

PROCEDURAL BY-LAWS

of the

Pine Creek School Division Board of Trustees

Revised: February 2024

TABLE OF CONTENTS

<u>PREAMBLE</u>	1
<u>SECTION A: DEFINITIONS</u>	1
<u>SECTION B: BOARD MEETINGS</u>	2
1. NOTICE OF MEETINGS	2
2. TYPES OF BOARD MEETINGS	2
a) Inaugural Meeting.....	2
b) Annual Meeting.....	2
c) Regular Meetings of the Board	2
d) Special Meetings	2
e) Emergency Meetings.....	3
3. MEETINGS SHALL BE OPEN.....	3
4. QUORUM.....	3
5. REDUCED QUORUM	4
6. CALLING THE MEETING TO ORDER.....	4
7. ELECTION OF A TEMPORARY CHAIR	4
8. COMMITTEE OF THE WHOLE.....	4
9. TRUSTEES LEAVING BEFORE ADJOURNMENT	4
10. TRUSTEES TO NOTIFY OF FORESEEABLE ABSENCE	5
11. ABSENCE OF TRUSTEES.....	5
12. ISSUES FOR DISCUSSION SOLELY BY TRUSTEES.....	5
<u>SECTION C: ELECTION PROCEDURES</u>	6
1. ELECTION OF CHAIR AND VICE-CHAIR.....	6
2. ELECTION OF CHAIRS AND TRUSTEES TO STANDING COMMITTEES.....	6
3. ELECTION TO OTHER COMMITTEES AND APPOINTMENTS.....	6
<u>SECTION D: RULES OF DEBATE AND PROCEDURE</u>	7
1. CHAIR TO PRESIDE AT MEETINGS.....	7
2. VICE-CHAIR TO PRESIDE IN THE ABSENCE OF CHAIR	7
3. CHAIR TO MAINTAIN ORDER.....	7
4. MOVING, SECONDING, AND STATING OF MOTIONS	7
5. WITHDRAWAL OF MOTION.....	7
6. AMENDMENTS AND SUB-AMENDMENTS	7
7. CALLING FOR READING OF THE MOTION.....	8
8. POINT OF ORDER.....	8
9. CHAIR TO STATE THE RULE TO ASSIST DECISIONS ON A RULING	8
10. PROCESS TO APPEAL RULINGS OF THE CHAIR.....	8
11. CALLING FOR THE QUESTION	8
12. PUTTING THE QUESTION	8
13. REVERSAL OF DECISIONS (MOTIONS)	8
14. RECESS.....	9
15. NOTICES OF MOTION	9
16. NOTICE OF MOTION TO ADJOURN.....	9
17. ROBERT'S <i>RULES OF ORDER</i>	9
<u>SECTION E: VOTING PROCEDURE</u>	10
1. DECISIONS BY VOTING.....	10
2. RIGHT TO ABSTAIN	10

3. RIGHT TO VOTE AND RECORDING OF VOTES.....	10
SECTION F: AGENDA.....	11
1. PREPARATION OF THE AGENDA.....	11
2. APPROVAL OF AGENDA.....	11
3. FORMAT.....	11
4. DISTRIBUTION OF THE AGENDA.....	11
5. MATERIAL TO BE READ IN ADVANCE	11
SECTION G: PUBLIC ATTENDANCE AT BOARD MEETINGS.....	12
1. OBSERVERS.....	12
2. IN-PERSON ATTENDANCE.....	12
3. VIRTUAL ATTENDANCE	13
4. NEWS MEDIA SERVICES AT BOARD MEETINGS.....	13
SECTION H: DELEGATIONS	15
1. RECEIVING PETITIONS AND OTHER PRESENTATIONS	15
2. APPROPRIATENESS OF TOPICS FOR PRESENTATIONS/DELEGATIONS	15
3. NOTICE OF DESIRE TO APPEAR.....	15
4. COPY OF PRESENTATION.....	16
5. CONDUCT OF DELEGATIONS	16
6. TRUSTEE RESPONSE LIMITED	17
SECTION I: PUBLIC QUESTION PERIOD	18
1. PURPOSE.....	18
2. RECOGNITION OF SPEAKERS.....	18
3. FOCUS OF QUESTIONS.....	18
4. CONDUCT OF SPEAKERS	18
5. RESPONSE TO QUESTIONS.....	19
6. DURATION.....	19
SECTION J: MINUTES OF MEETINGS	20
1. MINUTES TO BE KEPT OF MEETINGS OF THE BOARD	20
2. WHAT THE MINUTES SHALL INCLUDE.....	20
3. MINUTES OF SPECIAL AND EMERGENCY MEETINGS	20
4. MINUTES TO BE ADOPTED	20
5. MINUTES TO BE DISTRIBUTED.....	20
6. AVAILABILITY OF MINUTES.....	20
7. SAFE RETENTION OF MINUTES.....	21
SECTION K: BY-LAWS AND STANDING RULES	22
1. BY-LAWS TO GOVERN THE OPERATION OF THE BOARD.....	22
2. NUMBERING OF BY-LAWS.....	22
3. READINGS OF BY-LAWS.....	22
4. QUORUM FOR APPROVAL.....	22
5. DEBATE AND AMENDMENTS.....	22
6. MULTIPLE READINGS AT A SINGLE MEETING.....	22
7. ADOPTION OF A BY-LAW.....	22
8. ASSEMBLING BY-LAWS.....	22
9. AMENDMENT OR DELETION OF BY-LAWS	22
10. STANDING RULES.....	23

11. ADHERING TO THE BY-LAWS AND STANDING RULES	23
<u>SECTION L: DUTIES OF CHAIR OF THE BOARD</u>	24
<u>SECTION M: DUTIES OF VICE-CHAIR OF THE BOARD</u>	25
<u>SECTION N: COMMITTEES</u>	26
1. STANDING COMMITTEES.....	26
2. AGENDA OF STANDING COMMITTEES	26
3. ELECTION OF TRUSTEES TO STANDING COMMITTEES.....	26
4. AD HOC COMMITTEES.....	26
5. QUORUM	26
6. <i>IN CAMERA</i>	26
7. VOTING IN COMMITTEES	27
8. MINUTES OF COMMITTEE MEETINGS.....	27
<u>SECTION O: INTERACTIONS WITH PARENT ORGANIZATIONS</u>	28
1. DEFINITION	28
2. PROVISION OF INFORMATION	28
3. TRUSTEE ATTENDANCE AT MEETINGS OF PARENT ORGANIZATIONS.....	28
<u>APPENDIX A: RULES GOVERNING MOTIONS</u>	29

PREAMBLE

[Ref. PSA 33(1)]

In accordance with the [Public Schools Act](#) of the Province of Manitoba and the [Education Administration Act](#), these Procedural By-Laws shall be the rules and regulations by which the Board shall provide for the order and dispatch of the business of the xx School Division.

