

AGENDA: 9:30 am

1. Call to Order
2. Approval of the Agenda
3. Community Advisory Committee Statement – revised section from the Trustee Handbook
4. Student Trustees – revised section from the Trustee Handbook
5. Resolution Into Private Session as per the Education Act, Section 207.2 (b) the disclosure of intimate, personal or financial information in respect of a member of the board or committee
6. Next Governance Meeting: October 4, 2016
7. Adjournment



EXECUTIVE REPORT TO GOVERNANCE COMMITTEE

TO: GOVERNANCE COMMITTEE

FROM: Manny Figueiredo, Director of Education

DATE: September 13, 2016

PREPARED BY: Heather Miller, Officer, Trustee Services

RE: Community Advisory Committees - Governance Statement

Action

Monitoring

Recommended Action:

That the revised Community Advisory Committees Governance Statement be approved.

Background:

The Governance Committee reviewed the Community Advisory Committees statement at their May 31, 2016 meeting and discussed the feedback that they received from the Community Advisory Committees. All of the feedback indicated that these committees would still like to be classed as advisory committee; however, achieving quorum appeared to be an issue.

The discussions included:

- Reducing the meeting schedule from twice per year to once per year.
- The idea that if quorum is not met once per year then the Advisory Committee would no longer exist for the remainder of the school year and the Board would need to consider re-establishment of the committee.
- Changing the term start date from December to September where the term ends in June
- Updating the committee mandates to be 1 mandate for all community advisory committees and consider removing the names of community advisory committees from the governance statement

Staff were asked to return in the fall with a revised document taking into consideration the committee discussion.

**please note that the highlighted information on the attached represents changes made to the original document discussed at the Governance Meeting on May 31, 2016.*

GOVERNANCE STATEMENTS

Community Advisory Committees

Community Advisory committees are established by the Board in support of Board Policy No. 2.0, Engagement Pillar.

1. General

1.01 The mandate for Community Advisory Committees is to provide the Board of Trustees with advice from the community on specific areas of Board policy or program consistent with the Education Act and the policies of the Board, and on services that affect the educational success and well-being of HWDSB students.

1.02 The establishment and membership of a community advisory committee shall be considered by the Board each year before November 30.

1.03 Should a community advisory committee not meet with quorum at least once per school year, the committee will cease to exist and will not be re-established the following academic year.

1.04 At the present time, the following community advisory committees have been established by the Board:

- (a) First Nations, Métis and Inuit Community Advisory Committee
- (b) French as a Second Language Community Advisory Committee
(Formally known as the French Immersion Advisory Committee, FIAC)
- (c) Rural Schools Community Advisory Committee

2. Membership

2.01 The Director, shall recommend members for appointment to a community advisory committee no later than November 30.

2.02 Members of a community advisory committee shall be appointed by the Board.

2.03 A community advisory committee shall have no more than 13 community members and no fewer than seven.

2.031 Quorum shall be determined as 50% plus 1 of committee members.

2.04 Students attending a Board secondary school may be members.

GOVERNANCE STATEMENTS
Community Advisory Committees

- 2.05 A community advisory may have one or two Trustees, appointed by the Board, who may participate in the meetings but will not count towards quorum or have voting privileges. **Trustee membership will be decided at the Organizational Board Meeting in December.**
- 2.06 A community advisory committee shall appoint a chair or co-chairs from among its members at the first meeting each year.
- 2.07 The term of office for a member of a community advisory committee shall be one or two years commencing on **September 1 and ending on June 30.**
- 2.08 When a community advisory committee is established the members shall be divided into members willing to serve for a one-year term and those willing to serve for a two-year term in order to initiate staggered terms.
- 2.09 Under normal circumstances a member who has served for more than two consecutive terms or partial terms shall be replaced by a new member; however the Board may approve that an individual member be appointed for more than two consecutive terms or partial terms.
- 2.10 If a member is appointed mid-term, the committee shall recommend whether the term should end on November 30 of the current year or the following year.

3. Duties of Members

- 3.01 If absent from a meeting, a member shall be permitted to send a person as the member's replacement. The replacement person shall be permitted to participate in the discussion, but may not vote on behalf of the appointed member. The replacement person shall be responsible for reporting on the activities of the meeting to the appointed member.
- 3.02 If a member is absent from three consecutive meetings, without the permission of the committee, the position shall be considered vacant and a replacement member shall be appointed.

4. Agenda Items

- 4.01 The chair or co-chairs, in consultation with the senior resource person, shall be responsible for the content of the agenda.

