



# BRANDON SCHOOL DIVISION

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 P.M., MONDAY, AUGUST 25, 2014.

## **PRESENT:**

Mr. M. Sefton, Chairperson, Mr. J. Murray, Vice-Chairperson, Mr. P. Bartlette (via conference phone), Mrs. P. Bowslaugh, Mr. D. Karnes, Mr. G. Kruck, Dr. L. Ross, Mr. M. Snelling, Mr. K. Sumner.

Mr. D. Labossiere, Secretary-Treasurer, Recording Secretary, Ms. B. Sangster, Live Streaming Video Operator, Ms. K. Boklaschuk.

Senior Administration: Dr. D. M. Michaels, Superintendent/CEO, Mr. G. Malazdrewicz, Associate Superintendent, Ms. E. Jamora, Assistant Secretary-Treasurer, Ms. B. Switzer, Director of Human Resources.

The Chairperson called the meeting to order at 7:00 p.m. He welcomed everyone in attendance and noted the presence of the new Executive Assistant to the Secretary-Treasurer, and introduced her to the Board.

## **AGENDA**

### **1.00 AGENDA/MINUTES:**

#### **1.01 Reference to Statement of Board Operations**

#### **1.02 Approval of Agenda**

Trustee Bowslaugh noted she had one item she wished to report on during the meeting.

Trustee Sumner noted he also had one item he wished to report on during the meeting.

Trustee Murray stated that he had one item to bring forward under In-Camera discussions.

Mr. Snelling – Mr. Murray  
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 July 7, 2014 were circulated.

Mr. Karnes – Mr. Snelling

That the Minutes be approved as circulated.

Carried.

**2.00 GOVERNANCE MATTERS:****2.01 Presentations For Information****2.02 Reports of Committees**

- a) Finance Committee Meeting

The written report of the Finance Committee meeting held on July 7, 2014 was circulated.

Trustees asked questions regarding VOIP for clarification.

Mr. Sumner – Mrs. Bowslaugh

Carried

- b) Other

Point of Privilege: Trustee Bowslaugh advised that Ms. Lindsay Hargreaves wrote to ask if the Brandon School Division would provide a letter of support for an application for a grant regarding the Waste Reduction Challenge. The Board discussed and agreed to provide a letter of support. The matter was referred to the Secretary-Treasurer for follow-up with Trustee Bowslaugh.

- c) Point of Privilege: Trustee Sumner spoke on the low food supplies recently reported by Samaritan House. Mr. Sumner asked if everyone could put out a call for food donations for Samaritan House.

**2.03 Delegations and Petitions****2.04 Communications for Action**

- a) Heather Demetriooff, Associate Director of the Manitoba School Boards Association, August 15, 2014, provided School Board Election Resources. These resources are three-fold: to provide a comprehensive overview of the resources available on their election page, to provide Trustees with some new resources which will not be posted online, and to advise Trustees of their upcoming initiatives regarding the promotion of school trustee elections. Following the elections, they will be holding training sessions, on November 24 (evening) and November 25 in Brandon.

Referred MSBA Issues.

- b) The Honourable James Allum, Minister of Education and Advanced Learning, August 13, 2014, thanking the Board for their letter concerning liability insurance coverage for certain community groups wishing to access school facilities. *The Community Use of Schools and School use of Community Facilities* document, focuses on a broad use of school facilities by outside groups. Some activities are of higher risk than others, and as the “landlord”, school divisions can choose to do a risk assessment of some activities where the potential for injury is very low. The Board’s example of quilting is a circumstance where the school division can make the assessment for such an activity, and it is willing to assume it as a low likelihood of any incident or problem. Under these circumstances, The Minister does not believe there is need for his department to provide liability insurance coverage.

Referred Business Arising.

