

# COMMITTEE OF THE WHOLE

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**MONDAY, MARCH 04, 2013**

6:45 pm

1. Call to Order
2. Approval of Agenda
3. Declaration of Conflict of Interest
4. Minutes
  - A) December 3, 2012
  - B) December 10, 2012
  - C) December 17, 2012
  - D) January 14, 2013

R. Barlow

## **ACTION ITEMS**

4. March 2013 Ontario Financing Authority (OFA) Debt Offering
5. Governance Review
6. Policy Review Process Update
7. Education Development Charges
8. Long Term Facilities Master Plan – Part 2

D. Grant  
J. Brennan  
K. Bain  
J. Malloy  
J. Malloy

## **MONITORING ITEMS**

10. Public Questions for Clarification
11. Adjournment

<b><u>Meeting</u></b>	<b><u>Upcoming Public Meetings Date</u></b>	<b><u>Time</u></b>	<b><u>Location</u></b>
Parent Involvement Committee	Tuesday, March 5, 2013	6:30 p.m.	Delta Secondary - Cafeteria
Governance	Tuesday, March 5, 2013	6:00 p.m.	100 King St W - 6th Floor - Room E
Finance	Wednesday, March 6, 2013	12:00 p.m.	Standard Life-120 King St W Room5
Special Committee of the Whole	Monday, March 18, 2013	7:00 p.m.	City Hall - Council Chambers
Policy Working Sub-Committee	Thursday, March 21, 2013	6:00 p.m.	100 King St W - 6th Floor - Room E
Board	Monday, March 25, 2013	6:30 p.m.	City Hall - Council Chambers
Special Education Advisory Committee	Wednesday, March 27, 2013	7:00 p.m.	Helen Detwiler School - Library
Committee of the Whole	Monday, April 15, 2013	7:00 p.m.	City Hall - Council Chambers

Meeting times and locations are subject to change. Please refer to our website for the latest information.  
[www.hwdsb.on.ca/aboutus/meetings/meetings.aspx](http://www.hwdsb.on.ca/aboutus/meetings/meetings.aspx)





# Minutes of the Committee of the Whole

Monday, December 3, 2012

**PRESENT:**

**Trustees:** Judith Bishop (Wards 1&2), Tim Simmons (Chair of the Board, Ward 3), Ray Mulholland (Ward 4), Todd White (Ward 5), Laura Peddle (Ward 6), Lillian Orban (Ward 7), Wes Hicks (Ward 8), Robert Barlow (Vice-Chair, Wards 9 & 10), Alex Johnstone (Wards 11 & 12), Jessica Brennan (Ward 13) and Karen Turkstra (Wards 14 & 15). **Student Trustee Sydney Stenekes (Parkside School).**

Administration: Dr. John Malloy, Ken Bain, Vicki Corcoran, Krys Croxall, Manny Figueiredo, Mag Gardner, Don Grant, Peter Joshua, John Laverty, Pam Reinholdt, Pat Rocco, Scott Sincerbox and Sharon Stephanian.

**REGRETS:**

**Student Trustee Alexandra Ewing (Highland School).**

**1. Call to Order**

The Chair of Committee of the Whole, Robert Barlow, called the meeting to order at 8:30 p.m., welcoming everyone.

**2. Approval of Agenda**

Revisions:

Item 11 Foundation report be moved to Action Items.

**Moved by: L. Peddle  
Seconded by: T. White**

**That the item “Business Arising from the Minutes” be added on the agenda.**

The vote was recorded and the motion was **CARRIED** on the following division:

FOR:	Trustees Johnstone, Hicks, White, Turkstra, Peddle.	(5)
OPPOSED:	Trustees Orban, Simmons, Barlow, Bishop.	(4)
ABSTENTIONS:	Trustees Brennan, Mulholland.	(2)

Student Trustee Stenekes voted in favour.

**Moved by: L. Peddle  
Seconded by: T. Simmons**

**That the agenda be approved as amended.**

The vote was recorded and the motion was **CARRIED** on the following division:

FOR:	Trustees Johnstone, Hicks, White, Orban, Mulholland, Simmons, Barlow, Turkstra, Peddle.	(9)
OPPOSED:	Trustee Bishop.	(1)
ABSTENTIONS:	Trustee Brennan.	(1)

Student Trustee Stenekes voted in favour.

**3. Declaration of Conflict of Interest**

None received.

**4. Approval of the Minutes****A. November 5, 2012 regular Committee of the Whole**

Some revisions were noted.

**Moved by: L. Peddle  
Seconded by: K. Turkstra**

**That the minutes of the November 5, 2012 regular meeting be approved as amended.**

**CARRIED UNANIMOUSLY.** Student Trustee Stenekes voted in favour.

**B. November 19, 2012 special Committee of the Whole**

**Moved by: K. Turkstra  
Seconded by: L. Peddle**

**That the minutes of the November 19, 2012 special meeting be approved.**

**CARRIED UNANIMOUSLY.** Student Trustee Stenekes voted in favour.

**5. Business Arising from the Minutes**

The trustees will receive quarterly ARC update reports noting any impact on student achievement.

**6. Consent Agenda**

Trustee Peddle requested that under Consent Agenda, item 5A (Enrolment Summary – October 31, 2012) be discussed at this meeting. It was moved to item #13 on the agenda.

**It was agreed:**

**That the Average Class Size Report – Elementary (item 5B) be received.**

**CARRIED UNANIMOUSLY.** Student Trustee Stenekes voted in favour.

**ACTION ITEMS****7. Human Resources Pillar Policy**

Associate Director Bain introduced the report and Superintendent Sincerbox discussed the key highlights. There were some minor suggested revisions which staff agreed to consider.

**Moved by: J. Bishop  
Seconded by: T. White**

**That the Human Resources Pillar Policy be approved with the recommended changes.**

The vote was recorded and the motion was **CARRIED** on the following division:

FOR:	Trustees Brennan, Johnstone, Hicks, White, Orban, Mulholland, Simmons, Barlow, Bishop.	(9)
OPPOSED:	Trustees Turkstra, Peddle.	(2)
ABSTENTIONS:	None.	(0)

Student Trustee Stenekes voted in favour.

## **8. Student Behaviour and Discipline Policy – Scoping Document**

Trustee Bishop introduced the report, noting this was a scoping document. Superintendent Reinholdt reviewed the highlights of the report.

**Moved by: J. Bishop**  
**Seconded by: A. Johnstone**

**That the Student Behaviour and Discipline scoping document be approved.**

Trustee Bishop agreed to consider a suggestion for the committee to consider victim impact and restoration of justice (reference: Suspension and Expulsion Directive, page 7-5).

The motion was put to a vote.

**CARRIED UNANIMOUSLY.** Student Trustee Stenekes voted in favour.

## **9. Revised Nutrition Policy**

In introducing the report, Trustee Bishop noted that the policy is now more in line with the provincial directives.

Superintendent Laverty reviewed the salient details of the document.

**Moved by: J. Bishop**  
**Seconded by: J. Brennan**

**That the revised Nutrition Policy, with a minimal change, be approved.**

**CARRIED UNANIMOUSLY.** Student Trustee Stenekes voted in favour.

## **10. Foundation Report**

The Director provided an overview.

Superintendent Stephanian reviewed the key highlights of the report.

**Moved by: J. Bishop**  
**Seconded by: W. Hicks**

- 1.) HWDSB establish a Foundation Development Office, staffed by one Officer and a half-time administrative assistant, responsible for community outreach, donor development and contribution solicitation and;**
- 2.) HWDSB partner with the Hamilton Community Foundation on the creation of a HWDSB Student Support Fund and;**
- 3.) HWDSB reconstitute the Foundation Board of Directors to include the Director, a Trustee, the Superintendent of Business, an Administrator and five community members.**

**CARRIED UNANIMOUSLY.** Student Trustee Stenekes voted in favour.

There was agreement that the following Monitoring Items be brought to the December 10, 2012 Special Committee of the Whole meeting:

- Student Achievement
- Kindergarten to Grade 2 Oral Language and Early Reading Strategy
- Annual Budget Development Schedule and Criteria to Identify Budget Priorities

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**Moved by: J. Brennan**  
**Seconded by: A. Johnstone**

**That the meeting be adjourned, this being done at 9:35 p.m.**

**CARRIED UNANIMOUSLY.** Student Trustee Stenekes voted in favour.

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# Minutes of the Special Committee of the Whole

## Monday, December 10, 2012

### **PRESENT:**

**Trustees:** Judith Bishop (Wards 1&2), Tim Simmons (Chair of the Board, Ward 3), Ray Mulholland (Ward 4), Todd White (Ward 5), Laura Peddle (Ward 6), Lillian Orban (Ward 7), Robert Barlow (Vice-Chair, Wards 9&10), Alex Johnstone (Wards 11& 12) and Karen Turkstra (Wards 14 & 15).

Administration: Dr. John Malloy, Ken Bain, Vicki Corcoran, Krys Croxall, Manny Figueiredo, Mag Gardner, Don Grant, Peter Joshua, John Laverty, Pam Reinholdt, Pat Rocco, Scott Sincerbox and Sharon Stephanian.

### **REGRETS:**

**Trustees Wes Hicks (Ward 8) and Jessica Brennan (Ward 13). Student Trustees Alexandra Ewing (Highland School) and Sydney Stenekes (Parkside School).**

### **1. Call to Order**

The Chair of Committee of the Whole, Robert Barlow, called the meeting to order at 8:00 p.m., welcoming everyone.

### **2. Approval of Agenda**

That the agenda be approved.

**Moved by: J. Bishop  
Seconded by: K. Turkstra**

**CARRIED UNANIMOUSLY.**

### **3. Declaration of Conflict of Interest**

None received.

### **MONITORING ITEMS:**

#### **4. Enrolment Summary – October 31, 2012**

Superintendent Grant noted this was a “good news” report. Denise Dawson, Manager of Budget, was in attendance to assist in responding to Trustee questions.

The Chair thanked Superintendent Grant and D. Dawson for their time and efforts.

#### **5. Student Achievement**

In speaking about the report, the Director noted that administration and staff continue to work very diligently in changing the learning conditions in all schools, particularly in terms of collaborative work, making some systemic changes and how leaderships are monitored. He was quite pleased with improvements at the elementary level but affirmed that there are still concerns with Mathematics, particularly Math EQAO Ontario Secondary School Literacy Test (OSSLT).

Trustee Mulholland joined the meeting.

The Chair thanked the Director and all staff involved in the development of this significant document.

**6. Kindergarten to Grade 2 Oral Language and Early Reading Strategy**

Superintendent Corcoran presented the salient details of the report.

The Chair thanked Superintendent Corcoran for her time and efforts.

**7. 2013/2014 Budget Development Schedule and Criteria to Identify Budget Priorities**

D. Grant presented the report.

Clarifications in response to Trustee questions were provided as follows:

- Staff agreed to:
  - attach Corporate Communications consultation to the January Monitoring, Preliminary Listing of Priorities for Consultation in Appendix A (Annual Budget Development Report Schedule – 2013/1014 Budget) on page 12-3.
  - invite the Transportation Consortium for consultation.

The Chair thanked Superintendent Grant and D. Dawson for their efforts.

**8. Public Questions for Clarification**

None received.

**Moved by: T. Simmons  
Seconded by: J. Bishop**

**That the meeting be adjourned, this being done at 8:49 p.m.**

**CARRIED UNANIMOUSLY.**

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# Minutes of the Special Committee of the Whole

Monday, December 17, 2012

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## **PRESENT:**

**Trustees: Tim Simmons (Chair of the Board, Ward 3), Ray Mulholland (Ward 4), Todd White (Ward 5), Laura Peddle (Ward 6), Lillian Orban (Ward 7), Wes Hicks (Ward 8) Robert Barlow (Vice-Chair, Wards 9&10), Jessica Brennan (Ward 13) and Karen Turkstra (Wards 14 & 15). Student Trustees Alexandra Ewing (Highland School) and Sydney Stenekes (Parkside School).**

Administration: Dr. John Malloy, Ken Bain, Vicki Corcoran, Krys Croxall, Manny Figueiredo, Mag Gardner, Don Grant, Peter Joshua, John Laverty, Pam Reinholdt, Pat Rocco, Scott Sincerbox, Sharon Stephanian.

## **REGRETS:**

**Judith Bishop (Wards 1&2) and Alex Johnstone (Wards 11& 12).**

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### **1. Call to Order**

The Chair of Committee of the Whole, Robert Barlow, called the meeting to order at 7:04 p.m., welcoming everyone.

### **2. Approval of Agenda**

#### **Revisions:**

- Item 6 (Riverdale Community Planning Team Request for a Portable at Lake Avenue School) was moved to Action Items as Item 5.
- Finance Advisory Sub-Committee meeting was rescheduled to Wednesday, January 9, 2013, at 12:00 noon (same venue as listed).

**Moved by: W. Hicks  
Seconded by: K. Turkstra**

**That the agenda be approved as amended.**

**CARRIED UNANIMOUSLY.** Student Trustees Ewing and Stenekes voted in favour.

### **3. Declaration of Conflict of Interest**

None received.

## **DELEGATION:**

### **4. Demolition of Sanford School**

Using PowerPoint, Joanna St. Jacques presented, noting the key concerns from Ward 3 community.

**Moved by: T. Simmons  
Seconded by: W. Hicks**

**That the delegation presentation regarding Demolition of Sanford School be received and filed.**

Given some negative views and concerns on the vacant school and surrounding area, the mover advised that parents have been agreeable and supportive of demolishing the building to give way for green space which will benefit students from nearby Cathy Wever School.

In response to Trustee questions, the following clarifications were provided:

- Information about Sanford School on HWDSB's website has been checked and found accurate.
- Associate Director Bain provided chronological information about Sanford School, noting that the school was (a) declared redundant and surplus to the Board's needs in September 2003; (b) went through disposition protocol process (Regulation 444, 90-day period) but did not receive any offer from preferred agencies; (c) was leased to City of Hamilton in September 2010-August 2011 for Pinky Lewis Recreation Centre's gym programs; (d) used as holding school to accommodate students while new school facilities were under construction; (e) approved by the Board for demolition on November 14, 2011 (demolition is expected to proceed upon receipt of Ministry approval).
- HWDSB has no obligations now under Regulation 444 relative to Sanford School.
- There is an opportunity under Section 183 of the Education Act for HWDSB to enter into a long-term lease for this property. Trustees were reminded that this will be a Board decision (not staff decision) and this item should come back before the Board.

The motion was put to a vote.

The vote was recorded and the motion was **CARRIED** on the following division:

FOR:	Trustees Brennan, Hicks, White, Orban, Simmons, Barlow, Turkstra.	(7)
OPPOSED:	Trustees Mulholland, Peddle.	(2)
ABSTENTIONS:	None.	(0)

Student Trustees Ewing and Stenekes voted in favour.

#### **ACTION ITEMS:**

##### **5. Riverdale Community Planning Team(RCPT) – re Delegation on November 15, 2012 Committee of the Whole**

Daniel Del Bianco, Senior Manager of Facilities Management, presented the details of the report.

Trustee Hicks signified his intention to move the Recommended Action with the addition of some wording (in italics text).

**Moved by: W. Hicks  
Seconded by: L. Orban**

**That Board staff inform the Riverdale Community Planning Team that we do not have an empty portable available for their use.**

**That Board staff explore opportunities to assist this group to make use of the existing library and other spaces within the school through the rentals department *and that a report come back to the Board in six months.***

**CARRIED UNANIMOUSLY.** Student Trustees Ewing and Stenekes voted in favour.

**MONITORING ITEMS:**

**6. Director's Annual Report**

Due to a lack of time, members agreed to consider this item at the next Committee of the Whole meeting.

**7. Public Questions for Clarification**

None received.

**Moved by: T. Simmons**

**Seconded by: L. Orban**

**That the meeting be adjourned, this being done at 8:45 p.m.**

**CARRIED UNANIMOUSLY.** Student Trustees Ewing and Stenekes voted in favour.

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# Minutes of the Committee of the Whole

Monday, January 14, 2013

**PRESENT:**

**Trustees:** Judith Bishop (Wards 1&2), Tim Simmons (Chair of the Board, Ward 3), Ray Mulholland (Ward 4), Todd White (Ward 5), Laura Peddle (Ward 6), Lillian Orban (Ward 7), Wes Hicks (Ward 8), Robert Barlow (Vice-Chair, Wards 9 & 10), Alex Johnstone (Wards 11 & 12), Jessica Brennan (Ward 13) and Karen Turkstra (Wards 14 & 15). **Student Trustees** Alexandra Ewing (Highland School), Sydney Stenekes (Parkside School).

**Administration:** Dr. John Malloy, Ken Bain, Vicki Corcoran, Krys Croxall, Manny Figueiredo, Mag Gardner, Don Grant, Peter Joshua, John Laverty, Pam Reinholdt, Pat Rocco, Scott Sincerbox and Sharon Stephanian.

**REGRETS:** None.

**1. Call to Order**

The Chair of Committee of the Whole, Robert Barlow, called the meeting to order at 7:00 p.m., welcoming everyone.