SECTION A: DEFINITIONS

Where used in this by-law, the following definitions apply:

1. "BOARD" means the Board of Trustees of the Pine Creek School Division.
2. "BY-LAW" means a rule adopted by the School Board for the governance of its Trustees and the regulation of its affairs.
3. "CHAIR" means the Chair of the School Board or designated person chairing a meeting.
4. "COMMITTEE CHAIR" means the Chair of a standing or an ad hoc committee of the Board.
5. "DIVISION" means the Pine Creek School Division.
6. "POLICY" means a definite course or method of action to guide and determine present and future decisions.
7. "POLICY MANUAL" is the compilation of the policies of the Pine Creek School Division and all amendments thereto.
8. "PSA" means the Public Schools Act of the Province of Manitoba and amendments thereto.
9. "STANDING RULE" means an instruction, prescribed procedure, or policy in force permanently or until specifically changed or canceled.
10. "SUPERINTENDENT" means the Superintendent of Schools of the Pine Creek School Division.

SECTION B: BOARD MEETINGS

1. NOTICE OF MEETINGS

[Ref. PSA 30(2)]

The Secretary-Treasurer shall provide personal or written notice of all Board meetings—Inaugural, Annual, Regular and Special—to all Trustees, such that they receive the notice at least twenty-four hours before the meeting, as to the place, date, and hour of the meeting. The schedule of all such meetings of the Board shall be posted on the PCSD website. A notice of meeting will be posted on the divisional website. [See also Section F, Procedural By-Law 4.]

2. TYPES OF BOARD MEETINGS

a. Inaugural Meeting

[Ref. PSA 29(1)]

The inaugural meeting is defined as the first meeting of the Board in a year where a general election is held. The inaugural meeting shall be called by the Secretary-Treasurer and shall take place within 14 days after the election. The Secretary-Treasurer shall administer the oath of office to each Trustee. Each Trustee shall also make an affidavit of qualification (see PSA, Schedule D, Form 1). Trustees shall sign Board Members' Annual Declaration of Residency, Board Member Annual Pledge of Confidentiality, and School Board's Annual Code of Conduct/Conflict of Interest and forms.

b. Annual Meeting

[Ref. PSA 29(2)]

The annual meeting is defined as the first meeting of the Board in September in year where no general election is held. New Trustees shall sign the Board Member Pledge of Confidentiality, Disclosure of Personal Interests, Oath (PSA Schedule D), and School Board's Code of Ethical Conduct/Conflict of Interest forms.

c. Regular Meetings of the Board

[Ref. PSA 30(2)]

Regular meetings of the Board shall occur as determined by motion each year at the inaugural or annual meeting, unless one of the following applies:

- the Board determines otherwise beforehand;
- a resolution of the Board determines otherwise;
- all available Trustees agree at least 48 hours before the earlier of the proposed new date, or the fixed date.

d. Special Meetings

[Ref. PSA 30(2)]

Special meetings of the Board shall occur at the call of the Chair:

- when requested or instructed to do so by a motion of the Board at a duly constituted meeting, or
- when the Chair deems such a meeting to be necessary, or
- on written request of four Trustees addressed to the Secretary-Treasurer.

At special meetings, the business shall be limited to the items specified on the agenda for that meeting and business incidental thereto.

- e. Emergency Meetings [Ref. PSA 30(1)]
Notwithstanding subsection (c), the Board may hold a meeting at any time and any place to deal with an emergency, provided all Trustees consent to and attend the meeting. Trustees shall receive such notice as may be deemed reasonable under the circumstances. At emergency meetings, only such business that arises out of, or is incidental to, the emergency shall transpire.

- 3. MEETINGS SHALL BE OPEN** [Ref. PSA 30(3) & (6)]
The inaugural meeting, subsequent annual meetings, and all regular and special meetings of the Board shall be open to the public and media. Public attendance at meetings may be in person or virtual (see Section G). The Chair may exclude or remove a person other than a member of the Board from a Board meeting if the Chair deems their conduct to be disorderly or improper.

- 4. QUORUM** [Ref. PSA 39.7.1(1)]
- a. A majority of the Trustees of the Board—that is, four (4) Trustees—constitutes a quorum when present at a meeting. No business can be legally transacted without a quorum present. A majority vote of such a quorum is valid and binds the Board. A Trustee who participates in a meeting via electronic means shall be deemed to be present at the meeting.
 - b. On and from the date that the Board gives second and third reading to a policy pursuant to Manitoba Regulation 201/2004 authorizing attendance at a Board meeting by a Trustee via electronic means, the term “quorum” shall mean the number of Trustees physically present at the meeting plus the number of Trustees attending via electronic means. Permission must be granted by the Chair for a Trustee to attend the meeting by electronic means for special circumstances only.
 - c. If there is no quorum at the start of a meeting, those Trustees present may wish to proceed with the business of the meeting operating as a committee. This committee would not be referred to as a committee of the whole because a quorum for a committee of the whole would be the same number as a quorum for the Board. When a quorum is present, the legally constituted meeting would then be asked to approve the decisions made by the committee.
 - d. If, during the course of a meeting, the number of Trustees present falls below a quorum, no resolution may be passed while a quorum is not present. When no quorum exists, the meeting shall be adjourned by the Chair, except in the specific situation outlined in the following point.

