



## **DURHAM DISTRICT SCHOOL BOARD**

### **NOTICE OF MEETING**

#### **GOVERNANCE AND POLICY COMMITTEE PUBLIC SESSION**

Chair: Kelly Miller  
Vice Chair: Mark Jacula

<b>DATE:</b>	Wednesday, February 26, 2025
<b>TIME:</b>	6:00 p.m.
<b>LOCATION:</b>	Hybrid
<b>ATTACHMENTS:</b>	Agenda

**Copies to:**  
All Trustees and Student Trustees  
Director of Education  
All Superintendents

**AGENDA - GOVERNANCE AND POLICY COMMITTEE MEETING**  
**Wednesday, February 26, 2025**  
**6:00 p.m.**

	PAGE
1. <u>Call to Order</u>	Verbal
2. <u>Land Acknowledgement</u>	Verbal
<p>The Durham District School Board acknowledges that many Indigenous Nations have longstanding relationships, both historic and modern, with the territories upon which our school board and schools are located. Today, this area is home to many Indigenous peoples from across Turtle Island. We acknowledge that the Durham Region forms a part of the traditional and treaty territory of the Mississaugas of Scugog Island First Nation, the Mississauga Peoples and the treaty territory of the Chippewas of Georgina Island First Nation. It is on these ancestral and treaty lands that we teach, learn and live.</p>	
3. <u>Declarations of Interest</u>	Verbal
4. <u>Motion to Approve Agenda</u>	Verbal
5. <u>Minutes</u>	
(a) DRAFT Minutes of the Governance and Policy Committee Meeting of January 29, 2025	1 – 3
6. <u>Recommended Actions</u>	
(a) Revised Board Member Code of Conduct (General Counsel Patrick Cotter)	4 – 6
(b) Revised Bylaws - Trustee Attendance Requirements (General Counsel Patrick Cotter)	7 – 17
(c) Motion: Request for Report on Bullying (Trustee Kelly Miller)	18
7. <u>Information/Discussion Items</u>	
(a) Trustee Expense Policy (General Counsel Patrick Cotter)	19 – 23

(b) Committees Rising and Reporting (General Counsel Patrick Cotter)	24 – 25
(c) Bylaws – Cycle and Scheduling of Board and Standing Committee Meetings (General Counsel Patrick Cotter)	26 – 27
(d) Bylaws – Report on Abstention (General Counsel Patrick Cotter)	28 – 29

8. <u>Adjournment</u>	Verbal
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**DRAFT Minutes – Governance and Policy Committee Meeting**  
**Wednesday, January 29, 2025 7:00 p.m., Hybrid**

**1. Call to Order**

Trustee Kelly Miller, Committee Chair, called the meeting to order at 7:30 p.m.

Members Present: Tracy Brown, Emma Cunningham, Donna Edwards, Mark Jacula, Stephen Linton (virtual), Carolyn Morton, Deb Oldfield, Shailene Panylo, Christine Thatcher (virtual)

Regrets: Trustee Michelle Arseneault, Student Trustees Kayla Hoare, Nitishan Poopalasundaram, Shampavi Vijayakumar

Staff Present: Director of Education Camille Williams-Taylor, Associate Director Jim Markovski, General Counsel Patrick Cotter, Superintendent Heather Mundy, Senior Manager Dervla Kelly

Recording Secretary: Gillian Venning

**2. Land Acknowledgment**

Trustee Kelly Miller gave the Land Acknowledgement: the Durham District School Board acknowledges that many Indigenous Nations have longstanding relationships, both historic and modern, with home to many Indigenous peoples from across Turtle Island (North America). We acknowledge that the Durham Region forms a part of the traditional and treaty territory of the Mississaugas of Scugog Island First Nation, the Mississauga Peoples and the treaty territory of the Chippewas of Georgina Island First Nation. It is on these ancestral and treaty lands that we teach, learn and live.

**3. Declarations of Interest**

There were no declarations of interest.

**4. Approval of Agenda**

MOVED by Trustee Donna Edwards

THAT THE AGENDA BE APPROVED.

CARRIED

**5. Minutes**

**(a) Draft minutes of the Governance and Policy Committee meeting of December 11, 2024**

MOVED by Trustee Tracy Brown

THAT THE DRAFT MINUTES OF THE DECEMBER 11, 2024  
GOVERNANCE AND POLICY COMMITTEE MEETING BE APPROVED.

