

BOARD GOVERNANCE PROCEDURE	
Adopted	M19-0075 (May 1, 2019)
Last Revised	April 2019; June 2019 (Rpt 19102)
Review Date	

BOARD COMMITTEES

POLICY

This Procedure is made pursuant to the Board's Committee Policy, and provides the Board with guidelines with respect to the three types of Board committees, and other requests for trustee appointments:

- I. Statutory Committees;
- II. Non-Statutory Committees;
 - a. Standing; and
 - b. Ad Hoc;
- III. Committee of the Whole Board.

At Article IV, this Procedure describes the process for Trustee appointments to staff, community and provincial committees.

A Trustee may resign from a committee or appointment at any time by providing the Chair with written notice of their resignation.

I. STATUTORY COMMITTEES

Required Committees

The *Education Act* and Regulations made under the *Act* require the Board to constitute the following committees:

1. Special Education Advisory Committee¹ (SEAC)
2. Student Discipline Committee²
3. Audit Committee³
4. Parent Involvement Committee⁴ (PIC)
5. Supervised Alternative Learning Committee.⁵

The terms of reference for each of these committees is prescribed by the *Act* and applicable Regulation, and may be further described in a separate Board Procedure.

This Procedure applies to statutory committees only to the extent that the terms herein do not conflict with statutory or regulatory requirements, or the provisions of a Board Procedure pertaining to a particular committee.

SEAC, PIC and Audit Committee meetings shall incorporate the Acknowledgement of Traditional Lands in their agendas at the start of each meeting.

Under Section 169 of the *Act*, every board shall monitor and evaluate the performance of the Director of Education. The Halton District School Board fulfils this responsibility by committee.

Appointment to Statutory Committees

Following the Board's inaugural meeting,⁶ the Board Chair shall invite Trustees to submit expressions of interest for appointment to statutory committees.

¹ Section 57.1 and O. Reg. 464/97

² Section 309(12) and Section 311.3(9)

³ O. Reg. 361/10

⁴ O. Reg. 612/00

⁵ O. Reg. 373/10

The Chair and Vice Chair, in consultation with the Director of Education, shall develop a recommendation for Trustee appointments to statutory committees, for approval by resolution of the Board at the first January meeting of the Board's term, or as soon thereafter as is practicable, taking into account each Trustee's:

- a) areas of interest;
- b) background and expertise;
- c) relevant committee experience;
- and
- d) a balancing of responsibilities and opportunities amongst Trustees.

No Trustee shall be appointed to a statutory committee for which they have not expressed an interest and a willingness to serve.

Trustees shall be appointed as members of the Special Education Advisory Committee (SEAC) and the Audit Committee for the length of the Board's term.

Trustees shall be appointed as members of the Student Discipline Committee, the Parent Involvement Committee and the Supervised Alternative Learning Committee on an annual basis.

A Trustee shall be deemed to have resigned from a statutory committee if they are absent for more than three consecutive meetings, or from more than three meetings in any twelve month period.

The Board shall fill a vacancy caused by a resignation or deemed resignation at the earliest opportunity, in accordance with the appointment process described herein.

II. NON-STATUTORY COMMITTEES

In addition to Statutory Committees, the *Education Act* provides that the Board of Trustees may also establish committees:

- (a) composed of Trustees, to make recommendations to the Board in respect of education, finance, personnel and property;⁷ and
- (b) to include persons who are not Trustees, in respect of matters other than education, finance, personnel and property.⁸

Such Non-Statutory Committees may be either standing or *ad hoc* committees, as further described below.

(a) Standing Committees

The Board may from time to time approve by resolution the formation of one or more standing committees, to provide reports and/or recommendations in an area of Board responsibility. A resolution to approve the formation of a standing committee shall state:

- a) the purpose of the committee;
- b) the appointment of members; and
- c) the Board's expectations regarding the content and frequency of committee reports and recommendations to the Board,

which shall collectively form the committee's terms of reference.

Unless otherwise stated by resolution of the Board, the term of a standing committee will expire annually on December 1, but may be renewed by the Board for another year, or other lesser fixed period, taking into account any recommendations of the committee.

A recommendation for the renewal of the term of a standing committee shall be accompanied by a rationale, goals and projected outcomes for the renewal period.

Notwithstanding the foregoing, the Board may resolve to dissolve a standing committee at any time.

⁶ In. accordance with Section 208 of the Act, to be held within seven days of the start of the Board's term.

⁷ Section 171(1)1

⁸ Section 171(1)2

At the request of the Board, the Director of Education may appoint staff to provide resource or administrative support, information and expertise to a standing committee.

(b) Ad-Hoc Committees

The Board may from time to time approve by resolution the formation of an *ad hoc* committee, to provide a recommendation to the Board on a specific matter.

