

RED RIVER VALLEY SCHOOL DIVISION

PROCEDURAL BY-LAW

BY-LAW 5/03

BEING A BY-LAW to regulate the proceedings of the board of trustees of the Red River Valley School Division and the committees thereof.

WHEREAS Section 33(1) of The Public Schools Act provides that every school board shall pass a by-law establishing rules of procedure for the guidance of the board in the conduct of its meetings.

NOW THEREFORE be it hereby enacted as a by-law of the board of trustees of The Red River Valley School Division that, unless they shall at any time be contrary to the overriding provisions of The Public Schools Act, and regulations enacted hereunder the following rules of procedure shall regulate the operation of the board.

1. BOARD ORGANIZATIONAL MEETING

The Procedural By-Law shall be reviewed annually, following the Inaugural Board Meeting.

In accordance with the requirements of The Public Schools Act (S29(2)), the Inaugural Board Meeting shall be held:

In an Election Year

At the first meeting of the school board after the regular election.

In Subsequent Years

At the first meeting of the school board in September.

At its inaugural board meeting, the board shall adopt the following:

Agenda Format:

- (a) Call to Order with the secretary-treasurer in the chair.
- (b) Oath of office required for all newly elected trustees.
- (c) Appointment of scrutineers.
- (d) Call for nominations for chairperson of the board, by ballot.
- (e) Ask trustees nominated if they will allow their names to stand.
- (f) Call three times for further nominations.
- (g) Distribute ballots to trustees. If there are more than two candidates and if there is no clear majority on the first ballot, the trustee polling the least votes will be dropped from the list and a second ballot cast. If there is a chance of a tie due to even number of trustees, the scrutineer will discretely mark a ballot prior to opening the ballots. If a tie occurs, the marked ballot will be examined, and the candidate for whom the ballot was cast is declared the winner.
- (h) By motion, ballots be destroyed.
- (i) Call for nominations for vice-chairperson of the board, by ballot.
- (j) Ask trustees nominated if they will allow their names to stand. If there are more than two candidates and if there is no clear majority on the first ballot, the trustee polling the least votes will be dropped from the list and a second ballot cast. If there is a chance of a tie due to even number of trustees, the scrutineer will discretely mark a ballot prior to opening the ballots. If a tie occurs, the marked ballot will be examined, and the candidate for whom the ballot was cast is declared the winner.
- (k) By motion, ballots be destroyed.
- (l) The secretary-treasurer relinquishes chair to newly elected board chairperson.
- (m) Trustees select committee preferences which are submitted to the Executive Committee.

- (c) Minutes of board meetings shall record the names of trustees in attendance as well as the names of trustees who have communicated their regrets to the secretary-treasurer. Where individual trustees arrive subsequent to the commencement of a meeting or leave prior to adjournment, the time of arrival and/or departure shall be noted in an appropriate portion of the minutes.
- (d) Minutes of board meetings shall record all motions made, the nature of delegations and correspondence received, and any information requiring board action, or information relevant to any agenda items.

5. QUORUM

- (a) A quorum is a majority of the whole board and no business can be legally transacted without a quorum present.
- (b) The number required for a quorum does not change if there is a vacancy on the board.
- (c) If there is no quorum when the meeting is supposed to begin, those trustees present may wish to proceed with the business of the meeting operating as a committee. When a quorum is present, the legally constituted meeting would then be asked to approve the decisions made by the committee. This committee would not be referred to as a committee of the whole because a quorum for a committee of the whole would be the same number as a quorum for the board.

6. COMMITTEES

- (a) The number of trustees on any committee shall be less than a quorum of the board, except for Committee of the Board as a Whole.
- (b) Meetings of committees will be held in camera (sec. 30(4) P.S.A.) and participants will include trustees of the committee, staff assigned and any other invited guests.
- (c) If a chairperson of a committee is not appointed by the board, it shall be the duty of the first-named on the committee to convene the first meeting, at which time a chairperson should then be elected.
- (d) The superintendent & CEO of the division shall determine which members of the office staff shall attend each board committee meeting to provide background, do research, and record the minutes.
- (e) Committees appointed to report on any subject referred to them by the board shall report in writing via the minutes.

7. MOTIONS

- (a) To begin a motion, "I move that" is the correct phrase to use.
- (b) A motion made must be seconded and every motion shall be put in writing.
- (c) The Board Chair shall see that all motions are duly moved and seconded before allowing discussion.
- (d) The Board Chair shall state the question after due discussion, shall call for a vote and shall announce clearly the result of such a vote.
- (e) Where the rules of procedure are silent, the Board Chair shall be guided by Robert's Rules of Order in the conduct of meetings and the acceptance of motions, amendments, sub-amendment, etc., and on the manner of voting thereon.

- (f) The Board Chair shall have the same casting vote privileges as every other board member.