CARRIED

**6. Recommended Actions**

**(a) Draft Accessibility Policy**

Superintendent Heather Mundy provided an overview of the report and proposed new policy, which has been drafted in response to a March 2024 resolution of the Governance and Policy Committee that directed staff to create a new policy in consultation with accessibility partners. The policy is intended to work alongside DDSB's Accessibility Procedure and the Human Rights Policy and procedures in supporting the DDSB in upholding its legislated responsibilities and commitments.

Discussion took place and Trustee questions were answered.

MOVED by Trustee Donna Edwards

THAT THE GOVERNANCE AND POLICY COMMITTEE APPROVE THE  
DRAFT ACCESSIBILITY POLICY ATTACHED AS APPENDIX A, AND THAT  
THE MATTER PROCEED TO THE BOARD OF TRUSTEES FOR  
CONSIDERATION AT ITS NEXT MEETING.

CARRIED

**(b) Clarification and Implementation of Trustee Attendance Requirements**

General Counsel Patrick Cotter provided an overview of the report, which outlines recent amendments to the Education Act and its Regulations related to requirements for in person and electronic trustee attendance at regular Board and regular Committee of the Whole meetings. It was noted that the requirements are not applicable to special meetings and other meetings as identified in Appendix E of the report. Appendices included in the report are intended to support a common understanding of the attendance requirements and to provide guidance around implementation and individual trustee responsibilities. DDSB's Bylaws have been amended to account for the new requirements, however it is proposed that a policy also be drafted to support implementation and so that questions of interpretation and process are formalized through policy.

Discussion took place and Trustee questions were answered.

MOVED by Trustee Tracy Brown

THAT STAFF DRAFT A TRUSTEE ATTENDANCE POLICY CONSISTENT WITH THE TERMS INCLUDED IN APPENDIX D AND E.

CARRIED

## **7. Information Items**

### **(a) Board Member Code of Conduct – Complaints Protocol Flowchart**

General Counsel Patrick Cotter provided an overview of the report, noting that the flowchart is being presented to the Committee for discussion and feedback in response to a previous motion that the flowchart be revised to improve clarity around the process for having a complaint addressed through the Integrity Commissioner. It was noted that all costs associated with the Complaints Protocol are the responsibility of the DDSB.

Discussion took place and trustee questions were answered. A few minor amendments were suggested and General Counsel Cotter confirmed that the suggested changes would be adopted into the flowchart before posting.

### **(b) Bylaws – Filling Trustee Vacancies**

General Counsel Patrick Cotter provided an overview of the report, which includes draft policy around filling of trustee vacancies as well as proposed amendments to Section 6 of the Bylaws to support discussion and feedback. The policy has been drafted in response to feedback gathered from trustees following the most recent vacancy process which took place in the spring of 2024. The General Counsel reviewed each section of the draft policy.

Discussion took place and trustee questions were answered.

MOVED by Trustee Shailene Panylo

THAT THE GOVERNANCE AND POLICY COMMITTEE ADOPT THE DRAFT REVISIONS TO SECTION 6 OF THE BYLAWS AND THE DRAFT POLICY INCLUDED AT APPENDICES A AND B AND THAT THE MATTER PROCEED TO THE BOARD OF TRUSTEES FOR CONSIDERATION AT ITS NEXT MEETING.

## **8. Adjournment**

MOVED by Trustee Tracy Brown  
THAT THE MEETING ADJOURN.

CARRIED

The meeting adjourned at approximately 8:09 p.m.

## **DURHAM DISTRICT SCHOOL BOARD ADMINISTRATIVE REPORT**

**REPORT TO:** Governance and Policy Committee

**DATE:** February 26, 2025

**SUBJECT:** Revised Board Member Code of Conduct

**PAGE:** 1 of 2

**ORIGIN:** Patrick Cotter, General Counsel

The Durham District School Board recognizes Indigenous rights are distinct. In the exercise of those rights, Indigenous staff and students shall not be subjected to actions with the aim or effect of depriving these distinct rights.

The Durham District School Board is committed to providing learning and working environments that centre human rights and equity and are safe, welcoming, respectful, equitable, accessible, inclusive, and free from all forms of discrimination, oppression, harassment, and harm.