**2.05 Business Arising**

**- From Previous Delegation**

**- From Board Agenda**

- a) The Correspondence from The Honourable James Allum, Minister of Education and Advanced Learning, from Communications for Action 2.04 c), providing a response to the Board’s letter requesting province-wide liability insurance coverage for outside user groups was discussed. Trustee Kruck requested a copy of the original letter sent to Minister Allum. A request for further feedback from our insurance provider was discussed. It was agreed that the matter be referred to the Facilities and Transportation Committee for follow-up and report back to the Board in due course.

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

- a) The Correspondence from Heather Demetroff, Associate Director of the Manitoba School Boards Association, from Communications for Action 2.04 b), providing School Board election resources was received as information.

**- From Report of Senior Administration**

- a) School Reports – Year End Progress Report, Sept 2013-June 2014. K. Boklaschuk, Communications and Technology Specialist, was asked by Dr. Michaels, Superintendent, to speak to the online version of the Year End Progress Report. Dr. Michaels circulated and reviewed a hard copy of the document. Dr. Michaels noted that Marnie Wilson, Research and Evaluation Specialist, will review the final document in detail at the next Board Meeting.
- b) Learning Support Services Presentation – NIL
- c) Items from Senior Administration Report
- École secondaire Neelin High School Off-Site Activity Request (Calgary) – Referred Motions.
  - École secondaire Neelin High School Off-Site Activity Request (Spain) – Referred Motions.
  - Lease Agreement for At-Risk Youth Program – Referred Motions.

**2.06 Public Inquiries (max. 15 minutes)****2.07 Motions**

- 92/2014 Dr. Ross – Mr. Snelling  
That the trip involving eleven (11) students from École secondaire Neelin High School to participate in Varsity Girls Volleyball Tournament in Calgary, Alberta from September 25, 2014 – September 28, 2014 be approved and carried out in accordance with Board Policy/Procedures 4001: Off-Site Activities.

Trustee Kruck requested clarification on why the team was attending this tournament. Associate Superintendent Malazdrewicz noted it was an invitational tournament.

Carried (8-0-1 Trustee Kruck abstained)

- 93/2014 Mr. Snelling – Dr. Ross  
That the trip involving twenty (20) Grade 10 – 12 students from École secondaire Neelin High School to travel to Spain from March 26, 2016 to April 2, 2016 be approved and carried out in accordance with Board Policy/Procedures 4001: Off-Site Activities.

Trustees asked questions for clarification regarding trip details.

Carried

- 94/2014 Mr. Murray – Mr. Karnes  
That the Lease Renewal Agreement between The Brandon School Division and Lynn Hink and Vernon Hink to rent the property commonly known as 729 Princess Avenue for the period August 1, 2014 to July 31, 2015 at an annual rent of \$34,100.00 plus GST and utilities for operation of the At-Risk Youth Program be approved; and the Secretary-Treasurer is hereby authorized to affix his signature and the seal of the Division thereto.

Carried

- 95/2014 Mr. Murray – Mr. Karnes  
That the words “(before taxes)” be added after the financial amount of \$50,000 where that amount appears on pages 1, 2 and 4 of Procedures 3011 – “Purchasing Authority”.

Carried

**2.08 Bylaws**

1<sup>st</sup> Reading:

Mr. Snelling – Dr. Ross  
That By-Law 3/2014 being a by-law to regulate the proceedings of the Board of Trustees of the Brandon School Division and repealing By-Law 1/2011 passed January 24, 2011 (as amended by By-law 4/2011, May 24, 2011 and By-Law 6/2013, October 15, 2013) be now read for the first time.

Trustee Sumner requested a friendly amendment to the by-law noting under Section III, the words “Mast Issues (last meeting of the month)” be deleted and be replaced with the words “MSBA Issues”

Carried

## **THE BRANDON SCHOOL DIVISION**

### **BYLAW NO. 3/2014**

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 1/2011 passed January 24, 2011 (as amended by By-law 4/2011, May 24, 2011 and By-law 6/2013, October 15, 2013) 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 (½) 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. Cancellation of Regular/Special/Emergency Board Meetings

The Chairperson may cancel or postpone a meeting of the Board of Trustees in the event that inclement weather is forecast or existent. Notification of the decision to cancel or postpone a Board meeting due to inclement weather shall be made, as soon as possible, to each member of the Board of Trustees, Senior Administration and all staff who are expected to attend the meeting, by the Secretary-Treasurer or his/her designate. Notice shall also be provided on the Division website, through public service announcements and other forms of media as required.

