

MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES, THE BRANDON SCHOOL DIVISION, HELD IN THE J. L. MILNE BOARDROOM, ADMINISTRATION OFFICE, 1031 - 6TH STREET, BRANDON, MANITOBA, AT 7:00, MONDAY, JANUARY 10, 2011

**PRESENT:**

Mr. J. Murray Chairperson, Mr. P. Bartlette, Mrs. P. Bowslaugh, Mr. D. Karnes, Mr. G. Kruck, Mr. M. Sefton, Mr. M. Snelling, Mr. K. Sumner.

Secretary-Treasurer, Mr. G. F. Barnes and Recording Secretary, Ms. S. Bailey.

Senior Administration: Dr. D. M. Michaels, Superintendent, Mr. G. Malazdrewicz, Associate Superintendent, Mr. K. Zabowski, Assistant Secretary-Treasurer.

**REGRETS:**

Dr. L. Ross, Vice-Chairperson

The Chairperson welcomed all visitors to the meeting.

**AGENDA**

**1.00 AGENDA/MINUTES:**

**1.01 Reference to Statement of Board Operations**

**1.02 Approval of Agenda**

Secretary-Treasurer, Mr. Barnes noted the following additions to the agenda:

- 1) Under Section 3.03 – “Announcements”, it was noted that the Board would be meeting with the Minister of Education on either the 13<sup>th</sup> or 14<sup>th</sup> of January, 2011. Further details to be provided following confirmation from the Minister’s office.
- 2) Confidential #2 regarding a Personnel Matter.
- 3) Verbal Confidential Report regarding a Board Operations Matter.

Trustee Murray requested the addition of one item for In-Camera discussions.

Superintendent, Dr. Michaels, requested the addition of one Personnel Matter for In-Camera discussions.

Mr. Kruck – Mr. Bartlette

That the agenda be approved as amended.

Carried.

**1.03 Adoption of Minutes of Previous Meetings**

- a) The Minutes of the Regular Board Meeting held December 13, 2010 were circulated.

Mr. Bartlette – Mr. Snelling  
That the Minutes be received and filed.  
Carried.

- b) The Minutes of the Special Board Meeting held December 15, 2010 were circulated.

Mrs. Bowslaugh – Mr. Bartlette  
That the Minutes be received and filed.  
Carried.

**2.00 GOVERNANCE MATTERS:****2.01 Presentations For Information**

Community Drug and Alcohol Education Coalition Initiative - Y Revolution – T. Osiowy and L. Jardine.

Crocus Plains Regional Secondary High School Principal, Mr. Terry Osiowy, noted the Brandon Community Drug and Alcohol Coalition is comprised of 17 members. He confirmed the Coalition's three goals were as follows:

- Increase awareness and understanding of healthy lifestyle choices among youth;
- Increase awareness and understanding of illicit drug use among youth and their negative consequences;
- Improve the students' knowledge and level of skills to avoid illicit drug use by developing and/or enhancing skills to avoid drug use.

Mr. Osiowy confirmed the Coalition had received funding to hire a coordinator and introduced Ms. Lili Jardine, teacher, who had been working as the coordinator for over a year. Ms. Jardine, reviewed the many projects under her responsibility, including maintaining the Coalition's website and monthly newsletter, working with the Community Liaison Police Officer, Teen Health Clinic, AFM rehabilitation counselor and other groups and individuals. Ms. Jardine highlighted the many activities of the Youth Revolution and the various activities of the student advisory groups. She noted that the Youth Revolution is a student leadership group composed of 100 participations in 15 schools from Grades 6 to 12 that work to create programs to promote healthy life choices in order to minimize the use of drugs and alcohol among youth.

The Chairperson thanked Mr. Osiowy and Ms. Jardine for their presentations. Trustees asked a number of questions for clarification regarding the work of the Youth Revolution and feedback received from student participants.

**2.02 Reports of Committees**

## a) Finance Committee Minutes

The written report of the Finance Committee meeting held December 9, 2010 was circulated.

Mr. Sefton – Mr. Bowslaugh  
That the Minutes be received and filed.  
Carried.

## b) Divisional Futures &amp; Community Relations Committee Minutes

The written reports of the Divisional Futures and Community Relations Committee meetings held December 10, 2010 and January 4, 2011 were circulated.

Mr. Snelling – Mrs. Bowslaugh  
That the Minutes of December 10, 2010 be received and filed.  
Carried.

Mr. Snelling – Mr. Karnes  
That the Minutes of January 4, 2011 be received and filed.  
Carried.

## c) Personnel Committee Minutes

The written report of the Personnel Committee meeting held December 13, 2010 was circulated.

Mr. Murray – Mr. Snelling  
That the Minutes be received and filed.  
Carried.

## d) Education Committee Minutes

The written report of the Education Committee meeting held December 16, 2010 was circulated.

Mr. Sefton – Mrs. Bowslaugh  
That the Minutes be received and filed.  
Carried.

## e) Policy Review Committee Minutes

The written report of the Policy Review Committee meeting held January 4, 2011 was circulated.

Trustee Snelling inquired as to when the Committee would be receiving information regarding school fees and from which Divisions. The Superintendent noted the information would come from Divisions of comparable size, metro Divisions as well as larger Divisions throughout Manitoba. This information would be provided to the Committee within the next month or so.

Mr. Bartlette – Mr. Snelling  
That the Minutes be received and filed.

Carried.

## f) Other

- Trustee Murray reported on the Board of Trustees Governance Goals Session held January 7 and 8, 2011 at the Victoria Inn. He noted from the session the Board would be bringing forth six goals in the areas of monitoring performance, financial stewardship, facilities planning, policy development, advocacy, and community involvement. He noted further details would be provided at the next regular meeting of the Board of Trustees.