5. REDUCED QUORUM

[Ref. PSA 38(1) & 39.1(1)]

Whereby reason of withdrawals from a meeting due to conflict of interest related to a specific matter (see PSA subsection 38(1)), the number of Trustees remaining at the meeting is not sufficient to constitute a quorum, then, the number of Trustees remaining, if not fewer than two, is deemed to constitute a quorum for purposes of discussing and voting on the matter.

6. CALLING THE MEETING TO ORDER

The Chair shall call the meeting to order at the appointed time, or as soon thereafter as a quorum is established. If a quorum is not present within one-half hour of the time set for a meeting, the Secretary-Treasurer shall call the roll and record the names of the Trustees present, and the meeting shall be adjourned.

7. ELECTION OF A TEMPORARY CHAIR

At a duly called meeting at which neither the Chair nor Vice-Chair is present, the present board members shall elect a temporary Chair to preside over the election for that meeting only, or until the Chair or Vice-Chair arrives. If the Chair's or Vice-Chair's arrival is anticipated but delayed, the elected Chair shall first wait twenty (20) minutes after the time for which the meeting was called and then have a quorum of Trustees present before taking the Chair.

8. COMMITTEE OF THE WHOLE

[Ref. PSA 30(4)]

By a motion duly moved, seconded, and approved, the Board, at a duly constituted meeting may resolve itself into the Committee of the Whole. The Vice-Chair shall immediately take the Chair and conduct the business. When the business is finished, the Committee of the Whole shall rise and report back to the constituted meeting.

The proceedings of the Committee of the Whole may be held *in camera*. The rules of procedure should mirror those of the public meeting. Trustees and other persons attending the *in-camera* meeting are honour-bound not to disclose the details of the discussion.

Without limiting the discretion of the Board to discuss any matter in the Committee of the Whole, the following comprise a list of items which may routinely be discussed at *in-camera* sessions of the Committee of the Whole:

- Budget deliberation
- Negotiations of collective agreements or personal service contracts
- Confidential matters relating to staff or students
- Purchase or sale of property
- Litigation brought by or against the Division
- Legal opinions respecting the liability of the Board
- Security and discipline
- Any other matter for which the statutes and regulations require a closed session

9. TRUSTEES LEAVING BEFORE ADJOURNMENT

Trustees leaving early must excuse themselves through the Chair. The time of leaving is noted in the minutes.

10. TRUSTEES TO NOTIFY OF FORESEEABLE ABSENCE

If a Trustee knows in advance that they will miss a meeting of the Board, they shall notify the Secretary-Treasurer, Chair, and Vice-Chair of the Board prior to the meeting.

11. ABSENCE OF TRUSTEES

[Ref. PSA 39(8) & 26(1)-26(7)]

A school board of a school division or school district shall declare a seat vacant and, subject to Section 26, order an election to fill that seat when the Trustee elected to that seat:

- a. is deceased; or
- b. has submitted a resignation in writing to the Secretary-Treasurer; or
- c. has failed to attend three consecutive regular meetings without authorization of the Board by resolution recorded in the minutes; or
- d. has been disqualified from holding office under the provisions of the PSA; or
- e. ceases to be a resident of the school division or school district.

Section 26 of the PSA provides detailed procedures for the following circumstances: 26(1) Filling of vacancies, 26(2) Vacancy in final year of term, 26(3) Warrant for new election, 26(4) Organization of board despite irregularity, 26(5) New election to fill vacancy, 26(6) Vacancy after election, 26(6.1) Provision does not apply in case of a tie or death, and 26(7) Unexpired term.

12. ISSUES FOR DISCUSSION SOLELY BY TRUSTEES

Trustees will generally meet alone to discuss matters pertaining to the evaluation and performance of the Secretary Treasurer

SECTION C: ELECTION PROCEDURES

1. ELECTION OF CHAIR AND VICE-CHAIR

[Ref. PSA 29(2) & (3)]

- a. The election of the Chair and the Vice-Chair shall occur each year at the inaugural or annual meeting of the Board.
- b. The Secretary-Treasurer (or, if absent, the Acting Secretary-Treasurer) shall open motions for nominations for Chair of the Board. Nominees who so wish shall decline nominations at the time these occur. Any Trustee who expects to be absent at the time of the elections must inform the Secretary-Treasurer, in advance, of their intention to accept a nomination.
- c. Where two or more Trustees have been nominated for the position of Chair, a secret ballot election shall be held and the Trustee receiving the greatest number of votes shall be declared elected. In the event of a tie vote, the Secretary Treasurer shall draw a deciding ballot with the two nominees.
- d. The Secretary-Treasurer shall continue to preside over the election of the Vice-Chair of the Board, following the same procedure as outlined for election of the Chair.

2. ELECTION OF CHAIRS AND TRUSTEES TO STANDING COMMITTEES

The newly elected Chair shall preside over the election of a Chair and committee member(s) for each of the Standing Committees outlined in Section L (or as determined by the Board as needed).

3. ELECTION TO OTHER COMMITTEES AND APPOINTMENTS

The election of a Chair and member(s) for other committees shall occur after the elections for standing committees and shall follow the same basic procedure.

Board motions shall determine representation on joint committees and external bodies.

Finally, the Board, by motion, shall appoint its signing officers.