**2. Approval of Agenda**

**Moved by: K. Turkstra**  
**Seconded by: L. Peddle**

That the agenda be amended as follows:

**Items for consideration tonight:**

**Delegation:**

- 1. Living Wage

**Action Items:**

- 2. Long-Term Facilities Master Plan
- 3. East Flamborough Boundary Review
- 4. Linden Park Grade Organization Approval
- 5. Cardinal Heights and Ridgemount Grade Reorganization
- 6. Full-Day Kindergarten Implementation Year Four

The Chair advised that those agenda items not considered at this meeting will be brought to a Special Open Committee of the Whole prior to the January 28, 2013 regular Board meeting.

The amendment was put to a vote.

The vote was recorded and the motion was **CARRIED** on the following division:

FOR:	Trustees Brennan, Johnstone, Hicks, Mulholland, Barlow, Simmons, Bishop, Turkstra, Peddle.	(9)
OPPOSED:	Trustees White, Orban.	(2)
ABSTENTIONS:	None.	(0)

Student Trustees Ewing and Stenekes voted in favour.

To the revised agenda,

**CARRIED UNANIMOUSLY.** Student Trustees Ewing and Stenekes voted in favour.

### 3. Declaration of Conflict of Interest

None received.

### **DELEGATION:**

#### 4. Living Wage

After explaining the delegation process, the Chair introduced the presenters: Tom Cooper and Judy Travis.

In response to Trustee questions, the presenters expressed their confidence that the various organizations, including the City of Hamilton, will be encouraged to support this project. It was emphasized that the model presented was based on a concept utilized across Canada.

Moved by: T. Simmons  
Seconded by: A. Johnstone

That this item (Living Wage) be added to the agenda.

The vote was recorded and the motion was **LOST** on the following division:

FOR:	Trustees Johnstone, Hicks, White, Mulholland, Barlow, Simmons, Bishop.	(7)
OPPOSED:	Trustees Brennan, Orban, Turkstra, Peddle.	(4)
ABSTENTIONS:	None.	(0)

Student Trustees Ewing and Stenekes voted in favour.

The required two-thirds majority vote was not received.

Moved by: J. Brennan  
Seconded by: J. Bishop

**That the item Delegation – Living Wage be placed on a future Committee of the Whole agenda as soon as possible.**

The vote was recorded and the motion was **CARRIED** on the following division:

FOR:	Trustees Brennan, Johnstone, Hicks, White, Orban, Mulholland, Simmons, Barlow, Bishop.	(9)
OPPOSED:	None.	(0)
ABSTENTIONS:	Trustees Turkstra, Peddle.	(2)

Student Trustees Ewing and Stenekes voted in favour.

### **ACTION ITEMS:**

#### **1. Long-Term Facilities Master Plan**

The Director introduced the report. Daniel Del Bianco, Senior Manager of Facilities Management, provided a brief overview. Ellen Warling, Manager of Accommodation and Planning, discussed the key details.

**Moved by: T. White**  
**Seconded by: L. Orban**

**That the Board approve the “Long Term Facilities Master Plan Guiding Principles” used in the development of the Long-Term Facilities Master Plan.**

During the discussion Trustee Simmons assumed the Chair.

In response to Trustee questions, the following clarifications were provided:

- Capital Projects staff, in consultation with specialists, have been working for several months now in developing a consistent template for the overall framework, including the program strategy of accommodating students and the 21<sup>st</sup> century learning (a report with recommendations will be forthcoming to the Board).
- Staff will be reviewing the plan annually to ensure balance, particularly in key areas: utilization rates of school facilities, boundary reviews (including mixed socio-economic factors), accessibility pathways, French Immersion and transportation. It is important to ensure that these areas are consistent with existing Board policies and aligned with the Strategic Directions.
- This master plan is focused on ensuring that strategic plans for Board facilities are in order. However, trustees can always request for information on specific areas, e.g., boundary reviews, playing fields for elementary/secondary schools, rural school facilities, leased facilities, transportation, etc.

Trustee Barlow returned and resumed the Chair.

The motion was put to a vote.

**CARRIED UNANIMOUSLY.** Student Trustees Ewing and Stenekes voted in favour.

#### **10. East Flamborough Boundary Review**

E. Warling presented the report.

**Moved by: K. Turkstra**  
**Seconded by: J. Bishop**

**That the Board approve the following recommendations:**

1. **That a Boundary Review Committee be struck, as per the Boundary Review Process, in the 2012-13 school year for the following schools : Allan Greenleaf, Guy Brown.**
2. **That a Boundary Review Committee be struck, as per the Boundary Review Process, in the 2012-13 school year for the following schools: Allan Greenleaf, BalACLava, Millgrove, Spencer Valley.**

**CARRIED UNANIMOUSLY.** (Trustee Mulholland was not in the meeting room during the vote.)  
 Student Trustees Ewing and Stenekes voted in favour.

#### **11. Linden Park Grade Reorganization Approval**

E. Warling reviewed the report.

Trustee Mulholland returned to the meeting.

**Moved by: L. Orban**  
**Seconded by: J. Bishop**

**That the Board approve the following recommendation:**

- **That the grade reorganization of Linden Park as a K-5 School be approved.**

**CARRIED UNANIMOUSLY.** Student Trustees Ewing and Stenekes voted in favour.

**12. Cardinal Heights and Ridgemount Grade Reorganization**

E. Warling reviewed the report.

**Moved by: L. Orban**  
**Seconded by: J. Bishop**

**That the Board approve the following recommendation:**

- **That a Grade Reorganization Committee be struck as per the Boundary Review Process, in January 2013 to explore the opportunity for grade reorganization between Ridgemount and Cardinal Heights.**

**CARRIED UNANIMOUSLY.** Student Trustees Ewing and Stenekes voted in favour.

**13. Full Day Kindergarten Implementation of Year 4**

In presenting the highlights of the report, the Director emphasized that the deferral to Year 5 was mainly due to HWDSB's numbers exceeding FDK funding. He also noted administration's continuing commitment to early learning.

**Moved by: T. Simmons**  
**Seconded by: T. White**

That the Board approve the criteria that will be used to decrease the number of kindergarten spaces by up to and no greater than 420 students, subject to Ministry approval.

In response to Trustee questions, the following clarifications were provided:

- Assuming the Ministry completes its funding for Year 5, HWDSB will then receive full funding. Currently the issue is that the Board only gets half funding – it is anticipated that the distinction between full and half day kindergarten will end at that time.
- FDK is a two-year curriculum program designed for 4 and 5 year-old children, The terms Junior kindergarten and senior kindergarten are being phased out with the use of Year 1 and Year 2 FDK, etc. FDK has become an important program which provides positive impact on the students.

The motion was put to a vote.

The vote was recorded and the motion was **LOST** on the following division:

<b>FOR:</b>	Trustees Johnstone, Mulholland, Simmons, Barlow.	(4)
<b>OPPOSED:</b>	Trustees Brennan, Hicks, White, Orban, Bishop, Turkstra, Peddle.	(7)
<b>ABSTENTIONS:</b>	None.	(0)

Student Trustees Ewing and Stenekes were opposed to the motion.

**Moved by: T. White**  
**Seconded by: J. Brennan**

**That the Board send a letter to the Ministry of Education advising of the deficit with the Full-Day Kindergarten Implementation and request additional funding.**

Trustee Bishop's friendly amendment to add "That a copy of this letter be sent to all Members of Provincial Parliament (MPPs)." was accepted.



The motion, as amended, was put to a vote.

**CARRIED UNANIMOUSLY.** Student Trustees Ewing and Stenekes voted in favour.

**Moved by: J. Bishop**  
**Seconded by: L. Orban**

**That the committee move to a Special Board meeting, this being done at 9:46 p.m.**

The vote was recorded and the motion was **CARRIED** on the following division:

FOR:	Trustees Brennan, Johnstone, Hicks, White, Orban, Barlow, Simmons, Bishop, Turkstra, Peddle.	(10)
OPPOSED:	None.	(0)
ABSTENTIONS:	Trustee Mulholland.	(1)

Student Trustees Ewing and Stenekes voted in favour.

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## EXECUTIVE REPORT TO COMMITTEE OF THE WHOLE

**DATE:** February 11, 2013

**TO:** Committee of the Whole

**FROM:** Don Grant, Superintendent of Business and Treasurer  
Aaron Lofts, Manager, Capital and Grants

**RE:** **March 2013 OFA Debt Offering: Good Places to Learn, Capital Priorities, Growth Schools Funding, Capital Pressures, Available Build Capacity and Primary Class Size**

**Action X**

**Monitoring**

**Recommended Action:**

That the board authorizes participation in a loan offering from the Ontario Financing Authority ("OFA") to the maximum amount available as of August 31, 2012.

**Rationale/Benefits:**

On October 12, 2012, the Ministry announced it would issue a debenture estimated to settle on or about March 15, 2012. The debenture will have a 25-year term, and will be for the value of approved capital projects as at August 31, 2012. This debenture issue is similar to the ones issued in past years for approved capital projects. The value of these projects, and consequently HWDSB's share of the debenture, is estimated at \$45,760,451 and is comprised of the following:

<b>Ministry Capital Initiative:</b>		<b>Estimated Debenture proceeds</b>
Good Places to Learn	Various Schools	7,216,179
Capital Priorities	New Bellmore	9,892,409
Growth Schools	New Winona	8,271,244
Growth Schools	Waterdown DHS Addition	11,000,000
Capital Pressures	Waterdown DHS Addition	8,710,049
Available Build Capacity	Waterdown DHS Addition	670,110
Primary Class Size	Residual Grant	<u>460</u>
<b>TOTAL</b>		<b><u>\$45,760,451</u></b>

The legal firm Borden Ladner Gervais ("BLG") will be engaged in order to ensure that the interests of the HWDSB have been protected. Accordingly, this by-law will be reviewed by legal counsel.

**Background:**

The Ministry announced a number of initiatives to assist school boards in addressing capital needs in the areas of Provincially identified urgent and high repair needs in schools,

**Background (cont.):**

(Good Places to Learn); construction costs as a result of implementing the Primary Class Size initiative; and assisting in the construction costs for new schools as a result of significant new residential development (Growth Schools Funding), accommodation pressures (Capital Priorities) and other capital pressures. These HWDSB Board-approved and Ministry funded initiatives encompass a number of years and will be permanently financed by a series of debentures issued by the Province. The Ministry will provide capital grant payments each year to school boards to offset the annual principal and interest costs of the debentures. The board has approved and participated in similar offerings through the OFA beginning in November 2006 and most recently in March 2012.

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## GOVERNANCE SUB-COMMITTEE TO COMMITTEE OF THE WHOLE

**DATE:** Monday, February 11, 2013

**TO:** Committee of the Whole

**FROM:** Jessica Brennan, Chair of Governance Sub-Committee

**RE:**

Action

Monitoring

**Governance Sub-Committee Motion:**

**Moved by: J. Bishop  
Seconded by: T. Simmons**

**That the Governance Review recommendations be moved to the Committee of the Whole**

**Unanimous**

**Rationale/Benefits:**

**Background:**

Last year, the Board of Trustees approved a motion to review the Board of Trustees' Rules and Regulations as well as its meeting practices and a report presented to Trustees in February 2013.

HWDSB hired consultant Susan Hallett to conduct the governance review. The following report outlines the recommended changes to the board's current Rules and Regulations.



Governance Review, Hamilton-Wentworth District School Board

Below is a summary of changes to the Governance Review report resulting from the Special Governance Committee meeting (seminar) held on Monday, January 21 and the committee's regular meeting held on January 22, and February 5, 2013. All suggestions and input from other trustees were taken into consideration.

	<b>Change Made to the Governance Review Report</b>	<b>Page</b>
1.	Requirement that members rise to speak at Board meetings removed	Bylaws s.5
1.	Concerns from Trustees: changed title Agenda Preparation to Trustee Initiation of a Matter	2
2.	Role of the Director, Secretary and senior staff at Board at meetings clarified.	5
3.	Clarified that Director will suggest two scrutineers and Board will vote to approve.	10, 2. (c)
4.	Reconsideration of a previous Board decision: Where to find additional information added.	10, (3)
5.	Reconsider Previous Decision: changed reference from C-1 to B-15	10, (3)
6.	Clarified that meeting will be adjourned at 10 p.m. unless a member moves to extend the meeting.	10, (4)
7.	Clarified that it is the mover of the motion to end the debate who must not have spoken to the matter.	11, (9)
8.	Requirement to second motions at Standing Committee restored. No requirement at special committees remains.	11, (12)
9.	Speaking limitations (length and number of times) at special committees removed.	12, (13)
10.	Clarified <u>three</u> items to no longer be in agendas	12, (15)
11.	Summary of delegation procedure improved.	13, (a) to (i)
12.	Word <i>secretary</i> changed to <i>Director's Office</i>	14 (f) (g)
13.	Deadline for making a request for an oral delegation changed from 4 p.m. the day of the meeting to 12 noon on the Friday before.	16, III (a)
14.	Delegation Procedure: Distribution of written submission expanded upon..	16, III (b)
15.	Word <i>secretary</i> changed to <i>staff member whom the Director has designated to record the minutes</i>	22
16.	Information sessions: Divided into two subjects and simplified text.	25
17.	Recommendation re new staff position changed to ask for staff report including job description.	28 (c)

	<b>Change Made to the Governance Review Report</b>	<b>Page</b>
18.	Recommendation re information sessions changed.	28 (d)
19.	Recommendations: changes (f) re community advisory committees to make generic (no committee names)	28 (f)
20.	Bylaw 6.3: Added reference to Appendix B-14 (Ed Act s.207)	Appendix B-9
21.	General information about agendas moved from body of report to an appendix of the bylaws.	Appendix B-16
22.	Term <i>Rise and Report</i> changed to <i>review the Chair's report to the public and end the meeting</i>	B-12, GB 9.9 Also pp.7, 9, 18, (4). para 2), 5, 4.5 (iii)
23.	Changed term <i>Postpone</i> to <i>Table</i>	7, 5:15 (iii) (iv) 7, 5:16 (iv) 12, 9.6 (i) 23 (bottom)
24.	Changed term <i>End the Debate</i> to <i>Call the Question</i>	page 11 (9) page 12 (13) B-7, 5.15 (ii) B-7, 5.16 (iv) B-7, 5.17 B-12, 9.3



**Governance Review of the  
Hamilton-Wentworth District School Board**

Final Report, February 11, 2013

Submitted by: Susan Hallett, School Board Governance Consulting



## Table of Contents

Consultation With Trustees .....	1
Participants in the Governance Process .....	4
Role of an Effective School Board .....	4
Role of an Effective Chair.....	4
Role of an Effective Board Member .....	5
Why the Director of the Board is Present .....	5
Why Senior Staff are Present .....	5
Why the Secretary of the Board is Present .....	5
How Trustees Manage the Governance Process.....	6
The Decision Making Process.....	7
Board-Director Linkage.....	9
Comparison of Specific Elements of Proposed Bylaws Compared to HWDSB Current Rules and Regulations .....	10
Governance Procedures.....	13
Consent Calendar .....	14
Declaring a Conflict of Interest.....	14
Delegations.....	16
Submitting a Written Notice of Motion or Adding an Item to an Agenda .....	17
Reporting Private Matters in Public .....	18
Committees.....	20
Standing Committee .....	20
Special Committees.....	20
Community Advisory Committees .....	20
Statutory Committees.....	21
External Organizations .....	21
Communications Received by the Chair.....	21
Records of Meetings.....	22
Minutes of Board Meetings.....	22
Committee Reports .....	22
Example of a Committee Report.....	23
Information Sessions .....	25
Monitoring Reports .....	25
Information Packages.....	26
Other Governance Matters .....	26

Code of Conduct.....26  
 Private Matters.....26  
 Declaring Conflicts of Interest.....27  
**RECOMMENDATIONS.....28**

Appendix A: Resolution #12-30

Appendix B: Proposed Governance Bylaws of the Hamilton-Wentworth  
 District School Board..... Appendix -B1  
 Section 1, Organizational Board Meeting ..... Appendix -B2  
 Section 2, Regular and Special Board Meetings ..... Appendix -B 3  
 Section 3, Regular Board Meetings ..... Appendix -B 4  
 Section 4, Special Board Meetings ..... Appendix -B 5  
 Section 5, Rules of Order for Board Meetings..... Appendix -B 6  
 Section 6, Committee of the Whole ..... Appendix -B 8  
 Section 7, Standing Committee..... Appendix -B 9  
 Section 8, Special Committees..... Appendix -B 10  
 Section 9, Rules of Order, Standing Committee,  
 Special Committees and Committee of the Whole ..... Appendix -B 12  
 Section 10, Community Advisory Committees ..... Appendix -B 12  
 Section 11, Miscellaneous..... Appendix -B 13  
 Appendix I: Private Matters..... Appendix B-14  
 Appendix II: Example of a notice of motion to reconsider  
 a previous decision..... Appendix B-15  
 Appendix III: Agendas: Format and Distribution ..... Appendix B-16

### Consultation With Trustees

In accordance with the direction provided by Resolution 12-30, telephone interviews were conducted with twelve trustees based on the following questions:

What interactions, including meetings, do you have with fellow trustees and staff that make you feel confident that your role is valuable? What time during meetings do you feel is time well spent? In what types of situations do feel that the Board is really accomplishing something?

