
2010	2015	100.10	Equity and Inclusive Education	October 2020
1998	2015	201.2	Retirement & Service Recognition Celebration	October 2020
2007	2015	800.4	Volunteer Recognition	October 2020
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2001	2016	302.6.6	Dress Code - Secondary Uniform - Safe Schools	November 2020
2012	2016	302.6.10	Elementary Standardized Dress Code - Safe Schools	November 2020
2011	2016	800.7	Niagara Catholic Parent Involvement Committee & By-Laws	November 2020
2009	2016	800.8.1	Accessibility Customer Service	February 2021
1998	2017	800.3	Complaint Resolution	April 2021
2003	2019	302.6.8	Bullying Prevention and Intervention	April 2021
2001	2019	302.6.5	Student Expulsion	April 2021
2002	2020	201.7	Employee Workplace Harassment *	April 2021
2002	2020	201.11	Employee Workplace Violence *	April 2021
1997	2016	100.1	Board By-Laws	May 2021
2002	2020	201.6	Occupational Health & Safety *	May 2021
NEW	NEW	NEW	Student Exclusion From School or Class	May 2021