SECTION D: RULES OF DEBATE AND PROCEDURE

- 1. CHAIR TO PRESIDE AT MEETINGS** [Ref. PSA 31]
The Chair shall preside at regular, special and emergency meetings of the Board.
- 2. VICE-CHAIR TO PRESIDE IN THE ABSENCE OF CHAIR** [Ref. PSA 32]
In the absence of the Chair, the Vice-Chair shall preside and, while so presiding, shall have all the powers of the Chair.
- 3. CHAIR TO MAINTAIN ORDER** [Ref. PSA 30(5)]
The Chair shall maintain order and decide questions of order. When two or more Trustees wish to speak at the same time, the floor shall be assigned to the Trustee whom the Chair recognizes as having addressed the Chair first. Trustees shall address the Chair when speaking.
- 4. MOVING, SECONDING, AND STATING OF MOTIONS**
Any Trustee, except the Chair, may move a motion at the appropriate time in the agenda. The motion must be seconded to receive recognition by the Chair. The Chair recognizes the motion, repeats the motion in full or in essence, and states the name of the mover and seconder. When the motion has been stated, it can then be debated.
- 5. WITHDRAWAL OF MOTION**
There are two methods to withdraw a motion:
 - a. Before it is stated by the Chair, the mover may say, "I withdraw my motion." Consent of the seconder is not needed.
 - b. After it is stated, the mover needs the permission of the Trustees, and this is usually granted by the Chair saying, "If there is no objection, the mover will be allowed to withdraw the motion." However, if there is one objection, the Chair takes a vote without discussion as to whether the motion may be withdrawn, and a majority will decide the matter.
- 6. AMENDMENTS AND SUB-AMENDMENTS**
 - a. Unless otherwise specified, all motions may be amended. Amendments shall be moved and seconded and stated before they may be discussed or voted on.
 - b. Before the vote on an amendment occurs, it may be changed or modified by a sub-amendment, which also must be duly moved, seconded and stated. The vote on a sub-amendment must be put or the sub-amendment shall be withdrawn before the vote on the amendment is taken.
 - c. Only one amendment and one sub-amendment shall be entertained at a time. Amendments must be decided upon or withdrawn before the main question is put to a vote.
 - d. With the approval of the Chair, the mover and seconder of a motion may withdraw the motion under discussion and replace it with a motion that includes changes to the

amendments and sub-amendments. In such a case, the original motion, the amendments and sub-amendments shall no longer exist.

7. CALLING FOR READING OF THE MOTION

Any Trustee may request the reading of the question or motion under discussion at any time during the debate but may make the request only once and interrupt a Trustee only to raise a point of order.

8. POINT OF ORDER

When a Trustee of the Board thinks that the rules of debate are being violated, they can raise a question of order or “make a point of order”, thereby calling upon the Chair for ruling and enforcement of the regular rules.

9. CHAIR TO STATE THE RULE TO ASSIST DECISIONS ON A RULING

When the Chair is requested to decide on a point of order or practice, they shall, before deciding, state the rule applicable to the case, without comment.

10. PROCESS TO APPEAL RULINGS OF THE CHAIR

As per Robert’s Rules of Order, the process for appealing a ruling should be by the majority vote of the Board members present at the meeting or by written submission and unanimous consent of the Board members.

11. CALLING FOR THE QUESTION

Trustees of the Board may call for the question on a motion being debated during discussion, but not in such a way as to interrupt another Trustee speaking on that motion. At this time, the Chair may address the Trustees and ask if they are ready for the question. If in their opinion the majority response is affirmative, then the Chair shall put the question to a vote and announce the result.

12. PUTTING THE QUESTION

When the Chair has called for a vote on the question, the question shall be deemed to have been put. After the question is put by the Chair, no Trustee shall speak to the question, nor shall any other motion be made until the result is declared.

13. REVERSAL OF DECISIONS (MOTIONS)

Reversal of decisions (motions) may occur as specified in PSA, Sections 33(2) and 33(3):

Reversal of Decisions

33(2) Subject to subsection (3), a question once decided by a school Board shall not be reversed unless

- (a) written notice of a proposal to reverse the decision has been given from at least one meeting to another; and
- (b) a majority of the total number of Trustees for the division votes in favour of the reversal.

Reversal by Unanimous Consent

33(3) A decision of a school Board may at the same meeting at which it is made and by unanimous consent of all members present and voting thereon be reversed.

14. RECESS

A recess of not more than thirty (30) minutes may be called:

- a. by the Chair at any time to maintain order and decorum at a meeting or to maintain a quorum of Trustees, or
- b. by motion of the Board
 - at any time that no question exists on the floor, and if the reason for the recess is stated, or
 - if two hours have elapsed since the meeting's beginning or since the previous recess

At the end of the recess, the Chair shall call the meeting back to order, or, in the event that quorum no longer exists, declare the meeting adjourned.

15. NOTICES OF MOTION

Notices of motion are required to:

- a. change or rescind an existing by-law (except as noted in Section K, Procedural By-Law 9), and
- b. propose a substantive motion not directly related to an item on the agenda.

Notices of Motion shall be communicated in writing to the Chair and Secretary-Treasurer and shall name the Trustees who shall move and second the motion. The minimum notice required is from one regular meeting to the next.

16. NOTICE OF MOTION TO ADJOURN

A Motion to adjourn shall not be in order when a Trustee has the floor, or the vote has been called. A Motion to adjourn shall not be subject to amendment or debate.

17. ROBERT'S RULES OF ORDER

Robert's *Rules of Order*, latest edition, shall apply on all questions of procedure not provided for in these by-laws and a copy should be kept in the Board Room.

SECTION E: VOTING PROCEDURE

1. DECISIONS BY VOTING

[Ref. PSA 31]

A simple majority shall decide all questions, except as otherwise provided in these by-laws or in the PSA. Questions on which an equality of votes occurs shall be deemed as defeated. The results of all votes shall be announced by the Chair and recorded in the minutes.

2. RIGHT TO ABSTAIN

Every Trustee of the Board shall have a legal right to abstain from casting their vote on any question placed before the Board.

3. RIGHT TO VOTE AND RECORDING OF VOTES

Robert's Rules of Order shall apply to all voting and recording procedures.

- a. When a motion passes, the names of trustees voting against the motion will be recorded. When a motion is defeated, the names of trustees voting in favour will be recorded.
- b. All abstentions from voting shall be recorded.

SECTION F: AGENDA

1. PREPARATION OF THE AGENDA

- a. The Superintendent in consultation with the Secretary Treasurer, Chair, and Vice-Chair, shall prepare agendas for regular Board meetings subject to approval by the Chair.
- b. The Superintendent, in consultation with the Secretary Treasurer, Chair, and Vice-Chair, shall prepare agendas for emergency or special meetings subject to approval by the Chair unless legal issues require the agenda proposed by the Superintendent to come directly to the Board.
- c. Trustees who wish to place items on the agenda should notify the Secretary-Treasurer, Chair, and Vice-Chair.