What aspects of interactions with your fellow trustees, including during meetings, do feel are unfair, unproductive or not a good use of your time? Are meetings generally conducted in a way that makes the best use of the time available for the discussion? Is discussion focused on the topic? Are the matters that are discussed of significant importance to take up meeting time?

My overall observation after speaking to the trustees of the Hamilton-Wentworth District School Board is that every member is, without exception, a dedicated member of the Board with the well-being and success of the Board's students being given foremost consideration. The trustees are also very cognizant of senior staff's time and appreciative of their efforts to provide timely and accurate information. The student trustees feel that their fellow trustees have, without exception, been welcoming, friendly and willing to provide advice and assistance.

The comments received are summarized below. They have been divided into positive comments and concerns and grouped into related categories, but are otherwise presented in random order.

<b>THE GOOD NEWS</b>	
1.	Agendas are well laid-out with action items clearly identified.
2.	The Trustees' Work Plan and Monitoring Reports are serving useful purposes.
3.	Appreciate getting agendas on Thursday evenings.
4.	Good spirit of collegiality among members. Despite individual idiosyncrasies, intentions are
5.	Improvements have been made in the past year or so re the importance of matters considered. Staff reports are shorter and recommendations are more clearly and concisely written.
6.	It is good that rules and regulations are in place to guide the governance process.
7.	Meeting chairs are generally good at encouraging discussion. Like hearing other points of view.
8.	Specific to the Student Trustees, they enjoy fulfilling their role at the Board table and representing the students of the district. They appreciate the assistance and guidance of their superintendent and teacher advisers. They sometimes find the language (jargon and acronyms) in staff reports and discussions about past business difficult to follow but understand that this is mostly because of their brief experience in the position.

<b>CONCERNS</b>	
1.	<p><b>Discussions at Meetings:</b> Discussions, especially in CTW veer off topic resulting in the business in the agenda not being completed. Even discussions that remain on topic are longer than necessary. Seems that short agendas take the most time to get through. Discussion allowed to continue after vote is taken. Sometimes discussion starts before there is a motion before the meeting. Speaking time limits are ignored. Discussion often goes on way too long with repetition of comments. Sometimes focus is on unimportant issues. Speakers sometimes go on a tangent and off topic.</p> <p>The Student Trustees find that if discussion goes off topic they are concerned about how they should respond and vote without having had an opportunity to consult with their constituents.</p> <p>Sometimes answers to questions are contained in the report. Sometimes staff answers are more detailed than necessary.</p> <p>Having a visual or audio reminder of time limits seems to help in some meeting rooms.</p>
2.	<p><b>Agenda Distribution:</b> Receiving agenda materials Thursday or Friday evenings does not provide enough time for Trustees to consult with constituents and each other or for the public to prepare for delegations at Monday meetings.</p> <p>The Student Trustees would like to receive agendas in sufficient time to consult with their fellow Student Senate members, and the student body.</p>
3.	<p><b>Trustee Initiation of a Matter:</b> Not clear on how Trustees are able to have a matter put on an agenda. Written notices of motion should be permitted on Board agendas. Too much business put in agendas. Matters are sometimes added to the agenda at the meeting without proper vote.</p>
4.	<p><b>Rules of Order:</b> Chairs could benefit from PD on rules of order. How to go about reconsidering a previous decision needs to be clarified. New trustees should receive PD on governance processes. All trustees should have knowledge of rules of order. Rules and Regulations handbook needs to be restructured. The rules of order are too easily manipulated or suspended. A more rules-based process is needed. Sometimes what happened in the past</p>
5.	<p><b>Minutes:</b> Too much subjective translation of comments and rhetoric in the minutes. Minutes take too long to finalize. Level of detail and editing process is an issue.</p>
6.	<p><b>Consent Agenda:</b> Consent agenda could be valuable tool, but need more than one member to request a matter be held for discussion. Purpose needs to be explained. Consent agenda process was good. Items on consent agenda do not need to be discussed.</p>
7.	<p><b>Accessibility and Transparency:</b> If the Board decided to send a communication, that communication and any response should be made available. Subcommittees should be more transparent about their activities; should disclose results of their meetings and be more open to the public. Process used to appoint members to subcommittees should be reviewed.</p>
8.	<p><b>Code of Conduct:</b> Code of Conduct should include more stringent timelines in the implementation section. Trustees should be working in best interests of entire district and accepting of input into their ward issues from other trustees. Conduct expected in public session not the same as permitted in private session.</p>
9.	<p><b>Open vs Closed Matters and Meetings:</b> Not clear as to how closed decisions are made public; whose responsibility is it? Whole open-closed process is not clear, i.e. rise and report. May be</p>

	perception by some that there are “secret” meetings.
10.	<b>Information Sessions:</b> PD and information sessions should be open to the public whenever possible. Clarification is needed re purpose and format of information sessions.
11.	<b>Conflict of Interest:</b> Have feeling conflicts of interest are sometimes not being declared.
12.	<b>Demands on Trustees:</b> The role of a trustees has become onerous for those who have other commitments.
13.	<b>Trustee Involvement:</b> Trustees can become too involved in operational issues.
14.	<b>Staff Reports:</b> More information is needed in order to make decision and explain to





### Participants in the Governance Process

#### Role of an Effective School Board

- (a) To be a leader, not by being involved in administrative matters, rather by painting the big picture, the long term, and issues of significant importance to the school district;
- (b) To evaluate its own performance on a regular basis;
- (c) To anticipate issues that might arise in the future and make proactive decisions rather than reviewing what has already been done;
- (d) To clearly define and respect the levels of authority and communication within the system;
- (e) To act collectively, in spite of individual viewpoints and values.

#### Role of an Effective Chair

- (a) To decide, in consultation with the Director, on the content of agendas.
- (b) To determine if a quorum is present and call the meeting to order on time.
- (c) To put legitimate motions before the meeting and invite the mover to initiate the debate and present the closing argument on the question
- (d) To recognize members wishing to speak, decide the order of speakers, and facilitate the discussion in accordance with the rules of order.
- (e) To rule if motions, amendments and procedural motions are out of order and enforce the Board's governance bylaws.
- (f) To grant all members who wish to speak the opportunity to do so subject to the rules and limits.
- (g) To ensure that the debate remains focused and, when necessary, intervening to remind speakers to confine their remarks to the motion being discussed.
- (h) To call the members or an individual member to order to reduce noise or unnecessary interruptions.
- (i) To conduct votes on all questions and determine and announce the results.
- (j) To put questions to a vote when the discussion is ended.

#### Role of a Skillful Chair

- (a) To chair meetings in a manner that demonstrates to the public, the media, parents, students, other levels of government and Board staff that trustees are discharging their responsibilities in a efficient and proficient manner;
- (b) To construct agendas with forethought and consideration for the length of time allotted for the meeting;
- (c) To chair meetings so that the discussions are focused and the meeting finishes in a timely manner.

Role of an Effective Board Member

- (a) To come to meetings prepared, having read the agenda and contacted the Director (or appropriate staff directly, if permitted) to have questions answered before the meeting;
- (b) To be responsible for their own attendance, discipline, development and ability to envision the future;
- (c) To participate in the governance process in accordance with the rules and procedures that have been established;
- (d) To present motions by suggesting an action as concisely as possible, with no extraneous content, and leave no doubt as to what is being proposed.
- (e) To participate in the discussion at meetings to influence fellow members towards making a well thought-out and principled decision.

Why the Director of the Board is Present

The role of the Director at Board meetings, in his capacity as Director of Education, is to respond to questions from the Chair. All questions should be directed to the Chair and the Chair will determine if the question will be directed to the Director. The Director, in turn, may delegate the question to a member of the staff.

Why Senior Staff are Present

Senior staff attend meetings to support the Director by responding to questions at the Director's instruction.

Why the Secretary of the Board is Present

The role of the Director at Board meetings, in his capacity as Secretary of the Board, is to ensure that meetings are properly constituted (notice and agendas provided), that the Board's governance rules and regulations are followed, and that the proceedings are recorded and filed to constitute the official record (minutes). This function is usually designated to a staff member.

The Director and designated secretary are not in fact participants at Board meetings. They are present as resources that the Chair may call upon as needed when a question re the Board's operation or the governance rules needs to be answered. The responses are in turn directed to the Chair

How Trustees Manage the Governance Process

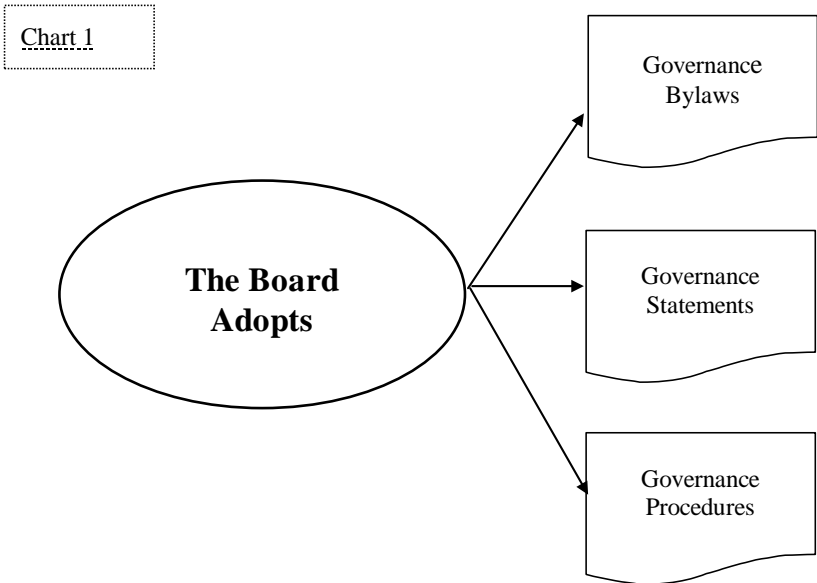
Trustees manage the governance process by adopting governance bylaws, statements and procedures. The bylaws form the basis for the decision-making process and are designed to be fair, manageable and concise. By publishing the governance bylaws, statements and procedures, the Board indicates openness to the community and prevents any impressions that the Board might be conducting business in an inappropriate manner.

The chairperson bears a peculiar responsibility with respect to board process; however, ...the entire board cannot avoid its share of responsibility. ...A process that is explicitly designed can produce a discipline controlled by the will of the board rather than by individual inclinations or exigencies of the immediate dynamics.

John Carver, *Boards That Make a Difference*

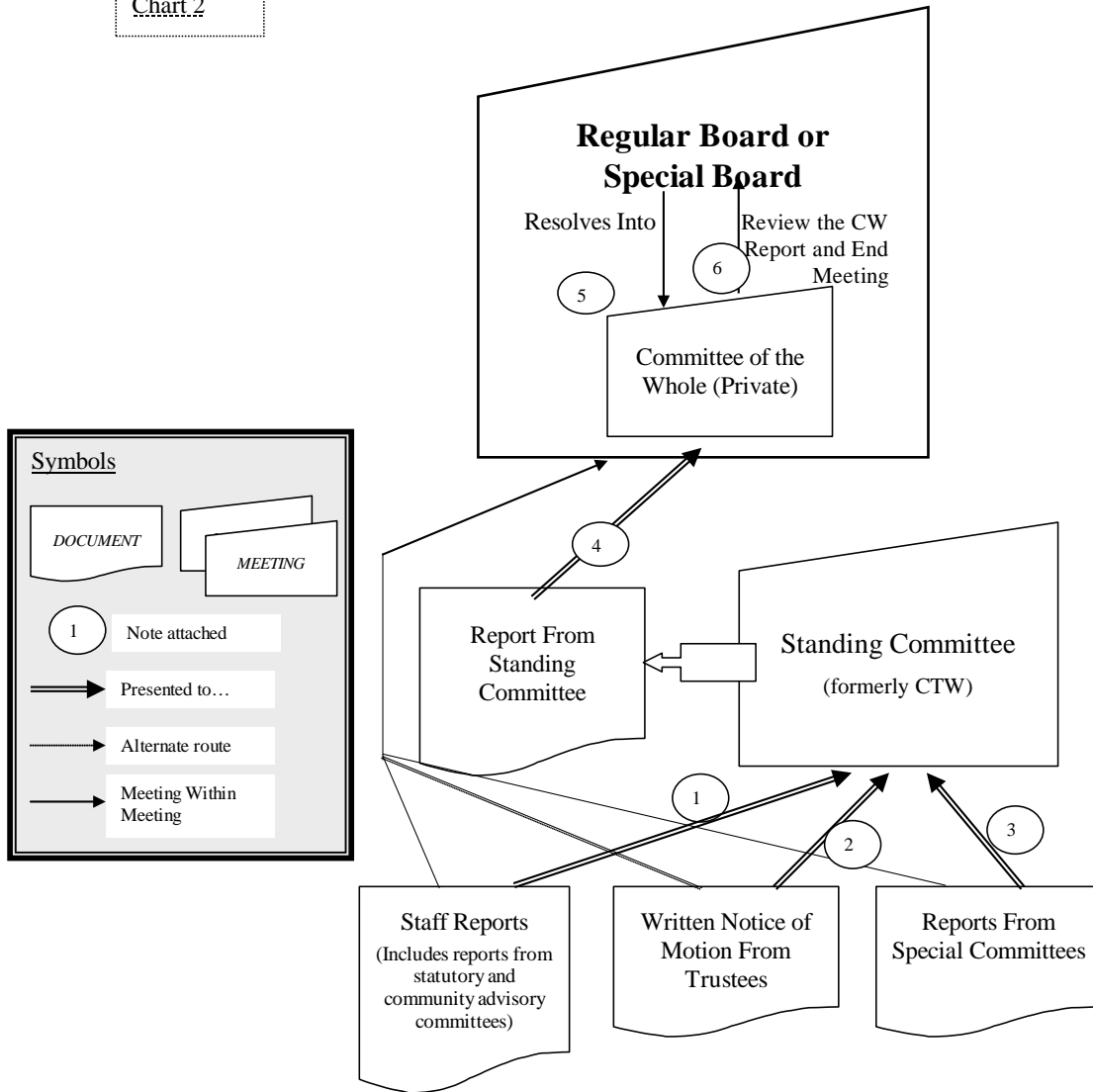
The purpose of...rules of order is to facilitate the transaction of business and to achieve the deliberate will of the majority after giving the minority a full hearing of its position, with full consideration of the rights of all the members whether present or not.

C. Alan Jennings, *Roberts' Rules for Dummies*



The Decision Making Process<sup>1</sup>

Chart 2



1 The decision making process is embedded in the proposed governance bylaws.

### 1 Staff Reports

Staff reports are initiated for one of two reasons: (a) as required for Board administrative purposes, or (b) as required to satisfy a decision of the Board. Staff reports are not generated based on the request of a standing committee or an individual trustee. A staff report must be generated by a decision of the Board, or at the discretion of the Director.

Staff reports are usually included in the agenda of the Standing Committee, but may be in Board agendas at the discretion of the Chair and Director.

Staff reports are published in the agenda of the Standing Committee or Board.

### 2 Written Notices of Motion

For the governance procedure for submitting a written notice of motion see page 17.

The Board will frequently refer a written notice of motion to the Standing Committee or a special committee for consideration or refer it to staff for a report on the matter. When this occurs, the Board has taken “ownership” of the matter and it is published in the agenda of the committee as a matter referred by the Board (no longer a written notice of motion). When the Standing Committee or special committee considers the matter the matter then “belongs” to the committee and the committee may approve, defeat or amend the matter and present the recommendation of the committee in the committee’s report.

### 3 Reports From Special Committees

After each special committee meeting, a committee report will be created in the place of minutes. A special committee will report to the Standing Committee or the Board on all activities. The committee report will include recommendations, when appropriate, and be presented for receipt or consideration.

### 4 Report From the Standing Committee

After each Standing Committee meeting, a committee report will be created in the place of minutes. The Standing Committee will report all its activities to the Board at the next regular Board meeting. In unusual circumstances, a single matter or report from the Standing Committee may be considered at a special Board meeting. The committee report will include recommendations, when appropriate, and be presented for receipt or consideration.

### 5 Public Board Meeting Resolves Into Committee of the Whole (Private)

During a regular or special Board meeting, the meeting may resolve into Committee of the Whole (Private)<sup>1</sup> to consider private matters. There will be a separate agenda for Committee of the Whole (Private) that includes all matters to be considered. The public agenda will show that the meeting will resolve into Committee of the Whole (Private) to consider matters on the private agenda.