### **1.0 Purpose**

At the December 11, 2024 meeting of the Governance and Policy Committee, amendments to the Complaints Protocol (Appendix 2) of the Board Member Code of Conduct were approved and subsequently adopted by the Board of Trustees in response to legislative changes which came into force on January 1, 2025. While the relevant Appendix 2 was amended, there is a minor amendment required to Section 7 of the Code of Conduct to ensure it aligns with the terms of Appendix 2. The proposed revised Code of Conduct is included as Appendix A for approval by the Governance and Policy Committee.

### **2.0 Communication/Implementation Plan**

Once approved, the revised Code of Conduct will be posted on the website.

### **3.0 Conclusion/Recommendation**

It is recommended that the Governance and Policy Committee approve the revised Board Member Code of Conduct included as Appendix A, and that the matter proceed to the Board of Trustees at its next meeting for consideration.

### **4.0 Appendices**

Appendix A – Revised Board Member Code of Conduct

Report reviewed and submitted by:



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Patrick Cotter, General Counsel



## Board Member (Trustee) Code of Conduct

### 7.0 Alleged Breach~~Sanctions~~

- 7.1 ~~If the Integrity Commissioner determines that the Trustee has breached this Code of Conduct, the Integrity Commissioner shall report to the Board of Trustees reciting the findings of the Integrity Commissioner. The Board of Trustees shall consider the report of the Integrity Commissioner and the Board of Trustees shall make its own assessment and determination of whether there has been a breach of the Code of Conduct and, if so, may impose one or more sanctions as provided for in section 218.3 of the *Education Act*, as may be amended from time to time. The Board has no power to declare the Trustee's seat vacant. Any alleged breach of this trustee Code of Conduct is subject to the terms of Appendix 2.~~

## **DURHAM DISTRICT SCHOOL BOARD ADMINISTRATIVE REPORT**

**REPORT TO:** Governance and Policy Committee

**DATE:** February 26, 2025

**SUBJECT:** Revised Bylaws - Trustee Attendance Requirements

**PAGE:** 1 of 2

**ORIGIN:** Patrick Cotter, General Counsel

The Durham District School Board recognizes Indigenous rights are distinct. In the exercise of those rights, Indigenous staff and students shall not be subjected to actions with the aim or effect of depriving these distinct rights.

The Durham District School Board is committed to providing learning and working environments that centre human rights and equity and are safe, welcoming, respectful, equitable, accessible, inclusive, and free from all forms of discrimination, oppression, harassment, and harm.

### **1.0 Purpose**

Recent amendments to the Education Act and the Regulations thereunder set out requirements for trustee attendance at Regular Board meetings and Regular Committee of the Whole meetings. To support implementation and a common understanding of individual trustee responsibilities, further amendments are recommended to the Board's Consolidated Bylaws.

### **2.0 Background and Analysis**

On July 29, 2024, the Ministry of Education filed [O. Reg. 313/24](#) under the Education Act which amended [O. Reg 463/97: Electronic Meetings and Meeting Attendance](#). A detailed implementation plan of the amended attendance requirements was presented to the Governance and Policy Committee at its January 29, 2025 meeting and it was directed that staff prepare a draft policy to present to the Committee. Upon review, it became apparent that the proposed policy could be easily incorporated into the existing language in the Board's Consolidated Bylaws. Accordingly, proposed revised language in the relevant section of the Board's Consolidated Bylaws is provided to the Committee at Appendix A. The current relevant section of the Bylaws is included as Appendix B. A flowchart that can be referenced by trustees as to compliance has already been provided and is attached as Appendix C.

### **3.0 Communication/Implementation Plan**

Once adopted, the revised Bylaws will be posted to the website.

### **4.0 Conclusion/Recommendation**

It is recommended that the Governance and Policy Committee approve the revised language for section 5.7 of the Consolidated Bylaws included as Appendix A and that the

matter proceed to the Board of Trustees at its next meeting for consideration.