GOVERNANCE STATEMENTS
Community Advisory Committees

4.02 A community advisory committee shall consider matters related to the mandate of the committee: (a) as referred to the committee by the Board or the Director, or (b) of significant importance to the committee members.

5. Staff Resources

5.01 The Director shall provide a community advisory committee with meeting space.

5.02 The Director shall assign staff resources as necessary, including a senior staff person and an administrative assistant.

5.03 The senior staff resource person shall provide the community advisory committee with information when requested and if that information is readily available.

5.04 The administrative assistant shall be responsible for distribution of the agenda, meeting arrangements and completion and routing of the committee report.

5.05 A community advisory committee shall not cause a significant amount of staff work to be undertaken or cause the duties of the administrative assistant to be expanded.

6. Meetings

6.01 A community advisory committee shall meet at least once per year, with quorum and provide a committee report to the Board of Trustees.

6.02 A community advisory committee shall not meet during July or August unless requested to do so by the Chair of the Board.

6.03 A community advisory committee meeting shall be open to the public for observation and notice of the meeting shall be posted on the Board's website.

7. Rules of Order

7.01 A community advisory committee shall follow the Board's Governance Bylaws with respect to the rules of order for committees, where applicable.

8. Reporting

8.01 After each meeting of a community advisory committee a committee report shall be prepared in lieu of minutes.

GOVERNANCE STATEMENTS
Community Advisory Committees

- 8.02 The administrative assistant shall be responsible for preparation of the committee report.
- 8.03 The community advisory committee report shall be in the same format as those for the Board's other committees.
- 8.04 A community advisory committee report shall be presented to a special committee of the Board, the Standing Committee or the Board, at the discretion of the Chair of the Board and the Director.
- 8.05 The Director may decide that commentary, background or contextual information, and/or a recommendation from staff is necessary to ensure that trustees have comprehensive information on which to base a decision. When this is deemed necessary, the Director will issue a separate staff report to accompany the community advisory report.



EXECUTIVE REPORT TO GOVERNANCE COMMITTEE

TO: GOVERNANCE COMMITTEE

FROM: Manny Figueiredo, Director of Education

DATE: September 13, 2016

PREPARED BY: Jamie Nunn, Superintendent of Student Achievement
Heather Miller, Officer, Trustee Services

RE: Student Trustees – section review from the Trustee Handbook

Action

Monitoring

Recommended Action:

That the revised Student Trustee section of the Trustee Handbook be approved.

Background:

The Governance Committee reviewed the section of the Trustee Handbook related to Student Trustees at their May 3, 2016 meeting. There was discussion of items such as repeat terms, the code of conduct, media training, the guiding principles and the role of the Student Trustees and the election process.

Staff were asked to return in the fall with a revised document taking into consideration the committee discussion.

**please note that highlighted information on the attached represent language taken directly from the legislation surrounding Student Trustees*

GENERAL INFORMATION

Student Trustees

Hamilton-Wentworth District School Board supports the election of Student Trustees, as per the provisions for the position set out in the *Education Act*, subsection 55 (1) which states: “*The Minister may make regulations providing for elected student trustees to represent, on district school boards and on boards established under section 67, the interests of pupils in the last two years of the intermediate division and in the senior division.*”

Hamilton-Wentworth District School Board is committed to hearing the voices of the student population through the elected student trustees on an annual basis and appreciates that the student perspective is considered in the decisions of the members of the Board of Trustees, and provides our students with valuable learning opportunities and experiences.

This document shall be in accordance with Ontario Regulation 7/07, made under the *Education Act*, and with any policies and guidelines established by the Minister under paragraph 3.5 of subsection 8 (1) of the *Act*.

1. Number of Students

Two student trustees will be elected to represent the interests and voices of all students across the district.

2. Eligibility

A student is qualified to act as a student trustee if he or she is enrolled in a senior division with HWDSB and is,

- a) a full-time pupil or
- b) an exceptional pupil in a special education program for whom the board has reduced the length of the instructional program on each school day under subsection 3 (3) of Regulation 298 of the revised Regulations of Ontario, 1990 (Operation of Schools – General) made under the Act
- c) if under the age of 18, provide written confirmation of support and acknowledgement of their responsibilities from their parent/guardian/caregiver
- d) commit the necessary time to attend meetings and perform the duties and responsibilities of a student trustee
- e) sign a Declaration (Appendix A) agreeing to follow the rules of the Board of Trustees, represent the voices of the entire student population to the best of their ability and to maintain confidentiality with respect to board business dealt with in closed sessions of the board and/or committee meetings

3. Disqualification

A student trustee who ceases to be qualified, must resign from the position. The Officer of Trustee Services and Superintendent responsible for student trustees will monitor the student trustees’

GENERAL INFORMATION

Student Trustees

qualifications and advise the Chair of the Board should any concerns arise during the student's term of office.