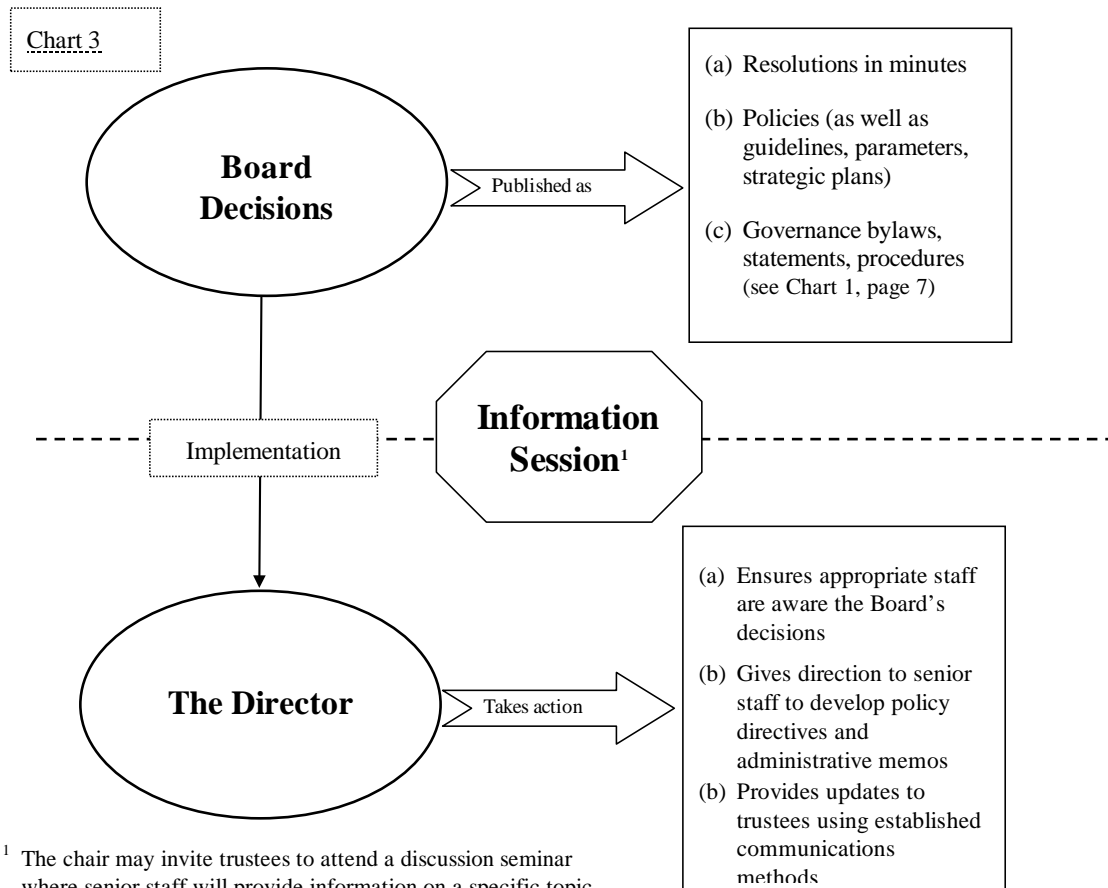
<sup>1</sup> The meeting may also resolve into Committee of the Whole (Public), although this is rarely done.

- 6 Committee of the Whole (Private) decides to review the Chair’s report to the public and end the meeting

The public agenda will also show that after the Committee of the Whole (Private) meeting ends the meeting will reconvene in public and vote on adoption of the CW report.

When appropriate, decisions made by the Board in private session, will be made public at the earliest opportunity in accordance with governance procedure Reporting Private Matters In Public (see page 18).

Board-Director Linkage



<sup>1</sup> The chair may invite trustees to attend a discussion seminar where senior staff will provide information on a specific topic and answer questions from trustees. The public may be to observe, if appropriate. (See also page 27)

Comparison of Specific Elements of Proposed Bylaws and Procedures as Compared to HWDSB Current Rules and Regulations

The following chart is provided to point out in a simple and clear format the differences between the governance bylaws being proposed and the current HWDSB rules and regulations. A thorough review of the information below will give the reader comprehensive information on what is contained in the proposed bylaws.

<b>Item</b>	<b>Proposed Governance Bylaw</b>	<b>Current HWDSB Rule or Regulation</b>
1.	<b>Organizational Meeting</b> (first meeting in December each year) term for member of committee, statutory committee and external organization will expire November 30 every year. Board will have opportunity to re-establish new or discharge committees and appoint members for the following year.	First Meeting to elect Chair and Vice-chair of the Board. [p. 5]
2.	<b>Election Process</b> (a) Candidates may give speeches in reverse order of nomination	No order specified
	(b) A member is permitted to nominate him- or herself.	
	(c) Scrutineers (two staff members) will be recommended by the Director and by the Board	Only one and that is the Secretary/Director [p. 5 (11)]
	(d) Tied vote will be repeated before drawing lots	Lots drawn after first tie vote result [p. 5 (13)]
3.	<b>Reconsider a Previous Decision</b> Procedure for considering a previous decision refined and clarified (see Appendix B-15)	[p. 7 (4)]
4.	<b>Extending Meetings</b> Meeting will adjourn without Board approval at 10 p.m. unless a member moves that the be extended by 15- or 30-minute increments	Two-thirds of members present [p. 8 (2)]
5.	<b>Calling Regular Board</b> Notice will be at least 48 hours before	Two working days [p. 8 (7)]

	<b>Calling Special Meetings</b>	Two working days [p. 8 (7)]
6.	A <u>special Board</u> meeting may be called at of a majority of the members of the Board with 24 hours notice. A <u>special Standing Committee</u> meeting may be called at the request of a majority of the members of the Standing Committee and/or with 24 hours notice..A <u>meeting of a special committee</u> may be called with 24 hours notice.	Four members [p. 8 (12)]  New  New
7.	<b>New Business, Regular Board</b> Addition of business to the agenda of a regular Board meeting requires a majority of all members of Board. An amendment to add an item to an agenda is made following a motion to approve the agenda.	Two-thirds of those present. [p. 8 (9)]
8.	<b>New Business, Special Board</b> Addition of business to the agenda of a special Board requires the presence and agreement of all members	
9.	<b>Call the Question</b> The member who moves that the question be called must have not spoken to the matter.	
10.	<b>Speaking at Board</b> Time limits on discussion: Five minutes for each speaker, may speak once each matter except mover of motion who may have another five minutes to conclude the discussion	Total of 20 minutes on the main motion, 15 minutes on an amendment, 10 minutes on an amendment to an amendment; and 10 minutes on a motion to refer. [p. 9 (17)]
11.	<b>Abstaining from voting</b> A member present when a vote is taken and who does not vote (abstains) will be deemed to have voted in the negative.	Abstentions recorded as such and majority vote requirement reduced. [p. 9 (23), 11]
12.	<b>Seconders at Special Committee</b> A motion at special committee meeting does not require seconding	Seconders required at all meetings



13.	<b>Speaking at Standing Committee</b> Same as Board meetings, except every member will have opportunity to speak whereas at Board, debate may be terminated at any time by approval to the question.	Same as above
14.	<b>Minority Report</b> At a committee meeting, one or more members may present a minority report (opinion) to be recorded in the committee	
15.	<b>Agendas</b> Written Questions for Clarification, Public Questions for Clarification, and Business Arising will be removed from Board agendas page 16).	Public questions for clarification at Board and CTW [p. 10 (28)] Written questions at Board [p. 10 (29)]
16.	<b>Suspension of Bylaws</b> Temporary suspension a bylaw requires two-thirds majority of all members	Two-thirds of those present [p. 10 (27)]
17.	<b>Reporting Private Matters</b> All private matters move through the decision making process and are adopted by the Board in public (see governance procedure page 18).	Only action items are reported. [p. 14 (3)]
18.	<b>Committee Reports</b> The Standing Committee will report to the after each meeting on <u>all</u> activities (see pages 8, 22, 23).	Only action and monitoring items
	Special committees will report to the Standing Committee (or the Board) after each meeting on <u>all</u> activities (see pages 8, 22, 23).	Only action and monitoring items
19.	<b>Committee Reports</b> Special committees may present reports to Standing Committee or the Board.	Subcommittees report to Standing Committee [p. 22 (2)]
20.	<b>Questions at Board and Standing Committee</b> Questions requiring a factual answer will be directed by the Chair to the Director who, at his discretion, may redirect the question to a staff member.	Currently questions of clarification from staff are permitted.



Governance Procedures

Four governance procedures are presented for consideration beginning on page 14. They are Consent Calendar Declaring a Conflict of Interest Delegations and Adding an Item to an Agenda (Submitting a Written Notice of Motion). The chart below describes the difference between the proposed procedure and the HWDSB's current practice.

<b>Proposed Governance Procedure</b>	<b>Current HWDSB Rule or Procedure</b>
<p><b>1. <u>Consent Calendar</u></b> (p. 14)</p> <p>Procedure to be implemented in Board and Standing Committee agendas.</p>	
<p><b>2. <u>Declaring a Conflict of Interest</u></b> (p. 14)</p> <p>Procedure that trustees may voluntarily follow to declare conflicts of interest.</p>	Complicated procedure including form to sign
<p><b>3. <u>Delegations</u></b> (page 16)</p> <p>(a) Oral delegations permitted at Standing Committee on matters in the agenda.</p>	Heard at CTW on any matter [p. 12 (1)]
<p>(b) Oral delegations permitted at special committee meeting if topic is relevant to the committee's mandate.</p>	
<p>(c) Request to make an oral delegation must be received by noon of the Friday before the meeting.</p>	Must be received 10 days prior to the meeting. [p. 12, (4)]
<p>(d) Requests to make an oral delegation that are denied will be so notified, and invited to submit a written submission which will be submitted to the members at the meeting, if time permits.</p>	Delegation requests that are denied will be given written rationale as to why. [p. 12 (6)(c)]
<p>(e) If the matter is not on a Standing Committee agenda, the Chair may refer a request to make an oral delegation to the appropriate special committee.</p>	
<p>(f) All written submissions submitted at any time and on any topic will be distributed to trustees by the Director's Office in the Information Package (page 26) and posted on the website.</p>	Written submission not distributed to absent trustees Written submissions on any topic not invited
<p>(g) Five-minute limit for oral delegations.</p>	Ten-minute time limit

Proposed Governance Procedure	Current HWDSB Rule or Procedure
(h) Delegations will be heard, questioned and thanked. Delegations will not be used as a substitute for a written notice of motion.	Trustees may refer the matter to staff, include on future agenda or add to the agenda as new business. [p. 13 (14)]
(i) Special hearings or consultation sessions for public input on a specific topic may be initiated by the Board any time separate and apart from the delegation process (see page 25).	Special hearing may be held by Board resolution and follow delegation process or other format as established by the Board. [p. 13 (15)]
<p><b><u>Adding an Item to an Agenda or Submitting Written Notice of Motion</u></b> (page 17)</p> <p>Written notices of motion may be included in agendas of regular Board and Standing Committee if received by the Director by 4 p.m. on the same day of the week one week prior to the meeting.</p>	<p>Considered at Board meetings only; notice required at previous meeting. [p. 9 (20)]</p>

1. Consent Calendar (Governance Procedure)

The following Governance Procedure is designed to assist the consideration of agendas for Board and Standing Committee and special meetings if the chair deems appropriate.

- (i) Agenda items that might not require discussion before being received or approved will be placed on the Consent Calendar agenda item.
- (ii) When Approval of the Agenda is being considered, a member may move that an item on the Consent Calendar be removed and held for discussion and separate vote.
- (iii) If a motion to remove an item from the Consent Calendar is adopted by a majority vote, the item will be considered at the end of the meeting during consideration of New Business and Consent Calendar Items.
- (iv) The Consent Calendar will be moved by a member saying, “I move that the Consent Calendar items be received or approved, as appropriate.”
- (v) The procedural bylaws will be applicable with regards to amending the motion, i.e. any trustee may request that “the motion be amended by deleting an item and holding it for discussion.”
- (vi) The governance bylaws will be applicable with regards to voting, i.e. a member may request that a separate vote be taken on each part of the Consent Calendar.

Related to Governance Bylaw 3.4 Adopted [date]  
Revised [date]

2. Declaring a Conflict of Interest (Governance Procedure)

The following governance procedure is designed to provide advice to trustees on how to declare a conflict of interest so that the minutes contain the information required in the *Municipal Conflict of Interest Act* and the Trustee is shown to be acting in an open, transparent and accountable manner.

The following procedure is provided for information only and may be utilized at a trustee's discretion.

- (i) Upon being acknowledge by the chair, the member will stating:
- (ii) "I wish to declare a conflict of interest regarding Item [number] in the agenda because [reason, e.g. my son works for Bell Canada, my husband is a secondary school teacher]."
- (iii) A declaration of conflict of interest made at a committee meeting, must be repeated when the committee's report on the matter is being considered by another committee or the Board.
- (iv) In both cases above, the minutes will reflect that the trustee did not participate in the discussion or vote on the matter, if related to a public matter, and that the trustee was not present for the discussion or vote if related to a private matter.
- (v) A declaration of conflict of interest made at a private committee meeting, must be repeated when the report of the Committee of the Whole (Private Session) is being considered by the Board in public by saying, "I wish to declare a conflict of interest regarding a private [personal, legal, property, security, etc.] matter contained in the private report of the Committee of the Whole ."
- (vi) When a conflict of interest has not been declared due to the absence of a member, the declaration must be made at the next meeting.

Related to the *Municipal Conflict of Interest Act*

Adopted [date]  
Revised [date]

### Delegations (Governance Procedure)

The following governance procedure establishes a process for hearing public input and is an indicator of the Board's commitment to advocacy for students, parents and communities. The procedure provides for flexibility in managing the delegation process.

#### I. Subject Matter

- (a) The Standing Committee will hear delegations on matters that are shown in the agenda.
- (b) Special committees will hear delegations on matters related to their mandates.
- (c) Written submissions alone, on any topic and at any time, may be submitted to xxx[name and email] and will be distributed to all trustees and posted on the Board's website.
- (d) Employees of the Board may make a delegation request on topics other than those concerning employment or profession interests for which other channels exist.

*[See also Section 6, Limitations]*

#### II. Confidential Matters

Requests by delegations to appear before a committee on matters which are deemed to be of a confidential nature, (Section 207 (1) and (2) of the Education Act), will be considered in private session.

#### III. Requests to Make an Oral Delegation

- (a) Requests by delegations and individuals to speak to the Standing Committee must be submitted in writing by e-mail to xxx[name and email] , by 12 noon on the Friday before the meeting and speakers must address a topic in the agenda.
- (b) If a request to make an oral delegation cannot be accommodated, the requestor will invited to submit a written submission that will be distributed to the members at the meeting, if time permits, distributed to all trustees in the weekly information package and posted on the Board's website.
- (c) Requests by delegations and individuals to speak on a topic other than in (a) above, will be invited to speak to a special committee of the Board.
- (d) Requests must include the following information:
  - (i) the topic that will be addressed
  - (ii) the name of the speaker or speakers if the time provided is to be shared by two members of an organization
  - (iii) address of the speaker
  - (iv) contact information for the speaker (preferably e-mail)
  - (v) the name of the organization, if the speaker is representing an organization such as a school council or community group

IV. Time Allotted

The length of time allotted for presentation by a delegation will be no longer than five minutes, however, at any time the chair may decide that a shorter time be allotted to facilitate the business of the Board.

V. Questions of Clarification

Following presentations, members of the committee and other trustees may ask brief questions for clarification only, for a period of time which will be at the discretion of the Chair.

VI. Limitations

The committees will hear up to three delegations at each meeting.

- (a) Delegation requests will be approved or denied at the discretion of the chair. If denied, requestors will be invited to submit a written submission which will be distributed at the appropriate meeting.
- (b) Delegates may speak once only on any particular matter.
- (c) For the issue of school closings, where the Board will be instituting an extensive consultation process outside of the Board's regular business process, delegations will not be heard at committee meetings.
- (d) If more delegation requests are received than can be accommodated, written submissions will be encouraged and these will be distributed to all Board members.

Related to Governance Bylaw 5

Adopted [date]

Revised [date]

3. Submitting a Written Notice of Motion or Adding an Item to an Agenda (Governance Procedure)

The following governance procedure is designed to provide a process for Trustees to add an item to an agenda of a Board or Standing Committee meeting for consideration.

To submit a matter for consideration, a written notice of motion must be received by the Director before 4 p.m. on the same day of the week one week prior to the meeting, for example notices of motion for a Monday meeting must be received by 4 p.m. on the previous Monday.

A motion is exclusively an action that occurs during a meeting, does not happen until moved by a trustee when a meeting is underway. A trustee who has submitted a written notice of motion for inclusion in an agenda is providing notice to other Trustees, staff and the community that the matter may be considered, and may withdraw or make editorial changes to it at the time it is moved.

Written notice of motion should suggest an action as concisely as possible, with no extraneous content, and leave no doubt as to what is being proposed.

*Note:* When considering a motion at a meeting of the Board the matter will frequently be referred to the Standing Committee or a special committee for consideration. The Board has taken “ownership” of the matter and it is published in the agenda of the committee as a matter referred by the Board, it is no longer a motion or a written notice of motion. When the Standing Committee or special committee considers a matter, the committee has taken “ownership” of it and may approve, defeat or amend the it and present it as a recommendation of the committee in the committee’s report.

Related to Governance Bylaws 3.6, 7.9  
 Adopted [date]  
 Revised [date]

#### 4. Reporting Private Matters In Public (Governance Procedure)

The purpose of the governance procedure is to provide a process for the Board to provide the most possible information to the public on private matters that are being recommended for Board approval at the time the Board is making the decision and subsequent to the Board meeting.

During a public meeting, the Board may resolve into Committee of the Whole (Private) to consider private matters. When the private CW meeting is concluded, the meeting reviews the Chair’s report to the public and ends the meeting thereby making recommendations on private matters. The Board is required to vote on approving the private recommendations in public.

