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**DISTRICT FOUNDATIONAL STATEMENTS**

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- 8.11 Approve construction projects in excess of five hundred thousand dollars (\$500,000).
- 8.12 Approve annual amended budget
- 8.13 Monitor the fiscal management of the District through receipt of monthly financials and quarterly accountability reports including variance analyses and year-end projections.
- 8.14 Approve borrowing for capital expenditures within provincial restrictions.
- 8.15 Approve transfer of funds to/from reserves.
- 8.16 Acquire and dispose of land and buildings; ensure titles to or enforceable long-term interests in land are in place prior to capital project construction.
- 8.17 Annually approve signing authorities for the District.

### **Selected Responsibilities**

1. Approve annual district calendar in accordance with legislation and collective agreements February consultation and March approval.
2. Approve Board Authority Authorized Courses.
3. Approve the naming of educational facilities and land.
4. Recognize students, staff and community members.
5. Hear unresolved student or staff complaints of discrimination or harassment that cannot be heard by the Superintendent.
6. Approve parameters for negotiations after soliciting advice from the Superintendent and ratify Memoranda of Agreement with Bargaining units.
7. Annually Review and approve Board compensation and expense rates.
8. Approve catchment areas for schools and special programs.
9. Approval of and cessation of academies and programs of choice.
10. Approval of field trips outside of mainland North America.

Legal Reference:





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## PROCESS

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The annual externally facilitated Board self-evaluation process shall be completed subsequent to the Superintendent evaluation process described in the appendixes to Policy 12 and entitled, Superintendent/CEO Evaluation Process, Criteria and Timelines. The two evaluation processes are complementary in nature.

## PURPOSE

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The purpose of the Board self-evaluation process is to provide the Board with an opportunity to evaluate its performance and to identify areas for improvement.



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9. Represent the Board in all Board-related matters with proper decorum and respect for others.
10. Use discretion at all times to minimize the impression that the individual trustees' statements reflect the corporate opinion of the Board.
11. Ensure the use of electronic devices is for the purposes of the meeting.
12. Refrain from engaging in private communications while at Board meetings.
13. Consequences for the failure of individual trustees to adhere to the Trustee Code of Conduct are specified in Policy 4 Appendix – Trustee Code of Conduct Sanctions.

Legal Reference: Sections 49, 50, 55, 56, 57, 58, 59, 62, 65, 85, 94, 95 School Act

## **TRUSTEE CODE OF CONDUCT SANCTIONS**

1. Trustees shall conduct themselves in an ethical and prudent manner in compliance with the Trustee Code of Conduct, Policy 4. The failure by trustees to conduct themselves in compliance with this policy may result in the Board instituting sanctions.

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- 10.2.4 The respondent trustee shall then be provided a further opportunity to respond to the complaining trustee's presentation and subsequent remarks;
  - 10.2.5 The remaining trustees of the Board shall be given the opportunity to ask questions of both parties;
  - 10.2.6 The complaining trustee shall be given the opportunity to make final comments; and
  - 10.2.7 The respondent trustee shall be given the opportunity to make final comments.
- 10.3 Following the presentation of the respective positions of the parties, the parties and all persons other than the remaining trustees who do not have a conflict of interest shall be required to leave the room, and the remaining trustees shall deliberate in private, without assistance from administration. The Board may, however, in its discretion, call upon legal advisors to assist them on points of law or the drafting of a possible resolution(s).
- 10.4 If the remaining trustees in deliberation require further information or clarification, the parties shall be reconvened and the requests made in the presence of both parties. If the information is not readily available, the presiding Chair may request a recess or, if necessary, an adjournment to take an

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## **BOARD OPERATIONS**

The Board's ability to discharge its obligations in an efficient and effective manner is

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2.1.1 An Inaugural Meeting of the Board of Education shall be convened by the Secretary Treasurer or designate on the first Tuesday after December following Trustee elections, or as soon thereafter as it is convenient. The order of business shall include:

2.1.1.1 Report of Retiring Chairperson

2.1.1.2 Statement of the Returning Officer;

2.1.1.3 To make a prescribed oath of office, by oath or solemn affirmation;

2.1.1.3.1 Each trustee will take the oath of office immediately following the call to order of the inaugural meeting after a general election. Special provisions will be made for a trustee taking office following a by-election.

2.1.1.4 Election of Chairperson and Vice Chairperson;

2.1.1.5 Election of BCSTA Provincial Council delegate and alternate delegate;

2.1.1.6 Election of BCPSEA representative and alternate.

(Elections shall be by ballot vote. Should an election vote end in a tie, up to two further votes shall be taken to break the tie. After the third vote, if a tie continues, the Board shall recess and reconvene at a time of its choosing in order to conduct a fourth vote.

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2.2 Annual Meeting

2.2.1 Each year thereafter during the term of office the Board of Education shall



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7.8 Upon adoption by the Board, the minutes of meetings other than in-camera meetings shall be open to public scrutiny.

## 8. Motions

8.1 No decision shall be made by the Board unless upon a motion of a Trustee, seconded by another Trustee and approved by majority vote.

8.2 A motion to vary the agenda to advance an item on the agenda so that it may be dealt with immediately following delegations concerning that item shall be in order.

8.3 A Trustee shall not speak other than on the motion under debate. A Trustee shall only speak once on the same motion without the leave of the Board except to explain a part of his or her remarks which may have been misunderstood, or to raise a point of information or clarification.

The mover of the motion, however, may speak again to close debate. Trustees shall not speak to any motion for a period of longer than ten minutes without the leave of the Board.