A student Trustee will not be qualified to act as a Student Trustee if he or she,

- a) is not a full-time pupil of the board
- b) is suspended or expelled
- c) is serving a sentence of imprisonment in a penal or correctional institution
- d) is absent from three consecutive regular Board meetings without approval
- e) if confidentiality requirements are breached

4. Honorarium and Term of Office

- a) Student Trustees shall receive an honorarium of \$2,500 per annum, prorated as necessary when required
- b) The term of office for student trustees shall be one year commencing August 1 to and including July 31 of the following year

5. Responsibilities

- a) To regularly attend Board and Standing Committee meetings including closed sessions. Student trustees are excused from discussions in which the subject matter includes intimate, personal or financial information of a member of the Board or committee, an employee or prospective employee of the board or a pupil or his or her parent(s), guardian(s) or caregiver(s)
- b) Will participate with other trustees in discussion, and represent students' positions during such discussions at the Board table
- c) To be knowledgeable about, and comply with the statements, procedures, etc. contained in the Governance Handbook, including the Trustee Code of Conduct
- d) To maintain standing in or be co-chair of Student Senate
- e) To serve as a student liaison on behalf of the Board at events such as community events, provincial student conferences, and other Board activities, as appropriate
- f) Will report the work of the student trustees both from a local level and from a provincial level through oral reports at monthly Board meetings

6. Conferences and Expenses

- a) Student trustees may attend all Ontario School Trustees' Association (OSTA) conferences, when possible

GENERAL INFORMATION

Student Trustees

- b) When travel is required outside the jurisdiction of the Board when carrying out the responsibilities of a student trustee, and when under the age of 18, parental consent is required
- c) Any expenses incurred for conferences or otherwise reasonably incurred in connection with carrying out the duties of student trustee will be reimbursed

7. Mentors and Orientation

- a) HWDSB Board of Trustees will appoint one Trustee to act as mentor to coach and guide student trustees in their general activities related to the school board.
- b) Table mentors will be assigned to student trustees to sit with and advise during Board meetings
- c) Orientation for the newly-elected student trustees* shall be provided by the Trustee Mentor, outgoing student trustees, Officer of Trustee Services and Superintendent responsible for student trustees. Orientation sessions will take place prior to the end of the term of the outgoing student trustees and throughout the school year. During their term, student trustees may request additional information or assistance, as required.

**if the incoming student trustee(s) are under the age of 18, the parent/guardian/caregiver will be invited to attend the initial meeting*

8. Access to Board Resources

Student trustees have the same access to professional development opportunities, conference, etc., as provided to Board members. The student trustees shall have the same access to material and information as Trustees to allow for participation at meetings of the Board and at meetings of committees of the Board.

9. Conflict of Interest

Since student trustees are not members of the board, the conflict of interest provisions in the *Municipal Conflict of Interest act* does not apply to them. However, they are bound by the Attendance and Conflict of Interest Guidelines (Appendix B) which state that they must declare their conflict and excuse themselves from discussions that would lead to a conflict of interest, as set out in the Guidelines.

10. Election Process and Vacancy

- a) Student trustees for HWDSB will be elected indirectly, by student representatives, with an election being held no later than April 30 in each year (see Appendix C)
- b) If the Board determines that a vacancy shall be filled, it shall be filled by a by-election

GENERAL INFORMATION
Student Trustees



Appendix A

Oath of Office for Student Trustees

Declaration

I, _____, having been elected by my peers to represent the elementary and secondary students of Hamilton-Wentworth District School Board, do solemnly declare that;

1. I will truly, impartially and to the best of my ability execute the Office of Student Trustee.
2. I will respect the rules, policies and conduct of this Board including maintaining the confidentiality of the Board with regards to matters that are dealt with in closed session.
3. I will represent students to the best of my ability and will present the best interests of students for the benefit of the Board; and
4. I will serve as an advocate and representative of the Hamilton-Wentworth District School Board at all times.

Signature of Student Trustee

Declared before me at Hamilton in the Province of Ontario
this ___ day of _____, 20XX.