A resolution to approve the formation of an *ad hoc* committee shall state:

- a) the purpose of the committee;
- b) the appointment of members;
- c) the date by which the committee will report to the Board;
- d) the date of dissolution,

which shall collectively form the committee's terms of reference.

Any recommendation for a deferral of the dissolution date shall be accompanied by a rationale, and projected date of completion of the committee's report or recommendation to the Board.

Notwithstanding the foregoing, the Board may resolve to dissolve an *ad hoc* committee at any time.

At the request of the Board, the Director of Education may appoint staff to provide resource or administrative support, information and expertise to an *ad hoc* committee.

Membership

Membership in non-statutory committees shall be limited to Trustees, unless otherwise approved by resolution of the Board.

No person other than a Trustee may be appointed to a non-statutory committee that is formed for the purpose of making recommendations to the Board in respect of education, finance, personnel and property.⁹

Trustees shall be appointed as members of non-statutory committee upon request.

Trustee appointments to non-statutory committees shall be confirmed by resolution of the Board at the first Board meeting in January, or in the case of a newly formed committee, one month after the approval of the committee, or as soon thereafter as is practicable.

A Trustee shall be deemed to have resigned from a non-statutory committee if he or they are absent for more than three consecutive meetings, or from more than three meetings in any twelve month period.

Committee Chair and Vice Chair

The members of a committee shall elect a chair and vice chair at the first committee meeting after December 1. The term of the Chair and Vice Chair shall expire on November 30 or upon the dissolution of the committee, whichever occurs first.

Student Trustees

A Student Trustee may be appointed as a non-voting participant of a non-statutory committee, and may attend all public session meetings of the committee.¹⁰

Authority

Non-statutory committees of the Board may provide reports or recommendations to the Board of Trustees, but may not make any decision or take any action which could bind the Board.

A committee's recommendation to the Board must be approved by the majority of the committee members, by a vote conducted in accordance with the Board's rules of order, as described in the Board of Trustees' Governance By-law.

A committee of the Board may not issue any public statement on behalf of the Board, and may not

⁹ Section 171(1)2

¹⁰ Section 55(2)

undertake any activity or discussion of a matter which falls outside its terms of reference.

Meetings

Non-statutory committee meetings may be convened at the call of the committee Chair or upon the written request of a majority of Committee members, and will be held at the HDSB Education Centre, unless otherwise resolved in advance by the Committee.

Committee members shall receive written or electronic notice of a Committee meeting by no later than five (5) days prior to the meeting, which shall include an agenda, as well as sufficient background information for members to participate meaningfully in the discussion of agenda items.

A Trustee who has not been appointed as a Committee member may attend a Committee meeting, provided that the Trustee identifies themselves as a non-member, and does not participate in meeting discussion, except at the invitation of the Chair.

***In Camera* Committee Meetings**

Meetings of non-statutory committees of the Board shall be open to the public, except that a meeting may be closed to the public when the subject-matter under consideration involves a matter identified in Section 207(2) of the *Education Act*, reproduced as an Appendix to this Procedure.

Quorum

The presence of a majority of the Trustee members of a Committee shall constitute a quorum.

Electronic Attendance

A Committee member is entitled to participate in committee meetings by electronic means, and when so participating shall be deemed to be present at the meeting for purposes of the Act, its Regulations, and the Board's Procedure.¹¹

A meeting is duly constituted providing there is a quorum of members attending either in person or electronically, and the following persons are physically present:

- a) the Chair of the committee or their designate;
- b) the Director of Education or designate.¹²

Minutes

Non-Statutory Committees shall appoint a Secretary who shall ensure minutes are taken for each meeting, and a copy of the minutes are provided to the Board of Trustees at the next Board meeting.

III. COMMITTEE OF THE WHOLE

Meetings

The Board's Committee of the Whole may meet for the purpose of:

- engaging in general discussion on matters relating to the Halton District School Board and its delivery of educational services;
- receiving updates from the Director of Education and the Chair of the Board;
- Trustee professional development; and
- such other matters which may arise from time to time which are suitable for a meeting of the Committee of the Whole.

The Committee of the Whole will generally meet once per month, on the second Wednesday evening of the month.

The agenda for Committee of the Whole Board shall be the responsibility of the Vice-Chair of the Board, in consultation with the Chair and the Director of Education, taking into account any requests from Trustees.

Membership

All Trustees shall be members of the Committee of the Whole.

¹¹ Regulation 463/97

¹² Regulation 463/97 at Section 5(2)

The Director of Education or designate shall attend all meetings of the Committee of the Whole.

Chair

Meetings shall be chaired by the Vice Chair of the Board, or in the absence of the Vice Chair, then the Chair.

Student Trustees

Student Trustees may attend and participate in all public session meetings of the Committee of the Whole.

Authority

The Committee of the Whole does not have the authority to take decisions which bind the Board.

***In Camera* Meetings**

Committee of the Whole meetings shall be held in public except where the committee resolves to meet *in camera* to discuss a matter listed in Section 207(2) of the *Education Act*.