**2.03 Delegations and Petitions**

NIL

**2.04 Communications for Action**

- a) Hugh Coburn, President, Manitoba School Boards Association, December 9, 2010, inviting nominations for the 2011 Manitoba School Boards Presidents' Council Award. The award celebrates: exemplary service and outstanding achievement beyond the requirements of the position in the areas of trusteeship, classroom teaching, administration or educational leadership; demonstrated innovative thinking and personal initiatives directed at ensuring success for Manitoba students; lasting and pervasive impact on some facet of public education. The attached nomination form is to be forwarded to the MSBA office by Friday, February 11, 2010.

Referred Business Arising.

- b) Carolyn Duhamel, Executive Director, Manitoba School Boards Association, December 21, 2010, enclosing a document which was presented to the NDP caucus members at a meeting held on November 9, 2010. The document articulates the key policy priorities which have been the focus of the association's advocacy efforts with these various organizations and agencies over the past several months. The Executive resolutions which appear in the regional meeting package reflect particular aspects of these policy priorities. The facilitated afternoon discussion on school board governance in Manitoba will provide the

opportunity for all school boards to consider ways to advance this particular priority both at the provincial and local levels. To ensure a robust and fruitful exchange about these policy priorities at the January regional meetings, they encourage boards to review the enclosed document and the regional meeting materials prior to the meeting.

Referred Business Arising.

- c) Ron Lemieux, Minister of Local Government, December 23, 2010, thanking the Board for the follow-up letter regarding the taxation of property owned by school divisions and noting the Division has asked for clarification about the taxation of vacant land owned by school divisions, and also requested that *The Municipal Assessment Act* be amended to ensure that an exemption is provided for such properties. Property tax exemptions under *The Municipal Assessment Act* are limited to those properties that provide a broad public benefit. Schools are recognized as important public institutions and therefore have a long-standing property tax exemption. However, school divisions have always been required to pay property taxes on vacant land, given that such land is not currently being used as a school. The Brandon School Division may wish to review its existing land holdings to determine if its vacant land continues to be required for future program needs. Property tax exemptions are also limited recognizing the impact to taxing jurisdictions as well as property owners. Expanding property tax exemptions under the Act requires careful consideration of the impact on the property tax base of taxing jurisdictions, both municipal and school. The impact of exemptions on property taxes paid by all other property owners in the taxing jurisdiction also needs to be taken into account.

Referred Business Arising.

## **2.05 BUSINESS ARISING**

### **- From Previous Delegations**

Mr. D. Hardy, President, Brandon Teacher's Association, regarding staffing.

Senior Administration noted a request was being brought forth to the Finance Committee and then to the Board to address the pressure points that have arisen since December. It was agreed a letter would be forwarded to the Brandon Teacher's Association advising them of this.

### **- From Board Agenda**

- a) Correspondence from Hugh Coburn, President, Manitoba School Boards Association, from Communications for Action 2.04a), inviting nominations for the 2011 Manitoba School Boards Presidents' Council Award was referred to Trustees.
- b) Correspondence from Carolyn Duhamel, Executive Director, Manitoba School Boards Association, from Communications for Action 2.04b), enclosing a document which was presented to the NDP caucus members at a meeting held on November 9, 2010 and encouraging boards to review the enclosed document and the regional meeting

materials prior to the regional meeting was also referred to Trustees. Discussions were held regarding which Trustees would be attending the regional meeting.

- c) Correspondence from Ron Lemieux, Minister of Local Government, from Communications for Action 2.04c), thanking the Board for the follow-up letter regarding the taxation of property owned by school divisions and providing clarification about the taxation of vacant land owned by school divisions, and the division's request that *The Municipal Assessment Act* be amended to ensure that an exemption is provided for such properties was discussed. Secretary-Treasurer, Mr. Barnes, noted follow-up questions for the Government including: why municipalities are not paying tax for vacant land? Why the Division pays taxes on the educational support levy? The Board agreed that a follow-up letter would be sent to the Minister of Local Government including the questions brought forward by the Secretary-Treasurer. It was also noted that the Division also has forwarded a proposed MSBA resolution on the matter.

**- MAST issues (last meeting of the month)**

NIL

**- From Report of Senior Administration**

- a) School Reports – NIL
- b) Instructional Reports – Literacy - C. Nevill

Ms. Nevill, the Division Literacy Specialist, spoke to the Board regarding her role within the Division. She noted the Literacy Specialist provides leadership in the advancement of K-12 Literacy within the Division. Ms. Nevill highlighted the numerous goals of her position and outlined her work plan priorities for 2010-2011 under the areas of Quality Teaching, Quality Learning and Quality Support Services. The key aspects of the literacy work in progress and results of that work to date were also discussed and reviewed. Trustee Snelling requested clarification regarding the literacy teams and the work and meetings involved. Trustee Bowslaugh asked for a copy of the best practices documentation. It was noted that this document was a work in progress but the K-4 best practices documentation could be provided to the Board for information.

- c) Presentation of the Implementation of BSD Strategic Plan (2008-2011) Quarterly Report – December 13, 2010 (Deferred from December 13, 2010 Board Meeting).

Superintendent, Dr. Michaels provided a brief overview of the quarterly report and answered Trustee questions regarding the report.

- d) Items from Senior Administration Report

NIL

**2.06 Motions**

Prior to the reading of motion 01/2011, Trustees Karnes and Murray excused themselves from the room due to a possible perceived conflict of interest. Trustee Bartlette assumed the position of Acting Chairperson.

01/2011 Mr. Snelling – Mr. Sumner  
That the current audit contract with BDO Dunwoody be extended for the 2010/2011 fiscal year in the amount of \$18,000 and the audit services to be retendered in 2011.

Carried.

Trustees Karnes and Murray returned to the Board Room. Trustee Murray returned to the position of Chairperson.