## 5.0 **Appendices**

Appendix A: Proposed Revised Consolidated Bylaws (Section 5.7)

Appendix B: Current Consolidated Bylaws (Section 5.7)

Appendix C: Supporting Flowchart

Report reviewed and submitted by:



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Patrick Cotter, General Counsel

**5.7 Attendance at Meetings**

- 5.7.1 The Education Act and the Regulations thereunder governing electronic meetings, include requirements as to physical attendance at certain meetings and available exemptions to the physical attendance requirements (the “Attendance Requirements”).
- 5.7.2 The Attendance Requirements speak to mandatory attendance at regular Board meetings and regular Committee of the Whole meetings. The Board adopts the following definitions in relation to the Attendance Requirements:
- (i) A “Regular Board Meeting” is a meeting of the Board of Trustees that occurs pursuant to a set schedule of board meetings established in the Board’s Consolidated Bylaws and included as such in the annual calendar of regular board meetings approved each year at the Organizational Meeting. In the event that the Board of Trustees varies the meeting schedule during the year, in accordance with the terms of the Board’s Consolidated Bylaws, to remove a Regular Board Meeting from the approved calendar, that meeting will no longer be considered a Regular Board Meeting.
  - (ii) A “Regular Committee of the Whole Meeting” is a meeting of the Committee of the Whole -Standing that occurs pursuant to a set schedule of Committee of the Whole - Standing meetings established in the Board’s Consolidated Bylaws and included as such in the annual calendar of regular Committee of the Whole – Standing meetings approved each year at the Organizational Meeting. In the event that the Board of Trustees varies the meeting schedule during the year, in accordance with the terms of the Board’s Consolidated Bylaws, to remove a Regular Committee of the Whole Meeting from the approved calendar, that meeting will no longer be considered a Regular Committee of the Whole Meeting.
- 5.7.3 In accordance with the Attendance Requirements, Trustees are required to be physically present at every Regular Board Meeting and Regular Committee Meeting (the “Mandatory Meetings”), subject to the terms set out below.
- 5.7.4 Trustees may attend a Mandatory Meeting electronically provided they submit a written request to do so, prior to start of the meeting, and provided that request is approved by the Chair of the Board (or the Vice-Chair of the Board where the request is from the Chair of the Board).
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- 5.7.5 The request is to be sent electronically to the Chair, or Vice-Chair as the case may be, as well as to the Trustee Services Coordinator and Director of Education. The request must include the reason for the request so that the Chair, or the Vice-Chair as the case may be, may determine whether one of the circumstances permitting electronic participation, is engaged. The circumstances permitting electronic participation in a Mandatory Meeting are as follows:
1. *The member's primary place of residence within the area of jurisdiction of the board is located 125 kilometres or more from the meeting location.*
  2. *Weather conditions do not allow the member to travel to the meeting location safely.*
  3. *The member cannot be physically present at a meeting due to health-related issues.*
  4. *The member has a disability that makes it challenging to be physically present at a meeting.*
  5. *The member cannot be physically present due to family responsibilities in respect of*
    - i. the member's spouse,*
    - ii. a parent, step-parent or foster parent of the member or the member's spouse,*
    - iii. a child, step-child, foster child, or child who is under legal guardianship of the member or the member's spouse,*
    - iv. a relative of the member who is dependent on the member for care or assistance, or*
    - v. a person who is dependent on the member for care or assistance and who considers the member to be like a family member.*
- 5.7.6 Unless there is verifiable information to the contrary, the request shall be treated as having been made by the trustee in good-faith and shall be approved if it is based upon one of the circumstances permitting electronic participation as stipulated above.
- 5.7.7 The request shall not be approved if it would result in fewer than one member of the board, in addition to the Chair or their designate, being physically present in the meeting room. The Vice-Chair shall not approve a request from the Chair unless the Chair's designate will be physically present in the meeting room.
- 5.7.8 The Chair of the Board, or Vice-Chair as the case may be, has no authority to approve a trustee's total absence from a Mandatory Meeting (only whether participation in a Mandatory Meeting may be electronic).
- 5.7.9 If a Trustee is unable to attend a Mandatory Meeting physically or electronically (or if electronic participation is not approved), the Trustee may seek a Board resolution authorizing the absence and should do so at the first opportunity.
- 5.7.10 To the extent the request may engage consideration of private and confidential medical information, a Trustee may engage the Trustee Accommodation Policy in submitting a request.
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- 5.7.11 The Chair or designate must be physically present in the boardroom for at least half of the meetings of the Board of Trustees for each 12-month period of a term (November - November).
- 5.7.12 Trustees must be physically present in the meeting room of the Board for at least three Regular Board Meetings for each 12-month period of a term and at least one Regular Board Meeting in each four-month period of each year in a term. This provision shall be deemed revoked effective September 1, 2025.
- 5.7.13 Failure to be physically present at a Mandatory Meeting without obtaining prior approval to participate electronically, constitutes an absence for purposes of s.228 of the Education Act. A trustee that is absent from three consecutive Mandatory Meetings, of the same type, without authorization from the Board of Trustee, shall be deemed to have vacated their seat.
- 5.7.14 When a seat is vacated, the provisions of the *Education Act*, and any relevant provision(s) of these Bylaws, shall govern the filling of the vacancy.

