



Thames Valley
District School Board

**GOVERNING
BYLAWS
of the
Thames Valley District
School Board**

Approved by Board Motion the 25 day of March 2025.

SIGNED:



David Cripps, Vice Chair of the Board



Bill Tucker, Interim Director of Education

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Article 1 – Name

The name of this organization is the Thames Valley District School Board, hereinafter referred to as TVDSB.

Article 2 – Purpose

The Board of Trustees is the collective governing body of the TVDSB. The Board of Trustees also referred to as, “The Board”, are responsible for maintaining focus on student achievement and well-being, effective stewardship of resources as outlined in 169.1 of the Education Act, and being accountable to local public school supporters. The Board of Trustees is guided and informed through its committees, Bylaws, and policies, makes decisions as a collective body, and articulates those decisions with one voice. As the governance decision making body of the TVDSB, the Board utilizes all information required/requested to ensure due diligence and informed decisions.

These Bylaws govern all TVDSB Trustees, including Student Trustees. The Bylaws outline the Trustees’ role and broad duties to provide governance oversight of the TVDSB.

These Bylaws indicate to the school supporters what to expect from and of their Board of Trustees and each member of the Board.

These Bylaws apply to all Board meetings, committees of the Board, and committee members. Where applicable, the TVDSB utilizes Robert’s Rules of Order Newly Revised (12th ed.) as the parliamentary authority.

Each Board committee will have a Terms of Reference as its primary governing document.

Article 3 – Board of Trustees

3.1 Elected Trustees

Trustees shall be elected at a regular municipal election as per the *Municipal Elections Act, 1996* and the *Education Act*.

3.2 First Nations Trustee

The Board of Trustees appoints a First Nations Trustee as per O. Reg. 462/97 under the *Education Act*.

3.3 Student Trustee

Student Trustee(s) are elected by the student body as per the TVDSB Student Trustees on the Board Policy and Procedure and further governed by *O. Reg. 7/07* under the *Education Act*.

3.4 Indigenous Student Trustee

The Indigenous Student Trustee is elected by the student body as per *O. Reg. 7/07* under the *Education Act*.

3.5 Filling Board Vacancies

3.5.1 Elected Trustee vacancies shall be filled as per TVDSB Board Policy and Procedure, the *Education Act*, and the *Municipal Elections Act*.

3.5.2 First Nations Trustee vacancies shall be filled as per *O. Reg. 462/97* under the *Education Act*.

3.5.3 Student Trustee vacancies shall be filled as per TVDSB Board Policy and Procedure and *Reg. 7/07, s 7* under the *Education Act*.

3.5.4 Indigenous Student Trustee vacancies shall be filled as per TVDSB Board Policy and Procedure.

3.6 Self-Assessment. The Board of Trustees will conduct an annual self-assessment.

Article 4 – Executive

4.1 The Executive Members of the Board

The Executive members of the Board of Trustees shall be the Chair and Vice Chair.

4.2 Duties of the Trustees

Adhere to the duties of the Trustees as outlined in the *Education Act*. Sec. 169, 170, 218.1.

4.3 Term of Office

The Executive members shall serve for a term of one year or until their successors are elected as per the *Education Act*. In a municipal election year, the end of the term shall be in accordance with the *Education Act* and the *Municipal Elections Act, 1996, S.O., c.32*, hereinafter referred to as the *Municipal Elections Act*.

4.4 Duties of the Executive Members

4.4.1 Duties of the Chair. The Chair shall perform the duties prescribed in the Education Act, these bylaws, and any other governing documents the Board may adopt or is bound by.

In addition to the responsibilities under the Education Act, the following shall be the duties of the Chair:

- a. Action and follow up on Board direction given to the Chair.
- b. Have signing authority of Board-approved contracts.
- c. Make copies of all Board correspondence received and sent to the Chair, on behalf of the Board, available to all Trustees.
- d. Shall be ex-officio member of all committees of the Board.
- e. Meet regularly with the Director of Education, hereinafter referred to as the Director, and Vice Chair as needed to fulfil the role of Chair effectively.
- f. Preside over the Chair's Committee.
- g. Participate on the interview committee for supervisory officer hires
- h. Act as the spokesperson of the TVDSB unless otherwise determined by the Board.
- i. Advise the Board on matters that have a high potential of reputational risk to the Board.

4.4.2 Duties of the Vice Chair. The Vice Chair shall:

- a. Preside in the absence of the Chair.
- b. Preside over the Committee of the Whole and Policy Working Committees as Chair.
- c. Meet regularly with the Chair and Director.
- d. Endeavour to assist the Chair in performing the Chair's duties.
- e. Assume all duties and responsibilities of the Chair, where appropriate, in the absence of the Chair.
- f. Participate on the interview committee for supervisory officer hires

4.4.3 Absence of Chair and Vice Chair. If both the Chair and Vice Chair are absent, the Director or designate shall call the meeting to order and preside until the immediate election of a Chair as per pro tempore by majority vote of members present at the meeting.

Article 5 – Election of Executive Members

- 5.1** The Chair and Vice Chair shall be elected at the annual Organizational Meeting, held prior to the Inaugural Meeting. (See Inaugural Meetings)
- 5.2** The committee Chair (and Vice Chair if applicable) shall be elected at the first committee meeting following the organizational meeting.
- 5.3 Election of Chair.** The Director or designate shall conduct the election of the Chair as follows:
- a. The Director or designate shall call the meeting to order, preside, and assume the chair until the election of the Chair.
 - b. The scrutineer(s) will count and record the secret/confidential ballots. Two scrutineers are designated for Board elections and one for committee elections.
 - c. Call for nominations for the office of Chair:
 1. Members may self-nominate.
 2. Written nomination may be sent to the Director or designate by email before 12:00 p.m. on the day of the election.
 3. No seconds shall be required.
 4. The Director or designate shall announce any nominations received by email before the required deadline.
 5. The Director or designate will call for nominations from the floor.
 6. Each nominee shall indicate whether the nomination is accepted.
 7. If a nominee is absent, they shall have indicated to the Director or designate their willingness to stand for election in writing before 12:00 p.m. on the day of the election, and the Director or designate shall announce this has occurred.
 8. A Trustee/member may request for nominations to be completed by secret/confidential ballot by motion.
 - d. Only the names of those accepting the nomination shall be allowed on the secret/confidential ballot.
 - e. If only one Trustee accepts the nomination, declare that the Trustee was elected by acclamation.
 - f. Offer the nominees the opportunity to speak for up to three (3) minutes to their nomination.
 - g. Conduct the vote by secret/confidential ballot. A member may vote through a scrutineer, who will ensure the vote remains confidential (see Appendix B: Special Rules of Order).
 - h. Any nominee may voluntarily withdraw their name before the next vote.

- i. Declare the nominee receiving a majority of votes cast as elected without declaring the count.
- j. Should no Member receive a majority of the votes cast, the Director or designate shall announce the names of the Members remaining on the secret/confidential ballot with the name of the Member receiving the fewest number of votes being removed.
- k. If there is a tie vote for the nominee with the fewest number of votes, all nominees tied with the fewest votes will be removed from the ballot.
- l. If removing all the tied nominees with the fewest votes would result in only one name remaining on the ballot, dice will be drawn by each nominee, and the nominee with the highest draw will remain on the ballot.
- m. The process shall continue until either a nominee receives a majority of votes cast or a tie occurs with the remaining Trustees on the secret/confidential ballot.
- n. If there is a tie vote with the remaining nominees on the secret/confidential ballot, the drawing of cubes process shall be used to determine the successful candidate.
- o. Drawing of cubes process: Each candidate shall draw a number, be noted by the scrutineer, and the number returned to the box. The candidate drawing the highest-ranking number shall be declared the successful nominee. Should the nominees draw the same number, the process will be repeated.
- p. The successful candidate shall assume the chair.
- q. By motion, the ballots shall be destroyed.
- r. The newly elected Chair shall assume the chair and conduct the election for Vice Chair and Chairs of the Program and School Services Advisory Committee and Planning and Priorities Advisory Committee using the same process as the Chair election.

5.4 Vacancies in the Position of Chair or Vice Chair.

If the office of the Chair or Vice Chair becomes vacant, a new Chair or Vice Chair, as required, shall be elected at the first meeting after a vacancy occurs as prescribed in the *Education Act*. A Special Board Meeting may be called for this purpose by the Director or designate.

Article 6 – Meetings

A Meeting is a single official gathering of the members of an organization in one room, with a quorum present to transact business. Education/professional development sessions, information sessions, training, and conferences are not considered meetings of the Board/committee and therefore are not open to the public and do not require a formal agenda or minutes.