At this point, some of the private decisions or parts of decisions can immediately be made public and others cannot, as determined by the Director.

##### (a) *Matters that will never be made public*

The decisions that cannot be made public immediately public, are voted on without disclosing the particulars of the matter. These matters include items that were simply received or discussed. The content of private agendas and discussions should remain private.

- (i) There would be no purpose to disclosing the nature of the matter at the time the private report of the Committee of the Whole is presented.
- (ii) The nature of the matter will be shown in the public minutes of the meeting at a later time, but the particulars (specific topic and recommendation) will not.

##### (b) *Matters that might be made public at a later time*

Sometimes private decisions can be made public at a time subsequent to the meeting after required administrative steps have been concluded. In this instance, when appropriate, the Director will inform the trustees and publish the private decision.

- (i) There would be no purpose to disclosing the nature of the matter at the time the private report of the Committee of the Whole is presented.
- (ii) The nature of the matter will be shown in the public minutes including the recommendation or part of the recommendation of the Committee of the Whole that has been made public.



(c) *Matters that can be made immediately public*

At the conclusion of each private meeting of the Committee of the Whole, the Director, in consultation with the Chair and Vice-chair of the Board, will determine which recommendations or parts of recommendations of the private CW will immediately be made public.

- (i) These recommendations or parts of recommendations will be read aloud by the chair of the CW upon presentation of the committee's report in public.
- (ii) The nature of the matter will be shown in the public minutes including the recommendation or part of the recommendation of the Committee of the Whole that has been made public.

Related to Governance Bylaw 12  
Adopted [date]  
Revised [date]



### Committees

The following are committees to which the Board may appoint trustee members or trustee representatives of the Board. Some committees are comprised of trustees only and these may be classified as Board or governance committees. Others have trustee members representing the Board on committees with additional staff or community members. In all cases, trustee members should be appointed by the Board.

#### Standing Committee

<i>Established:</i>	By the Governance Bylaws to serve a permanent and continuing function for the Board. [Bylaws 7.1 to 7.2]
<i>Membership and Mandate:</i>	As per Governance Bylaws.
<i>Rules of order:</i>	Governance Bylaws 9.1 to 9.9.
<i>Changes:</i>	To discharge or change the mandate, membership, rules of order, etc. a revision of the Governance Bylaws is required. [GB 11.7]
<i>Term:</i>	Same as members of the Board

#### Special Committees

<i>Established:</i>	In accordance with Governance Bylaws. [GB 8.1 to 8.14]
<i>Membership and Mandate:</i>	As established by the Board. [GB 8.1]
<i>Rules of order:</i>	As per Governance Bylaws. [GB 9.1 to 9.9]
<i>Changes:</i>	May be established and discharged by the Board at any time as per Governance Bylaws. [GB 8.1]
<i>Term:</i>	Term ends November 30 each year, unless decided otherwise by the Board. [GB 8.6]

#### Community Advisory Committees

<i>Established:</i>	In accordance with Governance Bylaws. [GB 10.1]
<i>Membership and Mandate:</i>	As established by the Board. [GB 10.1]
<i>Rules of order:</i>	As per Governance Bylaws. [GB 9.1 to 9.9]
<i>Changes:</i>	May be established and discharged by the Board at any time as per GB 10.1.
<i>Term:</i>	Term ends November 30 each year, unless decided otherwise by the Board. [GB 10.2]

Statutory Committees (established by legislation)

Statutory committees are established in accordance with the relevant legislation. The trustee membership, mandates and rules of order may vary according to the legislation. The terms of office also vary, however no matter how long they end on November 30 of the appropriate year.

External Organizations

Trustee representatives may be appointed by the Board upon invitation from external organization; unless specified otherwise by the organization, the term of membership will expire on November 30 each year.

Communications Received by the Chair

The Chair's Office normally receives a large number of communications—e-mails, faxes and written correspondence from a wide variety of sources. The Chair may decide on the disposition of these in one of the following ways, or any other way the Chair deems appropriate.

- (a) Respond to the communication on behalf of the Board
- (b) Refer the communication to the Director for information or response by staff
- (c) Refer the communication to the appropriate trustee
- (d) Distribute the communication to all trustees in the weekly information package (see page 26)
- (e) Present the communication in a Board meeting agenda with a recommendation (see page 16)

A communication that is received by the Chair that is in response to a communication sent by the Chair on behalf of the Board should be presented to the Board with a copy of the originating communication. The two related communications should be posted together on the Board's website.

The Chair is not obligated to accept communications that are frivolous in nature or a form of advertising or personal promotion. Communications that are unsigned (anonymous) should not be received.

## Records of Meetings

### Minutes of Board Meetings

Minutes of Board meetings will be recorded and the official copy kept on file in the Director's Office. The minutes should include sufficient information to demonstrate that the meeting was properly convened in public and that the rules of order were followed. The chronological process the members followed to reach a decision on each matter should be detailed, i.e. mover, seconder, motion, amendment, declarations of conflict of interest, recesses, etc. If a decision is the result of a complicated process, it can be summarized at the end of the record of the discussion.

If possible, taking into consideration the amount of administrative time that would be required, the information on which the decisions were based, i.e. staff reports, committee reports, could be attached to the minutes to provide a complete record of the background of each decision.

There should be no record made of what any trustee said during discussion or of the Director's response to a question. Neither should any comment made during the introduction or summation of a matter be recorded. Names of individual staff members should not be recorded nor their comments or answers to questions. Comments, questions, answers, etc. that occur during the discussion on a matter are important, but are subject to the interpretation, comprehension and ability to hear of every individual in the room, including the staff member who records the minutes and therefore should never be included in the minutes.

The first lesson I learned about minutes was that they should include what was done in the meetings, not what was said.

*C. Alan Jennings, Robert's Rules for Dummies*

By recording the minutes as noted above, the necessity of extensive proof-reading, editing and revising, both before and during meetings, will be drastically reduced or eliminated.

When the minutes are presented for confirmation, members who were not present at the meeting related to the minutes should vote indicating their confirmation that the minutes have been received and are complete. Any content of the minutes that a trustee wishes to question can be brought to the attention of staff before or after the meeting and the correction made at that time. If of significant importance, the revision may be brought to the attention of the meeting, but if of minor significance staff have the authority and responsibility to make the necessary change.

### Committee Reports

The staff member whom the Director has designated to record the proceedings at committee meetings (Standing Committee, special committees, etc.) should record of the activities similar to what is required at Board meetings. However, rather than creating minutes, after each meeting, committee reports should be created and include all matters considered by the committee, recommending either action or receipt. (see page 8 and sample report on next page). An example of a committee report is attached which, of course, staff can reformat to suit administrative needs.

**Committee Report (Example)**

Presented to: [Standing Cte, Regular Board, Special Bd] Meeting date: \_\_\_\_\_

From: \_\_\_\_\_ [Name of Committee] Meeting date: \_\_\_\_\_

The committee held a meeting on [date], from [xxx to xxx] p.m., [xxx], [address], Hamilton, Ontario.

Members present were: Trustees... Regrets were received from Trustees... Also present were Trustees...

\*\*\*\*\*

**1. Equity of Opportunity, Access and Outcomes Executive Summary**

The Committee continued consideration of the staff report that provided a summary access and outcomes with regards to equity of opportunity.

On motion of Trustee Bishop, the Standing Committee **RECOMMENDS:**

**That the following Action Plan for 2012-2013 and Equity Fund Guiding Principles from the Equity of Opportunity, Access and Outcomes Executive Summary be approved:**

**(a) The Action Plan for 2012/13 focuses on the following areas:**

- (i) Implementing a secondary program strategy which considers equity of opportunity and access and continue to review and implement an elementary program strategy.**
- (ii) Creating the Terms...**

At the Committee meeting, the matter was carried on the following division of votes:

FOR	Trustees Barlow, Bishop, Hicks, Johnstone, Orban, Peddle, Simmons and White Student Trustees Ewing and Stenekes	(8)
OPPOSED	Trustees Brennan and Turkstra	(1)
ABSENT	Trustee Mulholland	(2)

On amendment of T. Simmons, Part (a)(i) was amended by adding: “and continue to review and implement an elementary program strategy.” A motion of A. Johnstone to table the matter to the next meeting was defeated.

2. Long-Term Facilities Master Plan

Due to a lack of time, this item was not considered.

3. Evidenced-Based Education and Services Team (E-BEST)

The Committee received an oral report from staff on the activities of the Evidenced-Based Education and Services Team.

4. Transportation Consortium Update

The Committee received a staff report providing an update on the activities of the Transportation Consortium.

5. Corporate Communications Strategic Report

The Committee considered a staff report on the Board's corporate communications.

On motion of J. Barlow, the Standing Committee **RECOMMENDS that the Director conduct a review of the Board's Corporate Communications Strategy and present a report in February 2013.**

Staff recommended that the report be received.

Respectfully submitted:  
R. Barlow, Chair of the Committee

*Note: Staff may change the format of the report to suit the needs of Trustees and staff.*

### Information Sessions

Information sessions can be utilized to improve and facilitate the ability of the members of the Board to make good decisions and keep abreast of important Board strategies and responsibilities.

- (a) Information sessions should be located in a large meeting room, not the Boardroom, but large enough to accommodate members of the public who may wish to observe. These settings are less formal than a meeting, where discussion can freely flow between staff and the trustees.
- (b) Other terms may be used to identify information sessions such as *seminar* or *workshop*.
- (c) Information sessions may be held in public or private at the discretion of the Chair and the Director.
- (d) Information sessions should focus on one or two topics as identified by the Chair of the Board and the Director.
- (e) Notice should be provided to trustees in the form of an invitation from the Chair.
- (f) The Director and the appropriate senior staff should be in attendance to present the information and answer questions.
- (g) Members of the public should be invited to public sessions by posting the invitations on the Board's website.
- (h) Community members should not participate in the discussion.
- (i) Discussion should be guided by the Chair, or designate.
- (j) Information should be distributed by staff to inform trustees and guide the discussion.
- (k) The business of the Board cannot be done at information sessions. Neither can substantive amounts of administrative work be requested.
- (l) The governance rules do not apply, however, at any time the Board could adopt procedural rules applying to information sessions.
- (m) No record of the discussion will be made; individuals may make personal notes.

### Monitoring Reports

It is apparent that the consideration of monitoring reports occupies a large amount of discussion time at meetings, and although they serve an important function, they do not seem to warrant the amount of meeting time consumed. It is understood however that these monitoring reports are important to trustees and the public as the matters addressed are updates on Board decisions of significant importance. It is therefore suggested that information sessions be used to facilitate discussions about important issues, including matters that are being monitored.

It is suggested that at least one information sessions be held per month (see p. 28, (d)).



### Information Packages

Currently items of interest to trustees are distributed electronically in the Director's Weekly Newsletter.

In addition to this publication, other items of general interest to trustees including invitations to information sessions, communications sent and received by the Chair, written submissions from community members, information from the Director, etc. could be included in a weekly information package delivered to trustees.

All information provided to trustees should also be posted on the Board's website in a location specifically designed for this purpose.

### Other Governance Matters

#### Code of Conduct

The Ministry of Education is in the process of developing a regulation in accordance with section 218(2) of the *Education Act* that will require school boards to adopt a code of conduct. The Ontario Public School Boards' Association has created a template for a code of conduct that school boards may consider adopting which includes the anticipated wording in the regulation.

The Hamilton-Wentworth District School Board has an existing code of conduct and OPSBA has developed a draft code of conduct based on the anticipated Ministry directive. The Board's existing code of conduct lacks a detailed policy directive or implementation plan, therefore this should be developed as soon as possible perhaps basing the directive on the complaint, inquiry and decision making processes and sanctions recommended in the OPSBA document. The HWDSB may wish to add time limits to the processes so that complaints and inquiries are conducted in a fair but timely manner.

#### Private Matters

The code of conduct template developed by the Ontario Public School Boards' Association includes the following section:

##### Respect for Confidentiality

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.

Ontario Public School Boards' Association  
Draft Code of Conduct

In addition, Appendix A of the proposed Governance Bylaws (see page 14) provides more detailed instruction for maintaining the confidentiality of private matters.

Declaring Conflicts of Interest

A proposed governance procedure for declaring conflicts of interest is presented (see page 14). It is the responsibility of the individual trustee to obtain legal advice as to whether or not they should declare a conflict of interest.

Recommendations

IT IS RECOMMENDED:

*Governance Bylaws*

- (a) **That the Governance Bylaws, as presented in the report, be adopted;**

*Governance Procedures*

- (b) **That the following governance procedures, as presented in the report, be adopted:**
- (i) **Consent Calendar**
  - (ii) **Declaring a Conflict of Interest**
  - (iii) **Delegations**
  - (iv) **Submitting a Written Notice of Motion or Adding an Item to an Agenda**
  - (v) **Reporting Private Matters in Public;**

*Staff Position*

- (c) **That the Director present a report, including a job description, for a staff position to provide support for the governance process and to provide in-services for trustees, as required, on the procedural bylaws, the governance process and chairing meetings, and assistance and support for the Chair and Vice-chair of the Board with regards to procedural matters at Board and Standing Committee meetings;**

*Information Sessions*

- (d) **That regular public information sessions be scheduled;**

*Special Committees*

- (e) **That the Finance Advisory Subcommittee, Governance Subcommittee, Human Resources Advisory Subcommittee, and Policy Working Subcommittee be renamed Finance Committee, Governance Committee, Human Resources Committee and Committee, respectively;**

*Community Advisory Committees*

- (f) **That advisory committees that have community members be called community advisory committees;**

*Agendas and Information Items*

- (g) **That agendas and information items be distributed to trustees Tuesday evenings and posted on the Board's website Wednesday mornings, whenever possible.**



Resolution #12-30

On February 27, 2012, the Hamilton-Wentworth District School Board decided [Resolution #12-30]:

Whereas section 207 of the *Education Act* ensures public access to meetings and records of the Hamilton-Wentworth District School Board (HWDSB), and

Whereas the *Education Act* has strict criteria for the closing of certain committee meetings, and

Whereas the *Education Act* enshrines that "any person may, at all reasonable hours, at the head office of the board inspect the minute book, the audited annual financial report and the current accounts of a board, and, upon the written request of any person and upon the payment to the board at the rate of 25 cents for every 100 words or at such lower rate as the board may fix, the secretary shall furnish copies of them or extracts there from certified under the secretary's hand," [s. 212(4)] and

Whereas there has been recent public scrutiny applied to the long-standing governance practices of the HWDSB, and

Whereas the HWDSB desires to ensure public confidence in all that it does,

Therefore be it resolved that the HWDSB Board of Trustees:

- (a) Request a report and recommendations from leading governance experts (both in theory and practice) to review and modernize the Board of Trustees' Rules and Regulations and meeting practices (public, private, professional development, procedural);
- (b) Invite participation in the review from some of those whom have recently been quoted in the media;
- (c) Cost not to exceed \$10,000 plus HST;
- (d) Implementation and oversight to be provided by the Governance Committee and come back to the Board in April 2012 with a possible leadership recommendation;
- (e) All Trustees to be invited to participate;
- (f) Final Report to be presented to the Board of Trustees no later than February 2013.

Proposed Governance Bylaws of the  
Hamilton-Wentworth District School Board

If the bylaws are silent on a rule of order, *Robert's Rules of Order Newly Revised* shall be the authority.

Definitions

*Majority vote* means a majority of the votes cast.

*Majority of the members* of the Board/committee means a majority of the total number of members regardless of how many votes are cast.

*Member* means a Trustee who is a member of the Board or committee.

*GB* introduces a related governance bylaw.

General Provisions

- (a) Unless stated otherwise, questions shall be decided by a majority vote.
- (b) Unless stated otherwise, quorum for a meeting is a majority of the members.

Table of Contents

Section 1, Organizational Board Meeting  
Section 2, Regular and Special Board Meetings  
Section 3, Regular Board Meetings  
Section 4, Special Board Meetings  
Section 5, Rules of Order for Board Meetings  
Section 6, Committee of the Whole  
Section 7, Standing Committee  
Section 8, Special Committees  
Section 9, Rules of Order, Standing Committee,  
Special Committees and Committee of the Whole  
Section 10, Community Advisory Committees  
Section 11, Miscellaneous

## **1. Organizational Board Meeting**

- 1.1.** The purpose of the organizational meeting shall be:
- (i) to elect the Chair of the Board;
  - (ii) to elect the Vice-chair of the Board;
  - (iii) to consider the establishment and re-establishment of special committees and appoint members;
  - (iv) to consider the establishment and re-establishment of community advisory committees and appoint members;
  - (v) to appoint members of legislated committees;
  - (vi) to appoint members to represent the Board on external organizations;
  - (vii) to adopt a schedule of meeting dates and times for regular Board and Standing Committee meetings for the following year, if the Board has not yet done so; [E.A. 208(6), 170.4]
- 1.2.** The organizational meeting of the Board in each year shall be held not later than the eighth day of December. [E.A. 208(4)]
- 1.3.** The Director shall preside until the Chair of the Board is elected. [E.A. 208(4)].
- 1.4.** If the meeting is also an inaugural meeting, the Director shall read the election returns as certified by the clerks of the municipalities whereupon the elected members shall take their places.
- 1.5.** Election of the following shall be conducted as provided in GB 1.6 to 1.15. The term of office in each case shall be one year only, or until a successor is elected:
- (i) The Chair of the Board. Upon election, the Chair shall take the chair.
  - (ii) Vice-chair of the Board
- 1.6.** The members shall appoint two staff members as scrutineers. A candidate may appoint a trustee to act as an additional scrutineer.
- 1.7.** Elections shall be administered by secret ballot.
- 1.8.** The chair shall call for nominations. Nominations do not require seconds.
- 1.9.** Candidates shall be permitted to nominate themselves.
- 1.10.** Nominations shall be closed at the call of the chair.
- 1.11.** The candidates may give speeches in the reverse order of nomination and limited to a duration of five minutes.