02/2011 Mr. Sefton – Mr. Karnes  
That the Visual Performing Arts program – Sanctuary – “Hope for Darfur” at École Neelin High School be nominated by the Board of Trustees for the Manitoba School Boards Association 2011 Premier Award for School Board Innovation.

Carried.

**2.07 Bylaws**

Mr. Sumner – Mr. Snelling  
That By-Law 1/2011 being a by-law to regulate the proceedings of the Board of Trustees of the Brandon School Division and repealing By-Law 1/2009 passed January 26, 2009 be now read for the first time.

Trustee Sumner noted the Board had held discussions at their Governance Goals Session regarding the possibility of rescheduling the Board's meeting dates so that they do not conflict with the City. He inquired about amending the By-Law to change the Board meeting dates. Secretary-Treasurer, Mr. Barnes, suggested there needed to be consultation with the City on this matter before making any final decisions. Trustee Snelling noted the City Council members of the Joint City Task Force Ad-Hoc Committee were also discussing the matter with the other City Councillors. He also confirmed that the Mayor would be contacting the Division to set-up a meeting between the Brandon School Division and the City. It was agreed to wait until discussions have been held with the City and in any event not to make any changes until the 2011/2012 school year as the current school year Board meetings have already been published for public information.

Carried.

**THE BRANDON SCHOOL DIVISION****BYLAW NO. 1/2011**

BEING A BYLAW to regulate the proceedings of the Board of Trustees of The Brandon School Division,(hereinafter called "the Board") and the Committees thereof:

WHEREAS Section 33(1) of The Public Schools Act provides that "each school board shall pass by-laws establishing rules of procedure for the guidance of the school board in the conduct of its meetings."

NOW THEREFORE be it and it is hereby enacted as a Bylaw of The Brandon School Division that, unless they shall at any time be contrary to the overriding provisions of The Public Schools Act, the following Rules of Procedure shall regulate the operation of the Board and Bylaw 1/2009 passed January 26, 2009 shall be repealed.

## **SECTION I**

### **FIRST OR INAUGURAL MEETINGS OF THE BOARD**

- 1.1. The first inaugural meeting of the Board following the regular election of Trustees shall take place within 14 days after the election or in September in non-election years on a day and at an hour to be fixed by the Secretary-Treasurer who shall notify each trustee of the date, time and place of the meeting. (1)
- 1.2. At the first inaugural meeting of the Board, the trustees present shall elect from among themselves by majority vote a Chairperson and Vice-Chairperson for the next ensuing year and the Secretary-Treasurer of the Board shall preside at the election, or, if there is no Secretary-Treasurer present, the trustees present shall select one of themselves to preside at the election and the member selected to preside may vote in the election. (2)
- 1.3. If more than two trustees are nominated for Chairperson or Vice-Chairperson, in the event a majority of votes is not received by one of the candidates on the first ballot, the individual with the fewest number of votes is removed from the ballot and subsequent votes taken to obtain a majority.
- 1.4. However, in the event of a tie vote in selecting a Chairperson or Vice-Chairperson, the Board shall determine by lot and in a secret manner who shall cast the deciding ballot. (3)

Reference - (1) P.S.A. Section 29(1)  
(2) P.S.A. Section 29(2)  
(3) P.S.A. Section 29(3)

- 1.5 Scrutineers shall be the Secretary-Treasurer and Superintendent, or their delegates. Under no circumstances shall a trustee serve as a scrutineer.

## **SECTION II**

### **MEETINGS OF THE BOARD**

#### **2.1. Regular Board Meetings**

After the first or inaugural meeting of the Board, the Board shall hold Regular Meetings on the second and fourth Monday in each and every month



September through June, both inclusive, but excluding the fourth Monday in December, on the second Monday in July and on the fourth Monday in August. The meetings shall be held in the J. L. Milne Boardroom at the hour of seven (7:00) o'clock p.m. or at such other times and places as the Board may from time to time designate. In the event the date scheduled for a Regular Board Meeting is a holiday, the Regular Board Meeting so affected shall be held on the immediately next following business day unless otherwise decided by the Board.

- 2.2. The Board shall not remain in session later than eleven (11:00) o'clock p.m. unless it shall be otherwise decided by a two-thirds (2/3rds) vote of the members present.

2.3. Special Meetings

Special Meetings of the Board may be convened at any time by the Chairperson directly or by the Chairperson at the request of any trustee. At a special meeting no subject or matters other than those mentioned in the notice calling the meeting shall be considered.

2.4. Emergency Meeting

Notwithstanding Article 2.5, the Board may hold a meeting at any time and any place to deal with an emergency situation if all the trustees consent thereto and are present thereat. (1)

2.5. Notice of Meetings

Notice of all Board meetings, regular and special, shall be given by the Secretary-Treasurer to all trustees so that the notice will be received at every trustee's designated address at least 24 hours before the meeting, by notifying each of them personally or in writing, stating the place, date and hour of the meeting. (2)

- 2.6. Inaugural, Regular and Special Meetings of the Board shall be open to the public. The Board recognizes, however, that from time to time it is in the best public interest to discuss sensitive matters in closed meetings. The Board may, therefore, by motion resolve itself into Committee of the Whole In Camera to discuss matters pertaining to personnel (including students and trustees), salary negotiations, security, goods and service contract negotiations, property acquisition and disposal negotiations, litigation strategy and trustee In Camera briefings. The minutes shall record only the topic discussed in camera. No decisions shall be made In Camera. (See also Section V, Articles 5.10 and 5.11 re Committee of the Whole.) (3)

- 2.7. The Chairperson shall preside at the meetings of the Board and may vote with the other members on all questions. Any question on which there is an equality of votes shall be deemed to be defeated. (4) The Chairperson of the Board does not have a deciding vote.