6.1 Regular Meetings

- 6.1.1 The Board will meet regularly from September to June on the fourth Tuesday of each month in public session at 7:00 p.m. in the Board Room of the Thames Valley District School Board Education Centre or equivalent, if the board room is unavailable/inaccessible, unless otherwise approved by motion at a previous meeting.
- 6.1.2 In a non-election year, the outgoing Chair may, at the Regular Meeting that immediately precedes the Organizational Meeting to elect the Chair for the ensuing year, present a valedictory address in celebration of achievements over the past year.
- 6.1.3 The Board shall not remain in session later than 11:00 p.m. unless the meeting is extended to or for a specified time by a two-thirds vote. A second extension may be allowed by a two-thirds vote. The Chair has the responsibility to inform the Board of any time sensitive items or any crucial announcements prior to taking a vote on an extension or declaring the meeting adjourned.
- 6.1.4 Members of the public may have an opportunity to present input to the Board and/or its committees at a Board or committee meeting, regarding Board policies, practises, issues, and its overall education system, with approval from the Chair's Committee (see Appendix G Delegations to the Board).

6.2 Organizational Meetings.

- 6.2.1 An Organizational Meeting shall be held before the Inaugural Meeting to elect the Chair and Vice Chair as outlined in Article 5 – Election of Executive Members and to appoint the signing officers of the Board who shall be the Board Chair and Vice Chair; Director of Education; and Associate Director, Organizational Support Services; and Treasurer.

This meeting shall be considered the first meeting as required under the *Education Act* and shall be held no later than seven days after the start of the term of the Board.

6.2.2 Declaration and Oath of Office:

In the year of a municipal election, Trustees shall take and subscribe the declaration and the oath or affirmation of allegiance before the Director or before any person authorized to administer an oath or affirmation of allegiance as prescribed in *Education Act*, before assuming office.

Exemptions may be made for Indigenous Trustees from taking the oath or affirmation as per the *Education Act*.

Trustees who are appointed or elected by virtue of a by-election in a non-election year must take and subscribe to the declaration and the oath or affirmation of allegiance before the Director or before any person authorized to administer an oath or affirmation as prescribed in the *Education Act*, before assuming their office.

6.2.3 Conflict of Interest

All Trustees are expected to comply with the provisions of the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50, hereinafter referred to as the Municipal Conflict of Interest Act, which requires that Trustees declare and disclose the general nature of the interest for all direct and indirect pecuniary conflicts of interest and abstain from discussing, voting, or influencing the voting on these matters for all Board and committee meetings. Once a conflict has been declared, a written statement shall be filed with Board Services at the meeting or as soon as possible. This requirement is for all Board meetings (regular/special) and committee meetings.

6.3 Inaugural Meetings in a Municipal Election Year

6.3.1 The Inaugural Meeting shall be held in a municipal election year in the Board Room of the Thames Valley District School Board Education Centre or equivalent, if the board room is unavailable/inaccessible, at 7:00 p.m. within 14 days of the Organizational Meeting.

6.4 Inaugural Meetings

6.4.1 The Inaugural Meeting will be incorporated into the next Regular Board meeting following the Organizational Meeting

6.4.2 The newly elected Chair shall deliver an inaugural address.

6.5 Special Meetings

6.5.1 Special meetings of the Board may be held at the call of the Chair in consultation with the Director or designate or on the written request of the majority of the Trustees of the Board made to the Chair and/or Director or designate and copied to the Supervisor, Board Services. The meeting will be held in the board room of the Thames Valley District School Board, Education Centre or equivalent, if the board room is unavailable/inaccessible.

6.6 Committee of the Whole In-camera Session

6.6.1 As per the *Education Act*, a meeting of the Board or committee of the Board will be closed to the public when the subject matter under consideration involves:

6.6.1.1 The security of the property of the Board;

6.6.1.2 The disclosure of intimate, as personal, or financial information in respect of a member of the Board or committee, an employee or prospective employee of the Board or student or their parent or guardian;

6.6.1.3 The acquisition or disposal of a school site;

6.6.1.4 Decisions in respect of negotiations with employees of the Board;

6.6.1.5 Litigation affecting the Board; or

6.6.1.6 Consideration of an ongoing investigation under the Ombudsman Act respecting the Board

6.6.2 When a special in-camera meeting is held, the in-camera report shall be presented in Public Session at the next Regular Board meeting, or when necessary to approve Board business at a Special Board meeting.

Regular Committee of the Whole In-camera sessions shall recess or rise and report no later than 6:00 p.m. With a two-thirds vote, the meeting may be extended until 6:20 p.m. The Chair is responsible for informing the

committee of any time-sensitive items or any crucial announcements before taking a vote on an extension or declaring the meeting adjourned.

In cases where an extension will not permit enough time to complete the agenda, non-urgent matters will be deferred until the next meeting. To address time-sensitive items, the committee will recess and may reconvene following the Public Session.

- 6.6.3** In the absence of the Vice Chair, the Chair of the Board shall preside. If neither the Chair nor Vice Chair are present, the Board shall appoint a Chair pro tempore to chair the meeting.
- 6.6.4** Trustees shall ensure that all in-camera materials in their possession are stored in a secure, confidential location on site, at the Education Centre or shredded/deleted following the meeting.
- 6.6.5** In the absence of the official Recording Secretary during the closed session for any committee, the presiding officer may appoint a qualified person to act as the Recording Secretary for that meeting as per the *Education Act*.
- 6.6.6** In the event the Director is asked by the Chair and/or Board of Trustees to be excused from the meeting, a qualified person shall act as the Director's designate.
- 6.6.7** Trustees attending the meeting via electronic means shall have the same rights and responsibilities as if the Trustee was in physical attendance.

6.7 Notice, Agenda, and Supporting Materials

6.7.1 Notice of Regular, Inaugural, and Organizational Meetings

Notice of the agenda and supporting materials shall be provided to members no later than 72 hours before the meeting. If additional supporting materials become available, they may be provided to members in advance of the meeting. Notwithstanding the above, Committee of the Whole In-camera materials, if extremely sensitive and confidential, may be provided at the meeting or available for viewing in a secured space.

6.7.2 Notice of Special Meetings

The agenda and supporting materials shall be provided to Members no later than 48 hours before the meeting. Only the matter(s) for which the special meeting was called may be addressed and no other business shall be

considered unless all the Members qualified to vote on the matter are present. Notwithstanding the above, Committee of the Whole In-camera/committee in-camera supporting materials, if extremely sensitive and confidential, may be provided at the meeting or available for viewing in a secured space.

6.7.3 Notice of Emergency Meeting

In the event of a catastrophic emergency, in which it is imperative to call a Board meeting as quickly as possible, Trustees will be notified of the time and place of a Board meeting by any means possible, including but not limited to text message, email, phone call and/or as personal delivery. Board Services will give Trustees as much notice of the meeting as circumstances allow. If a quorum can be achieved, an emergency meeting can be held.

6.8 Additions to the Agenda

6.8.1 The Chair will create the Board agenda in consultation with the Director or designate and with opportunity for input from other Members of the Board. The Board may add an item to a regular Board agenda by a two-thirds vote of the entire constituted Board during the approval of the agenda or by providing a Notice of Motion at the previous meeting.

6.8.2 Notice of Motion

Notices of Motion on new matters must be submitted electronically to the Chair of the Board with a copy to Board Services six (6) business days before the next regularly scheduled meeting of the Board by 9 a.m. for inclusion in the Board agenda package. In this way, Trustees and the public benefit from having the Notice of Motion entered on the agenda for the next meeting.

6.8.3 Motions Related to an Existing Agenda Item

Motions related to an existing agenda item require a second and a majority vote to be put on the floor. Such a request to add the motion shall not be debatable. If the motion is approved to come forward, regular rules of order apply.

6.8.4 Notwithstanding 6.8.2, a Trustee may provide a notice of motion, which will be considered at the next regular meeting if it receives a second.

6.9 Quorum and Cancellations

- 6.9.1** Quorum for Board meetings shall be a majority of all Trustees constituting the Board. Student Trustees do not impact quorum.
- 6.9.2** Quorum for Board committees shall be a majority of all voting members unless stated otherwise in the committee's Terms of Reference.
- 6.9.3** The Board Chair, in consultation with the Director or designate, may reschedule a Board meeting if it is determined quorum will not be achieved.
- 6.9.4** Board Services shall advise the appropriate committee Chair before the meeting where notified absences make it possible that a quorum may not be achieved.
- 6.9.5** A Committee Chair may cancel and reschedule a committee meeting if quorum cannot be achieved.
- 6.9.6** If a meeting is inquorate at the start of the meeting or becomes inquorate during a meeting, those members in attendance may do the following:
- a. Fix the time to which to adjourn
 - b. Adjourn
 - c. Recess
 - d. Take Measures to achieve quorum

A recess may be called for no more than 20 minutes and if a quorum is not achieved within that time period, the meeting will adjourn.

When a meeting becomes inquorate the minutes will state that the meeting was inquorate or the time when it was noticed that the meeting became inquorate.

- 6.9.7** In the absence of a quorum, an informal conversation may be held but no action may be taken. No minutes will be captured, and no report must be presented to the Board.
- 6.9.8** The Chair, as ex-officio, may be counted towards quorum if required, at committee.

6.10 Attendance

6.10.1 Attendance of Trustees/members shall be recorded in the minutes of all Board and committee meetings. It shall be the responsibility of Trustees/members to notify Board Services of expected absences prior to the time of the meeting. If notice of absence is provided, the Trustee/member will be recorded as absent with regret. If notice is not provided, the Trustee/member will be recorded as absent. The times of

arrival and departure of Trustees/members not present for the entire duration of the meeting shall be recorded in the minutes. Trustees shall adhere to the attendance requirements under the *Education Act*.