Signature of Officer of Trustee Services

GENERAL INFORMATION

Student Trustees

Appendix B

MINISTRY OF EDUCATION

STUDENT TRUSTEES: ATTENDANCE AND CONFLICT OF INTEREST

GUIDELINES

PURPOSE

The purpose of this guideline is to address the issues of attendance and conflicts of interest in relation to student trustees. This guideline was created with the intention of having the same principles that apply to board members under the *Municipal Conflict of Interest Act* and the *Education Act* apply to student trustees.

Under the *Education Act* student trustees are not considered members of the board. As a result, they are not covered by the *Municipal Conflict of Interest Act* and are not subject to the same conflict of interest and attendance criteria that apply to board members.

These guidelines are established by the Minister of Education under the authority of paragraph 8(1)3.5 of the *Education Act* and are effective upon release.

ATTENDANCE

A student trustee must resign from their position if they are absent from three consecutive regular meetings of the board without being authorized by a resolution of the board. Authorizations by resolution must be provided to student trustees in the same manner as they are to board members and must be recorded in the meeting minutes.

Student trustees are considered present at a meeting in which they participate through teleconferencing, videoconferencing or other electronic means.

CONFLICTS OF INTEREST

A conflict of interest arises when a student trustee (or a student trustee's parent, spouse or child) has a direct or indirect financial interest in a matter being discussed at a board or committee meeting.

An indirect financial interest arises when a student trustee (or a student trustee's parent, spouse or child): 1) owns shares or is a senior officer in a privately-held company, 2) has a controlling interest or is a senior officer of a publicly-held corporation, or 3) is the member of a body that has a financial interest in the matter being discussed at a board or committee meeting.

For there to be a conflict, the financial interest must be of such a nature that it could reasonably be regarded as likely to exert influence over the student trustee.

When a student trustee realizes he or she is in a conflict of interest, the student trustee must declare this conflict to the board or to the committee. The declaration must be recorded in the minutes of the meeting.

April 13, 2007

Student Trustees: Attendance and Conflict of Interest Guidelines

1 of 2

GENERAL INFORMATION**Student Trustees**

During discussion of the matter that gives rise to a conflict, the student trustee cannot participate in the discussion, cannot attempt to influence the vote of board members, is not entitled to a recorded vote and cannot suggest a motion.

In the event that there is a conflict of interest at a closed meeting, the student trustee must leave the meeting during the time that the matter giving rise to the conflict is being discussed. When a student trustee leaves for this reason, this must be recorded in the minutes of the meeting.

GENERAL INFORMATION

Student Trustees

Election of Student Trustees (Indirect Elections)

1. Student trustees for Hamilton-Wentworth District School Board shall be elected by student representatives of the Board no later than April 30 of each school year.
2. Notice shall be sent to each secondary school no later than February 15 advising students of the opportunity to be a student trustee for the following school year.
3. Interested students must attend a Student Trustee Info Session meeting to gain further information on the role of student trustee and to have an opportunity to address questions or concerns regarding the role to the current student trustees. This information meeting shall take place no later than the Friday preceding March Break. This session is open to parents/guardians/caregivers, school staff and Principals who are interested in learning more about the role of student trustee and how to support students should they be elected.
4. Students interested in the position of student trustee will be asked to complete an application and submit a resume detailing their qualifications and experiences for the position. The application shall be submitted no later than the last Friday of March each year.
5. All candidates who have applied for the positions of student trustee and meet the eligibility criteria will be invited to attend the Student Trustee Elections Meeting.
6. The electors will consist of student representatives in Grades 7 to 12 across the district.
7. The student body will vote individually through secret ballot and decide on the successful candidates for the position of student trustee.
8. The votes will be tabulated at the meeting under the supervision of the Superintendent responsible for student trustees, the outgoing student trustees* and the Officer of Trustee Services. Once the votes have been calculated, an announcement will be made prior to the end of the meeting indicating who the new incoming student trustees will be for the upcoming school year
**in the event that one or both current student trustees are running for re-election, one or 2 student representatives will be selected to observe the tabulating of votes.*
9. In the event of a tie, whereby the top two candidates cannot be determined, the tie shall be broken by the drawing of names of the candidates who are tied, under the supervision of the Superintendent and Officer of Trustee Services.
10. The Officer of Trustee Services shall advise the Board as soon as possible following an election of the names of the student trustees elected, and shall provide the Ministry of Education with these names, no later than 30 days after the election.