- 2.8. In the absence of the Chairperson, the Vice-Chairperson shall preside and while so presiding he/she has all the powers of the Chairperson. (5) In the absence of both the Chairperson and Vice-Chairperson, a Chairperson shall be appointed by the members present and he/she shall preside at said meeting, or until the arrival of the Chairperson or Vice-Chairperson.

2.9. Quorum

A majority of the whole Board shall constitute a quorum. The number required for a quorum does not change if there is a vacancy. When at any Meeting of the Board there is no quorum present at the expiration of one-half ( $\frac{1}{2}$ ) hour from the time appointed for the commencement of the Meeting, the Meeting shall stand adjourned, and the Secretary-Treasurer shall enter in the minutes the names of those members present.

- 2.10. All rules for meeting procedures and debate shall apply to all meetings of the Board.

2.11. Corporate Acts Must Be Done At Board Meetings

Trustees, as individuals, have no corporate decision making authority. All authority over acts of the Division is vested in the Board, as a whole. Trustees exercise their collective authority over Division affairs through voting at a duly constituted meeting of the Board.

An act or proceeding of the Board that is not done or taken at a regular or Special Meeting of the Board, is not valid or binding on any person affected thereby. (6)

The Board, in conducting its business, shall comply with all laws, Federal, Provincial and/or Municipal, including all statutory regulations passed pursuant thereto.

An individual Board member, including the Chairperson, shall have power only when the Board, by vote, has delegated authority to him or her.

- Reference - (1) P.S.A. Section 30 (1)  
(2) P.S.A. Section 30 (2)  
(3) P.S.A. Section 30 (3), (4)  
(4) P.S.A. Section 31  
(5) P.S.A. Section 32  
(6) P.S.A. Section 35, 41, 48, 51 & 53

**SECTION III****REGULAR BOARD MEETING AGENDA**

- 3.1. The Secretary-Treasurer shall prepare the agenda and provide the order of business in the form of a prepared agenda, the order of same to be in accordance with or similar to the following:

**AGENDA FORMAT**

- 1.00 AGENDA/MINUTES
  - 1.01 Reference to Statement of Board Operations
  - 1.02 Approval of Agenda
  - 1.03 Adoption of Minutes of Previous Meetings
- 2.00 GOVERNANCE MATTERS
  - 2.01 Presentations For Information
  - 2.02 Reports of Committees
  - 2.03 Delegations and Petitions
  - 2.04 Communications for Action
  - 2.05 Business Arising
    - From Previous Delegations
    - From Board Agenda
    - Mast Issues (last meeting of the month)
    - From Report of Senior Administration
  - 2.06 Motions
  - 2.07 Bylaws
  - 2.08 Giving of Notice
  - 2.09 Inquiries
  - 2.09a) Public Inquiries (last meeting of each month – max. 15 mins.)
  - 2.09b) Trustee Inquiries
- 3.00 ADMINISTRATIVE INFORMATION
  - 3.01 Report of Senior Administration
  - 3.02 Communications for Information
  - 3.03 Announcements
- 4.00 IN CAMERA DISCUSSION
  - 4.01 Student Issues
    - Reports
    - Trustee Inquiries
  - 4.02 Personnel Matters
    - Reports
    - Trustee Inquiries
  - 4.03 Property Matters/Tenders
    - Reports
    - Trustee Inquiries

- 4.04 Board Operations
  - Reports
  - Trustee Inquiries

#### 5.00 ADJOURNMENT

Any variation of the foregoing order of business requires a two-thirds (2/3rds) majority vote of the members present, which shall be without debate.

- 3.2. Introduction of all new matters, other than matters of privilege, shall be published in the agenda and mailed to trustees at least twenty-four (24) hours before the meeting unless such rule is dispensed with by a two-thirds (2/3rds) majority vote of the members present.
- 3.3. Any trustee may request that the Chairperson or Secretary-Treasurer place an item on the agenda.
- 3.4. Any items received too late for the agenda shall be held until the following regular meeting unless deemed to be of an urgent nature, as determined by the Superintendent, Secretary-Treasurer and/or Chairperson. Late items to be considered shall be identified to the Board by the Secretary-Treasurer prior to approval of the Agenda. The Board shall decide, without debate by a two-thirds (2/3rds) majority vote of the members present, whether a late item will be considered.

### **SECTION IV**

#### **REGULAR BOARD MEETING PROCEDURES**

##### **General Regulations For Meetings**

- 4.1. Each and every member of the Board has equal rights. The meeting is a highly democratic process and shall be conducted accordingly.
- 4.2. A trustee, administrator or other person wishing to speak to the gathering shall address him/herself to the Chair. The Chairperson will decide who has the right to the floor.
- 4.3. No trustee shall be interrupted while speaking, unless:
  - a) he/she is out of order
  - b) on a point of privilege
  - c) for clarification.
- 4.4. When any matter is before the Board, the consideration of same cannot be interrupted except on a motion:
  - a) to adjourn
  - b) to lie on the table
  - c) to postpone
  - d) to refer
  - e) to amend.

- 4.5. Exceptions to rules within the jurisdiction of the Board can be made by a two-thirds (2/3rds) majority vote of the members present.

#### **Role of the Chairperson**

- 4.6. It shall be the duty of the Chairperson at all times to preserve order and to endeavor to conduct all business before the Board with propriety, fairness and dispatch, in accordance with the rules of procedure herein provided or, if not provided, by Robert's Rules of Order.
- 4.7. The Chairperson should call the meeting to order precisely at the hour for which the meeting is called, providing a quorum is present, or as soon as a quorum is present as hereinbefore provided. (Article 2.9)
- 4.8. When called upon to decide a point of order or practice, the Chairperson shall state the rule applicable to the case, without argument or unnecessary comment, and without debate. The decision of the Chair shall be final unless reversed by a vote of two-thirds (2/3rds) of the members present.
- 4.9. The Chairperson, or in his/her absence the Vice-Chairperson, is the official public spokesperson for the Board.