6.10.2 A Board member may apply for a leave of absence as outlined in Board Policy and Procedure and the *Education Act*. Such a request shall be approved by Board motion.

6.11 Voting

6.11.1 Voting shall normally be by show of hands or using one of the available features of the electronic voting platforms.

6.11.2 Elections shall be by secret/confidential ballot.

Article 7 – Committees

7.1 Types of Committees

The Board shall establish statutory committees and may establish non-statutory standing and ad hoc committees.

7.1.1 Statutory Committees

Statutory committees will operate in accordance with the legislation or regulation by which they were established. In all cases where these Bylaws conflict with the legislative or regulatory provisions governing statutory committees, the legislative or regulatory provisions shall prevail.

The following are legislated Statutory Committees of the Board which operate in accordance with the legislature or regulation by which they were established:

- a. Audit Committee
- b. Director's Performance Appraisal Committee (DPA)

- c. Special Education Advisory Committee (SEAC)
- d. Student Discipline (Suspensions & Expulsions)
- e. Supervised Alternative Learning Committee (SAL)
- f. Thames Valley Parent Involvement Committee (TVPIC)

7.1.2 Non-Statutory Committees

The following Non-statutory Committees are established to address ongoing matters specific to their mandates.

- a. Board Governance and Bylaw Review Committee
- b. Chair's Committee
- c. First Nations Advisory Committee (FNAC)
- d. Planning and Priorities Advisory Committee (PAPA)
- e. Policy Working Committee (PWC)
- f. Program and School Services Advisory Committee (PASSA)

Following the establishment or disbanding of a Board Committee by motion, the bylaws will be updated in alignment, as housekeeping.

7.1.3 Administrative Committees

Administrative Committees are established by the Board's Senior Administration to address operation/system needs or initiatives.

7.1.4 External Board or Agency Representation

An external Board/agency, etc., that has allocated a seat(s) for a TVDSB Trustee(s). The Trustee's appointment to that seat(s) must be approved by Board motion.

7.1.5 Ad Hoc Committee (interim committees)

The Board may establish, by resolution, Ad Hoc Committees to respond to specific matters within the Board's jurisdiction under the *Education Act*. The committee will have a defined task and timeline for completion. The committee will regularly report back to the Board. If necessary, the Board may commit the details for establishing the committee to the Chair's Committee, which will report its recommendation to the Board for approval.

7.1.6 Sub-committees/ Working Groups

Sub-Committees or Working Groups may be established by Board committees (except Committee of the Whole), which shall report back to the striking committee. The members must consist of members of the establishing committee.

7.2 Committees of the Board

- 7.2.1 Committee meetings shall be open to the public except as outlined in the *Education Act*.
- 7.2.2 Committee members shall be responsible for contacting Board Services to confirm their attendance at meetings indicating in-person or virtual attendance, or regrets.
- 7.2.3 Committees of the Board shall operate under these bylaws, Robert's Rules of Order for small boards as the parliamentary authority, the committee's Terms of Reference, and any special rules of order or other governing documents which may be applicable.
- 7.2.4 The action of any committee shall not be binding until formally approved by the Board unless the Board gives the committee the power to act with reference to a particular matter or matters.
- 7.2.5 Following every committee of the Board meeting a written report will be provided to the Board of Trustees at the next regular Board meeting.
- 7.2.6 Special meetings for committees of the Board may be held at the call of the Chair in consultation with the Director or designate or on the written request of the majority of the committee's membership made to the Chair and/or Director or designate and copied to the Supervisor, Board Services. See section 6.7 regarding notice and agenda materials.
- 7.2.7 Board members may be appointed to sit on administrative and external committees where the committee has allocated a seat(s). Trustees that sit on administrative or external committees shall provide a written report to the Board as appropriate at the next Regular Board Meeting.
- 7.2.8 Each Board committee shall have a mandate and Terms of Reference that the Board has approved.
- 7.2.9 The Director of Education or Designate shall call the committee's first meeting to order and shall preside over the election of the Committee Chair with the exception of sections 4.4.1(f) and 4.4.2(b). A member may request the election be by secret/confidential ballot.

7.3 Committee Attendance.

- 7.3.1 A record of Trustee/member attendance at committee meetings for committees to which they are appointed will be kept. On the absence from

three sequential committee meetings without the approval of the Board, the Trustee/Member shall be withdrawn from that committee. The Chair of the Board shall be notified when a Trustee/member is removed from a committee. The Trustee/member may request to be reinstated. The request will be considered at the next Board meeting.

7.3.2 The Board shall approve committee membership.

Article 8 – Parliamentary Authority

- 8.1** The rules contained in the most current edition of Robert’s Rules of Order Newly Revised (RONR) shall govern the TVDSB Board of Trustees and its committees in all cases to which they are applicable and in which the RONR are consistent with these Bylaws, Special Rules of Order, or other governing documents the TVDSB may adopt or is bound by. RONR shall be used when the TVDB Bylaws or Special Rules or Order cannot address the situation.
- 8.2** Matters, at a meeting of the Board of Trustees, not explicitly described in these Bylaws, Special Rules of Order, Robert’s Rules of Order Newly Revised, or the *Education Act* shall be conducted in a manner established by the Chair. If there is an objection, a majority vote of members present shall confirm the decision.

Article 9 – Amending Bylaws

- 9.1** This Bylaw may be amended at any Regular or Special meetings of the Board by a two-thirds vote provided notice, and the specific proposed amendment(s) have been submitted in writing at the previous regular meeting of the Board. This bylaw shall come into force at the conclusion of the Board meeting at which it is amended.
- 9.2** If a bylaw amendment or revision is initiated by direction of the Board to the Board Governance and Bylaw Review Committee, such direction shall be considered notice.
- 9.3** The approved bylaw shall be signed by the Chair of the Board and counter-signed by the Director of Education or designate.
- 9.4** Notwithstanding 9.1, the Board Governance and Bylaw Review Committee shall initiate a Bylaw review in the third year of each term.
- 9.5** All officers and persons acting under any bylaws so repealed, shall continue to act as if appointed under the provisions of these bylaws, and all resolutions, with continuing effect of the Board, or committees of the Board, passed under any such

repealed bylaws, shall continue to be good and valid except to the extent they are inconsistent with these bylaws, and until amended or repealed.

Article 10 – Amending or Suspending Appendices to the Bylaws

10.1 Amending Appendices

10.1.1 Appendices to these Bylaws, under the control of the Board of Trustees, excluding Special Rules of Order, may be amended at any Regular meeting of the Board by a majority vote of members of the Board, provided notice and the specific proposed amendment has been submitted, in writing, at the previous Regular Meeting of the Board. If an amendment to an appendix is initiated by direction of the Board to the Board Governance and Bylaw Review Committee, such direction shall be considered notice.

10.1.2 Special Rules of Order may be amended at any Regular Meeting of the Board by a two-thirds vote provided notice, and the specific proposed amendment have been submitted in writing at the previous Regular Meeting of the Board.

10.2 Suspending Appendices

10.2.1 The Rules of Order may be suspended by a two-thirds vote with such suspension in effect only for the intended purpose specified and only for that meeting.

10.2.2 Any time the Rules of Order are suspended, the Board Governance and Bylaws Review Committee shall conduct a review of that rule. A recommendation will be provided to the Board within 60 days.

Appendix A

Definitions

“Ad hoc committee” means a committee established as the need arises to carry out a specified task and automatically ceases to exist upon presenting its final report to the assembly, also referred to as a special committee.

“Board” as it pertains to these bylaws means the Board of Trustees of the Thames Valley District School Board.

“Board meeting” means an official, regularly scheduled, or special Board meeting as defined in the *Education Act*.

“Chair” means the Chair of the Board unless otherwise indicated as a chair of a committee.

“Chair pro tempore” means a chairperson elected to preside for the current session only.

“Committee” means a body of one or more persons, elected or appointed by (or by the direction of) an assembly to consider, investigate, or take action on certain matters or subjects or to do all of these things.

“Confidential ballot” means a vote taken by instruments such as slips of paper or electronic devices by which members can indicate their choices without revealing how individual members have voted.

“Designate” means an individual chosen by the Director to be present in their absence.

“Direct conflict” means one that expressly or unequivocally has an impact on the individual’s personal finances, economic prospects or property value.

“Director of Education” means the Secretary of the Board, Chief Executive Officer, and Chief Education Officer.

“Ex-Officio” means “by virtue of office or position.” For TVDSB, the Chair is ex-officio a member of all committees.

“Housekeeping” changes refer to revisions to a document which do not have the effect of altering any substantive provision, term, intent or right contained within the document.

“Indirect conflict” is where

a) Board member:

(i) is a shareholder, director or senior officer of a private corporation;

- (ii) has a controlling interest in or is a director or senior officer of a public corporation; or
 - (iii) is a member of another body, that has a pecuniary interest in a matter which is before the Board; or
- b) where a Board member's partner or employer has a pecuniary interest in a matter which is before the Board.