#### ***Conduct of Electronic Meetings***

- 5.7.15 The chair of a committee of the board or their designate shall be physically present in the meeting room at every regular meeting of the committee of the board, except a committee of the whole board. The Director or designate shall be physically present in the meeting room for each meeting of the board and each meeting of a committee of the board, including a committee of the whole board.
  - 5.7.16 The chair of a committee of the Board or their designate shall be physically present in the meeting room at every regular meeting of the committee. The chair of a committee or their designate may participate in a meeting of the committee by electronic means if another member of the committee, is physically present in the meeting room, subject to the rules governing attendance at Mandatory Meetings.
  - 5.7.17 The Director of Education or their designate shall be physically present in the meeting room for each meeting of the Board of Trustees and each meeting of a committee of a board, including a committee of the whole board.
  - 5.7.18 The electronic means shall permit all persons participating in the meeting to communicate with each other simultaneously and instantaneously.
  - 5.7.19 Members attending a meeting electronically must advise the Chair when they join the meeting. Members who leave the meeting before adjournment, whether temporarily or permanently, shall advise the Chair prior leaving the meeting.
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- 5.7.20 Anyone participating electronically must use the mute function on their device when not speaking. Members attending electronically shall keep their camera on during the meeting.
  - 5.7.21 The electronic means shall be provided in such a way that complies with the rules governing conflict of interest of members.
  - 5.7.22 The Board shall provide members of the public with electronic means for participating in meetings, provided that such participation has been approved by the board. Even if there is no public participation, electronic meetings shall be made available for public viewing.
  - 5.7.23 The Board may provide, at one or more locations within its jurisdiction, electronic means to permit any approved participation in meetings by members of the public.
  - 5.7.24 Members of the public participating through electronic means shall not participate in any proceedings that are closed to the public. The electronic means being used shall ensure the security and confidentiality of any closed sessions.
  - 5.7.25 Student Trustees who are participating electronically are not to participate in any closed session that concerns matters set out in sections 207(2)(b) of the Education Act.
  - 5.7.26 Student Trustees are permitted to participate in any meeting electronically and do not need to have their electronic attendance approved in advance of a meeting.
  - 5.7.27 At the Organizational Meeting each year, the Chair will deliver to the Board an annual report of Trustee attendance at Mandatory Meetings since the last Organizational Meeting.
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## Current Consolidated Bylaws

### 5.1 Attendance at Meetings

- 5.1.1 Trustees who cannot attend a board meeting or a meeting of a committee of the board should notify the secretary of the board or designate as early as possible. If it appears that there will be no quorum for a meeting, the secretary shall notify the Chair of the board or the committee, as the case may be, and, at the Chair's discretion, the meeting may be postponed or cancelled and notice thereof shall be delivered to the Trustees as soon as possible.
- 5.1.2 In accordance with section 228(1)(b) of the *Education Act*, a Trustee vacates their seat if they are absent from three (3) consecutive regular board meetings, unless the absence is authorized by resolution of the Board.
- 5.1.3 Trustees shall be physically present for each regular board meeting and regular committee of the whole meeting, unless prior written approval is received from the Chair of the board, to participate electronically in the meeting as a result of one of the circumstances identified in the Provincial regulation for granting such approval, which are set out below. Failure to be physically present at a regular board meeting without obtaining prior approval to participate electronically, constitutes an absence for purposes of s.228(1)(b) of the *Education Act* (which is the requirement that a Trustee vacates their seat if they miss three regular board meetings in a row unless approved by the board).
- 5.1.4 The circumstances for electronic attendance that may be approved by the Chair are as follows:
1. *The member's primary place of residence within the area of jurisdiction of the board is located 125 kilometres or more from the meeting location.*
  2. *Weather conditions do not allow the member to travel to the meeting location safely.*
  3. *The member cannot be physically present at a meeting due to health-related issues.*
  4. *The member has a disability that makes it challenging to be physically present at a meeting.*
  5. *The member cannot be physically present due to family responsibilities in respect of*
    - ,i. the member's spouse,*
    - ii. a parent, step-parent or foster parent of the member or the member's spouse,*
    - iii. a child, step-child, foster child, or child who is under legal guardianship of the member or the member's spouse,*
    - iv. a relative of the member who is dependent on the member for care or assistance, or*
    - v. a person who is dependent on the member for care or assistance and who considers the member to be like a family member.*
- 5.1.5 The Chair shall not approve the request if it would result in fewer than one member of the board, in addition to the Chair or their designate, being physically present in the meeting room.