#### **Motions**

- 4.10. All motions must be put in writing and seconded before being stated by the Chairperson, after which they shall only be disposed of by vote of the Board, unless the mover by permission of the Board withdraws same. The Chairperson, in his/her discretion, may waive the necessity of a motion being in writing. The Chairperson may waive the necessity of a motion and call for general consent provided there is no objection to this procedure. If there is an objection, a motion is required.
- 4.11. To begin a motion, "I move that" is the correct phrase to use, following which the mover of the motion should identify by name the seconder of the motion.
- 4.12. Any trustee who has made a motion shall have the liberty to withdraw or modify it, with the consent of his/her second and prior to the debate.
- 4.13. After a motion has been moved and seconded and debate has begun, the motion shall be deemed to be in possession of the Board (Corporate Motion).
- 4.14. An amendment may be moved on any motion, and shall be decided before the original motion; but no more than one amendment to an amendment shall be entertained. An amendment can only modify the motion, not change the intent of the motion.
- 4.15. A motion for adjournment, duly moved and seconded, shall always be in order and shall be decided without debate, except that it cannot be entertained when

the Board is voting on another question or while a trustee is addressing the Board.

- 4.16. A motion for postponement takes precedence over a motion for referral, and a motion for referral takes precedence over a motion to amend or a vote on the original subject.
- 4.17. A motion, prior to the question being called, may be:
- postponed - to a specific date
  - referred - to a committee, the administration or other person(s) designated
  - tabled- temporarily until lifted from the table by any trustee at the same meeting or at the next regular meeting. After the next meeting the motion is "dead".
  - received - to accept and no action to be taken.
- 4.18. A motion "to recess or to adjourn debate", "to lay on the table", or to "Resolve into Committee of the Whole," shall be decided without debate.
- 4.19. A member of the Board shall not participate in the discussion of any question in which he/she has a direct or indirect pecuniary interest as defined in The Public Schools Act. Members of the Board shall be governed by the conflict of interest provisions of The Public Schools Act, Sections 36 through 39 inclusive, and Board policies established from time to time.
- 4.20. Every member shall obtain recognition in order to speak by addressing himself/herself to the Chair and shall confine himself/herself to the question under debate. When two or more members speak at once, the Chairperson shall decide the order of speaking.
- 4.21. No member while speaking shall be interrupted by another, except upon a point of order, or for the purpose of explanation. The member so interrupting shall confine himself/herself strictly to the point of order or explanation.
- 4.22. If any member transgresses the rules, the Chairperson shall, and any member can, call the member to order in which case the member so called shall immediately be silent but shall afterwards be permitted to explain, and the Board, if appealed to, shall decide on the case, but without debate.
- 4.23. No member, unless otherwise herein provided, shall speak to a question or motion for longer than five (5) minutes nor more than once (except in Committee) on the same question without leave of the Chair. The trustee who proposes the question is permitted to reply and thereby closes debate. A member may speak more than once for clarification purposes only.
- 4.24. A member may require the question or motion under discussion to be read for his/her information at any time of the debate but not so as to interrupt a member speaking.

- 4.25. If the Chairperson wishes to speak to a motion, he/she shall vacate his/her seat as Chairperson and ask the Vice-Chairperson to take over. The Chairperson should speak just prior to the last speaker who will be the mover of the motion.
- 4.26. No member shall speak to any question after a vote on the question has been called for by the Chairperson, who shall announce clearly the result of the vote.

### **Voting Method**

4.27. **Reversal of Decisions**

- (i) Subject to subsection (1) (ii), a question once decided by the Board shall not be reversed unless:
  - a) written notice of a proposal to reverse the decision has been given from at least one meeting to another; and
  - b) a majority of the total number of trustees for the Division votes in favour of the reversal.  
(PSA Section 33(2)).
- (ii) A decision of a Board may be reversed
  - a) at the same meeting at which it is made; and
  - b) by unanimous consent of all members present and voting thereon (PSA Section 33(3)).

4.28. **Abstention from Voting**

Although it is the duty of every member who has an opinion on a question to express it by his/her vote, he/she can abstain since he/she cannot be compelled to vote. A member not voting for or against is expected to declare his/her abstention. A member who abstains may request that his/her abstention be recorded in the minutes and the Secretary-Treasurer shall record the same.

4.29. **Division of the Question**

When the question under consideration contains independent propositions, upon the request of any member, the vote upon each such independent proposition shall be taken separately.

4.30. **Declaration of Results**

The Chairperson shall declare the results of all votes and they shall be recorded as carried or defeated. Any member may request that his/her vote be recorded, and his/her vote shall be entered upon the minutes by the Secretary-Treasurer.

**4.31. Communication of Results**

Decisions of the Board shall be communicated in writing to persons directly affected by the decision. Correspondence on behalf of the Board shall be carried out by the Secretary-Treasurer or the Chairperson if so directed by the Board.

**Giving of Notice**

4.32. Written notice may be given by a trustee from one meeting to the next for the purpose of the following:

- (i) to rescind a decision previously made by the Board.
- (ii) introduction of a bylaw.

**Bylaws**

4.33. Matters resolved by Bylaw:

- a) amendments to bylaws
- b) rules of Board procedure, organization and operation of meetings
- c) where required by The Public Schools Act.

4.34. Every Bylaw shall be dealt with in the following stages by a final motion of the Board:

- i) First Reading - "That this Bylaw be now read a first time" shall be decided without amendment or debate.
- ii) Second Reading - When the second reading of the Bylaw has been moved, the principle of the Bylaw may be discussed and it shall be lawful for the Board to defer, amend or reject the Bylaw and a motion may be made to that effect.
- iii) Third Reading - This is the final reading of the proposed Bylaw and shall be deemed to be passed when given its third reading.