“Inquorate” means a properly called meeting where quorum is not achieved or maintained.

“Majority vote” means more than half of votes cast by persons entitled to vote, excluding blanks and abstentions, at a properly called meeting.

“Member” means a Trustee of the Board pursuant to the *Education Act*, unless otherwise indicated as a member of a committee who may or may not be a Trustee.

“Non-statutory Committee” means a committee established by the Board but not legislated.

“Past Chair” means the most recent previous Chair who completed their term as Chair and is currently elected to the Board.

“Quorum” means the minimum number of members who must be present to validly transact business.

“Run-off ballot” means a ballot used to determine the outcome of an election that has not resulted in a decision.

“Secret ballot” means a vote taken by instruments such as slips of paper or electronic devices by which members can indicate their choices without revealing how individual members have voted. Members may vote through the scrutineer if they would like to attend the meeting virtually, and the vote is confidential.

“Special Meeting” is a separate session of the Board held at a time different from the regularly scheduled meeting, and convened only to consider one or more items of business that are specified in the call of the meeting.

“Standing Committee” means a committee that is constituted to perform a continuing function. TVDSB has both statutory and non-statutory standing committees.

“Statutory Committee” means a committee established by the Board as required by provincial legislation.

“Striking Committee” refers to a committee that has created a working group.

“Terms of Reference” are the primary governing guidelines for each committee. The guidelines specify the boundaries and objectives of a committee and identify guiding principles specific to that committee that differ from the bylaws. Committee Terms of Reference must be approved by the Board of Trustees.

“Time-sensitive” means the item cannot wait until the next regular meeting or for the scheduling of a special meeting before being considered.

“Trustee” means an elected member of the Board of Trustee, a member appointed to fill a vacancy, an appointed First Nations Trustee, the Student Trustee, or Indigenous Student Trustee.

“Vice Chair” means the Vice Chair of the Board unless otherwise indicated as a vice chair of a committee.

“Working Group” refers to an assembly of committee members formed by the “striking” committee to complete one-off items as needed, outside of the work of the striking committee. The working group may not represent a quorum of the striking committee as it cannot advance Board/committee business. The nature of the work must be of a governance nature and does not include staff resources.

Appendix B

Special Rules of Order

Special rules of order are written rules of parliamentary procedure formally adopted by an organization that supersede any rules in the adopted parliamentary authority. Special rules of order modify, or supplement rules contained in the parliamentary authority. An adopted Order of Business becomes a special rule.

1.0 Electronic Meeting Participation

- 1.1 The Board and its committees shall be authorized and given the opportunity, in part or in whole, to meet by telephone conference or through other electronic means so long as all members can simultaneously communicate in accordance with Board Policy and Procedure. A Trustee shall be deemed to be present as prescribed by the *Education Act* and *O. Reg. 483/97*.
- 1.2 It is the responsibility of the Trustee and committee members to ensure their electronic equipment is up to date and working properly. Any technical difficulties during the meeting shall not invalidate any decisions made so long as quorum is maintained.
- 1.3 Notwithstanding 6.10.2, if a member has technical issues and is unable to communicate effectively, the Chair shall instruct the appropriate individual to assist and shall have the Board stand at ease while attempts are made to fix the technical issue. If the technical issues cannot be remedied promptly, as determined by the Chair, so long as quorum is maintained, the meeting will continue.
- 1.4 Secret ballots can be used by a member participating virtually to cast a ballot through the scrutineer who can then cast a confidential vote on behalf of the member.

2.0 Committee Meeting Attendance

Any Trustee may attend meetings of a committee and may participate in the discussion, but only appointed members of the committee may vote, propose motions and recommendations for Board consideration, and attend any closed session portions of the meeting.

3.0 Motions

3.1 Debate (speaking time)

Each Trustee may speak twice up to five minutes each time on each debatable motion. Extra time may not be carried over if the full five minutes is not used.

3.2 Reconsider

A motion to reconsider must be made during the same meeting at which the vote to be reconsidered was taken and may be moved by any member who is going to change their vote based new and relevant information.

Debate on the motion to reconsider is restricted to reasons for reconsidering.

A motion to reconsider requires a second, debate is restricted, cannot be amended, can have motions to limit debate and close debate applied to it and requires a majority vote.

The chair can rule a motion to reconsider out of order if they find it to be dilatory or no new information has come to light that would necessitate reconsideration. If members disagree with the chair's ruling, the decision can be appealed, and the final decision will rest with the Board. Proposal of the motion to reconsider the vote suspends any action provided for in the motion targeted to be reconsidered until the motion to reconsider is decided.

3.3 Motions that bring a previous question to the Board of Trustees

3.3.1 Reconsider a Motion Previously Defeated

Following the defeat of a motion, the motion may not be reconsidered during the current Board term or within a period of 12 months, whichever is the lesser.

3.3.2 Amend a Motion Previously Adopted

Following the adoption of a motion, the motion may not be amended during the current Board term or within a period of 12 months, whichever is the lesser.

3.3.3 Rescind a Motion Previously Adopted

Following the adoption of a motion, the motion may not be rescinded during the current Board term or within a period of 12 months, whichever is the lesser

4.0 Request for information and Questions of Clarification

4.1 A Trustee may ask one question, request one supplementary question, on the same topic, and may then return to the speakers' list.

4.2 A request for information does not count as debate time unless the trustee both debates and asks a question.

4.3 If such request for information would require significant time commitment by Administration, it must be formulated into a motion and receive Board approval prior to the task being undertaken.

5.0 Substitution

5.1 A main motion may be amended by substitution. The substitution must be germane to the main motion and is subject only to a secondary amendment.

1. Main Motion
2. Amendment by Substitution
3. Amendment to the Substitution

Note that an Amendment to a Substitution cannot be amended.

5.2 Process for substitution:

- a. A main motion is pending.
- b. A member moves to amend the main motion by substituting another motion in its place.
- c. Another member seconds the motion to substitute.
- d. Chair states the motion
- e. Debate specific to the substitute amendment.
 - i. Substitute motion may be amended, but such amendment cannot also be amended.
- f. Majority vote on whether to substitute.
 - i. If approved the new main motion is the substituted motion and is voted on.
 - ii. If defeated, the original main motion is debated and follows the usual process for main motions.
 - iii.

6.0 Voting on a Motion

6.1 Show of hands: Unless a recorded vote is requested, all votes at meetings shall be taken by a show of hands.

6.2 Recorded vote: If a motion for a recorded vote is carried, a recorded vote shall require all members including the Chair to participate in the vote indicating a yea, nay, or abstention.

6.3 Student Trustees may request a recorded vote, without motion, as per the Education Act. The request must be made before the motion is called to question by the Chair.

7.0 Distribution of Meeting Materials

7.1 All Meeting materials will be distributed electronically unless a medical accommodation is requested.

7.2 Meeting materials will be printed for Committee Chairs upon request.

Appendix C

Trustee Code of Conduct

1. Intent

- 1.1. This Code of Conduct was developed to comply with the legislative requirements of the Education Act and Ontario Regulation 312/24.

2. Objective of the Code of Conduct

- 2.1. A Trustee position is an elected position which carries with it the understanding that the electorate will decide at election time its support for the effectiveness of a Trustee. At the same time, it is important to recognize the public trust and responsibility the collective body carries and that this trust and responsibility is honoured through determining and enforcing norms of acceptable behaviour.
- 2.2. A code of conduct contributes to confidence in public education and respect for the integrity of Trustees in the community. It deals with acceptable and respectful behaviours.

3. Application

- 3.1. This Code of Conduct and the Enforcement Process apply to all Trustees of the Board, including the Chair of the Board and Student Trustees.

4. Code of Conduct

- 4.1. Integrity and Dignity of Office
 - 4.1.1. Trustees of the Board shall discharge their duties loyally, faithfully, impartially and in a manner that will inspire public confidence in the abilities and integrity of the Board.
 - 4.1.2. When acting or holding themselves out as Trustees of the Board, a Trustee shall conduct themselves in a manner that would not discredit or compromise the integrity of the Board.
 - 4.1.3. When acting or holding themselves out as a Trustee, the Trustee shall treat persons equally without discrimination based on a person's race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or disability.

4.1.4. Trustees of the Board shall recognize that the expenditure of school board funds is a public trust and endeavour to see that the funds are expended efficiently, in the best interests of the students.

4.1.5. Trustees, as leaders of the Board, must uphold the dignity of the office and conduct themselves in a professional manner, especially when attending Board events, meetings, or while on Board property.

4.1.6. Trustees shall ensure that their comments are issue-based and not personal, demeaning or disparaging with regard to Board staff or fellow Board members.

4.1.7. Trustees shall endeavour to participate in trustee development opportunities to enhance their ability to fulfill their obligations.

4.2. Avoidance of Personal Advantage and Conflict of Interest

4.2.1. No Trustee shall accept a gift from any person, group or entity that has dealings with the Board if a reasonable person might conclude that the gift could influence the Trustee when performing their duties to the Board, unless;

4.2.1.1. the gift is of nominal value,

4.2.1.2. the gift is given as an expression of courtesy or hospitality,
and

4.2.1.3. accepting the gift is reasonable in the circumstances and complies with the Thames Valley District School Board Acceptance of Donations, Gifts, and Equipment Policy and Procedure 4011(a).