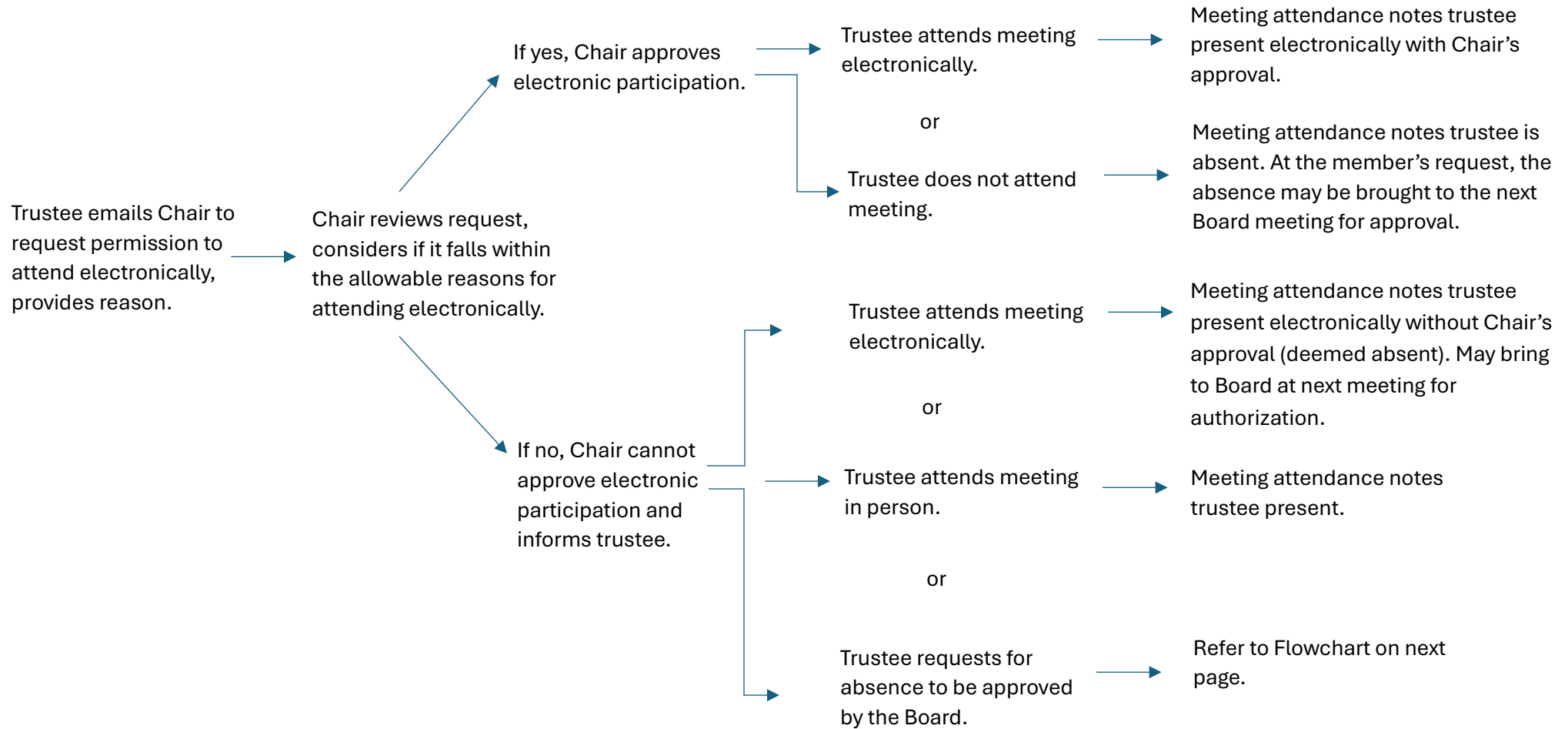
- 5.1.6 Any Trustee seeking approval to participate electronically in a regular board meeting or regular committee of the whole meeting shall submit the request in writing to the Chair of the board before the meeting begins. The request shall include the reasons for the request. To the extent the request may engage consideration of private and confidential medical information, the Trustee may engage the Trustee Accommodation Policy in submitting the request.
- 5.1.7 If the request is being made by the Chair of the board, the request shall be submitted to the Vice-Chair of the board. The Vice-Chair shall not approve a request unless the Chair's designate will be physically present in the meeting room.
- 5.1.8 If the request to participate electronically is denied, the Trustee will be deemed absent but may still participate electronically unless there is a valid cyber security reason for not allowing such participation.
- 5.1.9 Any Trustee request to participate electronically in a regular meeting of the board that is denied by the Chair or the Vice Chair, as the case may be, may be brought to the board of Trustees for consideration and the board may authorize the absence for the under section 228(1)(b) of the Education Act.
- 5.1.10 The Chair or designate must be physically present in the board room for at least half of the meetings of the board for each 12-month period of a term, beginning November 15, 2022. Trustees must be physically present in the meeting room of the board for at least three regular meetings of the board for each 12-month period (year) of a term from November 15, 2023 - November 14, 2024. Commencing November 15, 2022, trustees must physically attend at least one regular board meeting in each four-month period of each year in a term. It is noted that failure to comply with the requirements in this paragraph does not engage the deemed vacancy provisions in the Education Act.
- 5.1.11 The chair of a committee of the board or their designate shall be physically present in the meeting room at every regular meeting of the committee of the board, except a committee of the whole board. The Director or designate shall be physically present in the meeting room for each meeting of the board and each meeting of a committee of the board, including a committee of the whole board.
- 5.1.12 The electronic means shall permit all persons participating in the meeting to communicate with each other simultaneously and instantaneously.
- 5.1.13 The electronic means shall be provided in such a way that complies with the rules governing conflict of interest of members.
- 5.1.14 The Board shall provide members of the public with electronic means for participating in meetings, provided that such participation has been approved by the board. Even if there is no public participation, electronic meetings shall be made available for public viewing.
- 5.1.15 The Board may provide, at one or more locations within its jurisdiction, electronic means to permit any approved participation in meetings by members of the public.
- 5.1.16 Members of the public participating through electronic means shall not participate in any proceedings that are closed to the public. The electronic means being used shall ensure the security and confidentiality of any closed sessions.
- 5.1.17 Student Trustees who are participating electronically are not to participate in any closed session that concerns matters set out in sections 207(2)(b) of the Education