Every Bylaw shall receive three separate readings. The three separate readings of any Bylaw shall be given at different meetings unless by a vote of a majority of the whole Board this rule be suspended. The Secretary-Treasurer shall certify on a copy of each Bylaw, the readings and dates of the readings of the Bylaw passed.

**SECTION V****COMMITTEES**

5.1. Meetings of Committees may be held In Camera (PSA Section 30(4)).



- 5.2. Committees of the Board shall be appointed at the Inaugural, Regular or Special Meetings in accordance with Board policies and procedures. Committees may be struck for specific purposes as required, and shall be discharged when that purpose has been met and upon the receipt and acceptance of a written report to the Board.
- 5.3. If the Chairperson of a Committee is not appointed by the Board, it shall be the duty of the first named on any Committee to convene the first meeting at which time a Chairperson should then be elected.
- 5.4. The Chairperson of the Board is an ex-officio member of all Committees. He/she may attend all meetings and contribute to debate, but he/she shall not have the right to vote.
- 5.5. The number of trustees on any Committee should be three (with a fourth acting as alternative) or less, except for Committee of the Board as a Whole, unless approved unanimously by the Board. To function as a Committee of the Whole, the quorum of the Committee of the Whole is the same number as a quorum for the Board.
- 5.6. At least one senior administrative staff officer shall attend each committee meeting in an ex-officio capacity to provide background, do research and to ensure the recording of the minutes.
- 5.7. Any Committee of the Board may establish a Sub-Committee or Sub-Committees provided that the Chairperson of any Sub-Committee and at least one other member of that Sub-Committee are members of the main committee. Reports of any Sub-Committee shall be presented to the main Committee for acceptance, revision or rejection prior to the presentation to the Board.
- 5.8. Committees appointed to report on any subject referred to them by the Board shall report in writing a statement of facts and, also, their opinion and recommendation thereof.
- 5.9. No Committee has the authority to bind the Board to any decision or commitment unless previously authorized by the Board.

#### **Committee of the Whole**

- 5.10. By a vote of the majority of the members present the Board may resolve itself into "Committee of the Whole In Camera" for the purpose of discussing reports of Committees or any other motion or matter before the Board of a confidential matter (see also Section II, Article 2.6).
- 5.11. The rules of procedure of the Board shall be observed in Committee of the Whole so far as applicable. No decisions of the Board shall be made while in Committee of the Whole and no minutes shall be recorded other than a record in the minutes of the Regular Meeting of the topic discussed while in

Committee of the Whole. (See also Section II, Article 2.6 re "In Camera" discussions).

## **SECTION VI**

### **PUBLIC PARTICIPATION AT BOARD MEETINGS**

- 6.1. The Board shall hold its meetings openly, and no person shall be excluded or removed from any meeting except for improper conduct (PSA Section 30(3)) or for In Camera discussions (Article 2.6).
- 6.2. The Chairperson may, at some point in the agenda of the Regular Board Meeting, permit visitors to the meeting to ask questions or speak to a matter on the agenda of which they are familiar for clarification purposes.

### **Delegations & Petitions**

- 6.3. Any resident elector of the Division shall have the right to be placed on the agenda of a regular board meeting to be heard under "Delegations and Petitions". Appearance at a Board Meeting shall be arranged through the Secretary-Treasurer and the Delegation shall provide, wherever possible, a written brief or petition in sufficient time for inclusion in the agenda package and shall identify a spokesperson whom the Chairperson can address and to whom correspondence can be forwarded. During a presentation by a delegation, the Board will only ask questions for clarification.
- 6.4. The Board may hear any other delegations at its discretion.
- 6.5. The delegation will be heard for information purposes only. In the event a decision of the Board is required, the matter shall be postponed to the next regular meeting for action or referred to a Committee or the Administration for consideration or further information and report. If a decision is required prior to the next regularly scheduled meeting, the Board may by a two-thirds (2/3rds) majority vote suspend the rules and consider the delegation's request at the same meeting, for decision making.
- 6.6. The Secretary-Treasurer shall communicate in writing to the identified spokesperson for the delegation the action taken by the Board and the final decision of the Board.

## **Section VII**

### **GENERAL**

- 7.1. That this Bylaw be placed in the hands of each Board Member and each new Board Member.

- 7.2. That Bylaw No. 1/2009 passed January 26, 2009 and the same is hereby repealed effective the date of passing this Bylaw.

GIVEN FIRST READING by the said Board of Trustees of The Brandon School Division, assembled at Brandon, in the Province of Manitoba, this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 2011.

SECOND READING: \_\_\_\_\_ day of \_\_\_\_\_ A.D. 2011

THIRD READING: \_\_\_\_\_ day of \_\_\_\_\_ A.D. 2011

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Secretary-Treasurer

I, GERALD FREDRICK BARNES, Secretary-Treasurer of The Brandon School Division, DO HEREBY CERTIFY THE ABOVE to be a true and correct copy of Bylaw No. 1/2009

\_\_\_\_\_  
Secretary-Treasurer

Mrs. Bowslaugh – Mr. Snelling

That By-Law 2/2011 being a borrowing by-law in the amount of \$1,512,700.00 upon the credit of the Division by the issue and sale of a debenture to meet partial costs for construction of the following projects: Meadows School Grooming Room; Crocus Plains Roof Replacement; Crocus Plains Air Condensing Unit Replacement; Green Acres Roof Replacement; Kirkcaldy Chilled Water/Heat Exchanger; and Valleyview Emergency Roof Replacement be now read for the first time.

Carried.

#### THE BRANDON SCHOOL DIVISION

#### BYLAW NO. 2/2011

Bylaw of the Board of Trustees of The Brandon School Division for the purpose of borrowing the sum of \$1,512,700.00 and issuing debentures therefor.