4.2.2. A Trustee shall not use their office to advance the Trustee's interests or the interests of any family member or person or organization with whom or with which the Trustee is related or associated.

4.2.3. No Trustee shall use their office to obtain employment with the Board for the Trustee or a family member.

4.2.4. No Trustee shall use or permit the use of board resources for any purposes other than the business of the Board.

4.3. Compliance with Legislation

4.3.1. A Trustee of the Board shall discharge their duties in accordance with the Education Act and any regulations, directives or guidelines

thereunder and comply with the Municipal Freedom of Information and Protection of Privacy Act, and any other relevant legislation.

4.3.2. Every Trustee of the Board shall comply with this Code of Conduct and uphold the spirit of the Code.

4.3.3. Every Trustee shall respect and understand the roles and duties of the individual Trustees, Board of Trustees, the Director of Education and the Chair of the Board.

4.4. Civil Behaviour

4.4.1. A Trustee of the Board shall not advance allegations of misconduct and/or a breach of this Code of Conduct that are trivial, frivolous, vexatious, made in bad faith or vindictive in nature against another Trustee of the Board.

4.4.2. When expressing individual views, Trustees shall respect the differing points of view of other Trustees on the Board, staff, students and the public.

4.4.3. Trustees shall at all times act with decorum and shall be respectful of other Trustees of the Board, staff, students and the public.

4.4.4. All Trustees of the Board shall endeavour to work with other Trustees of the Board and staff of the Board in a spirit of respect, openness, courtesy, and co-operation.

4.5. Respect for Confidentiality

4.5.1. No Trustee shall disclose confidential information obtained or made available to them in their role as a Trustee except as authorized by law or the Board. Confidential information includes personal information about an identifiable individual or information subject to solicitor-client privilege.

4.5.2. Every Trustee shall keep confidential any information disclosed or discussed at a meeting of the Board or committee of the Board, or part of a meeting of the Board or committee of the Board, that was closed to the public, and keep confidential the substance of deliberations of a meeting closed to the public, unless required to divulge such information by law or authorized by the Board to do so.

4.5.3. No Trustee shall use confidential information, including confidential information obtained by them or made available to them in their role as a Trustee for the purpose of personal gain or for the gain of the Trustee's

parent, spouse or child and shall not use such confidential information in a manner that would be detrimental to the interests of the Board. [Parent, spouse and child have the same meaning as in Section 1 of the Municipal Conflict of Interest Act.]

4.6. Upholding Decisions

4.6.1. All Trustees of the Board shall accept that authority rests with the Board, and that a Trustee has no individual authority other than that delegated by the Board.

4.6.2. Each Trustee shall uphold the implementation of any Board resolution after it is passed by the Board. A proper motion for reconsideration or rescission, if permitted by the Board's Rules of Order, can be brought by a Trustee.

4.6.3. A Trustee should be able to explain the rationale for a resolution passed by the Board. A Trustee may respectfully state their position on a resolution provided it does not in any way undermine the implementation of the resolution.

4.6.4. Each Trustee shall comply with Board policies, procedures, by-laws, and rules of order.

4.6.5. The Chair of the Board is the spokesperson to the public on behalf of the Board, unless otherwise determined by the Board. No other Trustee shall act as spokesperson to the public on behalf of the Board unless determined by the Board. When individual Trustees express their opinions in public, they must make it clear that they are not speaking on behalf of the Board.

5. Monitoring and Review

5.1. The Board of Trustees shall periodically review its code of conduct for, among other things, compliance with this Regulation, and shall pass a board resolution setting out the required changes, or if no changes are required, confirming the code of conduct.

5.2. Each subsequent review shall be completed in the fourth year following the previous review and no later than May 15 of that year.

5.3. If one or more changes are set out in a board resolution under Section 5.1 of this Code of Conduct, the board shall update its code of conduct to reflect the changes no later than August 31 in the year of the review.

Trustee Code of Conduct Enforcement Process

Ontario Regulation 246/18: *Member of School Boards – Code of Conduct* has been revoked and replaced with a new Ontario Regulation 312/24 *Members of School Boards – Code of Conduct* that sets out paragraphs. 2(1) (4.1 and 4.2) that are mandatory code of conduct provisions effective January 1, 2025, [concerning prohibition of frivolous, etc. complaints and reprisals].

Section 218.3 *Enforcement of Code of Conduct* of the *Education Act* and Ontario Regulation: 306/24 *Integrity Commissioners and Process for Alleged Breaches of the Code of Conduct* sets out certain mandatory provisions for the enforcement of the Members Code of Conduct.

The above mandatory provisions come into effect January 1, 2025.

The statements in bold under the Enforcement of Code of Conduct provisions are requirements under the *Education Act* or the Regulations.

ENFORCEMENT OF CODE OF CONDUCT

Definitions

“Appellant” means the party appealing the Integrity Commissioner’s determination.

“Business Day” means a day from Monday to Friday, excluding Holidays as defined in Regulation 306/24 *Integrity Commissioners and Process for Alleged Breaches of the Code of Conduct*.

“Holiday” is defined in the *Legislation Act, 2006*.

“Integrity Commissioner” means a person appointed by the Board from the Minister of Education’s roster of integrity commissioners or during the time no such roster exists, a person appointed by the Board who holds the qualifications to be appointed an integrity commissioner prescribed by Regulation 306/24 *Integrity Commissioners and Process for Alleged Breaches of the Code of Conduct*.

“Respondent” means the party responding to an appeal of the Integrity Commissioner’s determination.

Informal Complaint Procedure

1. It is expected that whenever possible, allegations of a breach of the Code of Conduct (“Code”) by a Trustee shall be investigated following the Informal Complaint Procedure and undergo a fair and unbiased process, prior to initiating a Formal Complaint Procedure (as per below). It is recognized that from time to

time a contravention of the Code may occur that is trivial, or committed through inadvertence, or an error of judgment made in good faith. In the spirit of collegiality and the best interests of the Board, the first purpose of alerting a Trustee to a breach of the Code is to assist the Trustee in understanding their obligations under the Code.

Only serious and/or reoccurring breaches of the Code by a Trustee should be investigated following the *Formal Complaint Procedure*. However, for egregious allegations of a breach of the Code of Conduct, a Trustee may make a formal complaint without first attempting an informal resolution.

2. Within 60 calendar days of an alleged breach, the Chair of the Board, on their own initiative, or at the request of a Trustee of the Board (without the necessity of providing a formal written complaint) who alleges a breach of the Code has occurred, shall meet informally with the Trustee of the Board who is alleged to have breached the Code, to discuss the alleged breach. The purpose of the meeting is to bring the allegation of the breach to the attention of the Trustee and to discuss remedial measures to correct the offending behaviour. The Informal Complaint Procedure is conducted in private and is confidential.
3. In the above meeting, the Chair shall include at least one of the following Trustees: the Vice Chair of the Board, the past Chair of the Board, or another Trustee of the Board.
4. If the allegation of a breach of the Code involves or biases the Chair of the Board, the Vice Chair of the Board shall carry out the duties described in paragraph 2 above. In addition, the Vice Chair shall include the past Chair or another Trustee of the Board to attend the above meeting.
5. The impacted Trustee will have an opportunity to respond to the investigation of the complaint.
6. The remedial measures may include, for example, a warning, an apology, and/or the requirement of the Trustee to engage in the successful completion of professional development training such as that offered by the Ontario Education Services Corporation *Professional Development Program for School Board Trustees*.
7. If a resolution of the informal complaint cannot be achieved, a Formal Complaint Procedure may be commenced by the members of the Board responsible for managing the informal complaint.

8. Procedural fairness and the rules of natural justice shall govern the formal inquiry. The formal inquiry will be conducted in private.

Formal Complaint Procedure

9. A Trustee who has reasonable grounds to believe that a Trustee of the Board has breached the Board's Code of Conduct may notify the following persons in writing of the alleged breach:
 - a. the Chair of the Board; or
 - b. the Vice Chair of the Board, if the notice is related to the conduct of the Chair; or
 - c. another Trustee of the Board, who is neither the complainant nor the subject of the complaint, if the notice relates to both the conduct of the Chair and the Vice Chair.
10. The Trustee who gives notice of an alleged breach of the Board's Code of Conduct shall provide a copy of the notification to the Director of Education of the Board.
11. The person to whom the notification was made (Chair, Vice Chair, past Chair, or other Trustee, as the case maybe) shall immediately provide a copy of the written notice to the Trustee whose conduct is the subject of the alleged breach and the entire Board of Trustees within 48 hours. This notice shall not be public or published until published by the Board in accordance with the *Records and Information* section below.
12. No Trustee shall give notice of an alleged breach of the Code if the allegation is late, frivolous, or vexatious, or the notice is given in bad faith.
13. No trustees shall engage in reprisal or the threat of reprisal against:
 - a. a trustee who gave notice of an alleged breach of the code; or
 - b. any person who provides information about the alleged breach to the person appointed by the board to investigate the breach.
14. The *Statutory Powers Procedure Act* does not apply to anything done regarding the enforcement of the Code as particularized in s. 218.3.2(13) of the *Education Act*.