2. APPROVAL OF AGENDA

The agenda must be approved at every meeting by the majority of the Trustees present. After the meeting has begun, only a motion approved by the majority of the Trustees present can see items added to the agenda.

3. FORMAT

The order of business, in the form of a prepared agenda, shall be determined each year at the inaugural or annual meetings of the Board.

4. DISTRIBUTION OF THE AGENDA

[Ref. PSA 30(2)]

The Secretary-Treasurer shall be responsible to distribute/post the agenda, including relevant reports, correspondence, and reference material to all Trustees and the notice of meeting at least twenty-four hours before the meeting. The draft meeting agenda will be posted on the divisional website along with a notice of meeting. [See also Section B, Procedural By-Law 1.]

5. MATERIAL TO BE READ IN ADVANCE

Where the agenda is accompanied by a written report with rationale, background, and a recommended motion, the Board shall assume that all members have read the material prior to the meeting. The Senior Leadership Team will not routinely review each report verbally but shall be prepared to answer questions.

SECTION G: PUBLIC ATTENDANCE AT BOARD MEETINGS

1. OBSERVERS

[Ref. PSA 30(2)]

Observers shall be welcome to attend school board meetings subject to the limitations contained in these by-laws.

2. IN-PERSON ATTENDANCE

- a. Upon arrival, individuals wishing to attend a board meeting in person are required to show government-issued photo identification with home address that matches the previously completed registration. This ID is to be shown to either the Board Chair, Superintendent, or Secretary Treasurer/ This requirement is waived for registered PCSD students.
- b. The number of in-person attendees shall not exceed the posted capacity of the meeting space; Depending on the approved intended numbers of the delegation, the board of trustees may decide to change venues.
- c. All members attending must be listed on the registration and provide photo ID upon arrival.
- d. Resident electors, accredited press representatives, PCSD employees, registered PCSD students and the parents/guardians thereof shall be prioritized for in-person attendance at board meetings.
- e. In-person attendees are not permitted to bring certain items into the meeting room, at the discretion of the Chair, including but not limited to banners, noise-makers, signs, or placards.
- f. In-person attendees are not permitted to enter the meeting room wearing clothing displaying pictures or lettering that could be perceived as conveying a message to the Board. This includes partial messages on clothing that convey a full message when demonstrated along with other attendees' clothing.
- g. In-person attendees must remain seated unless otherwise invited by the Chair.
- h. In-person attendees must not engage in disruptive behaviour and must refrain from applause and conversations unless otherwise invited by the Chair

1. In order that the Board may transact business with dispatch, questions from the press will not be entertained while meetings are in progress, other than during Public Question Period. However, the Chair and the Superintendent will make themselves available to accredited press representatives after each meeting to answer questions on Board policy and to clarify points of discussion and action.

SECTION H: DELEGATIONS

1. RECEIVING PETITIONS AND OTHER PRESENTATIONS

The Board may receive petitions and hear presentations or delegations at its regular meetings. The Board may receive petitions, or any other presentations or delegations at a special or emergency meeting.

2. APPROPRIATENESS OF TOPICS FOR PRESENTATIONS/DELEGATIONS

The Board shall not permit a presentation on any subject that is not within the Board's jurisdiction.

3. NOTICE OF DESIRE TO APPEAR

- a. Individuals or organizations who wish to make a presentation to the Board must submit a request via email/phone to the Superintendent or Secretary Treasurer by noon five (5) business days preceding the meeting at which they desire to appear.
- b. The request must include the reason for the presentation, a summary of the presentation content, as well as any remedy requested of the Board.
- c. Under The Freedom of Information and Protection Act, information submitted to the Board will be considered as public information and may be subject to full disclosure.
- d. A request received via the Form will be reviewed by the Chair in consultation with the Superintendent.
- e. As part of the review process, the Chair has the authority to request additional information from the individual or organization who submitted the online Form. This request for additional information may, but shall not be limited to, a written copy of the presentation citing research or opinions referenced by the individual or organization. The Chair may in their sole discretion deny requests deemed incomplete, unfounded, or out of order.
- f. Requests to present on any subject that is not within the Board's jurisdiction shall be denied.
- g. The Board shall not receive another delegation or presentation on the same subject or issue before six (6) months have elapsed from a previous presentation on the subject or issue, unless the requestor can demonstrate to the Board that they have significant new information to share.
- h. Where requests are approved, the individual or organization will be provided with guidelines of how to proceed including the date of the presentation, length of the presentation, the arrival time, and expectations for conduct of delegations (see Section H, Procedural By-Law 5 below). Delegations must meet requirements for in-person attendees (see Section G). Where a request by an individual or organization to present on an issue for a second time pursuant to Section G Procedural By-Law 3.g is approved.

- i. The presentation must be limited to new information or circumstances that have changed. Failure to limit the presentation aforesaid shall result in the presentation being ruled out of order at the discretion of the Chair.
- j. Where requests are denied, the Chair will inform the individual or organization in writing. The individual or organization may appeal the decision in writing to the Board. The Board will consider the request to appeal at its next regular meeting. If the Board upholds the Chair's decision to deny the presentation, the individual or group may submit the presentation to the Board in writing, as information.
- k. The maximum number of delegations scheduled for any Regular meeting shall be three (3) unless otherwise determined by the Chair. Where the number of approved requests exceeds three (3), the Chair may defer some presentations to the next regular meeting or may recommend to the Board that an ad hoc committee be formed to hear all delegations and report fully to the Board.

4. COPY OF PRESENTATION

An electronic or hard copy of the presentation shall be provided to the Board three (3) business days prior to the meeting for inclusion in Board package materials, failing which, the presentation will be rescheduled or denied.