- 1.12. The scrutineers shall inform the chair of the election results. The chair shall announce the results. There shall no further disclosure of the vote results.
- 1.13. If no candidate receives a majority of the valid votes cast, the candidate with the fewest votes shall be dropped from the ballot and another vote taken.
- 1.14. If no one receives a majority of the valid votes cast and there is a tie for last place, the vote shall be conducted once more. If a tie for last place is repeated, a draw shall be conducted among the candidates who are tied and the candidate losing the draw shall be dropped from the ballot.
- 1.15. If there is a tie vote on the final ballot, the vote shall be conducted once more before drawing lots. [E.A., 208(8)]
- 1.16. During or before the organizational meeting each year, the Board shall approve a schedule of meeting dates and times for regular Board and Standing Committee meetings for the following year. The schedule may be revised by the Board. [E.A., 208(6), 170.4]

For the rules of order for organizational meetings, see section 5.

## **2. Regular and Special Board Meetings**

- 2.1. The Chair of the Board, in consultation with the Director, shall be responsible for the content of regular and special Board agendas.
- 2.2. Meetings shall commence as soon after the meeting time as a quorum is present.
- 2.3. If a quorum is not present within 20 minutes after the time appointed for a Board meeting, or if the quorum is lost during the course of the meeting, the meeting shall stand adjourned. The Director shall make a record of who is present at the time the meeting adjourns.
- 2.4. When the Chair of the Board is absent, the Vice-chair of the Board shall preside. When both the Chair and the Vice-chair of the Board are absent, the members present shall elect one of themselves to be chair for that meeting.
- 2.5. Should it be necessary for the Chair of the Board to leave the chair, the Vice-chair of the Board shall be called upon, or, in the Vice-chair's absence, one of the members, to act as chair. The Vice-chair or any member temporarily occupying the chair shall discharge all the duties and enjoy all the rights of the chair.
- 2.6. As required, private matters may be considered at both regular and special Board meetings.



### **3. Regular Board Meetings**

- 3.1. The Chair of the Board shall chair regular Board meetings.
- 3.2. The Director shall notify each member, in writing, of regular Board meetings at least 48 hours before the time at which such meetings are to take place.
- 3.3. The agenda shall include all the matters that are to be considered, as far as is known.
- 3.4. The Board may adopt, from time to time, a governance procedure for receiving and approving, as appropriate, matters using a consent calendar process at regular Board and Standing Committee meetings.
- 3.5. A member wishing to have an observance of a special event or a ceremony included in the agenda of a regular Board meeting shall submit a request to the Chair and the Director at least seven days prior to the meeting.
- 3.6. Members may submit written notices of motion for consideration in the agenda and, from time to time, the Board may adopt a governance procedure to implement this bylaw.
- 3.7. The chair may, in consultation with the Director, may add an item to the agenda no later than the day before the meeting.
- 3.8. The order of business at regular Board meetings shall be as follows, as necessary:
  - (i) Call to Order
  - (ii) National Anthem
  - (iii) Special Reading, when desired
  - (iv) Observance of special event such as a student presentation, presentations of awards, memorials, mention of significant event
  - (v) Approval of Agenda
  - (vi) Declarations of Conflicts of Interest
  - (vii) Confirmation of Minutes
  - (viii) Consent Calendar
  - (ix) Communications Received by the Chair
  - (x) Staff Reports
  - (xi) Reports from the Standing Committee
  - (xii) Reports from Special Committees
  - (xiii) Consideration of Written Notices of Motion
  - (xiv) Oral Reports From the Student Trustees, the Chair, the Director, and the Board's Representatives on External Organizations
  - (xv) Adjournment

- 3.9.** The Board may adopt a procedure from time to time to permit public delegations at Standing Committee and special committee meetings.

For the rules of order for regular Board meetings, see section 5.

#### **4. Special Board Meetings**

- 4.1.** The Chair of the Board shall chair special Board meetings.

- 4.2.** Special Board meetings may be called:

- (i) By the chair and the Director for the purpose of dealing with emergent matters.
- (ii) By the chair, or by the Director on the written signed request of a majority of the members of the Board wherein the purpose of the meeting is stated.

- 4.3.** The Director shall provide at least 24 hours written notice of the special meeting.

- 4.4.** The notice of and agenda for each special Board meeting shall include the purpose of the meeting and no other business shall be considered unless all members of the Board are present and agree to do so.

- 4.5.** The order of business at special Board meetings shall be as follows, as necessary:

- (i) Call to Order
- (ii) Resolution Into Committee of the Whole (Private Session)
- (iii) Committee of the Whole (Private Session) Reviews the Chair's Report to the and Ends the Meeting and the Regular Meeting Reconvenes in Public
- (iv) Adoption of the Report of the Committee of the Whole (Private Session)
- (v) National Anthem
- (vi) Declarations of Conflicts of Interest
- (vii) Matter Directly Related to the Purpose of the Meeting
- (viii) Adjournment

For the rules of order for special Board meetings, see section 5.

## **5. Rules of Order for Board Meetings**

- 5.1.** The order of business shall be as shown in the agenda unless decided otherwise by a the members.
- 5.2.** At Board meetings, after being recognized by the chair, a member desiring to speak shall address the Chair. The Chair shall call the member by name and the member may then, but not before, proceed to speak.
- 5.3.** At Board meetings, motions shall be seconded.
- 5.4.** All motions shall be decided by a vote unless the mover, with the permission of the Board, withdraws the motion.
- 5.5.** All motions shall be presented in writing except the motions listed in GB 5.15.
- 5.6.** Every member, except the Chair, shall vote on all questions, unless disqualified from voting. Any member present when a vote is taken who does not vote and is not disqualified, shall be deemed to have voted in the negative.
- 5.7.** The Chair may vote on all questions before the Board.
- 5.8.** No member shall speak longer than five minutes on the same question, nor shall any member, except in explanation, speak more than once upon any question. The mover of the original motion, but not of any amendment, may have five minutes to close the debate. The chair may, in unusual circumstances and with the permission of the meeting, reduce or increase the length of time for speakers or the number of times a member speak to facilitate discussion on a specific matter.
- 5.9.** When the motion under consideration contains distinct propositions, a member may request that a separate vote be taken on each proposition.
- 5.10.** When a motion is put to a vote, the chair shall first call for votes in favour of the motion, and then for votes opposed.
- 5.11.** After a vote is taken, the chair shall declare whether the motion was carried or defeated.
- 5.12.** A record of the names of the members who voted for, against a motion and those who were absent from the vote shall be included in the minutes of the meeting.
- 5.13.** A motion is lost on a tie vote, except when the ruling of the Chair is appealed, in which case a tie vote upholds the Chair (see GB 5.32).
- 5.14.** A motion before the Board may be amended at any time, subject to the following conditions:
  - (i) An amendment is directly relevant to the main motion or, in the case of an amendment to the amendment, to the amendment, proposes some change in the or substance of the main motion or the amendment, and shall not be contrary to the main motion or amendment.

- (ii) Only one amendment and one amendment to the amendment may be before the Board at any one time.
- (iii) The vote on the motion, amendment and amendment to the amendment is taken in the reverse order of that in which they were moved, that is, the amendment to the amendment first, then the amendment, and then the main motion.

**5.15.** When a question is under debate no motion shall be in order except:

- (i) to Adjourn
- (ii) to Call the Question
- (iii) to Table the Matter (indefinitely)
- (iv) to Table the Matter to... (a specified time)
- (v) to Refer the Matter
- (vi) to Meet in Committee of the Whole , in public or private

**5.16.** The following conditions apply to motions made under GB 5.15:

- (i) The motion takes precedence over the main motion and amendments, if any, before the Board and before the debate on the main motion and amendment resumes.
- (ii) Only one such motion may be before the Board at any one time.
- (iii) A second motion to the same effect cannot be made until some other business has intervened.
- (iv) Motions to adjourn, to call the question or to table indefinitely shall be decided without debate.

**5.17.** A motion to call the question must be moved by a member who has not spoken to the matter.

**5.18.** At any stage of the debate a member may require the question under discussion to be read.

**5.19.** A member may request a brief factual answer to a question pertinent to the subject under debate.

**5.20.** If the chair deems necessary, the chair shall refer a question to the Director.

**5.21.** No member while speaking shall be interrupted by another, except upon a point of order. (see GB 5.32).

**5.22.** No member shall speak to the motion after the question has been put by the Chair, nor shall any other motion be made until after the result is declared, and the decision of the Chair as to whether the question has been put is final.

**5.23.** No matters shall be discussed or considered unless identified in the agenda or added as an item of new business (GB 5.24).

- 5.24. A member may have a matter added to the agenda of a regular Board meeting provided a majority of the members of the Board agree to consider it.
- 5.25. No decision of the Board shall be reconsidered for a period of 12 months following the decision, or for the remainder of the term of office, whichever is the shorter time, unless decided otherwise by the Board.
- 5.26. A previous decision cannot be reconsidered if it has already been carried out and cannot be undone.
- 5.27. A decision of the Board made at a previous meeting shall not be reconsidered unless written notice of the motion to reconsider the decision is included in the agenda. A decision of the Board made earlier in an ongoing meeting may be reconsidered on a motion without notice.
- 5.28. A motion or notice of motion to reconsider a previous decision shall include motion or notice of motion presenting an alternate proposal or a recommendation to rescind the previous decision. The motion presenting an alternate proposal or motion to rescind shall not be considered if the motion to reconsider is defeated. [See Appendix II, page 15]
- 5.29. Reconsideration of a previous decision of the Board cannot be added as new business unless it is reconsideration of a decision made earlier in a meeting (see GB 5.24).
- 5.30. A motion to reconsider a previous decision of the Board shall require a majority of the members of the Board to carry.
- 5.31. A decision to reconsider a previous decision shall not stay in effect beyond the adjournment of the meeting.
- 5.32. A member may bring to the attention of the Chair any departure from the rules of procedure by stating, "I rise to a point of order," and may interrupt another member who is speaking. The point of order must be stated clearly and concisely and the Chair must decide, without debate, whether or not the point of order is well taken.
- 5.33. The ruling of the Chair on a *point* of order is final, subject only to an appeal to the Board, without debate. A tie vote upholds the Chair.
- 5.34. A member who feels that their reputation or that of the organization has been impugned may raise a "question of privilege." The procedure is the same as for a point of order (GB 5.32) except that a speaker cannot be interrupted.
- 5.35. Meetings shall adjourn at 10 p.m. unless decided otherwise by the members to add to the length of the meeting in 15- or 30-minute increments.

## **6. Committee of the Whole**

- 6.1. The Board may meet in a public session of Committee of the Whole by majority vote, in order to permit more informal and detailed discussion of a certain matter.

- 6.2. The Board shall meet in a private session of Committee of the Whole by a majority vote, in order to consider private matters.
- 6.3. The Committee of the Whole shall only consider matters which have been referred to it by the Board. (See Appendix B-14)
- 6.4. The Committee of the Whole shall report and recommend to the Board in public session on all matters referred to it.

For the rules of order for committee of the whole meetings, see section 9. For additional information regarding private matters, see Appendix I.

## **7. Standing Committee**

- 7.1. The Standing Committee shall be composed of all members of the Board.
- 7.2. A member of the Standing Committee who absents him- or herself from three consecutive meetings of the committee without the approval of the committee shall cease to be a member of the committee. This information shall be reported to the Board.
- 7.3. The Vice-chair of the Board shall chair Standing Committee meetings.
- 7.4. The Standing Committee agenda shall be sent by the Director to the members at least 48 hours before the time at which the meeting is to take place. At the discretion of the Chair, supplementary agenda material may be sent to the members no later than the day before the meeting.
- 7.5. Special meetings of the Standing Committee may be called by the chair, or in the committee chair's absence, by the Chair of the Board, or by the Director on the written request of a majority of the members of the committee and upon provision of 24 hours notice to the members.
- 7.6. The Standing Committee shall meet at least once before each regular meeting of the Board.
- 7.7. The Standing Committee chair, in consultation with the Director, shall be responsible for the content of the agenda.
- 7.8. The order of business at Standing Committee meetings shall be as follows:
  - (i) Call to Order
  - (ii) Approval of Agenda
  - (iii) Declarations of conflicts of interest
  - (iv) Delegations
  - (v) Consent Calendar
  - (vi) Staff Reports

- (vii) Reports from Special Committees
- (viii) Consideration of Written Notices of Motion
- (ix) Private Session (to consider matters on the private agenda)
- (x) Adjournment

- 7.9.** A member may submit written notices of motion for consideration in the agenda and, from time to time, the Board may adopt a governance procedure to implement this bylaw.
- 7.10.** The Standing Committee agenda shall include all the matters that are to be considered, as far as is known.
- 7.11.** The chair, in consultation with the Director, may add an item to the agenda of the Standing Committee no later than the day before the meeting.
- 7.12.** The Standing Committees shall report and recommend to the Board on all matters considered by the committee.

For the rules of order for Standing Committee meetings, see section 9.

## **8. Special Committees**

- 8.1.** Special committees may be established by the Board from time to time as deemed advisable and upon determination of their membership and mandate.
- 8.2.** Special committees include committees established for a specific task and shall be discharged upon completion of the task.
- 8.3.** A member on whose motion a special committee is established shall be a member of that committee for the first term. Other committee members shall be appointed by the Board.
- 8.4.** The Director shall call the first meeting of a special committee.
- 8.5.** At the first meeting of a special committee or at the first meeting after the office of committee chair becomes vacant, the members of the committee shall elect a chair from among themselves.
- 8.6.** The term of office for special committees members shall end on November 30 in each year, unless otherwise decided by the Board.
- 8.7.** The Chair and Vice-chair of the Board shall be ex officio members of special committees and when needed to count towards quorum shall have all the privileges of a member. When present at special committee meetings and not needed to count towards quorum, the ex officio member shall have speaking privileges only.

- 8.8.** A member of the special committee who absents him- or herself from three consecutive meetings of the committee without the approval of the committee shall cease to be a member of the committee. This information shall be reported to the Board.
- 8.9.** Meetings held subsequent to the first meetings of special committees may be held on such dates and times as the committees consider expedient, provided that no such committee meets during a time period set aside by the Board for some other purpose without the approval of the Chair.
- 8.10.** The special committee chair, in consultation with the Director, shall be responsible for the content of the agenda.
- 8.11.** The agenda for each special committee meeting shall include all the business to be considered at the meeting and shall be sent by the Director to the members at least 48 hours before the time at which the meeting is to take place. At the discretion of the Chair, supplementary agenda material may be sent to the members no later than the day before the meeting.
- 8.12.** Special meetings of a special committee may be called by the chair, or in the committee chair's absence by the Chair or Vice-chair of the Board, or by the Director on the written request of a majority of the members of the committee and upon provision of 24 hours notice to the members.
- 8.13.** The chair, in consultation with the Director, may add an item to the agenda of the special committee no later than the day before the meeting.
- 8.14.** Special committees shall report and recommend to the Standing Committee or the Board on all matters considered by the committee.

For the rules of order for special committee meetings, see section 9.



## **9. Rules of Order, Standing Committee, Special Committees and Committee of the Whole**

- 9.1.** The rules of order for Board meetings (section 5), with the necessary changes, shall apply to Standing Committee, special committees and Committee of the Whole (Private Session) meetings, with the following exceptions.
- 9.2.** At a special committee, motions shall not require a seconder.
- 9.3.** A motion to call the question shall not be considered in Standing Committee until all members who wish to speak have had an opportunity to do so. (see also GB 5.15, 5.16, 5.17)
- 9.4.** Speaking time limits and restrictions (GB 5.3) shall not apply to special committee meetings.
- 9.5.** If a minority of a special committee disagrees with a recommendation to be made by a majority of the members, the minority may present an alternative position to the Board in the form of a minority report attached for information to the majority recommendation. Minority reports shall be presented to the committee in writing before the committee adjourns.
- 9.6.** A motion to do the following shall not be in order in committee:
- (i) table consideration of the motion indefinitely;
  - (ii) reconsider a decision previously made by the Board, unless the motion to reconsider the decision was referred to the committee by the Board;
  - (iii) temporarily suspend the rules.
- 9.7.** Standing Committee and special committee meetings shall adjourn at a time established in the agenda or at the shall of the members.
- 9.8.** A Committee of the Whole shall not consider a motion to adjourn.
- 9.9.** The Committee of the Whole may end the meeting at any time to report progress. A motion to review the Chair's report to the public and end the meeting is decided without debate.