Notice of Breach

15. The written notice of a breach of the Code shall include:
 - a. the name of the Trustee alleging the breach and their contact information;

- b. the name and contact information of the Trustee whose conduct is the subject of the notification;
 - c. the date of the alleged breach;
 - d. a description of the alleged breach;
 - e. the provision of the Code that was allegedly breached;
 - f. the date on which the Trustee alleging the breach first knew that the alleged breach occurred;
 - g. the names and contact information of any witnesses to the breach or any other persons who have relevant information regarding the alleged breach.
16. A complaint of an allegation of a breach of the Code must be made within 60 calendar days after the alleged breach occurred or was discovered, whichever is later. See particulars of this timeline below under *Refusal to Commence an Investigation and Discovery of Breach*.

Resolution of Notice of Breach

17. When a formal complaint is brought against a Trustee of the Board, during the 20-Business Day period prior to an Integrity Commissioner being appointed as described below, the Board may attempt to resolve the matter as follows:
- a. the Chair of the Board, or in the absence of the Chair or if the notice of the breach relates to the conduct of the Chair, the Vice Chair of the Board or if the notice relates to the conduct of the Chair and the Vice Chair then another Trustee appointed by the Board who is neither the complainant nor the subject of the complaint may attempt to resolve the matter in private as between the parties.
 - b. this process may include the Chair/Vice Chair/Trustee, through the Director of Education or their designate, retaining legal counsel and/or a mediator to assist in resolving the matter.
 - c. the process may also include a discussion and the use of remedial measures including, a warning, an apology, and/or the requirement of the Trustee to engage in the successful completion of professional development training such as that offered by the Ontario Education Services Corporation *Professional Development Program for School Board Trustees*.
 - d. if the matter is resolved to the satisfaction of the Trustee alleging the breach, the Trustee shall withdraw their notice of the breach.
 - e. the Board of Trustees will be advised whether the matter has been resolved and any agreed upon remedial measures or other basis for resolving the matter.

18. If the complaint described in the notice of breach is not resolved within 20 Business Days after the Trustee alleged to have breached the Code has received the notice, the matter shall be referred to an Integrity Commissioner appointed by the Board as described below under *Appointment of Integrity of Commissioner*. This should be done as soon as reasonably possible.

Appointment of Integrity Commissioner

19. If the complaint is not resolved as described above (under *Resolution of Notice of Breach*), the Trustee (Chair, Vice Chair or other Trustee) to whom the notification of the breach was given shall refer the complaint to the Integrity Commissioner appointed and paid for by the Board.
20. If a roster of Integrity Commissioners has been created by the Minister of Education, an appointment of an Integrity Commissioner shall be from the roster of Integrity Commissioners.
21. If a roster of Integrity Commissioners has not been created by the Minister of Education, then the Board shall appoint an external independent person who has the qualifications set out in Regulation 306/24 *Integrity Commissioners and Process for Alleged Breaches of the Code of Conduct* and in consultation with the Director of Education.
22. The appointment of an Integrity Commissioner by the Board is hereby delegated to the Trustee (Chair, Vice Chair or other Trustee, as the case may be) in consultation with the Director of Education.

Investigation

23. Subject to *Refusal to Commence an Investigation* described below, the Integrity Commissioner appointed by the Board investigate shall commence an investigation into the alleged breach of the Code of Conduct no later than 14 days after being appointed by the Board.
24. The Integrity Commissioner to whom the alleged breach is referred to by the Board to investigate may define the scope of the investigation.
25. The Trustee alleged to have breached the Code shall be provided with the opportunity to respond to the allegations, as well as a right of reply, where

appropriate. The Integrity Commissioner shall determine this, as well as the timelines, and form of such a response.

Refusal to Commence Investigation

26. The Integrity Commissioner may refuse to commence an investigation into the alleged breach of the Code if,
 - a. The complaint was made more than 60 calendar days after the day the alleged breach occurred or was discovered, whichever is later, unless the Integrity Commissioner is satisfied the delay was incurred in good faith and no substantial prejudice will result to any person affected by the delay; or
 - b. In the opinion of the Integrity Commissioner, the complaint is made in bad faith or is frivolous or vexatious.
27. If a breach relates to a series of incidents, the 60 calendar-day period above runs from the day the last incident in the series occurred or was discovered.
28. The Integrity Commissioner shall provide written notice of a refusal to commence an investigation to the Trustee who is the subject of the complaint and the Board and the decision of the Integrity Commissioner is final.

Discovery of Breach

29. A breach is discovered on the earlier of:
 - a. The day on which the Trustee notifying the Board of the alleged breach first knew that the breach had occurred; and
 - b. The day on which a reasonable person with the abilities and in the circumstances of the Trustee notifying the Board first ought to have known of the matters referred to in paragraph (a) above.

Powers of the Integrity Commissioner

30. In the course of conducting the investigation, the Integrity Commissioner may:
 - a. require the production of any records that may in any way relate to the investigation;
 - b. examine and copy any records required under paragraph (a) above; and
 - c. require any officer of the Board or any other person to appear before them and give evidence, on oath or affirmation, relating to the investigation.

31. Section 33 of the *Public Inquiries Act, 2009* applies to an investigation.

Decision Process

32. The Integrity Commissioner shall make any determination with respect to a complaint of alleged breach of the Code no later than 90 days after commencing the investigation, or within such other time period as may be prescribed by regulation, unless the Integrity Commissioner notifies the Board and the Trustee who is the subject of the complaint that an extension is necessary and of the reasons for the extension.
33. The Integrity Commissioner shall provide the Trustee whose conduct was the subject of the complaint and the Board written notice of a determination that the Trustee has or has not breached the Code and of any sanctions imposed.
34. The written notice must include:
- The reasons for the determination;
 - the reasons for any sanctions; and
 - information about the right to appeal.

Potential Sanctions

35. If the Integrity Commissioner determines, following an investigation, that the Trustee has breached the Code, the Integrity Commissioner may impose one or more of the following sanctions:
- Censure the Trustee;
 - Requiring the Board to reduce the Trustees honorarium by an amount not exceeding the amount prescribed in Regulation 357/06 *Honoraria for Board Members* which currently is 25% of the Trustees combined base and enrollment amount for the year of the term of office in which the breach occurred;
 - Barring the Trustee from attending all or part of one or more meetings of the Board or one or more meetings of a committee of the Board, for the period of time specified by the Integrity Commissioner up to a maximum of 90 days or the balance of the Trustee's term of office, whichever is less;
 - Barring the Trustee from sitting on one or more committees of the Board, for the period of time specified by the Integrity Commissioner, up to a maximum of 90 days or the balance of the Trustee's term of office, whichever is less;

- e. Barring the Trustee from becoming the chair or vice chair of the Board or of any committee of the Board, or removing the Trustee from any other positions;
 - f. Barring the Trustee from exercising the privileges of a Trustee or acting as a Board representative, or removing the Trustee from a position the Trustee holds as a Board representative;
 - g. Subject to any other limits set out in the above paragraphs(a) to (f), any other sanction that, in the opinion of the Integrity Commissioner, is reasonable and appropriate in the circumstances;
 - h. Subject to any other limits set out in the above paragraphs (a) to (f), any other sanction that, in the opinion of the Integrity Commissioner, would promote compliance with the Board's Code.
36. For greater certainty, the imposition of a sanction barring a Trustee from attending all or part of one meeting of the Board shall be deemed, for the purpose of clause 228(1)(b) of the *Education Act* to be authorization for the Trustee to be absent from the meeting.
37. Any Trustee who is barred from attending all or part of the meeting of the Board or a meeting of a committee of the Board is not entitled to receive any materials that relate to that meeting or that part of the meeting and that are not available to members of the public.

Appeal

38. Either the Board or the Trustee whose conduct was the subject of an investigation may appeal the Integrity Commissioner's decision, the sanctions imposed, or both, and the Board and the Trustee are the parties to an appeal.
39. The Trustee whose conduct was the subject of the investigation shall not vote on the Board resolution to determine whether the Board will appeal the Integrity Commissioner's decisions on breach or sanctions.
40. The Board or the Trustee who appeals the Integrity Commissioner's determinations shall give written notice of the appeal to the other party and the Deputy Minister of Education no later than 15 Business Days after receiving written notice of the Integrity Commissioner's determination.

Hearing of the Appeal

41. The appeal shall be heard by a panel of three Integrity Commissioners appointed by the Deputy Minister of Education or their delegate (no later than 15 Business Days after the Deputy Minister or delegate receives the notice of appeal), but the panel should not include the Integrity Commissioner whose determination is the subject of the appeal.
42. One of the appointed Integrity Commissioners shall be named by the panel to act as chair and co-ordinate the hearing of the appeal.
43. The chair of the panel shall notify the parties to the appeal of:
 - a. the appointment of the panel; and
 - b. the requirements regarding written submissions of the parties and the requirements of the panel's written decision.
44. The panel shall hear the appeal in writing.