5. CONDUCT OF DELEGATIONS

- a. Each delegation shall have a spokesperson and may have one supplementary speaker.
- b. Delegations on behalf of an organization must register with the Secretary-Treasurer prior to the meeting. Presentations cannot exceed twenty (20) minutes in length.
- c. Delegations are expected to present in-person at the board meeting. At the Chair's discretion, this requirement may be waived in exceptional circumstances.
- d. Delegations are expected to provide input in a respectful and constructive manner.
- e. Delegations may voice concerns but must not:
 - Promote hate, harassment, or violate the Manitoba Human Rights Code or PCSD Policies;
 - Use offensive, obscene, threatening, or defamatory language, gestures or images;
 - Use negative or derogatory personal references;
 - Misuse personal information related to PCSD students, staff or Trustees;
 - Discuss topics outside of their presentation as detailed in the form submitted to the Board;
 - Discuss matters related to litigation or potential litigation or any matter which is currently before any court or administrative tribunal affecting the PCSD; or
 - Cross debate or engage with other delegates, staff or Trustees of the Board.

- f. As part of their responsibility to maintain the order and proper conduct and decorum of the meeting, the Chair shall stop any delegation that engages in disruptive behaviour or that violates any of the expectations set out in these by-laws or which contravenes PCSD policy. The Chair has the authority to ask an attendee to leave the building and, if the attendee fails to do so, to have them removed by local authorities.

6. TRUSTEE RESPONSE LIMITED

As determined by the Chair, the Chair or any individual Trustee may ask the spokesperson or supplementary speaker for clarification about the presentation. Trustees will not state opinions on the topic at this time.

SECTION I: PUBLIC QUESTION PERIOD

1. PURPOSE

- a. "Public Question Period" as referenced herein shall mean a period of time at a board meeting to allow for questions related to items on the meeting agenda, subject to the procedures and limitations contained in these by-laws.
- b. Trustees and members of the PCSD Senior Leadership Team are not entitled to ask questions during the Public Question Period.

2. RECOGNITION OF SPEAKERS

[Ref. PSA 30(5)]

- a. The Chair shall be responsible for recognizing all speakers and maintaining proper order and decorum in keeping with established Board policy.
- b. The Chair will only recognize as speakers in-person attendees or verified participants who have complied with the registration and attendance requirements pursuant to Section G, Procedural By-Law 3.a.i whose identity has been verified. Resident electors, accredited press representatives, PCSD employees, registered PCSD students and the parents/guardians thereof shall be given priority at the discretion of the Chair.
- c. Where the Chair recognizes a verified virtual attendee to speak, their camera and microphone functions shall be enabled while they are asking their question. The Chair in their sole discretion may mute a virtual attendee whose conduct is ruled out of order.
- d. The Chair in their sole discretion may limit the time available to any one speaker during Public Question Period.

3. FOCUS OF QUESTIONS

Questions asked during Public Question Period shall be limited to questions for information or clarification and must relate to items on the meeting agenda.

4. CONDUCT OF SPEAKERS

[Ref. PSA 30(5), (6)]

- a. Speakers are expected to ask questions in a respectful and constructive manner.
- b. Speakers may voice concerns related to items on the meeting agenda but must not:
 - Promote hate, harassment, or violate the Manitoba Human Rights Code or PCSD Policy;
 - Use offensive, obscene or defamatory language, gestures or images;
 - Use negative or derogatory personal references;
 - Misuse personal information related to PCSD students, staff or Trustees;

- Discuss topics outside of their intended delegation;
 - Discuss matters related to litigation or potential litigation or any matter which is currently before any court or administrative tribunal affecting the PCSD; or
 - Cross debate with other delegates, staff or Trustees of the Board.
- c. As part of their responsibility to maintain the order and proper conduct and decorum of the meeting, the Chair shall stop any speaker that engages in disruptive behaviour or that violates any provisions in these by-laws or PCSD policies. The Chair has the authority to ask an attendee to leave the meeting and, if the attendee fails to do so, to have them removed.

5. RESPONSE TO QUESTIONS

Questions posed during the Public Question Period shall, when possible, be answered immediately by the Chair or by referral to administrative staff. Questions which, in the opinion of the Chair, may require investigation shall be referred to a Board committee, the Chair, and/or the PCSD Senior Leadership Team for consideration and later response.

6. DURATION

The maximum duration for Public Question Period at any Board meeting shall not exceed fifteen (15) minutes unless extended by two-thirds majority vote of the Trustees in attendance.

SECTION J: MINUTES OF MEETINGS

1. MINUTES TO BE KEPT OF MEETINGS OF THE BOARD

[Ref. PSA 55(1)]

All meetings shall be attended by the Secretary-Treasurer or designate to record the resolutions, decisions, and other proceedings. This record shall constitute the minutes of the meeting. As minutes become permanent and official records of proceedings at Board meetings, they shall provide a concise but sufficiently detailed summary of the meeting's events to assist any necessary future reference.

2. WHAT THE MINUTES SHALL INCLUDE

- a) The name, "Pine Creek School Division", and the date, place and time of meeting.
- b) Whether it was a regular, special or emergency meeting.
- c) Names of the Chair, the recording Secretary-Treasurer or designate, and all Trustees and Senior Leadership Team members in attendance and specify whether attendance is in person or virtual.
- d) The minutes should state whether those of the previous meeting were approved.
- e) All main motions, whether carried or defeated, and any subsidiary carried motions. (A withdrawn motion is not recorded.) Motions adopted shall be entered in full and include the preamble.
- f) The names of the persons making the motions, and of the seconder.
- g) Points of order and appeals, whether sustained or lost.
- h) Summarized reports of committees, unless written reports are appended.
- i) All appointments of committees, elected delegates, etc.
- j) A record of negative votes and abstentions.
- k) Time of adjournment.

3. MINUTES OF SPECIAL AND EMERGENCY MEETINGS

Minutes of special and emergency meetings shall be adopted at the following regular meeting. If the time between a special meeting and the following regular meeting does not permit the thorough preparation and distribution of the minutes, they shall receive adoption at the next following meeting.

