

Electronic Meetings Policy

Policy Number:	2004
Policy Owner:	Director's Services
Effective Date:	2000 January 25
Amendment Dates:	2003 April 22, 2011 December 20, 2017 June 27, 2020 December 15, 2023 February 28, 2025 June 6, 2025 September 12
Review Dates	
EIE Review Date:	2020 September 9
Resources:	• <i>The Education Act</i>, RSO 1990, c E.2 ○ Ontario Regulation 463/97 • TVDSB Electronic Meetings Procedure (2004a) • Robert's Rules of Order Newly Revised 12th Edition

1. Intent

- 1.1. It is the policy of TVDSB to provide, where permitted under the Education Act, the participation of Trustees at Meetings by electronic means.

2. Definitions

- 2.1. **Committee of the Whole (COW)** refers to when the Board of Trustees move a motion during an existing meeting to create a temporary ad hoc committee to discuss and debate issues more informally than in a regular session.
- 2.2. **Electronic Meetings** are those in which there is participation by electronic

conferencing.

2.3. **Meetings** refers to all of the following; meetings of the Board of Trustees, Committee of the Whole Board, and Board of Trustees-constituted committees

2.4. **Trustees** refers to the elected members of the TVDSB Board of Trustees including Student Trustees

3. Objective of Policy

3.1. To ensure Trustees can participate in Meetings via electronic means, while upholding principles of consistency, fairness, transparency, and accountability.

4. Roles and Responsibilities

4.1. The **Trustees** are responsible for attending Electronic Meetings in alignment with the *Education Act* and as outlined in this Policy and TVDSB Electronic Meetings Procedure 2004(a).

4.2. **Student Trustees** are responsible for attending any confidential meetings, as permitted in this policy, in person.

4.3. **The Chair of the Board (The Chair)** is responsible for reviewing requests to attend Meetings virtually and authorizing requests that comply with this policy and TVDSB Electronic Meetings Procedure 2004(a).

4.4. **The Vice Chair of the Board (The Vice-Chair)** is responsible for reviewing requests submitted by the Chair of the Board to attend Meetings virtually and authorizing requests that comply with this policy and TVDSB Electronic Meetings Procedure 2004(a).

4.5. **Committee Chair(s)** are responsible for reviewing requests submitted by committee members to attend Meetings virtually and authorizing requests that comply with this policy and the TVDSB Electronic Meetings Procedure 2004(a).

4.6. **Board Services** is responsible for answering questions regarding how the public can access Meetings.

4.7. **The Director of Education** is authorized to issue operational procedures and guidelines to implement this policy and related procedures pursuant to legislation or regulations.

5. Requirements for Physical Presence of Trustees and Student Trustees

- 5.1. Nothing in this section shall apply to limit the Board's duty to accommodate a Trustee in accordance with the Ontario Human Rights Code.
- 5.2. Pursuant to Ontario Regulation 463/97 7(1), all Trustees must be physically present in the meeting room at every regular meeting of the Board of Trustees and every regular meeting of a committee of the whole board. All Trustees are not required to be physically present in person at committee meetings, even if the committee consists of the entire body of members.
- 5.3. Despite section 5.2, the policy may provide that a Trustee may participate in a meeting described in that subsection by electronic means instead of being physically present if the member receives written approval under subsection 5.5 before the meeting begins.
 - 5.3.1. If the member of the Board of Trustees making a request under subsection 5.3 is the Chair of the Board, the Chair shall submit the request and reasons to the Vice-Chair of the Board, or if the Board of Trustees has no Vice-Chair, to another Trustee.
- 5.4. If a Trustee proposes to participate in a meeting described in subsection 5.2 by electronic means, the Trustee shall submit a request in writing and the reasons for the request to The Chair of the Board before the meeting begins.
- 5.5. The Chair, Vice-Chair or other Trustees, as applicable, may approve a request if they are satisfied that one or more of the following circumstances exist:
 - 5.5.1. The Trustee's primary place of residence within the area of jurisdiction of the board is located 125 kilometres or more from the meeting location.
 - 5.5.2. Weather conditions do not allow the Trustee to travel to the meeting location safely.
 - 5.5.3. The Trustee cannot be physically present at a meeting due to health-related issues.
 - 5.5.4. The Trustee has a disability that makes it challenging to be physically present at a meeting.
 - 5.5.5. The Trustee cannot be physically present due to family responsibilities

related to:

- 5.5.5.1. The Trustee's spouse;
 - 5.5.5.2. A parent, step-parent or foster parent of the Trustee or the Trustees's spouse;
 - 5.5.5.3. A child, step-child, foster child, or child who is under legal guardianship of the Trustee or the Trustee's spouse;
 - 5.5.5.4. A relative of the Trustee who is dependent on the Trustee for care or assistance or
 - 5.5.5.5. A person who is dependent on the Trustee for care or assistance and who considers the Trustee to be like a family member.
- 5.6. The Chair shall not approve a request under subsection 5 if approving the request would result in fewer than one Trustee, in addition to The Chair of the Board or their delegate, being physically present in the meeting room.
- 5.6.1. If there is a conflict between sections 5.6 and 5.1, the Chair, Vice-Chair, and Trustees will collaborate to develop a solution, ensuring the meeting can proceed.
- 5.7. The Vice-Chair or other Trustee shall not approve a request made by The Chair under subsection 5.3.1 unless The Chair's designate will be physically present in the meeting room.
- 5.8. Student Trustees who are approved to participate through electronic means are not permitted to participate in Committee of the Whole In-Camera Meetings, as per the Education Act.

6. Virtual Meetings as a Result of School/Site Closure(s)

- 6.1. The requirements under sections 5.2 and 5.3 for a Trustee to be physically present at meetings, and the requirement under Section 9, do not apply for the period described in 6.1.1 through 6.1.4, if all TVDSB schools are closed pursuant to
- 6.1.1. an order made by, the Minister under section 5 (1) of the Act;
 - 6.1.2. a medical officer of health or the Chief Medical Officer of Health under section 22 or 77.1 of the *Health Protection and Promotion Act*;
 - 6.1.3. the Lieutenant Governor in Council under paragraph 5 of subsection 7.0.2 (4) of the *Emergency Management and Civil Protection Act*; or

6.1.4. the Lieutenant Governor in Council under clause 4 (1) (a) of the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*.

6.2. The period referred to in subsection 6.1 starts on the day the order is made and ends 60 days after the order ceases to apply.

7. Attendance Following the Filling of a Vacancy

7.1. When a Trustee is elected or appointed to fill a vacancy. The individual must be physically present in the meeting room for at least one regular meeting of the Board for each period of four full calendar months from the period beginning on the day the Trustee is elected or appointed and ending the following November 14.

7.2. The requirement for the Trustee's physical attendance as outlined within this Policy does not apply for the period described under Section 6.1..

8. Committee Meetings

8.1. At every meeting of a committee of the Board of Trustees, except a committee of the whole Board of Trustees (outlined in 2.1.1), the physical presence of the following persons is required in the meeting room of the committee:

8.1.1. Chair of the committee or designate;

8.1.1.1. The Chair of the committee or their designate may participate by electronic means if at least one additional member of the board is physically present in the room and;

8.1.2. Director of Education or designate.

9. Trustees' Electronic Participation at Meetings of the Board

9.1. Trustees, upon request and in accordance with the requirements for being physically present, may occasionally use electronic means to participate in Meetings as outlined in Section 5 .

9.2. Trustees who participate through electronic means shall be deemed to be present at the meeting, if written approval was granted by The Chair, Vice Chair or other appropriate Trustee.

9.3. Where requirements for physical presence apply, a request for participation by electronic means may be refused by The Chair of the Board or the Chair of the committee as the case may be in accordance with Ontario Regulation 463/97.

- 9.4. The electronic means shall permit the Trustee to hear and be heard by all other participants in the meeting.
- 9.5. The electronic means will be provided in a way that complies with the rules governing the conflict of interest for Trustees.
- 9.6. Student Trustees who participate through electronic means in the Committee of the Whole or Board-constituted committees shall not participate in any proceedings that are closed to the public related to personal issues in accordance with the *Education Act*, s. 207(2)(b).

10. Observation and Participation by the Public

- 10.1. The meeting room of the Board of Trustees or of a committee of the Board of Trustees shall be open to permit physical attendance by members of the public.
- 10.2. The requirement under section 10.1 to allow for the physical attendance of members of the public at Board of Trustees and Board of Trustees committee Meetings does not apply in the following circumstances:
 - 10.2.1. When the Board of Trustees meet entirely in a virtual manner as permitted by the *Education Act*;
 - 10.2.2. Where there are proceedings closed to the public in accordance with the *Education Act*, s. 207(2).
- 10.3. Where physical attendance cannot be provided as a result of 10.2.1;
 - 10.3.1. The Board of Trustees must make the necessary arrangements to allow the public to access/observe Meetings through other means; and
 - 10.3.2. The Board of Trustees must allow for public input opportunities as prescribed in the Board Bylaws.
- 10.4. The public may contact Board Services with questions about accessing Meetings.

11. Monitoring and Review

- 11.1. TVDSB will use the information included below in Section 11, to provide recommendations for future policy changes, as per TVDSB Development and Management of Board Policies and Administrative Procedures Policy (2032) and Procedure (2032a).

11.1.1. Annually, approval requests will be reviewed by the Chair's Office to see if requests were being considered in alignment with the criteria set forth in this policy.