

**YORK CATHOLIC DISTRICT SCHOOL BOARD
OFFICE CONSOLIDATION OF BY-LAW No.1**

OPERATIONAL BY-LAW

September 24, 2024

- (b) The Director of Education or alternate, shall appoint two (2) scrutineers for the election of the Chair and/or Vice Chair, who shall be supervisory officers of the Board.
- (c) Trustees joining the meeting via telephone conference call will be permitted to be nominated as Chair and Vice Chair of the Board.
- (d) Trustees joining the meeting via teleconference may participate in the secret ballot process.
- (e) All nominees will be permitted to address the Trustees before voting commences for a maximum of 2 minutes.
- (f) All nominators will be permitted to introduce the nominee for a maximum of 1 minute.
- (g) Votes will be submitted to the Board's legal counsel who will join the meeting to oversee the voting process and count the votes under the observation of the scruti

3.1.1 When and Where Held

Regular meetings of the Board shall be held in the Board Room of the Catholic Education Centre, Aurora, Ontario, and shall be open to permit the physical attendance by members of the public.

3.1.1.1 All public Board and committee meetings shall be live streamed.

3.1.1.2 The Board shall provide members of the public with electronic means to make Delegations to Board and Committee meetings.

3.1.2 Attendance

All members of the Board shall be physically present in the meeting room of the Board

appointed, the recording secretary shall record the names of the members present and the meeting shall be called anew within seven days, at the call of the Chair. In the event that at the called anew meeting a quorum is not present within thirty minutes (or such longer time as may be agreed upon by the voting members then present) after the time appointed, the recording secretary shall record the names of the members present and such meeting shall stand adjourned. No further meeting need be called or held until the next scheduled regular meeting.

3.1.6.2 Quorum Lost

Whenever a quorum is no longer present at a meeting, the meeting will be terminated.

3.1.7 Private Sessions (Committee of the Whole Board)

Private Session shall be held either before or after the Regular Public Meeting of the Board, starting no earlier than 6:30 pm. An earlier start time may occur, if necessary, due to extenuating circumstances with prior approval of the Executive Committee.

3.1.8 Matters in Private Session

A meeting of a committee of a board, including a committee of the whole board, may be closed to the public when the subject-matter under consideration involves:

- (a) The security of the property of the Board;
- (b) The acquisition or disposal of a school site;
- (c) Decisions in respect of negotiations with employees of the Board;
- (d) Litigation affecting the Board;
- (e) The disclosure of intimate, personal, or financial information in respect of a member of the Board or committee, an employee or prospective employee of the Board, or a student or his parent or guardian;
- (f) Privileged communications when seeking legal advice or giving instructions to its solicitor. In accordance with the *Education Act*, a student Trustee may attend a closed meeting that deals with items a,b,c and d above, but may not attend a closed meeting that deals with item e or f above. Therefore, to allow a student Trustee the same opportunities for participation at meetings of the Board, and of its committees as a member, the private session will be conducted in such a manner that student Trustees may participate in matters prior to the recess noted on the agenda (i.e., items a-d) and then be excused for matters included after the recess on the agenda (i.e. items e and f). All Committee or staff reports prepared in support of an item on the agenda for the Private Session shall be received in confidence and the materials and discussion shall be treated as confidential. Generally, these reports shall be printed on Goldenrod paper reserved for this purpose, and shall be made public only by a resolution of the Board in Private Session. Matters discussed dur

3.1.9 Motion to Rise and Report (Committee of the Whole)

A motion to rise and report shall specify the resolutions, reports, or records of votes, and other information which is to be brought into the public meeting. Resolutions, discussions, opinions, records of votes, and material which are not specified to be brought into the public meeting shall continue to be confidential.

3.1.10 Agenda for Board Meetings

Minutes of the Public and Private Session, Board and Committee meetings will note when

RECESS (Student Trustees Excused) PART B

14. Approval of New Material
15. Approval of the Agenda
16. Declarations of Conflict of Interest for Current Meeting PART B
17. Declarations of Conflict of Interest from Previous Meeting PART B
18. Approval of the Previous Minutes PART B
19. Business Arising from the Minutes PART B
20. Staff Presentations
21. Director's Staffing Report
22. Action Items (PART B), including Committee Reports
23. Discussion Item

(a) Matters of new business or action items need to be processed by the Board in an efficient, fair and timely manner. There needs to be sufficient time to allow for information gathering, report writing and discussion prior to Board action. As such, items submitted in writing as notices of motion by a Trustee, either through Executive Committee or at a Board meeting, will return to the subsequent meeting as an information item, the following meeting as a discussion item, and finally as an action item on the next Board meeting agenda. Trustees are encouraged to ask questions to help staff write a report relating to the matter, so that once the m

3.2.2 Notice

Notice to the trustees of such meeting and notice of the matters to be dealt with shall be affected by verbal notification to the trustees, or by electronic 48 hours in advance. Given the short timeline, an agenda and all related materials are to be emailed as soon as possible.