4. MINUTES TO BE ADOPTED

Once the minutes receive approval, the Chair and the Secretary-Treasurer shall sign them to that effect. Motions passed by the Board have effect immediately and do not have to await approval of the minutes at a subsequent Board meeting.

5. MINUTES TO BE DISTRIBUTED

Prior to adoption, unofficial minutes shall appear in draft form in the package for the subsequent regular meeting to Trustees and members of the Senior Leadership Team. Upon adoption by the Board, the minutes shall be posted on the PCSD website.

6. AVAILABILITY OF MINUTES

[Ref. PSA 55(2)]

The Secretary-Treasurer shall produce the minutes and any other papers or records when required to do so by a *bona fide* request. Interested community members may request

that the Board provide information on a decision on a certain item. The Secretary-Treasurer shall then produce the record of the decision taken by the Board.

7. SAFE RETENTION OF MINUTES

Approved minutes shall be kept secure by the Secretary-Treasurer.

SECTION K: BY-LAWS AND STANDING RULES

1. BY-LAWS TO GOVERN THE OPERATION OF THE BOARD

The rules contained in the by-laws shall govern the operation of the Board in all cases to which they are applicable.

2. NUMBERING OF BY-LAWS

All by-laws will be numbered.

3. READINGS OF BY-LAWS

Every proposed by-law shall receive three separate readings before it is finally passed and becomes a by-law. A proposed by-law may be amended on any reading.

4. QUORUM FOR APPROVAL

After the completion of a reading, a Trustee shall move that its content constitutes a reading, "in full" or "in short", as applicable. The motion must be seconded and approved by a majority of Trustees present.

5. DEBATE AND AMENDMENTS

A discussion of and amendments to a by-law shall normally occur during second reading.

6. MULTIPLE READINGS AT A SINGLE MEETING

No more than two readings of a by-law shall occur at any one meeting unless an affirmative vote of a majority of the Board suspends this requirement.

7. ADOPTION OF A BY-LAW

Every by-law shall be deemed adopted when given its third reading and such by-law shall thereupon be:

- signed by the Chair or another presiding officer and the Secretary-Treasurer;
- sealed with the seal of the corporation;
- deposited with the Secretary-Treasurer for security.

8. ASSEMBLING BY-LAWS

All by-laws adopted by the Board shall be:

- printed, paged, and bound in a separate indexed volume;
- stored electronically;
- published on the PCSD website.

9. AMENDMENT OR DELETION OF BY-LAWS

Except by the unanimous consent of the Board, a minimum of two Board meetings shall be required to amend or delete a rule found in the Procedural By-laws. Notice shall occur at the first meeting and the proposed amendment or deletion shall receive consideration at an ensuing Board meeting.

10. STANDING RULES

- a) In addition to basic rules specified in the by-laws, standing rules can be adopted by a majority vote at any meeting and shall be binding until they are rescinded or modified.
- b) Standing rules, once adopted, may receive modification at the same session only by reconsideration, as outlined in Robert's *Rules of Order*. They can be modified at a following session by a simple majority of Trustees present.
- c) Standing rules shall be stored electronically and published on the PCSD website.

11. ADHERING TO THE BY-LAWS AND STANDING RULES

The Secretary-Treasurer shall apprise Trustees of pertinent procedural by-laws at appropriate times to ensure that meeting proceedings adhere to them.

SECTION L: DUTIES OF CHAIR OF THE BOARD

THE CHAIR OF THE BOARD SHALL:

[Ref. PSA 30(5), (6), 31]

1. Call all regular and special meetings and preside at all meetings at which they can attend.
2. Participate in agenda setting for Board regular, special, and emergency meetings and approve agendas to be brought to the Board.
3. Call the meetings to order promptly at the prescribed time or as soon as a quorum is present, and welcome thereto any delegations or guests present and be the spokesperson of the Board to respond to delegations.
4. When in the chair, preserve order and decorum at all times, act with impartiality in all matters, and guide the discussion to a speedy but considered conclusion. The Chair may exclude or cause to be removed from a Board meeting any person other than a member of the Board, whose conduct the Chair deems to be disorderly or improper.
5. Be guided by Robert's *Rules of Order*, latest edition, to conduct meetings and accept motions, amendments, sub-amendments, etc. and on the manner of voting upon them.
6. Act as the representative of the Board at all public functions that they attend in the capacity of Chair.
7. In acting as the official spokesperson for the Board, convey the view of the Board.
8. Be an *ex officio* member of all committees.
9. Assume any other duty required under the provisions of the PSA. [Ref. 26(1), 26(3), 53(2) & 53(5)]
10. With the Vice-Chair of the Board engages in contract negotiations with representatives of senior leadership and non-CUPE.
11. With the assistance of the Vice-Chair, lead the annual Board self-evaluation.

SECTION M: DUTIES OF VICE-CHAIR OF THE BOARD

THE VICE-CHAIR OF THE BOARD SHALL:

[Ref. PSA 32]

1. Act as Chair in the absence of the Chair, or when called upon to do so by the Chair.
2. Participate in agenda setting for Board regular, special, and emergency meetings and approve agendas to be brought to the Board.
3. Chair the in-camera portion of the meeting.
4. Become the Acting Chair upon the demise or resignation of the Chair until a new Chair has been elected at a duly called meeting of the Board.
5. Assume all the powers and responsibilities of the Chair for as long as they are in the chair.
6. The Chair of the Board engages in contract negotiations with representatives of senior leadership and non-CUPE.
7. Assist the Chair of the Board with the annual Board self-evaluation.

SECTION N: COMMITTEES

1. STANDING COMMITTEES

The number, kind and membership of standing committees shall be determined by the Board at the inaugural or annual meeting. The Chair of the Board acting *ex officio* shall be a non-voting member of all standing committees having a membership of less than the full Board.

Standing committee meetings shall be called as required.

2. AGENDA OF STANDING COMMITTEES

The agenda of the standing committees shall be the responsibility of the Committee Chair.