Inclement weather shall be defined as weather conditions which are so severe as to create unsafe conditions for travel.

2.12 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**

- 3.01 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
    - MSBA Issues
    - From Report of Senior Administration
  - 2.06 Public Inquiries (Max. 15 mins)
  - 2.07 Motions
  - 2.08 Bylaws
  - 2.09 Giving of Notice
  - 2.10 Inquiries
    - 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**

- 6.01 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.

- 6.7 Any resident elector of the Division shall have the right to, without prior notice, ask a single question of the Board. The question must pertain to an item on the agenda of the current meeting.
- 6.8 Public Inquiries will be limited to 15 minutes unless extended by a majority vote of the Board members present.

### **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. 1/2011 passed January 24, 2011, as amended by Bylaw 4/2011, May 24, 2011 and Bylaw 6/2013, October 15, 2013 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. 2014.

SECOND READING: \_\_\_\_\_ day of \_\_\_\_\_ A.D. 2014

THIRD READING: \_\_\_\_\_ day of \_\_\_\_\_ A.D. 2014

\_\_\_\_\_  
Chairperson

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

I, DENIS LABOSSIÈRE, Secretary-Treasurer of The Brandon School Division, DO  
HEREBY CERTIFY THE ABOVE to be a true and correct copy of Bylaw No. 3/2014

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

#### 1<sup>st</sup> Reading

Dr. Ross – Mr. Snelling

That By-Law 4/2014 being a by-law to authorize payment of indemnities and mileage to Trustees and repealing By-Law 4/2010 passed October 25, 2010 (as amended by By-law 1/2012, June 11, 2012) be now read for the first time.

Carried

## THE BRANDON SCHOOL DIVISION

## BYLAW NO. 4/2014

BEING A BYLAW of The Brandon School Division to authorize payment of indemnities and mileage to Trustees and Bylaw No. 4/2010, October 25, 2010 (as amended by By-law 1/2012, June 11, 2012) shall be repealed.

WHEREAS The Brandon School Division is a school division as defined in The Public Schools Act;

AND WHEREAS The Public Schools Act, Chapter P250 of the Revised Statutes of Manitoba as amended, provides as follows:

"Section 56(1)

A school board may, by bylaw, provide for the payment of an annual indemnity to the chairman and to each trustee payable in such amount and at such times and under such conditions as provided in the bylaw.

Section 56(2)

In addition to the indemnity referred to in subsection (1), each member of the school board may be paid and may accept

- (a) such amount per mile as set by bylaw of the school board for each mile actually and necessarily travelled from his place of residence in the school division or school district to the place of meeting and return to his place of residence, allowable only once for each school board meeting;
- (b) such amount per hour as set by bylaw of the school board for each hour actually and necessarily spent by him under authority previously given by resolution of the school board in the performance of such duties, work or services as he is required or authorized under the resolution to perform, and;
- (c) such an amount per mile, as set out by bylaw of the school board, for each mile actually and necessarily travelled by him in the performance of the duties, work or services to which clause (b) applies;

but the remuneration or mileage mentioned in clauses (b) and (c) is not payable until an account showing the work or service performed, verified by statutory declaration, has been filed with the secretary-treasurer and payment thereof authorized by resolution of the school board.

Section 56(3)

A school board may reimburse its trustees, trustees-elect or employees for expenses necessarily incurred while attending conventions or carrying out duties assigned or approved by



the school board and at such rates and under such conditions as the school board may determine."