3.2.3 Notice Waived

Provided however that the restrictions as to 48 hours' notice shall not apply to any special meeting of the Board for which the Secretary obtains approval of at least two thirds of the trustees to the holding of such meeting, and to the subject matter to be dealt with thereat.

3.2.4 Agenda

Special meetings shall be restricted to the items set out in the notice. No other business shall be considered unless all trustees are present at the meeting and unanimously agree thereto.

3.2.5 Cancellation

The Chair of the Board may cancel a special meeting by notice of cancellation given verbally in writing or by electronic means:

- (a) in the case of a meeting called by the Chair, if the Chair in his/her sole and absolute discretion deems that the need for such special meeting no longer exists; and
- (b) in the case of a meeting called by a majority of the trustees if one half or more of the trustees at whose request the special meeting was called give a further request that such special meeting be cancelled.

3.2.6 By-laws 3.1.1, 3.1.2, 3.1.5, 3.1.6, 3.1.7, 3.1.8, 3.1.9, 3.1.15, 3.1.17 apply to all SsW13.0151 Tc[(3.2.6)] T.

designate and will Chair the meeting. (4.1.7.1a)

(b) If neither the Chair nor the Vice Chair are physically present, then a committee member present at the Catholic Education Centre shall be elected Chair for the purposes of the meeting. If no committee member is physically present at the Catholic Education Centre, then the meeting will stand adjourned and will be rescheduled.

4.1.7.4 Notwithstanding 4.1.7.2 the Chair or Vice-Chair (as designate 4.1.7.3(a)) must be physically present for at least half of the committee meetings for any twelve-Month period beginning November 15th.

4.1.7.5 The requirements for persons to be physically present at meetings do not apply if all schools are closed pursuant to an order (Ont Reg 463/97)

4.1.8 Notice and Delivery of Agenda

The resource staff in consultation with the Committee Chair shall be responsible for preparing an agenda for the committee meetings. Notice of all regular meetings shall be given, with such notice to be accompanied by the agenda and any background material for the meeting. All agendas and associated materials shall be delivered electronically by Board email 72 hours prior to the meeting taking place. Any new material submitted after 72 hours needs to be received by motion of the board or committee.

4.1.9 Notice of a Committee Member's Late Arrival or Early Leave

Notice of late arrival or early leave from a meeting, whether participation is in the form of face-to-face or via teleconference, will be recorded in the minutes of the meeting.

4.1.10 Quorum

4.1.10.1 Standing Committees

(a) Trustees are welcome at all standing and/or sub-/ad hoc committee meetings, and **will count towards quorum, and have the right to vote.**

(b) For a Committee meeting to be duly constituted, a quorum shall be a majority of the members of the committee.

4.2.1 How Constituted

The Executive Committee shall be constituted as follows:

- (a) The Chair of the Board
- (b) The Vice Chair of the Board
- (c) Minimum of One (1) Trustee-at-large

The Chair of the Board shall be the Chair of the Executive Committee. The Director of Education shall be a resource to the Committee.

4.2.2 Right of Attendance

All trustees may attend the meetings of the Executive Committee.

4.2.3 Responsibilities of Executive

- (a) To set Board agendas;
- (b) To set Board calendars;
- (c) To organize retreats and Trustee faith development; and,
- (d) To organize Trustee professional development and/or training sessions.

4.2.4 Meetings

The Executive Committee shall meet approximately one week prior to a Board meeting, or at the call of the Chair, at the Catholic Education Centre, in Aurora.

4.3 Joint Board (YRDSB/YCDSB) Consortium

The Joint Board Consortium is created by agreement with an outside body, and its terms of reference are constructed by consensus with that outside body (the co-terminus Board).

4.3.1 Membership

The core membership of the consortium shall be two trustees from each Board plus the Chair from each Board. The quorum shall be three members, which shall include at least one trustee from each Board.

4.3.2 Responsibilities

The Joint Board Consortium shall have the following responsibilities:

- (a) To govern and direct the operation of common services for the York Catholic District School Board and its Coterminous Board;
- (b) To report and provide recommendations to each Board relating to areas within its mandate;
- (c) To administer policies as approved by each Board;
- (d) To make recommendations to each Board on the following topics with regard to transportation:
 - General policy and communications
 - Procurement of service and establishing rates
 - Annual budget estimates
 - Cost allocation formula
 - Financial controls
 - Operational reviews

4.3.3 Co-Chairs

The members shall at the first meeting elect from among themselves a Co-Chair. The consortium shall have two co-Chairs, one representing each Board.

4.3.4 Meetings

Unless otherwise determined by a motion of the respective Boards (YRDSB/YCDSB), the

4.5.4 Joint Committees with Other Organizations

The Board may establish committees with other organizations. Trustee membership on these committees shall be approved by the Board.

4.5.5 Trustee Membership on Staff Committee

Trustee participation on staff committees may be requested by the Director of Education, but must be approved by the Chair and reported to the Board.