3. ELECTION OF TRUSTEES TO STANDING COMMITTEES

Standing committees shall consist of a minimum of one (1) Trustees. No standing committee should have more than four (4) Trustees to ensure that the Trustees do not have Quorum of the Board.

A member of the Senior Leadership Team shall act as Advisor to each standing committee.

Where the number of standing committees permits, all trustees will be a member of at least one standing committee.

4. AD HOC COMMITTEES

The Board may establish *ad hoc* committees composed of one or more Trustees of the Board and may delegate to any such committee such powers and duties respecting:

- the examination of any question;
- the management of any business of the Board; or
- the execution of specified duties as are not inconsistent with the PSA, Division By-laws or policies.

The Board shall elect a chair for each *ad hoc* committee at the time that the committee is established. Such committees shall dissolve upon Board acceptance of the committee report unless asked by the Board to continue.

5. QUORUM

A quorum for a standing committee shall consist of two Trustees.

6. IN CAMERA

[Ref. PSA 30(4)]

Committee meetings or parts of the meetings may be held *in camera* (not open to the public or media) when decided upon by the committee.

7. VOTING IN COMMITTEES

Voting privileges at committee meetings shall be limited to Trustees appointed or elected to the committee or to a designated replacement at a particular meeting.

8. MINUTES OF COMMITTEE MEETINGS

The Chairs of Standing Committees and *ad hoc* committees are responsible to ensure that minutes are kept and forwarded to the Secretary-Treasurer. Minutes and recommendations of each committee shall be referred to the Board and placed on the appropriate Board meeting agenda.

SECTION O: INTERACTIONS WITH PARENT ORGANIZATIONS

1. DEFINITION

[School Partnerships: A Guide for Parents, Schools & Communities, Manitoba Education, 2005]

Parent organization refers to all parent and community councils, committees or groups whose function is to assist schools in providing safe, caring, appropriate, and inclusive education. These partnerships include Advisory Councils for School Leadership (ACSLs), Parent Advisory Councils (PACs), Home and School Associations (HSAs), and School Committees (SCs) among others.

2. PROVISION OF INFORMATION

[Ref. PSA 41(1)(v)]

The Board will provide to a parent organization any information that is reasonably necessary for their operation.

3. TRUSTEE ATTENDANCE AT MEETINGS OF PARENT ORGANIZATIONS

- a. The Board views trustee attendance at meetings of parent organizations as opportunities to better know each school community, to engage with parent leaders and to share the governance/oversight work of the Board with members of our community.
- b. When planning to attend a meeting of a parent organization, Trustees will follow the process outlined below:
 - i. Ensure the school principal is copied on all e-mails sent to the Chair of the parent organization.
 - ii. Notify the superintendent, Board Chair and Vice-Chair of the meeting date, time, location, and the names of Trustees who will attend. Trustee calendars will be updated by the Executive Assistant, including GoogleMeet, MS Teams, or Zoom link if a virtual meeting is scheduled.
- c. During a meeting of a parent organization, Trustees in attendance will:
 - i. Refer any questions that do not directly relate to the Board's function to the school principal.
 - ii. Recognize that they attend meetings as guests of the parent organization.
- d. Following a meeting of a parent organization, Trustees who attended will:
 - i. Inform the Board Chair of any sensitive matters that may have emerged.
 - ii. Request time on the agenda of the next regular board meeting to share relevant updates.

APPENDIX A

Order of Precedence	Can Interrupt Speaker	Requires a Second	Debatable	Amendable	Vote Required	Reconsider	
PRIVILEGED MOTIONS							
Fix the time to which to adjourn	No	Yes	No	Yes	Maj.	Yes	
Adjourn	No	Yes	No	No	Maj.	No	
Take a Recess	No	Yes	No	Yes	Maj.	No	
Question of Privilege	Yes	No	No	No	*None	No	*Decided by Chair
Call for the Orders of the Day	Yes	No	No	No	*None	No	*Decided by Chair
SUBSIDIARY MOTIONS							
To Lay on the Table	No	Yes	No	No	Maj.	No	
Previous Question	No	Yes	No	No	Maj	Yes	
Limit or Extend Debate	No	Yes	No	Yes	Maj	Yes	
Postpone Definitely	No	Yes	Yes	Yes	Maj.	Yes	
Commit or Refer	No	Yes	Yes	Yes	Maj.	Yes	
Amend	No	Yes	Yes	Yes	Maj.	Yes	
Postpone Indefinitely	No	Yes	Yes	No	Maj.	*Yes	*Affirmative Vote
MAIN MOTION							
Original Main Motion	No	Yes	Yes	Yes	Maj.	Yes	
Incidental Main Motions							
Ratify	No	Yes	Yes	Yes	Maj.	Yes	
Rescind	No	Yes	Yes	Yes	Maj	*Yes	*Negative Vote Only
INCIDENTAL MOTIONS							
Point of Order	Yes	No	No	No	Chair	No	
Appeal	Yes	Yes		No	Maj./Tie	Yes	*In Some Cases
Objection to Consideration	Yes	No	No	No	Maj	*Yes	*Negative Vote
Suspend the Rules	No	Yes	No	No	Maj	No	
Division of a	No	Yes	No	Yes	Maj.	No	

Question							
Division of the Assembly	Yes	No	No	No	No Vote	No	

Method of Making Nominations	No	Yes	No	Yes	Maj.	No	
Close Nominations and Polls	No	Yes	No	Yes	Maj.	No	
Reopen Nominations and Polls	No	Yes	No	Yes	Maj.	*Yes	*Negative Vote
To Read a Paper	No	Yes	No	No	Maj.	Yes	
Leave to Withdraw a Motion	No	No	No	No	Maj.	*Yes	*Negative Vote
Request for Information	Yes	No	No	No	No Vote	No	
Parliamentary Inquiry	Yes	No	No	No	No Vote	No	
MOTIONS THAT BRING A QUESTION AGAIN BEFORE THE ASSEMBLY							
To Reconsider	Yes	Yes		No	Maj.	No	*In Some Cases
To Take from the Table	No	Yes	No	No	Maj.	No	