Parties Written Submission

45. The Appellant shall provide written submissions to the panel and the Respondent no later than 20 Business Days after receiving notice that the panel has been appointed.
46. The Respondent shall provide written submissions to the panel and the Appellant no later than 20 Business Days after receiving the Appellant's submissions.
47. The Appellant shall provide their written reply to the Respondent's submissions no later than 10 Business Days after receiving the Respondent's submissions.
48. The chair of the panel may extend any timeline regarding the above written submissions at the written request of a party in order to provide for the fair, just and expeditious resolution of the appeal.
49. A decision to extend a timeline above shall be provided to the parties in writing and a copy of the decision shall be provided to the Deputy Minister of Education.

Consideration by the Panel

50. The panel shall convene to consider the appeal at such times and in such places as they may determine. The panel may be convened by electronic means.

Panel Decisions on Processes During the Appeal

51. The panel may:
 - a. define or narrow the scope of the appeal;
 - b. limit the length of submissions from the parties;
 - c. make interim decisions and orders; and
 - d. on its own motion, and without holding a hearing, dismiss an appeal as frivolous or vexatious or commenced in bad faith. A panel decision on its motion is final.
52. The chair of the panel shall notify the parties of any decisions made by the panel above.

Decision of the Panel

53. The panel shall provide its decision and its reasons, including any dissent, to the parties in writing no later than 30 Business Days after receiving the Respondent's submission.
54. The panel shall provide a copy of the decision, reasons and dissent to the Deputy Minister of Education.
55. If the panel overturns the determination as to whether there is a breach of the Code made by the Integrity Commissioner, any sanction imposed by the Integrity Commissioner is revoked.
56. If the panel upholds the determination made by the Integrity Commissioner, the panel shall, within 30 Business Days after receiving the Respondent's submissions on the appeal, uphold, vary or overturn the sanction.
57. If a sanction is varied or overturned, the variation or overturning shall be deemed to be effective as of the date of the original determination made by the Integrity Commissioner.

58. The decision of the panel respecting the determination of the Integrity Commissioner is final.

59. A board shall keep records and publish information on its website about each of the following:
 - a. a matter referred to an Integrity Commissioner for investigation and determination;
 - b. a decision of the Integrity Commissioner to refuse to commence an investigation under Refusal to Commence Investigation above;
 - c. determination of an Integrity Commissioner that a Trustee has or has not breached the Code and any sanction(s) imposed; and
 - d. a determination by a panel upholding or overturning an Integrity Commissioner's determination including any variation of a sanction.

60. Where the alleged breach of the Board's Code or the determination regarding the breach involves any of the matters described in clauses 207(2) (a) to (e) of the Education Act, the board shall publish only such information as is appropriate.

Appendix D

Petitions and Communications

Preparing a Petition

A petition is a request for the Thames Valley District School Board to take some specific action (or refrain from taking some action).

The action requested must be related to the education system within the Thames Valley District and the request must be clear, temperate, proper, and respectful. Petitions containing obscene or defamatory language will not be accepted.

The request must appear at the top of every page of signatures submitted with the petition.

Signatures on a Petition

Petitioners must be a resident of the Thames Valley District and/or a student or parent/guardian of a student attending a Thames Valley District School Board school.

A petition must contain original signatures only.

Each person must print their name and address and sign their name under the text of the petition.

Submitting a Petition

A petition must be addressed to the Thames Valley District School Board of Trustees and submitted to the Supervisor-Board Services. Petitions addressed otherwise or to a particular Trustee will not be accepted.

Petitions must be written, typewritten, or printed. Emailed, faxed or photocopied petitions are not admissible and will not be accepted.

Communication and Follow Up

Petitions received in accordance with these procedures shall be noted on the next regular Board meeting agenda under Communications and shall be made available to all Trustees by the Supervisor-Board Services.

No action may be taken at the Board meeting where the petition is noted on the agenda; however, a motion may be brought to the next regular Board meeting under Unfinished Business or to a subsequent

Board meeting for consideration providing a Notice of Motion has been served.

Petitions and communications on any subject within the purview of a committee may be referred by the Chair to the proper committee without motion.

Appendix E

Guidelines for Trustee Communications

1.0 Purpose

The Thames Valley District School Board recognizes that communications are an integral part of the role of its elected Trustees. Effective communications enhance the ability of Trustees to represent their constituency, encourage public participation, build understanding and consensus in the community, to relay information, and to promote student achievement and well-being. The intent of this guideline is to promote innovative, consistent, and appropriate communications between Trustees and their constituents. This guideline addresses written communication, verbal communication, communication tools and resources, appropriate communication protocol, and inappropriate communications.

2.0 Trustee Communications – Written

Trustee written communications may take place in a variety of forms including, but not limited to, trustee newsletters, mailed letters, email, and social media.

2.1 Trustee Newsletters

Trustee Newsletter can be an effective tool for sharing information with constituents regarding the role of Trustees, Board policies, decisions made by the Board, Ministry of Education initiatives, Board events, recognition of student achievement, and resources that are beneficial to student well-being. Newsletters shall promote the vision and mission of the Thames Valley District School Board and should never reflect negatively on the Board, its staff, schools, or other Trustees. The communication must be presented as reflecting only the personal opinion of the individual Trustee and not an official Board document.

The content of newsletters are to be subject to editorial review by the Chair's committee prior to distribution and any expense associated with the newsletter is the responsibility of the Trustee and ineligible for reimbursement. Once approved for distribution, a copy of the newsletter shall be provided as information to the rest of the Trustees, the Director of Education, the Communications Department, relevant superintendents, and relevant principals.

2.2 Letters

From time-to-time a letter may be deemed an appropriate form of communication with constituents. Trustees may use Board letterhead to send congratulations, to provide special recognition of student achievement, or to thank a community member for a significant contribution that directly benefits student achievement and well-being. Any correspondence produced by a

Trustee on Board-issued letterhead must be approved by the Chair of the Board prior to distribution.

2.3 Email

Email is the preferred form of communication with constituents, staff, and trustees. Expected procedures to be followed by a Trustee receiving a communication via email or by some other electronic means are:

- When an email is addressed to all Trustees, the Chair of the Board shall address the matter, and a courtesy copy (cc) of the response shall be provided to the other Trustees.
- When an email has been addressed to a member of staff, and copied to one or more Trustees, staff shall respond to the email and provide a courtesy copy (cc) of the response to each Trustee copied in the correspondence.
- Trustees should not respond to email correspondence on which they have been copied (cc'd) and should only respond to email correspondence sent directly to their attention. It is up to the trustee to touch base with the trustee secretary to ensure the email is directed to them.
- If an email comes to a Trustee from a constituent not from their area, then it is to be forwarded to the Trustee(s) representing that area.
- Recognizing that email is not a secure vehicle of communication, Trustees shall never use email to communicate sensitive or confidential information.
- If a different form of contact other than email was used to communicate with a Trustee, then it is appropriate for the Trustee to correspond with that means of communication while also relaying information via email to fellow Trustees and the appropriate Board Administrators

2.4 Social Media

Social media refers to online technology tools that enable people and organizations to communicate, collaborate, and share information and resources over the internet. Examples include, but are not limited to, Facebook, X, YouTube, Snapchat, Instagram, blogs, and websites.

- Board authorization is not required for a Trustee to open a personal or professional social media account.
- Trustees should use social media with the same level of professionalism and responsibility as they would when officially representing the Board.
- Online postings should remain positive - do not engage in negative or critical conversations online.

- Retweets, likes, and favourites could be perceived as endorsements - always check before sharing.
- Search hashtags (#) before using them to ensure they are appropriate and positive.
- Photos are a great way to highlight what is happening at the Board, but identifiable photos should only be used if those students in the photograph, or parents of those students, have given informed written consent.
- Accounts should be updated and monitored regularly, and offensive material must be removed within 24 hours of notice.
- Be mindful of the TVDSB policy on equity and inclusive education and the Ontario Human Rights Code when posting content and all Board policies and other regulations.
- Gathering information for social media use should not be disruptive in any public meeting or event.
- In accordance with the Municipal Freedom of Information and Protection of Privacy Act, Trustees shall not divulge personal information related to the Board's students or staff.

3.0 Trustee Communication – Verbal

Trustee verbal communications may take place in a variety of forms including, but not limited to, individual communications and public speaking, video messaging, and media relations.

3.1 Individual Communications and Public Speaking

Trustees will communicate in one-on-one conversations with individual constituents, through interviews with the media, and to public gatherings at school and community events. These communications can be an effective way to promote the Thames Valley District School Board mission and vision to others and to promote student achievement and well-being. Requests for official communications should come through the Chair.

- When speaking, Trustees should communicate as clearly, and as accurately as possible.
- As a general rule, the Chair of the Board, will speak for the Board unless delegated by the Chair to a fellow Trustee.
- Consistent with the *Education Act*, individual trustees shall uphold decisions of the Board even if they personally disagree and must be able to explain the rationale for the decision.
- When conveying a personal statement, the Trustee must identify it as a personal opinion and not the opinion of the Board.
- Trustees shall not communicate as individuals about student or staff discipline or matters of negotiation unless designated by the Chair to do so.