8. BY-LAWS

Every proposed or amended by-law shall receive three (3) separate readings before it is finally passed and becomes a by-law, and a proposed or amendment by-law may be amended on any reading thereof. A by-law may be given no more than two (2) readings at one meeting

9. POLICY ADOPTION

- (a) A proposed new policy or policy change as brought forward by the Policy Committee shall be submitted to the board as a part of a regular meeting agenda as an information item. A copy of the proposed new policy or policy change shall be attached to the minutes of the meeting and posted on the web site.
- (b) At the following board meeting, the Superintendent & CEO shall present the proposed policy or policy change with a recommendation. Any interested person or group shall be given an opportunity to be heard on the proposed policy. Such request must be submitted in advance as per section 12 of the Procedural By-law. Following the presentation, the board may:
 - i) approve the proposal;
 - ii) amend and approve the proposal;
 - iii) reject the proposal;
 - iv) refer the proposal back to the Policy Committee for study and revision

10. VOTING

- (a) Although it is the duty of every member who has an opinion on a question to express it by their vote, they can abstain since they cannot be compelled to vote.
- (b) The minutes shall reflect the mover, the seconder of each motion and if the motion is carried or opposed.
- (c) A tie vote is defeated.
- (d) When the question under consideration contains more than one distinct proposition, upon the request of any member, the motion shall be rewritten.
- (e) If a member wants their abstention recorded in the minutes, they must notify the chair of their intention to abstain prior to the vote being called.
- (f) If a member wants their vote recorded in the minutes, they must notify the chair of their intention prior to the motion being made.
- (g) If a member wants all trustees' votes recorded in the minutes, then the board must pass a motion to approve the exception to the normal process prior to the motion being made.

11. TIME LIMITS

No meeting shall extend beyond three (3) hours from the time the meeting is brought to order unless there is a majority consent from the board as a whole. With a decision to proceed, a time limit must be set for adjournment.

12. PUBLIC PARTICIPATION AT BOARD MEETINGS

The board of trustees, as a representative body of the citizens residing in The Red River Valley School Division, wishes to provide avenues for all citizens to express their interests, wishes, and concerns respecting any aspect of the educational system. Accordingly, except where a motion is made to convene in Committee of the Whole, all board meetings shall be open to the public and the public is cordially invited to attend.

In order to ensure that persons or groups who wish to appear before the board or to ask questions of the board are given fair opportunity to do so, while at the same time allowing the board to conduct its meeting properly and efficiently, the board adopts as policy the following procedures and rules pertaining to public participation at board meetings.

(a) Delegations

- i) The Board shall not permit a presentation on any subject that is not within the Board's jurisdiction. The Chair reserves the right to determine if the matter will be heard in the public meeting or In Camera.
- ii) Any person wishing to appear before the board as a delegation, either as an individual or on behalf of a group, shall advise the secretary-treasurer in writing of such intent by 12:00 p.m. of the seventh day preceding the regularly scheduled business meeting of the board at which they wish to appear.
- iii) Persons wishing to appear as a delegation shall, at the time they give such indication, provide the secretary-treasurer with a written copy of the petition/presentation that will include any remedy requested of the Board.
- iv) Any persons wishing to appear as a delegation shall give their names, contact information, and the group, if any, that is represented.
- v) A request received will be reviewed by the Executive Committee. As part of the review process, the Chair has the authority to request additional information from the individual or organization who submitted the request. This request for additional information may, but shall not be limited to, a written copy of the presentation citing research or opinions referenced by the individual or organization. The Chair may in their sole discretion deny requests deemed incomplete, unfounded or out of order after discussion with the Executive Committee.
- vi) Where possible, the administration shall, prior to the board meeting, prepare and distribute an information paper relative to the subject of any given delegation.
- vii) Where requests are approved, the individual or organization will be provided with guidelines of how to proceed including the date of the presentation, length of the presentation, the arrival time, and expectations for conduct of delegations. Delegations must meet requirements for in-person attendees. Where a request by an individual or organization to present on an issue for a second time is approved, the presentation must be limited to new information or circumstances that have changed. Failure to limit the presentation aforesaid shall result in the presentation being ruled out of order at the discretion of the Chair.
- viii) Where requests are denied, the Chair will inform the individual or organization in writing. The individual or organization may appeal the decision in writing to the Board. The Board will consider the request to appeal at its next regular meeting. If the Board upholds the Chair's decision to deny the presentation, the individual or group may submit the presentation to the Board in writing, as information.