AND WHEREAS, pursuant to the provisions of The Public Schools Act and the amendments thereto, it is deemed expedient and advisable to provide for the payment of indemnities and mileage to the Chairperson of the Board and to each Trustee;

NOW, THEREFORE, the Trustees of The Brandon School Division, at a meeting duly called and held for the purpose, do hereby enact as follows:

1. That, the Chairperson and each member of the Board of Trustees be paid by equal monthly installments an annual indemnity of:

For a Trustee as Chairperson and Trustee - effective July 1, 2013	\$17,646.00
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For a Trustee as Vice-Chairperson and Trustee - effective July 1, 2013	\$15,456.00
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For each other Trustee - effective July 1, 2013	\$14,251.00
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That the total annual indemnities for Chairperson, Vice-Chairperson and Trustees shall be adjusted each year effective July 1<sup>st</sup> by a percentage amount equal to the average percentage increase in wages and salaries for Brandon Teacher's Association and CUPE Local 737 for the immediately preceding twelve (12) months;

2. That absence from any regular meeting of the Board over six (6) in any one calendar year shall result in a loss of indemnity of One Hundred and Thirty Dollars (\$130.00) for each meeting beyond the said six (6) meetings, and further provided that, where any absence from a regular meeting of the Board, as indicated by motion authorizing the member to attend a conference or the like or to be absent, such absence shall constitute an authorized absence from meetings and does not apply against the six (6) meeting's absence as referred herein;

And That absence from a regular meeting of the Board by any Trustee by reason of said Trustee attending on the same day a meeting of the Executive of, or a Committee of or acting as a representative of The Manitoba School Boards Association (MSBA) as a member of same shall be deemed an "authorized absence" for the purpose of Section 37 of The Public Schools Act and Section 2 hereof;

And Further That it shall be the responsibility of the Trustee to furnish to the Secretary-Treasurer in a timely fashion proper verification of attendance at said MSBA meetings;

3. That it is hereby deemed that one-third (1/3) of the total indemnity, as provided for in the above-described sections, shall be deemed to be for expenses of and incidental to the discharge of the normal respective duties of the Chairperson, Vice-Chairperson, members of the Board of Trustees, and Chairperson of all designated Committees; such allotment shall not include out-of-the-ordinary expenses, which shall be approved by resolution of the Board in accordance with Section 56(3);

4. That the Chairperson and each member of the said Board shall be paid 40 cents per kilometer effective October 1, 2011 or such other amount as periodically approved by motion of the Board for each kilometer actually and necessarily travelled from his/her place of residence, when his/her place of residence is outside the boundaries of the City of Brandon, to the place of meetings and return for School Board and Committee meetings and other Board business authorized by resolution of the Board;
5. That, effective the 1st day of November, 2010, all Trustees shall be paid an additional indemnity, as provided by and in accordance with Section 56(2)(b), of thirteen (\$13.00) dollars per hour to a maximum of eight (8) hours per day each day plus travel and living expenses approved by the Board and necessarily incurred while acting on Board business and when authorized by resolution of the Board in accordance with Section 56(2) & (3) of The Public Schools Act;
6. That, effective November 1, 2010, a Trustee shall be entitled to receive an indemnity in addition to that set out in Article 1 herein at the rate of thirteen dollars (\$13.00) per hour to a maximum of eight (8) hours per day:
  - a) for each hour actually attended at a Special Board Meeting or a meeting of a Board Committee on which the Trustee is a member, provided such a meeting is of a minimum of three (3) hours duration; or
  - b) for each hour actually attended at meetings as a member of the Committee of the Board charged with the responsibility of negotiating the terms and conditions of the collective agreements between the Division and the bargaining agents representing the employees of the Division with said meetings, for this purpose, being those attended at the Bargaining Table, Conciliation Meetings and Arbitration Hearings with the applicable bargaining agent.
7. That Bylaw No. 1/2010, passed October 25, 2010 as amended by Bylaw 1/2012, June 11, 2012 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. 2014

SECOND READING: \_\_\_\_\_ A.D. 2014

THIRD READING: \_\_\_\_\_ A.D. 2014

\_\_\_\_\_  
Chairperson

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

Certified a true copy of Bylaw No. 4/2014 of the Board of Trustees of The Brandon School Division.