WHEREAS it is deemed necessary and expedient to raise by loan the sum of \$1,512,700.00 upon the credit of the Division by the issue and sale of debentures to meet partial costs for construction of Meadows School Grooming Room; Crocus Plains Roof Replacement; Crocus Plains Air Condensing Unit Replacement; Green Acres Roof Replacement, Kirkcaldy Chilled Water/Heat Exchanger; and Valleyview Emergency Roof Replacement;

NOW THEREFORE, pursuant to the provisions of The Public Schools Act, the Board of Trustees of The Brandon School Division, duly assembled, enacts as follows:

- 1) That it shall be lawful for the said School Trustees to borrow the sum of \$1,512,700.00 by the issue and sale of debentures of the said School Division as set out below.
- 2) That the said debentures shall be issued at Brandon, Manitoba and shall be dated the 31<sup>st</sup> day of January, 2011 and shall be payable to the Registered Holder at the Office of the Minister of Finance, Winnipeg, Manitoba as follows: the debenture shall be so issued that the amount thereby borrowed shall be repayable in twenty (20) equalized consecutive annual installments of \$118,823.29 each, including principal and interest at the rate of 4.7500 per cent per annum, payable annually on the 31<sup>st</sup> day of January as per Schedule "A" attached.
- 3) That the first installment shall be payable on the 31st day of January, 2012.
- 4) That each debenture shall be signed by the Chairperson of the Board and the Secretary-Treasurer of the said School Division and the coupons, if any, attached thereto, shall be signed by the Secretary-Treasurer, whose signature may be lithographed thereon.
- 5) That provisions shall be made for the payment of the said debentures, and such provision shall form part of, and be included in, the annual statements of monies required for the purpose of the School Division.

GIVEN FIRST READING by the said Board of Trustees of The Brandon School Division assembled at Brandon, in the Province of Manitoba, this \_\_\_\_\_ day of \_\_\_\_\_ A.D., 2011.

SECOND READING: \_\_\_\_\_

THIRD READING: \_\_\_\_\_

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Secretary-Treasurer

CERTIFIED a true copy of Bylaw  
No. 2/2011 of The Brandon School Division  
given first reading on the \_\_\_\_\_ day of  
\_\_\_\_\_ A.D. 2011.

\_\_\_\_\_  
Secretary-Treasurer

**2.08 Giving of Notice**

Mr. Sefton

I hereby give notice that at the next Regular meeting of the Board of Trustees I, or someone in my stead will introduce By-Law 3/2011 for the purpose of authorizing the borrowing of monies upon the credit of the Division to meet expenditures for current operations for the fiscal period July 1, 2010 to June 30, 2011.

**2.09 Inquiries****2.09a) Public Inquiries (last meeting of each month – max. 15 minutes)****2.09b) Trustee Inquiries**

a) Trustee Bowslaugh made the following inquiry:

“In the MSBA letter there is a reference to the paper prepared to present to the current NDP Government. It contains points about Mental Health concerns with the student population. My questions are:

- Do we have data on the number of students requiring support?
- What are the response times in getting to these students, some of whom are troubled due to needs in academic ability, progress and assessment?
- Do we have adequate staff to meet these very tough situations?”

Superintendent, Dr. Michaels, noted that the Division does have data on students who have been identified by others, usually through referral. She noted the Division tries to be proactive and the staff watches for potential issues. She further noted the Division is in need of more full-time counselors at the high school level and that several counselors are required at the elementary school level.

b) Trustee Bowslaugh requested “a brief refreshment of the policy related to staff and parent involvement in transporting students.”

Senior Administration noted they would provide a report for the Board regarding this matter at the next meeting.

c) Trustee Kruck asked if there had been discussions with the BRHA regarding mental health issues.

Superintendent, Dr. Michaels noted the Division works with the BRHA on a continuous basis. Associate Superintendent, Mr. Malazdrewicz, cited the various services provided.

d) Trustee Sefton asked “has a BSD representative been named for the Sexuality Education Resource Centre?”

Associate Superintendent, Mr. Malazdrewicz, noted he would follow up on this matter.

e) Trustee Sumner requested that “Senior Administration please provide a report on the number of K-8 classrooms currently exceeding a) 25 and b)30 students, and the distribution of those classrooms in each school? And further, that this information include details regarding new classes that have been created since September, 2010 to alleviate large class sizes.”

### **3.00 ADMINISTRATIVE INFORMATION:**

#### **3.01 Report of Senior Administration**

Superintendent, Dr. Michaels, highlighted several items in the Senior Administration Report for the Board of Trustees, including the following: Grade 9 student progress in literacy and numeracy at all three high schools; integration of ICT within each classroom at École New Era School; and the Report of the Drug and Alcohol Coalition.

Trustees asked questions for clarification regarding the Report of Senior Administration. Mr. T. Osiowy, Principal, Crocus Plains Regional Secondary High School, was invited to the Board table to address trustee inquiries regarding school suspensions.

Mr. Snelling – Mr. Kruck

That the report be received and filed.

Carried.

#### **3.02 Communications for Information**

- a) Drew Caldwell, MLA, Brandon East, December 7, 2010, acknowledging receipt of the Board's letter of November 30, 2010 seeking a meeting with Minister Allan and other officials to discuss the PSFB decision-making process. He notes he has been in communication with the Minister's office in this regard and staff will follow up with Dr. Michaels to arrange a suitable date to meet.

Ordered Filed.

- b) Terry Osiowy, Principal, Crocus Plains Regional Secondary High School, December 10, 2010 noting on Friday, November 26, 2010 the Culinary Arts teacher, Mr. Paul Lemire, and students from the schools Culinary Arts program showcased their talents at the Brandon Regional Health Centre Foundation's Annual Rise'n Shine Breakfast in support of the Tree of Lights Campaign. The students served approximately 380 guests with many guests commenting on the professionalism and friendliness of the students. According to the Executive Director the students were extremely helpful and truly ran the event following their arrival. The Board of Trustees of the BRHA appreciated the teacher's professionalism and the “extras” that were brought to the event.