## **10. Community Advisory Committees**

- 10.1.** Community advisory committees may be established by the Board as deemed advisable and upon determination of their membership and mandate.
- 10.2.** The term of office for trustee members of community advisory committees shall end on November 30 in each year, unless otherwise decided by the Board.

**11. Miscellaneous**

- 11.1. The Director shall take instruction from members only based on a decision of the Board. During a discussion at Board or committee meeting, the Director may accept a staff undertaking.
- 11.2. The Board may adopt a governance statement from time to time to establish policy that applies to the members of the Board.
- 11.3. The Board may adopt a governance procedure from time to time to establish an operational process under these bylaws.
- 11.4. The Board may temporarily suspend a provision of these Bylaws by a two-thirds majority of the members of the Board, except where the provision is grounded in an obligation imposed by law.
- 11.5. A temporary suspension of the Bylaws shall expire at the end of the meeting in which the Bylaws are suspended, unless the Board determines otherwise.
- 11.6. No temporary suspension of the Bylaws shall extend beyond the next organizational meeting of the Board.
- 11.7. The following conditions apply to revisions to the Governance Bylaws:
  - (i) Written notice of the proposed revision shall be given at the Board meeting previous to the meeting at which the revision is to be considered; and
  - (ii) A majority of the members of the Board must vote in favour of the revision.

Private Matters

1. Trustees shall maintain confidentiality with regards to private matters considered by the Board and shall not discuss or share information related to private matters with any person other than fellow trustees and the Director, or designate.
2. At the discretion of the Director, a person who is not a Board member or Board employee, may be invited to participate in a presentation to the members in private after signing a confidentiality agreement.
3. Trustees shall maintain private agendas and related materials in a secure location.
4. Only the Director can decide if or when a private decision can be made public. Sometimes there is administrative follow-up requirements to complete before a matter can be made public and other times a decision must remain private indefinitely. Therefore, trustees shall not disclose any decision made in private session before the Director has provided permission to do so. (See also governance procedure Reporting Private Matters in Public, page 18)
5. The Director shall maintain records of all private matters and decisions and these shall be maintained in the Director's Office and accessible to a trustee upon request.
6. The Director shall maintain the private minutes in a secure location from which they may not be removed.
7. The Director shall not permit any reproduction of private minutes.

\*\*\*\*\*

Matters considered during private sessions of committees, including the Standing Committee, special committees, and Committee of the Whole, are governed by sections 207(1) and (2) of the *Education Act*, as follows:

- (1) The meetings of a board and, subject to subsection (2), meetings of a committee of the board, including a Committee of the Whole, shall be open to the public, and no person shall be excluded from a meeting that is open to the public except for improper conduct.
- (2) A meeting of a committee of a board, including a Committee of the Whole, may be closed to the public when the subject matter under consideration involves,
  - (a) the security of the property of the board;
  - (b) 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 pupil or his or her parent or guardian;
  - (c) the acquisition or disposal of a school site;
  - (d) decisions in respect of negotiations with employees of the board; or
  - (e) litigation affecting the board.

Student Trustees: E.A. 55(5) A student trustee is not entitled to be present at a meeting that is closed to the public under clause 207 (2) (b).

Example of a notice of motion to reconsider a previous decision

An example of a notice of motion to reconsider a previous decision is shown below.

The following notice of motion is presented in accordance with Governance Bylaws 5.25to 5.31.

[Bylaws 5.25to 5.31 quoted here]

Be it resolved,

**(a) That the following decision of March 26, 2012, be reconsidered:**

[Example] That the tentative agreement of purchase and sale regarding the disposition of the 100 Main Street West Hamilton property to McMaster University, subject to conditions as presented in the report, be approved.

AND if Part (a) is adopted, then:

**(b) That the decision be rescinded.**

OR alternate proposal such as

**(b) That the decision be amended by changing “McMaster University” to “Mohawk College.”**

### Agendas: Format and Distribution

The recommended order of business in the agendas for the annual organizational meeting, Board meetings and committee meetings is shown in the Governance Bylaws. [GB 1.1, 3.8, 7.8]

The Governance Bylaws do not include Written Questions for Clarification, Public Questions for Clarification, or Business Arising from Minutes in any agendas. Agendas are specific as to the matters to be considered and should not invite any discussion or comments by persons other than the members of the assembly nor any discussion or comments on matters not related to items in the agenda. The governance procedure for hearing delegations (see page 16), provides a forum for public input on both current and other Board matters. Business Arising is not a recognized item for agendas as the purpose of meetings is to move forward and consider items of present and future importance, not to discuss or hear updates on matters that have been considered and decided upon at previous meetings. There should be no items in agendas that invite any type of discussion that is irrelevant to the business in the agenda.

All items in an agenda should have a recommendation. Recommendations may be moved by a trustee to form the basis of the discussion on the matter. For instance, staff reports would have a recommendation for action or a recommendation that the report be received; committee reports would include recommendations on specific topics, and other topics noted in the reports would be received; communications received by the Chair would have either a recommendation for action, i.e. "that the Board appoint a member to the City of Hamilton's Clean Air Committee," or a recommendation that the communication be received.

Proposed governance procedures are presented for trustees who want to add an item to an agenda (see page 17), for a consent calendar (see page 14) and for hearing delegations (see page 16).

#### Agenda Distribution

The present method of delivering agendas and other materials to trustees seems to be working well and is satisfactory to trustees. All trustees should receive the same information and at the same time. With the exception of the Chair of the Board or a committee, when agenda planning is done, no trustee should have exclusive access to information or receive information prior to other trustees.

Agendas for special committees, community advisory committees and legislated committees should be delivered to all trustees. Also, information distributed at meetings should be shared with all trustees.

Agendas are presently distributed Thursday evenings and posted Friday mornings. It is recommended (see p. 28) that agendas be distributed on Tuesday evenings and posted Thursday mornings. This will address the concern of some trustees that there is insufficient time to review agendas and consult with constituents before meetings occur.





## POLICY WORKING SUB-COMMITTEE TO COMMITTEE OF THE WHOLE

**DATE:** Monday, March 4, 2012

**TO:** Committee of the Whole

**FROM:** Todd White, Chair of Policy Working Sub-Committee

**RE:** Policy Review Process

Title of Document:

Scoping Document

Draft Policy

Policy Review

Policy Directive

**Action**

**Monitoring**

### **Policy Working Sub-Committee Motion:**

**That the changes be made to the Policy Review Process and moved to the Committee of the Whole. Moved by J. Bishop and seconded by J. Brennan. The vote was unanimous.**

### **Rationale/Benefits:**

The Policy Development Process required revisions which included adding a reference regarding Policy changes due to Provincial legislative changes, and a notation that policies could remain current after a review.

### **Background:**

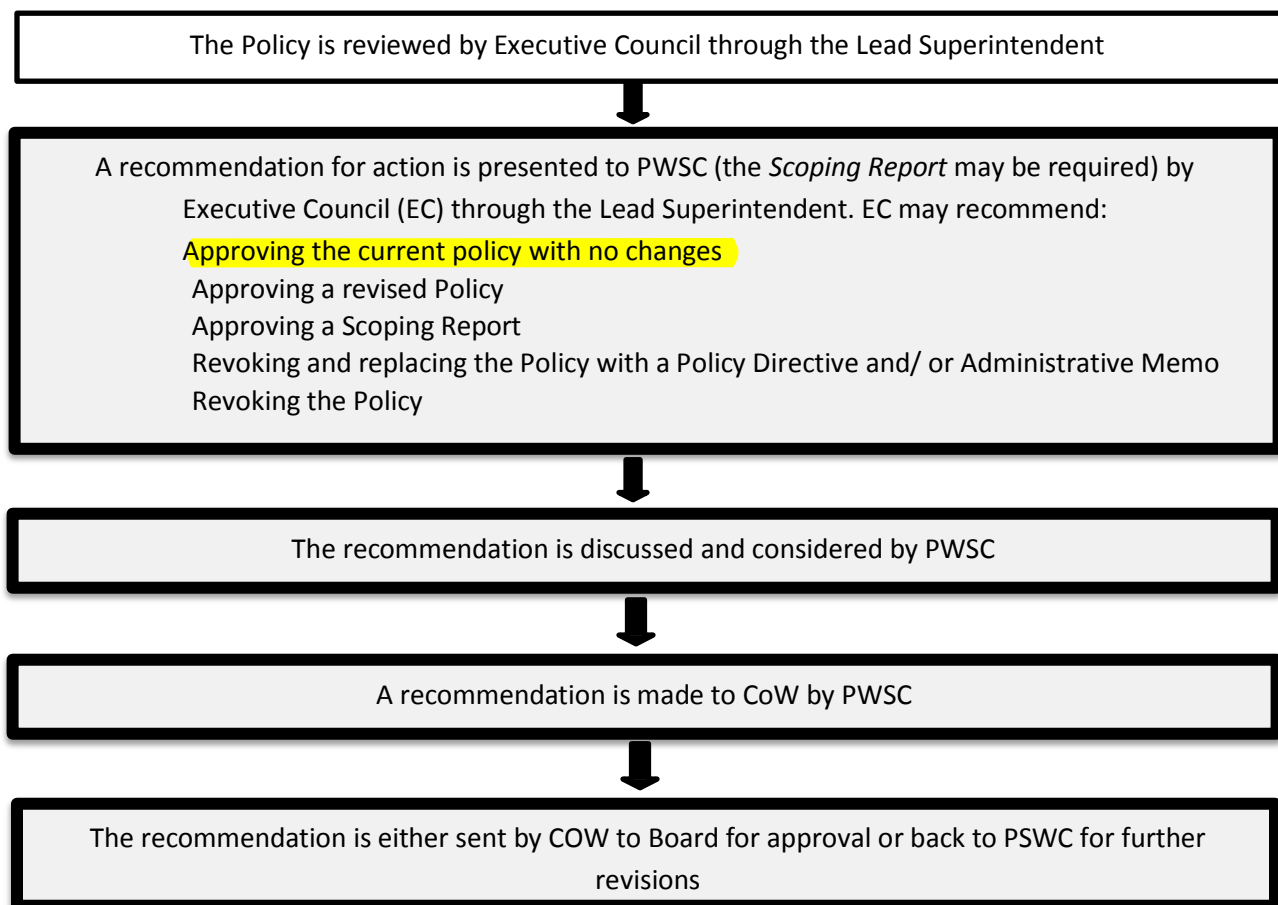
On January 23/13, PWSC members discussed additions to the Policy Evaluation and Review section (p.9) of the Policy Development Process, as follows:

- a) A Policy Review may result from Provincial legislative changes.
- b) A recommendation to PWSC from Executive Council may include a recommendation that the current policy be approved with no changes.

# Policy Evaluation and Review:

A Policy Review results from:

- a) The four- year review schedule
- b) A recommendation from PWSC for review of a specific Policy, to be approved by the Board (if approved, the Policy Development Process will begin at the *Scoping Report* stage)
- c) Direction from Board to PWSC for review of a specific policy through:
  - o a Notice of Motion at Board,
  - o arising from an agenda item, at Committee of the Whole or Board
  - o arising from the issues in debate at Committee of the Whole or Board
  - o arising from a recommendation for a new policy, or a review of an existing policy from a Trustee sub-committee to Committee of the Whole (CoW)
- d) A recommendation from staff to PWSC to approve changes to a specific policy
- e) **Provincial legislative changes**



**NOTE 1:** If at PWSC, Trustees raise concerns that significantly amend the scope, content, format (i.e. Policy, Policy Directive, or Administrative Memo), of the Policy, Executive Council, through the Lead Superintendent, may reengage the Draft Policy Development Process from the *Scoping Report* stage.

**NOTE 2:** Trustees may consider engaging in stakeholder consultation prior to final approval.





## EXECUTIVE REPORT TO COMMITTEE OF THE WHOLE

**DATE:** February 11, 2013

**TO:** Committee of the Whole

**FROM:** Dr. John Malloy, Director of Education

**RE:** Education Development Charges

Action

Monitoring

### Recommended Action:

That the Board approve the creation of an Education Development Charges Background Study to be submitted to the Ministry of Education for approval.

### Rationale/Benefits:

As a result of the secondary accommodation review process and recent Ministry of Education funding announcements the Board may be in a position to qualify for Education Development Charges.

Prior to adopting an Education Development Charges by-law, the Board must seek Ministry of Education approval through the submission of a background study. The background study identifies under which criteria that board qualifies for EDCs, the timing of future site acquisitions, the EDC rates and all corresponding forms required to be completed by the Ministry of Education.

Staff would target having the background study completed by the middle of April 2013 (to allow for the Ministry of Education's mandatory forty day review/ approval period) with a June 2013 by-law adoption date by the Board of Trustees.

### Background:

Education Development Charges are charges which may be levied by a board on residential, industrial, commercial and institutional development (excluding municipal, school, specified residential additions to existing units and replacement dwellings, as well as specific exemptions for industrial expansions of gross floor area and replacement non-residential development) pursuant to Division E of Part IX of the Education Act. The charges relate to the net education land cost of providing additional land (school sites) and site servicing for growth related pupil needs. The charges are collected at building permit issuance by the area municipality, implementing the provisions of the Board's education development charge by-law.

Education development charges are the primary source of funding site acquisition needs for a school board experiencing growth within its jurisdiction.

**Background (Con't):**

In order to qualify for EDCs, a Board must meet one of the following conditions:

- a) **Either** the estimated average elementary or secondary enrolment (average daily enrolment) over the five year by-law period exceeds the total capacity (OTG capacity) that, in the Board's opinion is available to accommodate pupils, throughout the jurisdiction, on the day that the by-law is passed,

**Or**

- b) At the time of expiry of the Board's last EDC by-law that applies to all or part of the area in which the charges would be imposed, the balance in the EDC reserve fund is less than the amount required to pay outstanding commitments to meet growth-related net education land costs, as calculated for the purposes of determining the EDCs imposed under that by-law.

Taking into account the approved secondary school closures and recent Ministry of Education funding announcements, staff believe that the Board would be in a position to qualify for EDC's by satisfying the first condition. The adoption of the Education Development Charges by-law is subject to the Minister of Education's approval of the enrolment projections and proposed number of sites contained in the EDC Background Study prior to the Board adopting the by-law.



## EXECUTIVE REPORT TO COMMITTEE OF THE WHOLE

**DATE:** February 11, 2013

**TO:** Committee of the Whole

**FROM:** Dr. John Malloy, Director of Education

**RE:** Long Term Facilities Master Plan - Accommodation Strategy Schedule

Action       Monitoring

### Recommended Action:

That the Board approve the "Accommodation Strategy Schedule" as outlined in Appendix 1 of this report.

### Rationale/Benefits:

In order to ensure that Hamilton-Wentworth District School Board (HWDSB) provides equitable, affordable and sustainable learning facilities, the Long Term Facilities Master Plan (LTFMP) Guiding Principles were created and proposed for approval by the Board on January 14, 2013. The Guiding Principles are a key component in the development and implementation of the Long-Term Facilities Master Plan. Another key component of the LTFMP is the Accommodation Strategy Schedule (see Appendix 1) and the impact of the LTFMP on the day-to-day operations of Facilities Management (see Appendix 3). Included in Appendix 1, is a map illustrating the timing of each accommodation review by geography. Appendix 2 is a tabular layout of the Accommodation Strategy Schedule filtered by Trustee and SOSA. The schedule identifies suggested years to commence accommodation strategies (including Accommodation Reviews, Boundary Review, or Grade Re-Organizations) by school, and by planning area.

In order to strategically approach the elementary panel, the schools were grouped into logical, manageable, Planning Areas. Geography, facility utilization, enrolment, facility condition and associated junior elementary and secondary school boundaries were all considered when creating the 14 elementary planning areas. The Accommodation Strategy Schedule also took into consideration the following criteria:

- Previous approved Accommodation Reviews
- Direction of Secondary Accommodation Review recommendations
- Full Day Kindergarten (FDK) Implementation
- Enrolment - excess school capacity or enrolment pressure
- Geography and Equity

In an attempt to distribute the work identified in the Accommodation Strategy Schedule across the system, planning areas were assigned at different times throughout the six year schedule. Equity for students and staff of the HWDSB is an important principle when scheduling. It ensures that no one area of the HWDSB is overwhelmed with potential changes.

**Rationale/Benefits (Con't):**

It is important to clarify that the accommodation strategies, as identified in the schedule, are intended to provide direction to the Board and to assist in long-term planning. Each accommodation strategy (e.g. accommodation review) will be considered by senior administration and approved by the Board of Trustees before it proceeds.

**Background:**

Within Hamilton-Wentworth District School Board's (HWDSB) mandate is an obligation to provide *equitable, affordable, and sustainable learning facilities* for students. To address the numerous facets related to this mandate and to provide clear direction, HWDSB, led by the Facilities Management Department, has produced a 'plan' to guide us toward achieving sustainable facilities.