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Secretary-Treasurer

## **2.09 Giving of Notice**

## **2.10 Trustee Inquiries**

## **3.00 ADMINISTRATIVE INFORMATION:**

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

Secretary-Treasurer Denis Labossiere, highlighted the following information from the Report of Senior Administration:

- Manitoba Schools Insurance Program for 2014-2015
- Upcoming Trustee Elections

Superintendent, Dr. Michaels, highlighted the following information from the Report of Senior Administration:

- Suspension Report
- EAL enrolment update
- Correspondence from the Minister of Education and Childhood Development (Nova Scotia)
- Correspondence from the MSBA President
- Correspondence from the Assistant Deputy Minister, Manitoba Education and Advanced Learning
- Correspondence from the District of Grand Bank Minister (Newfoundland Labrador)
- Parent thank you letter

Mr. Murray requested inclusion of recidivism in future suspension reports.

Trustees requested clarification regarding the EAL reports and Maple Leaf's future plans. Senior Administration was directed to contact the CEO of Maple Leaf to follow-up.

Mr. Murray – Mr. Snelling

That the August 25, 2014 Report of Senior Administration be received and filed.

Carried.

### **3.02 Communications for Information**

- a) The Honourable James Allum, Minister of Education and Advanced Learning, July 9, 2014, provided a copy of the document *Smudging Protocol and Guidelines for School Divisions 2014* that reflects a particular Aboriginal practice on which school divisions are working to share with their staff, students and community to foster an atmosphere of respect, understanding and inclusivity. This includes welcoming all students to learn about First

Nation, Métis and Inuit traditions. An electronic copy of the *Smudging Protocol and Guidelines for School Divisions 2014* can be obtained at: [www.edu.gov.mb.ca/aed/publications/index.html](http://www.edu.gov.mb.ca/aed/publications/index.html).

Protocol for smudging in the Brandon School Division was discussed. Concern was raised about ventilation. The matter was referred to the Facilities and Transportation Committee for follow-up.

Ordered Filed.

- b) Art and Iona Godfrey, undated, thanking the Board for the Dinner and evening at the Victoria Inn and for the retirements gifts.

Ordered Filed.

- c) Darlene Wilkinson, undated, thanks the Board for the retirement celebration. She appreciated the evening and gift.

Ordered Filed.

### **3.03 Announcements**

- a) Facilities and Transportation Committee Meeting, 11:30 a.m., Thursday, September 4, 2014, Board Room.
- b) NEXT REGULAR BOARD MEETING – 7:00 p.m., Monday, September 8, 2014, Board Room.

Prior to moving In Camera, the Board recognized Ms. S. Bailey for her service to the Division over the past 9 years.

Mr. Sumner – Mr. Kruck

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 – Letter to Solicitor was received. The Secretary-Treasurer circulated additional information regarding this matter.

- c) Confidential #3 – Regarding a Personnel matter, was presented to the Board. It was noted a motion would be brought forward at the end of the meeting.

**- Trustee Inquiries**

**4.03 Property Matters/Tenders**

**- Reports**

**- Trustee Inquiries**

**4.04 Board Operations**

**- Reports**

**- Trustee Inquiries**

- a) Trustee Murray inquired about a Board operations matter. It was agreed the matter should be discussed further in Open Board at a future meeting.

Mr. Kruck – Mrs. Bowslaugh

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

Carried.

96/2014 Dr. Ross – Mr. Snelling

That Confidential #3 and the recommendations therein be approved.

Carried.

**5.00 ADJOURNMENT**

Mr. Murray – Mr. Karnes

That the meeting does now adjourn (9:30 p.m.)

Carried.

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Chairperson

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Secretary-Treasurer