The Chairperson asked Mr. Osiowy to extend the Board's congratulations to the students of the Culinary Arts program for their participation in the Brandon Regional Health Centre Foundation's Annual Rise'n Shine Breakfast.

Ordered Filed.

- c) Terry Osiowy, Principal, Crocus Plains Regional Secondary High School, December 10, 2010, advising of the school's successful "Operation Christmas Child" program organized by the school's student council. On November 22, 2010 the student council delivered 95 filled shoe boxes to the Richmond Park Mennonite Brethren Church as part of the school's campaign to promote volunteerism, generosity and global awareness amongst the students.  
Ordered Filed.
- d) Barb Gribben, Secretary, CUPE Local 737, December 10, 2010, advising of the elected Executive Officers for CUPE Local 737 for 2011.  
Ordered Filed.
- e) Dianne Zuk, Chair, Board of Trustees, Pembina Trails School Division, December 13, 2010, nominating Jacquie Field as a candidate for the position of Manitoba School Boards Association Vice-President for Boards over 6,000 students.  
Ordered Filed.
- f) Hugh Coburn, President, Manitoba School Boards Association, December 13, 2010, addressed to The Honourable Nancy Allan, Minister of Education, referencing the MSBA meeting with the NDP Caucus members on November 9, 2010 and enclosing a copy of an August 2010 Court ruling regarding education property tax exemption status from the Manitoba and Saskatchewan Tax Reporter. They noted they are extremely concerned about the precedent setting nature of this ruling and the potential implications for Manitoba public schools. Given the large number of business enterprises providing some form of education or training programs for their staff, it is conceivable that there will be many more such property tax exemptions in the future with consequent reductions in tax revenues available to support programs and services in local schools. They ask the Manitoba Government to review this case and take appropriate steps to address the matter as speedily as possible.  
Ordered Filed.
- g) Ms. Della Perih, Vice-Chairperson, Board of Trustees, Mountain View School Division, December 14, 2010 nominating Mr. Floyd Martens as vice-president of the Manitoba School Boards Association.  
Ordered Filed.
- h) Carolyn Duhamel, Executive Director, Manitoba School Boards Association, December 21, 2010, enclosing the 2011 Regional Meeting Agenda packages and asking that they be distributed to all trustees as soon as possible.  
Ordered Filed.
- i) Deacon John MacKenzie, President, Western Manitoba Seniors Non-Profit Housing Co-Op, December 23, 2010, accepting the Board's apology for the recent mishandling of their \$5,000 deposit. They also appreciated the apology in the interview on CKLQ radio, and the letter written to the editor in the December 23, 2010 Brandon Sun. The Board's quick attention to solving the matter is appreciated.  
Ordered Filed.

**3.03 Announcements**

- a) Facilities/Transportation Committee Meeting – 9:30 a.m., Tuesday, January 11, 2011, Board Room.
- b) Personnel Committee Meeting – 11:00 a.m., Tuesday, January 11, 2011, Board Room.
- c) Meeting with Minister of Education – 11:30 a.m., Thursday, January 13, 2011, Board Room.
- d) Special Board Meeting – 1:00 p.m., Thursday, January 13, 2011, Board Room.
- e) Finance Committee Meeting – 2:00 p.m., Thursday, January 13, 2011, Board Room.
- f) Divisional Futures and Community Relations Committee Meeting, 11:30 a.m., Friday, January 14, 2011, Board Room.
- g) Personnel Committee Meeting – 6:00 p.m., Monday, January 17, 2011, Board Room.
- h) Special Board Meeting – Preliminary Budget Meeting – 7:00 p.m., Monday, January 17, 2011, Board Room.
- i) MSBA Region 1 Collective Bargaining Meeting – 9:00 a.m., Tuesday, January 18, 2011, Minnedosa, Manitoba.
- j) Education Committee Meeting – 11:00 a.m., Wednesday, January 19, 2011, Board Room.
- k) Workplace Safety and Health Committee Meeting – 1:00 p.m., Wednesday, January 19, 2011, Board Room.
- l) MSBA Region 1 Meeting – 9:30 a.m., Monday, January 24, 2011, Elkhorn Resort and Conference Centre.
- m) NEXT REGULAR BOARD MEETING – 7:00 p.m., Monday, January 24, 2011, Board Room.

Mrs. P. Bowslaugh – Mr. Karnes

That the Board do now resolve into Committee of the Whole In Camera.

Carried.

IN COMMITTEE OF THE WHOLE IN CAMERA.

**4.00 IN CAMERA DISCUSSION:****4.01 Student Issues**

- Reports

- Trustee Inquiries



**4.02 Personnel Matters****- Reports**

- a) Confidential #1 – Personnel Report was noted.
- b) Confidential #2 on a Senior Administration matter was circulated to the Board, reviewed by Dr. Michaels, and referred to motion.
- c) Dr. Michaels reported verbally on a school administrator matter and Trustee inquires were responded to.

**- Trustee Inquiries****4.03 Property Matters/Tenders****- Reports****- Trustee Inquiries****4.04 Board Operations****- Reports**

- a) G. Barnes provided a verbal report for information on a Board operations/legal matter.

**- Trustee Inquiries**

- a) Trustee Bartlette presented information and received Board support on a Manitoba School Boards Association matter.

Mr. Karnes – Mrs. Bowslaugh

That the Committee of the Whole In Camera do now resolve into Board.

Carried.

IN BOARD

3/2011 Mr. Karnes – Mr. Sefton

That Confidential No. 2 and the recommendation therein contained be approved.

Carried.

**5.00 ADJOURNMENT**

Mr. Bartlette – Mr. Karnes

That the meeting do now adjourn (10:00 p.m.)

Carried.

---

Chairperson

---

Secretary-Treasurer