8.4 Every Trustee present at a meeting of the Board has the right and duty to vote except where the Trustees has disqualified himself or herself from the proceedings because of a declared conflict of interest which shall be recorded. III 13.5(1) 3(1) 6.5(e) 6.6

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**7. Repeal**

School District 40 New Westminster Trustee Elections Bylaw No 1-93 is hereby repealed.

Date of first reading: \_\_\_\_\_

Date of second reading: \_\_\_\_\_

Date of third reading and adoption: \_\_\_\_\_

\_\_\_\_\_  
Chairperson of the board

(Corporate seal)



## **BOARD COMMITTEES**

The Board recognizes its obligations to establish committees as provided for in the CUPE and NWTU collective Agreements. These include two committees identified in the CUPE Collective Agreement, The CUPE Labour/ Management committee and the Personnel committee. One additional committee is identified in the NWTU Agreement, namely the STw 10.581 0 LBody

4. The rules of procedure set for regular Board meetings shall be observed in “Committee of the Whole” so far as may be applicable, except that:
  - 4.1 The number of speeches by Trustees to any question shall not be limited; however no Trustee shall speak for longer than a0 Td ( )Tj -0.374 cm lr224p(no )11.28.9( by)8.9( Tr)-

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10.4.1 Monthly, the second Tuesday of the month. Committee In-Camera meetings will be convened prior to open committee meetings, as required. In-Camera topics are as defined in policy 7 section 5.1.

### **Special Committees**

Special committees are established to assist the Board on a specific project or a particular purpose. The terms of reference for each special committee will be established at the time of formation.

### **Resource Personnel**

The Superintendent may appoint resource personnel to work with committees, and shall determine the roles, responsibilities and reporting requirements of the resource personnel.

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## **BOARD DELEGATION OF AUTHORITY**

The School Act allows for the Board to delegate certain of its responsibilities and powers to others.

The Board authorizes the Superintendent to do any act or thing or to exercise any power that the Board may do, or is required to do, or may exercise, except those matters which, in accordance with provincial legislation, cannot be delegated. This delegation of authority to the Superintendent specifically:

- x Includes any authority or responsibility set out in the School Act and regulations as well as authority or responsibility set out in other legislation or regulations;
- x Includes the ability to enact Administrative Procedures required to carry out this authority; and also
- x Includes the ability to sub-delegate this authority and responsibility as required.

Notwithstanding the above, the Board reserves to itself the authority to make decisions on specific matters requiring Board approval. This reserved authority of the Board is set out in Board policies, as amended from time to time.



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### 3. Fiscal Responsibility

#### Role Expectations:

- RE 3.1 Ensures the fiscal management of the District is in accordance with the terms or conditions of any funding received by the Board under the School Act or any other Act.
- RE 3.2 Ensures the District operates in a fiscally responsible manner, including adherence to recognized accounting procedures.
- RE 3.3 Prepares and presents the budget which reflects Board priorities.
- RE 3.4 Ensures the Board has current and relevant financial information.

#### Quality Indicators relative to Fiscal Responsibility:

- QI 3.1 Ensures accepted (PSAB) accounting principles are being followed.
- QI 3.2 Ensures all deficiencies identified in the previous audit report and management letter have been remediated to the satisfaction of the auditor.
- QI 3.3 Ensures adequate internal financial controls exist and are being followed.
- QI 3.4 Ensures all collective agreements and contracts are being administered and interpreted so staff and contracted personnel are being paid appropriately and appropriate deductions are being made.
- QI 3.5 Ensures an internal audit process is developed and implemented in regard to school based funds and an annual report provided to the Board.
- QI 3.6 Provides the Board with at least



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- x The schools' name,
  - x The school's facility number,
  - x The school's address and
  - x The date on which the school will close.
8. The consolidation and/or closure of a school will normally take place in preparation for the commencement of the new school year.
9. By April 30, the Board will consider the information received and decide if a facility is to be closed or reorganized on June 30 for the following September.

Legal Reference: Sections 22, 65, 73, 85, 96, 100 School Act  
Section 23 Ombudsman Act  
School Opening and Closure Order M320-02  
Disposal of Land or Improvement Order M233/07

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the trustee, officer or employee in a court proceeding arising out of the claim except as otherwise provided for in this bylaw.

- 2.2 The Board shall indemnify a trustee, an officer or an employee where an inquiry under the Inquiry Act or other proceedings involving the administration and conduct of the business of the District, and also pay reasonable legal costs incurred in such inquiries or proceedings, except as otherwise provided in this bylaw.
- 2.3 Sections 2.1 and 2.2 apply in respect of a person who was formerly a trustee, an officer or an employee of the Board at the time he/she performed the duties out of which the claim inquiry or other proceeding arise, whether or not he/she is a trustee, an officer or an employee at the time the claim for damages, inquiry or other proceeding arises, or any legal action arising out of the claim inquiry or other proceeding is commenced or concluded except as otherwise provided in this bylaw.
- 2.4 This bylaw applies to:
  - 2.4.1 The performance of duties by current or former trustees, officers or employees; and
  - 2.4.2 Inquiries or proceedings arising out of the administration and conduct of the business of the District.

### 3. Administration of Medication

Without limiting the generality of Section 2, the Board's indemnification of officers and employees against claims for damages as set out in Section 2.1 hereof, shall include, but is not limited to, claims arising from Board authorized administration of medication to students, supervision of self-administration of medication by students, and performance of

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