The Long-Term Facilities Master Plan captures the current and future state of the HWDSB. Understanding where we are is a necessary step towards achieving where we need to be. The LTFMP is divided into 13 Sections which include:

Presented to Board at the Committee of the Whole January 14, 2013

- **Section 1: HWDSB Facilities at a Glance:** This section provides a general overview of the age, size and condition of HWDSB facilities
- **Section 2: Demographics:** This section analyzes population, immigration and live birth trends and their potential impact on enrolment trends
- **Section 3: Development:** This section identifies development areas across the communities
- **Section 4: Enrolment Trends:** This section summaries student yields and apportionment rates along with historical and projected elementary and secondary enrolment
- **Section 5: LTFMP Guiding Principles:** Lists the guiding principles used in the development of the LTFMP
- **Section 6: Boundary Reviews:** This section identifies proposed boundary reviews and reorganizations
- **Section 7: Planning Areas:** This section analyzes 14 elementary planning areas and 1 secondary planning area. These planning area allow for comprehensive and in-depth analysis of each area of the city.
- **Section 8: Program Initiatives:** This section provides an overview of existing and proposed program initiatives for the elementary/secondary panel, special education, French Immersion and alternative education.
- **Section 9: Temporary Accommodation Strategy:** This section summarizes our existing inventory of portables and proposes a strategy to reduce the number of portables required
- **Section 10: Community Partnerships/Childcare/Centres in Schools:** This sections outlines our commitment to continue to encourage the involvement of partners and the community in our schools
- **Section 13:** Glossary of Terms

Included as part of this package

- **Section 11:** Accommodation Strategy Schedule (including map of planning areas)
- **Section 12:** Impact of the LTFMP on Facilities Management

Planning Area	2012/2013		2013/2014	2014/2015	2015/2016	2016/2017	2017/2018	2018/2019
	September	January						
<b>1 Westdale</b>								
Dalewood								
GR Allan			FDK					
Glenwood								
Prince Philip			Closed					
<b>2 Flamborough</b>			LP					
Allan Greenleaf		BR	FDK				ARC	
Balaclava	FDK	BR					ARC	
Flamborough Centre			FDK				ARC	
Guy Brown		BR					ARC	
Mary Hopkins			FDK				ARC	
Millgrove		BR	FDK					
<b>3 Central Mountain</b>								
Cardinal Heights		GR	ARC					
Eastmount Park			ARC	FDK				
Franklin Road			ARC/FDK					
GL Armstrong			ARC/FDK					
Linden Park		GR	ARC	FDK				
Norwood Park								
Pauline Johnson			ARC					
Queensdale			ARC	FDK				
Ridgemount		GR	ARC					
<b>4 East Hamilton City 1</b>								
Hillcrest			ARC	FDK				
Parkdale			ARC					
Rosedale			ARC	FDK				
Roxborough Park			ARC					
Viscount Montgomery			ARC	FDK				
WH Ballard			ARC	FDK				
Woodward			ARC	FDK				

Note:

- Year 1 and 2 FDK are complete and not shown on this list
- Subject to Board approval and terms of reference

FDK	: FDK Implementation
ARC	: ARC
GR	: Grade Reorganization

BR	: Boundary Review
Closed	: Closed
LP	: Land Purchase

Planning Area	2012/2013		2013/2014	2014/2015	2015/2016	2016/2017	2017/2018	2018/2019
	September	January						
<b>5 West Hamilton City</b>								
Bennetto				ARC				
Cathy Wever				ARC				
Central			FDK	ARC				
Dr. Davey				ARC				
Earl Kitchener				ARC/FDK				
Hess Street			FDK	ARC				
Queen Victoria	FDK			ARC				
Ryerson				ARC				
Strathcona			FDK	ARC				
<b>6 West Glanbrook</b>								
Bell-Stone			ARC/FDK					
Mount Hope			ARC					
<b>7 East Mountain</b>								
CB Stirling	FDK					ARC		
Helen Detwiler	FDK							
Highview	FDK							
Huntington Park			FDK					
Lawfield				ARC/FDK				
Lincoln Alexander	FDK					ARC		
Lisgar				ARC				
Ray Lewis			FDK					
Richard Beasley				ARC				
Templemead			FDK			ARC		
<b>8 Lower Stoney Creek</b>								
Collegiate Avenue			FDK	ARC				
Eastdale	FDK			ARC				
Green Acres				ARC/FDK				
Memorial (Stoney Creek)			FDK	ARC				
Mountain View	FDK			ARC				
RL Hyslop			FDK	ARC				
Winona	FDK							

Note:

- Year 1 and 2 FDK are complete and not shown on this list
- Subject to Board approval and terms of reference

FDK	: FDK Implementation
ARC	: ARC
GR	: Grade Reorganization

BR	: Boundary Review
Closed	: Closed
LP	: Land Purchase



Planning Area	2012/2013		2013/2014	2014/2015	2015/2016	2016/2017	2017/2018	2018/2019
	September	January						
<b>9 West Hamilton Mountain</b>								
Buchanan Park	FDK				ARC			
Chedoke	FDK				ARC			
Gordon Price	FDK				ARC			
Holbrook			FDK		ARC			
James Macdonald			FDK		ARC			
Mountview				FDK	ARC			
RA Riddell			FDK		ARC			
Westview					ARC			
Westwood					ARC			
<b>10 Ancaster</b>								
Ancaster Meadow			LP	FDK	ARC			
Ancaster Senior					ARC			
CH Bray				FDK	ARC			
Fessenden				FDK	ARC			
Queen's Rangers	FDK				ARC			
Rousseau	FDK				ARC			
<b>11 East Hamilton City 2</b>								
Elizabeth Bagshaw			FDK		ARC			
Glen Brae					ARC			
Glen Echo				FDK	ARC			
Lake Avenue	FDK							
Sir Isaac Brock					ARC			
Sir Wilfrid Laurier			FDK		ARC			

Note:

- Year 1 and 2 FDK are complete and not shown on this list
- Subject to Board approval and terms of reference

FDK	: FDK Implementation
ARC	: ARC
GR	: Grade Reorganization

BR	: Boundary Review
Closed	: Closed
LP	: Land Purchase

Planning Area	2012/2013		2013/2014	2014/2015	2015/2016	2016/2017	2017/2018	2018/2019
	September	January						
<b>12 Central Hamilton City</b>								
AM Cunningham				FDK		ARC		
Adelaide Hoodless	FDK					ARC		
Memorial (Hamilton)	FDK					ARC		
Prince of Wales						ARC		
Queen Mary						ARC		
<b>13 Dundas and West Flamborough</b>								
Beverly Central	FDK		ARC					
Dr. Seaton	FDK		ARC					
Greensville	FDK		ARC					
Spencer Valley		BR	ARC					
Dundana				FDK		ARC		
Dundas Central			FDK			ARC		
Sir William Osler			FDK			ARC		
Yorkview						ARC		
<b>14 East Glanbrook and Upper Stoney Creek</b>								
Bellmoore	FDK		LP					
Billy Green	FDK							
Gatestone		BR		FDK				
Janet Lee	FDK							
Michaëlle Jean								
Mount Albion	FDK	BR						
Tapleystown	FDK							

Note:

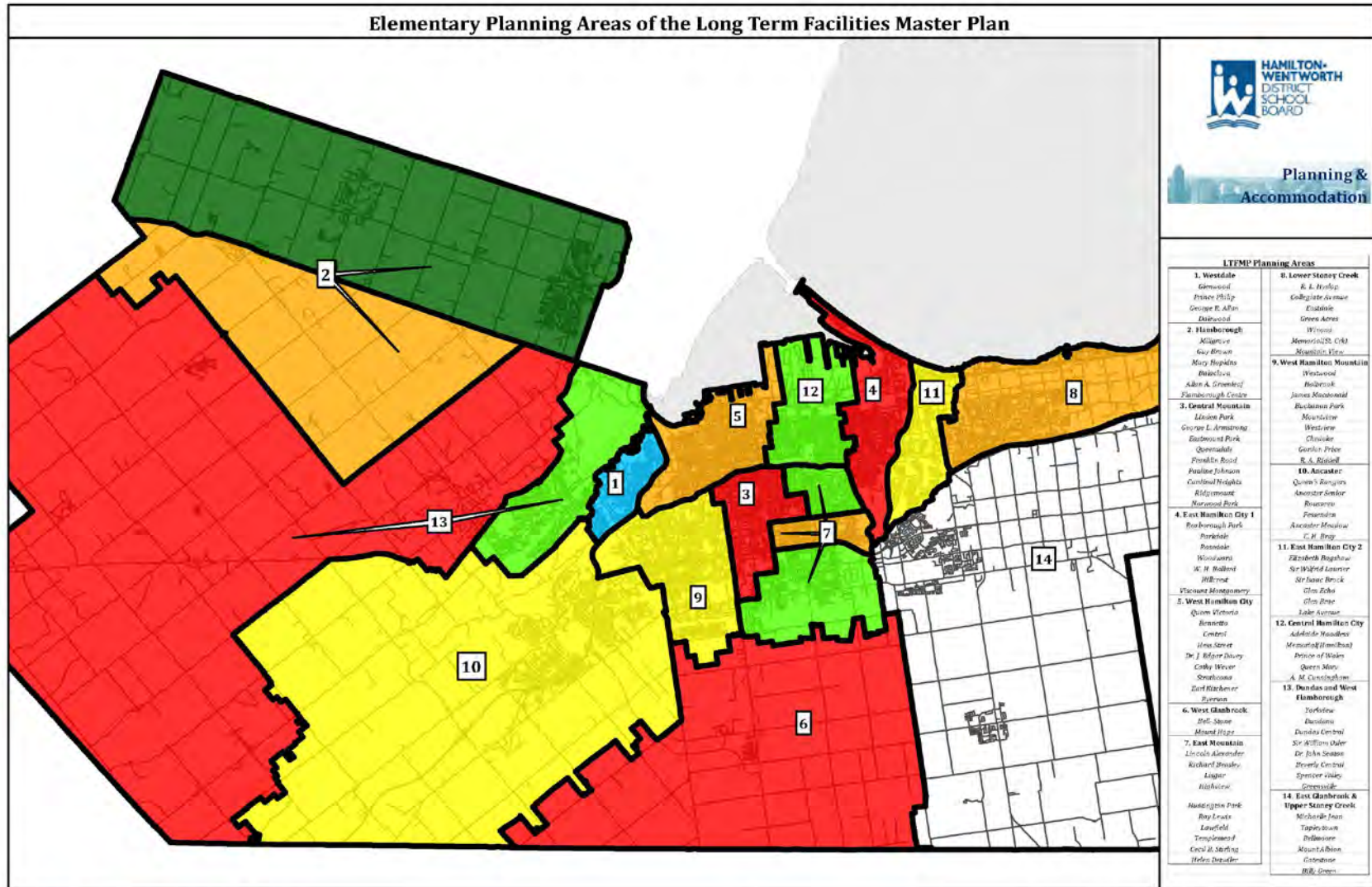
- Year 1 and 2 FDK are complete and not shown on this list
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FDK	: FDK Implementation
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**Elementary Planning Areas of the Long Term Facilities Master Plan**

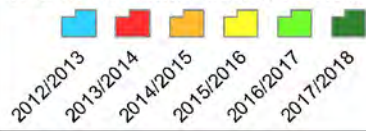



**Planning & Accommodation**

**LTMP Planning Areas**

<b>1. Westdale</b> Grenwood Prince Philip George R. Allen Dalwood	<b>8. Lower Stoney Creek</b> R. L. Ryals Collegeville Avenue Eubank Green Acres Wyness Memorial (2) Ck Memorial (1) Ck
<b>2. Hamberloch</b> Kilgore Guy Brown Mary Hamilton Baldwin Alan A. Gromley Flamborough Centre	<b>9. West Hamilton Mountain</b> Westwood Hobcock James Macdonald Rockness Park Meadowdale Wendover Chiswick Gordon Price R. A. Bellini
<b>3. Central Mountain</b> Lillian Park Grove L. Armstrong Eastwood Park Opentable Franklin Road Pauline Johnson Central Heights Ridgeway Norwood Park	<b>10. Ancaster</b> Queen's Rangers Ancaster Centre Riverside Fountain Ancaster Meadow C. H. Bird
<b>4. East Hamilton City 1</b> Rochester Park Parade Riverside Woodlawn W. H. Baird Hillcrest Viscount Montgomery	<b>11. East Hamilton City 2</b> Elizabeth Bagshaw St. Wilfred Lovers St. Isaac Brock Clara Kelly Clara Ross Laker Avenue
<b>5. West Hamilton City</b> Queen Victoria Benvenuto Central Irene Server Dr. J. Edgar Hoover Cathy Weaver Sawbush Zell Bickner Purman	<b>12. Central Hamilton City</b> Adelaide Woodhouse Memorial (Hamilton) Prince of Wales Queen Mary A. M. Cunningham
<b>6. West Glanbrook</b> Dr. Stone Mound Ridge 7. East Mountain Lincoln Alexander Richard Drouby Langer Hillview Hawthorn Park Ray Leach Lansfield Tommy (James) Carol B. Smith Helen Dunlop	<b>13. Dundas and West Flamborough</b> Yorklow Inchloch Dundas Central St. William Oler Dr. John Seaman Dorothy Central Spencer Valley Dorchester 14. East Glanbrook & Upper Stoney Creek Michelle Jean Tappinham Pulchra Mount Allison Gardner BBB Green

**Year of Accommodation Review**



 Planning Areas



0 1.5 3 6 9 12 Kilometers

**\*\*Note:** Schools identified as part of an ARC does not indicate closure- they are identified to be considered as part of a solution to an accommodation issue.

**Hamilton Wentworth District School Board  
Planning and Accommodation 2013**

**Proposed Accommodation Strategy Schedule with Associated Trustees and SOSAs**

<b>Completed</b>	<b>Trustee(s)</b>	<b>SOSA (S)</b>
Westdale	Judith Bishop	Krys Croxall

<b>2013/2014 (4 ARCs)</b>	<b>Trustee(s)</b>	<b>SOSA (S)</b>
West Flamborough	Karen Turkstra	John Laverty
Central Mountain	Lillian Orban	Mag Gardner
East Hamilton City 1	Ray Mulholland, Todd White	Pam Reinholdt, Scott Sincerbox
West Glanbrook	Alex Johnstone	Krys Croxall

<b>2014/2015 (3 ARCs)</b>	<b>Trustee(s)</b>	<b>SOSA (S)</b>
East Mountain ARC 1	Lillian Orban, Laura Peddle	Manny Figueiredo
Lower Stoney Creek	Robert Barlow, Alex Johnstone	Pam Reinholdt
West Hamilton City	Judith Bishop, Tim Simmons	Scott Sincerbox, Krys Croxall

<b>2015/2016 (3 ARCs)</b>	<b>Trustee(s)</b>	<b>SOSA (S)</b>
Ancaster	Alex Johnstone	Krys Croxall
West Hamilton Mountain	Wes Hicks	Mag Gardner
East Hamilton City 2	Todd White	Pam Reinholdt

<b>2016/2017 (3 ARCs)</b>	<b>Trustee(s)</b>	<b>SOSA (S)</b>
Central Hamilton City	Ray Mulholland, Tim Simmons	Scott Sincerbox
Dundas	Jessica Brennan	John Laverty
East Mountain ARC 2	Lillian Orban, Laura Peddle	Manny Figueiredo

<b>2017/2018 (1 ARC)</b>	<b>Trustee(s)</b>	<b>SOSA (S)</b>
Flamborough ARC 2	Karen Turkstra	John Laverty

## **LTFMP Section 12: Impact of the Long Term Facilities Master Plan on Facilities Management**

The Facilities Management Department is responsible for the planning, construction, and maintenance of all HWDSB facilities. In the past Projects were often completed in the absence of the knowledge associated with direction provided by a Long Term Facilities Master Plan (LTFMP). To that end, maintenance and capital planning more often reflect the specific requests and needs of individual school facilities rather than a Board wide comprehensive and scheduled work plan.

When schools to remain open have been identified through the Accommodation Review Process, Facilities Management will complete a comprehensive site audit and report on each facility to remain. This will be the basis for 5-year Capital Renewal and Maintenance Plans for the system.

The 5-year Capital Renewal and Maintenance Plans will identify budget estimates and projected schedules for schools identified to remain open. Student accommodation needs and the suitability of facilities to be maintained for program support will be addressed.

The Capital Renewal and Maintenance Plans will also include, but not be limited to the following:

- Identify proposed new school construction and consolidation renovations and additions as a result of Accommodation Review recommendations
- Yearly updates indicating projects to be undertaken in each year of the 5-Year Capital Renewal and Maintenance Plans, costs associated with each project, and the project funding sources identified
- Planning schedules for energy or other green initiatives will be informed by the LTFMP and consequent energy saving initiatives for individual schools
- Monitoring utility costs by square metre of space (all spaces) maintained within the HWDSB. Total energy costs will be directly impacted by both the LTFMP implementation schedule as well as the resulting outcomes
- Identifying portable classrooms in average condition, and thereby at or nearing the point of needing major re-furbishing, the LTFMP will be key to informing sound re-furbish, relocation and demolition decisions
- Enhancing cleaning schedules to address the needs of our remaining inventory of schools and administrative buildings

Using the Ministry Accountability Measures, design templates and benchmarks will allow staff to guide the design process to ensure that new facilities and major renovations are in line with funding allocations.

The development of Elementary and Secondary school Educational Design Manuals (EDM's) as well as Full Day Kindergarten (FDK) will identify planning and energy efficiency design standards. Manuals will be updated as program strategies for elementary and secondary schools are modified.