- ix) The maximum number of delegations scheduled for any Regular meeting shall be three (3) unless otherwise determined by the Chair. Where the number of approved requests exceeds three (3), the Chair may defer some presentations to the next regular meeting.
- x) Presentations from any individuals, or presentations made on behalf of any given group, shall be limited to a maximum of 15 minutes unless an extension of time is granted by the board.
- xi) At the conclusion of a given presentation, trustees may ask questions for clarification but shall refrain from expressing opinions.
- xii) The petition/presentation of any delegation shall be addressed during the meeting at which the delegation appeared and in addressing the petition/presentation, the board may act upon the matter or choose to table the matter pending receipt of additional information, or refer it to committee, the chair, and/or administration for further consideration and/or action.
- xiii) The chair shall not recognize any individual who is not formally identified on the agenda as a delegation. Each delegation shall have a spokesperson and may have one supplementary speaker. Delegations are expected to present in-person at the board meeting. At the Chair's discretion, this requirement may be waived in exceptional circumstances.
- xiv) Where, at a meeting of the school board, any person is, in the opinion of the chair of the meeting, guilty of disorderly or improper conduct, the chair of the meeting may require them to leave the meeting forthwith and if they fail to do so may cause them to be removed. (S30(6) PSA)
- xv) Delegations are expected to provide input in a respectful and constructive manner. Delegations may voice concerns but must not:
 - Violate the Manitoba Human Rights Code or RRVSD Policies;
 - Use offensive, obscene or defamatory language, gestures or images;
 - Use negative or derogatory personal references;
 - Misuse personal information related to RRVSD students, staff or Trustees;
 - Discuss topics outside of their presentation as submitted to the Board;
 - Discuss matters related to litigation or potential litigation or any matter which is currently before any court or administrative tribunal affecting the RRVSD; or
 - Cross debate or engage with other delegates, staff or Trustees of the Board.
- xvi) Where, in the opinion of the chair, there is substantive reason to do so, a delegation requesting to appear before the board at a given meeting may be deferred to the next regular meeting of the board or to such meeting as may be determined by the chair;
- xvii) Where, in the opinion of the chair, there is lack of sufficient new information to be presented, the request to reappear before the board may be denied until a period of six (6) months has passed.

(b) In-person Attendance

- i) Individuals wishing to attend a board meeting in person must register by 8:30 a.m. on the morning of the day of the board meeting using the rrvsd@rrvsd.ca email address and indicating their full name and home address.

- ii) Upon arrival, individuals wishing to attend a board meeting in person are required to show government-issued photo identification with home address that matches the previously completed registration. This requirement is waived for registered RRVSD students.
- iii) The number of in-person attendees shall not exceed the posted capacity of the meeting space.
- iv) Resident electors, accredited press representatives, RRVSD employees, registered RRVSD students and parents/guardians thereof shall be prioritized for in-person attendance at board meetings.
- v) In-person attendees are not permitted to bring certain items into the meeting room, at the discretion of the Chair, including but not limited to banners, signs or placards.
- vi) In-person attendees are not permitted to enter the meeting room wearing clothing displaying pictures or lettering that could be perceived as conveying a message to the Board. This includes partial messages on clothing that convey a full message when demonstrated along with other attendees' clothing.
- vii) In-person attendees must remain seated unless otherwise invited by the Chair.
- viii) In-person attendees must not engage in disruptive behaviour and must refrain from applause and conversations unless otherwise invited by the Chair.

In-person attendees may not address the Board unless registered to present as a delegation or recognized by the Chair to speak during Public Question Period.

(c) Public Question Period

- i.) The Chair shall be responsible for recognizing all speakers and maintaining proper order and decorum in keeping with established Board policy.
- ii.) Opportunity for the public in attendance to ask questions pertaining to the agenda shall be provided at the conclusion of the regular agenda and prior to adjournment. Questions asked by the public shall, when possible, be answered immediately by the chair, or by referral by administrative staff. Questions, which, in the opinion of the chair, may require investigation, shall be referred to a board committee, the chair, and/or the administration for consideration and later response.
- iii.) Speakers may offer such objective criticism of the system as may concern them, but the board shall not hear in an open session personal complaints against any system personnel.
- iv.) Participation by any individual or group shall be limited to a maximum of five minutes.
- v.) Where, in the opinion of the chair, a member or members of the public present is/are unduly disrupting and/or delaying a meeting during the public question period, the chair may entertain a motion to adjourn the public question period and, if such motion is passed by the majority of trustees present, the chair shall not entertain any additional questions from the public.
- vi.) The maximum time for question period shall be 10 minutes unless extended by approved board motion.
- vii.) Trustees and members of the RRVSD Senior Leadership Team are not entitled to ask questions during the Public Question Period.

viii.) Speakers are expected to ask questions in a respectful and constructive manner. Speakers may voice concerns related to items on the meeting agenda but must not:

- Violate the Manitoba Human Rights Code or RRVSD Policies;
- Use offensive, obscene or defamatory language, gestures or images;
- Use negative or derogatory personal references;
- Misuse personal information related to RRVSD students, staff or Trustees;
- Discuss topics outside of the agenda;
- Discuss matters related to litigation or potential litigation or any matter which is currently before any court or administrative tribunal affecting the RRVSD; or
- Cross debate or engage with other delegates, staff or Trustees of the Board.

DONE AND PASSED at duly assembled and constituted meeting of the said trustees held this 26 day of June 2024

 (Chairperson)

 (Secretary-Treasurer)