4.6 Board Referral Power

Notwithstanding anything contained in this By Law, the Board shall have the power to refer any matter to the Board of Education for its consideration and recommendation. /P 1001338.14 618.22

3. Do not vote on any question in respect to the matter.
4. Do not take part in any discussion of the matter.
5. Do not attempt to influence the voting on any question related to the matter; and
6. In a closed (i.e., in camera) session of a committee or board of trustees meeting, the trustee with conflict should leave the room for as long as the matter is discussed and have that fact recorded in the minutes.

6.2.3 Voting (Public Session)

Every vote shall be so conducted that the Chair and all other person's present may observe or hear (as repeated by the Chair from those attending via teleconference call) how each member votes.

6.2.4 Equality of Votes

Any motion on which there is an equality of votes is lost [*Education Act*, s. 208 (12)]

6.2.5 Method of Voting

Unless otherwise specified herein, all votes at any meeting of the Board shall be by simple majority of the votes cast. Unless otherwise specified herein, all votes at any meeting of the Board shall be called by a show of hands or expressed verbally by those attending via teleconference, unless a secret ballot is demanded, in which case such vote shall be by secret ballot in the same manner as is provided for in the election of the Chair and the Vice Chair.

When the vote is taken by a show of hands or expressed verbally by those attending teleconference call, any member has a right to require a division of the assembly by having the affirmative raise their hands and then the negative, a second time, so that all may know how members vote.

A majority vote is required to order a vote by secret ballot (with number of votes on both sides officially entered in the minutes). A member's vote shall be recorded upon the member's request.

6.2.6 Recorded Votes

Any Trustee may, at any time, request that a vote be recorded by entering the names of those voting on both sides into the Minutes and, upon such a request being made, the vote shall be so recorded. For certainty, a request for a recorded vote shall not be subject to a vote. A student trustee is entitled to require that a matter before the board or one of its committees on which the student trustee sits be put to a recorded vote as follows:

- a) A recorded non-binding vote that includes the student trustee's vote; and
- b) A recorded binding vote that does not include the student trustee's vote (*Education Act* s.6).

6.3

9.3 Board or Committee Chair Vacated

11.6.4 Associate Director;

11.6.5 Chief Financial Officer and Treasurer;

Revisions to By-Law 1 (former 99):

September 24, 2024	To incorporate changes regarding electronic meetings and meeting attendance.
August 27, 2024	To incorporate changes to the Election Process.
April 30, 2024	To adjust General Committee Information 4.1
March 6, 2024	To add Prayer to St. Michael the Archangel: 3.1.10 Agenda for Board Meeting
December 20, 2022	To incorporate By-Law revisions stemming from Regulation 463/97, Electronic Meetings and Meetings Attendance
June 15, 2021	To update the following sections: Removing CEO with Director of Education throughout the document, 2.2 Election Procedure; 3.1.10 Agenda for Board Meetings, Public and Private; 3.1.14 New Business Brought Forward by Trustee(s) – Notices of Motion; 3.2.2 Special Board Meetings Notice and section 4.1.5 Election of Committee Chair/Vice Chair.
January 26, 2021	To incorporate electronic meetings and attendance as per 3.1.1.1 and 3.1.1.2.
December 10, 2019	To incorporate legislative changes for student trustees, attendance by electronic means, conflict of interest and some reordering for clarification purposes.
May 28, 2019	To update to Bank Signing Officers, 12.1.
June 6, 2017	To incorporate changes to 2.2 Election Procedures; 3.1.12 Agenda for Board Meetings; 4.1.12 Minutes
January 31, 2017	Update Statutory and Standing Committees
June 21, 2016	Review and update of By-Law No. 1: Operational By-Law
February 25, 2014	To incorporate a change to 3.1.11 Agenda for Board Meetings <i>Presentations of Input Related to an Item on the Agenda</i>
November 2013	To incorporate changes to Committee System; Amendment to By-laws
April 2012	Revisions to Bank Signing Officers
February 2012	Revisions to election procedure and signing authority
December 2011	To incorporate By-law 76 Execution of Documents – revised to incorporate changes to: Committee System; New Business brought forward by Trustee; Statutory Committees and other Committees; Rules of Order
June 2011	To incorporate changes in Board meeting structure
September 2009	To re-number By-Law 99 to By-Law 1
September 2009	To incorporate revisions of practice
January 15, 2002	To incorporate changes to voting rights, quorum and presiding Chairs at committee meetings
August 29, 2000	To incorporate change in organization and start time of board meetings
June 8, 1999	To incorporate change in Board organization structure and other revisions
Dec. 16, 1997	Interim By-Law 99
Nov. 24, 1997	To consolidate amending By -117-118-123
July 6, 1994	To incorporate amending By-Laws 167 and 169
June 30, 1992	To incorporate amending By-Law 159
October 22, 1991	To incorporate amending By-Law 149
November 1990	To incorporate amending By-Law 139
August 1990	To incorporate amending By-Law 124
February 1990	To incorporate amending By

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