Quorum

The presence of a majority of the Trustee members of a Committee shall constitute a quorum.

Electronic Attendance

A Committee of the Whole member is entitled to participate in meetings by electronic means, and when so participating shall be deemed to be present at the meeting for purposes of the Act, its Regulations, and the Board's Procedure.¹³

A meeting is duly constituted providing there is a quorum of members attending either in person or electronically, and the following persons are physically present:

- a) the Chair of the committee or their designate;
- b) at least one other Trustee;
- c) the Director of Education or designate.¹⁴

Minutes

The Director of Education or designate shall serve as Secretary to the Committee of the Whole. The Secretary shall ensure minutes are taken at each meeting, and that a copy of the minutes are provided to the Board of Trustees at the next Board meeting.

IV. OTHER TRUSTEE APPOINTMENTS

Appointment

Following the Board's inaugural meeting, and or as soon thereafter as a request for Trustee participation becomes known, the Board Chair shall advise Trustees of any invitations or opportunities for Trustee representation on staff, community or provincial committees, and shall invite expressions of interest for any such appointments.

The Chair and Vice Chair, in consultation with the Director of Education, shall develop recommendations for appointments, for approval by resolution of the Board at the next Board meeting, or as soon thereafter as is practicable, taking into account Trustees':

- a) areas of interest;
- b) background and expertise;
- c) relevant committee experience; and
- d) a balancing of responsibilities and opportunities amongst Trustees.

No Trustee shall be appointed to committee for which they have not expressed an interest and a willingness to serve.

Trustees shall be appointed for a fixed term as defined by the invitation, or as otherwise determined by the Board.

¹³ Regulation 463/97

¹⁴ Regulation 463/97 at Section 5(1)

The Board shall fill a vacancy caused by a resignation or deemed resignation at the earliest opportunity, in accordance with the appointment process described herein.

Related Statutes

Education Act, RSO 1990 c E.2, at Section 55 Student Trustees, S.57.1 (Special Education Advisory Committees); S.207(2) (in camera); S.208.1 (electronic meetings); S.218.1 Duties of a Trustee; S.309 and 311 (student discipline hearings)

Municipal Freedom of Information and Protection of Privacy Act, RSO 1990, c M.56, Part II “Protection of Individual Privacy”.

Related Regulations

Regulation 467/97 “*Special Education Advisory Committees*”

Regulation 361/10 *Audit Committee*

Regulation 612/00 *School Councils*

Regulation 373/10 *Supervised Alternative Learning Committee*

Regulation 463/97 “*Electronic Meetings*”

Related Board Policies and Procedures

Electronic Meetings

Operational Leadership

Policy and Procedure Framework

Privacy and Information Management

Governance By-Law

COMMITTEE *IN CAMERA* MEETINGS

Education Act

Open meetings of the board

207 (1) Subject to subsections (2) and (2.1), the meetings of a board and the meetings of a committee of the board, including a committee of the whole board, shall be open to the public, and no person shall be excluded from a meeting that is open to the public except for improper conduct.

Closing of certain committee meetings

(2) A meeting of a committee of a board, including a committee of the whole board, may be closed to the public when the subject-matter under consideration involves,

- (a) the security of the property of the board;
- (b) the disclosure of intimate, personal or financial information in respect of a Member of the board or committee, an employee or prospective employee of the board or a pupil or his or her parent or guardian;
- (c) the acquisition or disposal of a school site;
- (d) decisions in respect of negotiations with employees of the board; or
- (e) litigation affecting the board.

Closing of meetings re certain investigations

(2.1) A meeting of a board or of a committee of a board, including a committee of the whole board, shall be closed to the public when the subject-matter under consideration involves an ongoing investigation under the *Ombudsman Act* respecting the board. 2014, c. 13, Sched. 9, s. 19 (2).

Exclusion of persons

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

COMMITTEE OF THE WHOLE PUBLIC SESSION MEETING AGENDA

- 1.0 Opening
 - 1.1 Welcome, Call to Order and Roll Call
 - 1.2 Approval of the Agenda
 - 1.3 Approval of the Minutes
 - 1.4 Acknowledgement of Traditional Lands
- 2.0 Discussion Items
 - 2.1 Discussion Item #1*
 - 2.1.1 Public Delegation/Staff Presentation #1
 - 2.1.2 Public Delegation/Staff Presentation #2
 - 2.2 Discussion Item #2*
 - 2.2.1 Public Delegation/Staff Presentation #1
 - 2.2.2 Public Delegation/Staff Presentation #2
 - 2.3 Discussion Item #3* (etc.)
 - 2.4 Order Paper
 - 2.5 Sub-Committee Reports
- 3.0 Future Agenda Items
- 4.0 Trustee Questions and Comments
- 5.0 Adjournment

**Questions from the public will be welcome during each discussion item as time permits.*