- In accordance with the *Municipal Freedom of Information* and the protection of *Privacy Act*, Trustees shall not divulge personal information related to the Board's students or staff.
- Any public statement should aim to promote student achievement and well-being in the Board. Public statements should avoid criticism of the intentions or actions of other Trustees, staff, parents, or students. Public statements should be consistent with the Board's mission and vision.

3.2 Video Messages

A Trustee video message can be an effective tool for sharing information with constituents regarding the role of Trustees, Board policies, decisions made by the Board, Ministry of Education initiatives, Board events, recognition of student achievement, and resources that are beneficial to student well-being. The video message shall promote the vision and mission of the Thames Valley District School Board and should never reflect negatively on the Board, its staff, schools, the Ministry of Education, or other Trustees. The communication must be presented as reflecting only the personal opinion of the individual Trustee.

The content of a video message is subject to editorial review by the Chair's committee prior to distribution. The expense is the responsibility of the Trustee making the video message and is ineligible for reimbursement. Once approved, a copy of the video message shall be provided as information to Trustees, the Director of Education, the Communications Department, superintendents, and principals, as appropriate.

3.3 Media Relations

Trustees may be contacted by media officials. The following should be kept in mind when responding to media requests:

- Only the Chair of the Board or their designate will act as the official spokesperson for the Board although this does not bar Trustees from speaking to the media.
- When speaking or corresponding with the media, individual Trustees shall not present an opinion as the position of the Board, unless they have been authorized to speak on the subject by the Chair of the Board.
- When speaking or corresponding with the media, individual Trustees shall uphold the decision of the Board and the implementation of any Board resolution once it has been passed.
- When speaking with the media, individual Trustees should clearly identify as personal opinions any statement or positions that are not necessarily those of the Board.

- At a minimum, a Trustee contacted by the media should inform the Chair, the Trustee Secretary, and Director's Secretary, of an interview, if the Trustee will be commenting on system-wide issues.

4.0 Communication Tools and Resources

Recognizing that communication is an essential component of a Trustee's role and responsibilities Board-issued letterhead, and business cards will be made available to each Trustee to assist them in this regard.

4.1 Board-Issued Letterhead

Upon request, each Trustee will be provided with Board-issued letterhead.

4.2 Board-Issued Business Cards

A supply of business cards will be issued to each Trustee. Board-issued business cards are to be used for the purpose of identifying the individual Trustee as a member of the Board, and as such, any contact information identified on the business card shall be consistent with the Trustee's Board contact information and should not correspond with a Trustee's business contact information.

5.0 Appropriate Communication Protocol

Trustees are often contacted by parents with concerns about their child's education. Trustees must always encourage parents to follow the appropriate communication protocol. Refer to the Public Concerns Policy and Resolving Public Concerns Procedure.

6.0 Inappropriate Communications

Inappropriate communications or social media posts will be subject to review by the Chair's Committee. Trustees may be subject to feedback, warning, or discipline, as recommended by the Chair's Committee to the Board under the current Trustee Code of Conduct procedures found in the Bylaws.

Appendix F

Electronic Voting Guidelines

An electronic vote (e-vote) may be used if it is determined by the Chair, Vice Chair or Director/designate that an urgent question/matter of an in-camera nature requires a decision before the next meeting and generally is used when debate is not anticipated.

Bylaw 6.5 provides a means by which the Board may meet to deliberate a question of significance and/or allow debate.

Despite the above, any member may call for the debate of a question put forward electronically (See Calling for Debate) or may request additional information (See Request for Additional Information).

1.1 The call for an e-vote is sent to all voting members via e-mail by the Supervisor-Board Services or designate.

1.1.1 The Chair, or their designate, shall develop the time frame for the e-vote.

1.1.2 Each motion must be made in a separate email. The subject line must include the word "Motion".

1.1.3 Notice includes:

- the name of the mover and seconder of the motion;
- the motion;
- any supporting documentation for the e-vote; and
- the time frame for the e-vote

1.2 Votes of 'yea', 'nay', or 'abstain' are returned to and recorded by the Supervisor-Board Services or designate.

1.2.1 Trustees not responding to the call for an e-vote are recorded as "no response."

1.2.2 Where the number of "no responses" precludes the ability to decide on the vote, the Chair may extend the time frame by twenty-four (24) hours for the vote. The time frame may only be extended once. A second call for an e-vote is sent.

1.3 The motion is passed by a majority vote of the membership.

- 1.4 The result of the e-vote is communicated to all members by the Supervisor-Board Services or designate, including the number of e-votes cast for and against the motion.
- 1.5 The Supervisor-Board Services or designate shall prepare a report to be entered into the minutes of the next regular meeting (whether in public or in camera as appropriate) under Chair's Announcements.

Calling for Debate

- 2.0 A member may call for a debate on the question by using the "Reply All" to the e-mail and asking for an opportunity to debate the question.

The call for debate must be within the time frame stipulated for the e-vote.

- 2.1 Once a call for a debate has been received, all e-voting is suspended.

- 2.2 In consultation with the Chair (or designate), the Supervisor-Board Services or designate will schedule a special meeting for a set time.

- 2.2.1 The Chair (or designate) will call for a vote on the question once debate has concluded.

- 2.3 In consideration of the debate:

- 2.3.1 Any member may withdraw a vote if made previous to the special meeting. The withdrawal and revised vote must be within the time frame stipulated for the e-vote.

- 2.3.2 In the event that a special meeting cannot be held within the time frame, the vote will be withdrawn. The item may be prioritized as unfinished business at the next scheduled meeting.

Requests for Additional Information

- 3.0 A member may request additional information on the question by using the "Reply All" to the e-mail and stating their query.

The request for additional information must be within the time frame stipulated for the e-vote.

- 3.1 The Chair (or their designate) shall respond to the request for additional information.
 - 3.1.1 Depending on the query, the Chair may call for a teleconference. Section 2.2 applies.
- 3.2 In consideration of the additional information:
 - 3.2.1 Any Trustee may withdraw a vote if made previous to the receipt of the additional information. The withdrawal and revised vote must be within the time frame stipulated for the e-vote.
 - 3.2.2 Any Trustee may call for a debate on the question. Section 2.0 applies.

Appendix G

Delegations to the Board

PUBLIC INPUT

The Board welcomes and values public input from students, parents, and members of the community about Board policies, practices, issues, and its overall education system.

1. Substance of Presentation

- 1.1. Members of the public may wish to provide input on issues of concern to the education system. It is not intended--nor is it appropriate--for such input to address confidential personal, property, legal or negotiation matters. Concerns of this nature should be addressed through the Public Concerns and Complaints Policy/Procedure
- 1.2. Parents and students are encouraged to address local school-based issues through the appropriate principal, superintendent, Trustee and/or through their School Council.
- 1.3. Individuals or groups will be limited to one presentation on a given topic in a school year.
- 1.4. To appear before the Board/committee of the Board, a presenters' application outlining the key points to be presented must be completed and forwarded to the Supervisor-Board Services or designate before the request is considered. The application is available through the TVDSB website. Applications must be received by Board Services eight (8) working days before the Board meeting by 9:00 a.m. Late applications may be considered for the following meeting.

2. Delegation Request Review

- 2.1. If not otherwise defined in the alternative process, applications for public input must be submitted to the Supervisor-Board Services or designate no later than eight (8) working days before the meeting scheduled for public input.
- 2.2. The Chair's Committee will review all requests to provide input to ensure that the material to be covered complies with the requirements and will determine the order and number of presentations at a given meeting. The Committee will determine the suitability of materials for distribution per applicable legislation.
- 2.3. All delegations wishing to address a matter under consideration shall be directed to the appropriate committee. When a delegation is presented to committee, the committee Chair will include a brief summary as part of the

committee report to the Board. By motion, the Board may invite the delegate to present delegations at a meeting of the Board.

3. Notification

- 3.1. Presenters will receive notice of the Committee's decision regarding the request for public input.
- 3.2. The Supervisor-Board Services or designate shall inform the individual or group making a presentation of the meeting date and the approximate time when the presentation will be heard.
- 3.3. The public input schedule will be provided to the Board/committee before the meeting.

4. Oral Presentation Procedure

- 4.1. Oral presentations will be a maximum of 10 minutes for an approved delegation representing a School Council or a Home and School Association in good standing and 5 minutes for individuals or representatives of any other organization/group.
- 4.2. Oral presentations should address the concerns identified in the presenter's application. If the materials presented differ substantially from the written submission, the Chair has the right to rule the presentation out of order.

5. Questions of Clarification from Trustees

- 5.1. At the conclusion of each public presentation, Trustees may ask questions of clarification. No action may be taken at the meeting of the presentation. A motion may be brought to a subsequent Board meeting for consideration providing a Notice of Motion has been served.

6. Request Input on Specific Issues

- 6.1. Public input may be solicited on specific issues to be debated by the Board such as an accommodation review, budget development, or other matters. In these cases, an alternate process to receive input will be established.