Act.

- 5.1.18 Members attending a meeting electronically must advise the Chair when they join the meeting. Members who leave the meeting before adjournment, whether temporarily or permanently, shall advise the Chair.
- 5.1.19 Anyone participating electronically must use the mute function on their device when not speaking. Members attending electronically are expected to keep their camera on during the meeting.
- 5.1.20 When a seat becomes vacant, the provisions of the *Education Act*, and any relevant provision(s) of these Bylaws, shall govern the filling of the vacancy.
- 5.1.21 At the Organization Meeting each year, the Chair will deliver to the Board an annual report of Trustee attendance at meetings of the Board and Committee of the Whole - Standing since the last Organizational Meeting.

### Trustee Attendance Requirements Flowchart – Request to Participate Electronically (Under Purview of Board Chair)

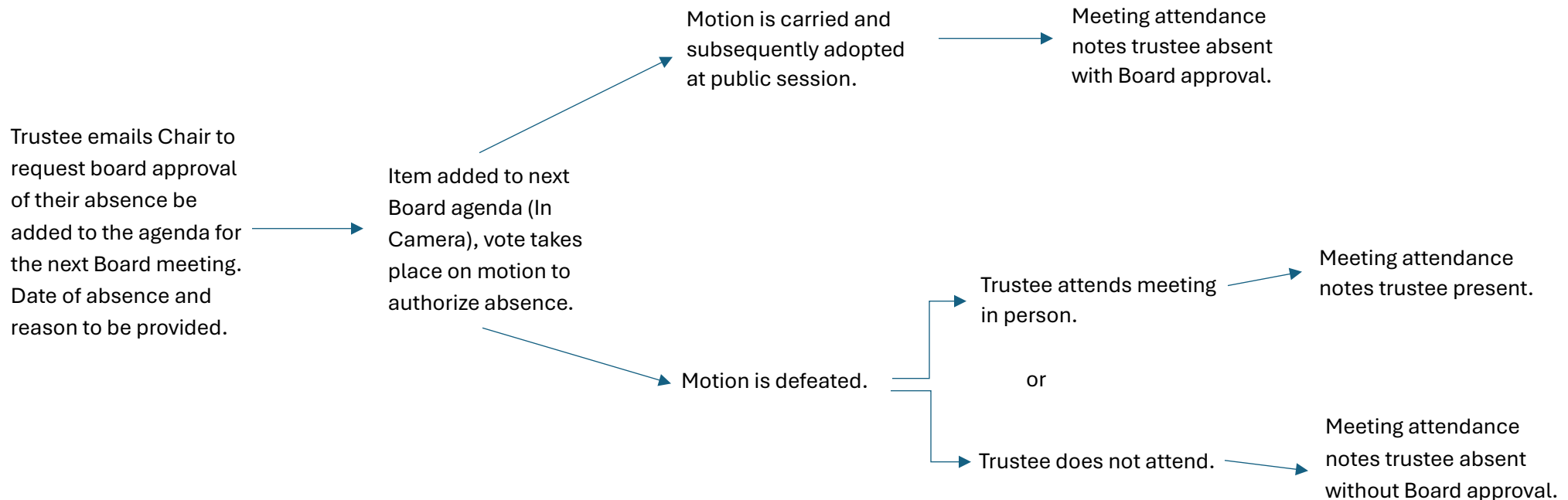
Process if a trustee cannot physically attend a Regular Board, Regular Committee of the Whole-Standing, or Regular Committee of the Whole in Camera\* meeting in person, but is available to attend electronically.



\*Committee of the Whole in Camera meetings are not regularly scheduled under the Board's Consolidated Bylaws, so whether these meetings are regular likely depends on an approved meeting schedule at the annual Organization Meeting.

**Trustee Attendance Requirements Flowchart – Request for Absence (Under Purview of Board of Trustees)**

Steps to be followed if a trustee cannot attend a Regular Board, Regular Committee of the Whole-Standing, or Regular Committee of the Whole In Camera\* meeting in person due to a personal circumstance and either is not eligible or not available to participate electronically. Requests for the Board to consider approving an individual trustee absence should be submitted in advance whenever reasonably possible. In the event of a personal emergency, there may be circumstances where it is not possible to submit an absence request in advance. In the event that a trustee is absent from a meeting and has not communicated in advance with the Chair to request either approval to participate electronically or that the Board consider a motion to approve the absence, the motion to approve the absence will be added to the agenda of the next Regular Board meeting at the request of a member. In undertaking decisions around submission and approval of requests for absence, the Board is expected to act in good faith.





**Durham District School Board**

**February 26, 2025 Governance and Policy Committee Meeting**

**Motion:**

**THAT STAFF PREPARE AN INFORMATION REPORT TO THE COMMITTEE ON ANY AND ALL DDSB POLICIES, PROCEDURES, DIRECTIVES, GUIDELINES AND PRACTICES RELATED TO BULLYING AS WELL AS THE DDSB'S COMPLIANCE WITH LEGISLATED REQUIREMENTS REGARDING BULLYING IN SCHOOLS SO THAT THE COMMITTEE MAY ASSESS AND DETERMINE:**

- 1. IF THERE ARE ANY POLICY GAPS; AND/OR**
- 2. IF THERE MAY BE ANY POLICY IMPROVEMENTS THAT COULD BE MADE AS TO TRANSPARANCY, REPORTING AND RESPONSIVENESS TO IMPACTED STUDENTS AND FAMILIES.**

**DURHAM DISTRICT SCHOOL BOARD  
ADMINISTRATIVE REPORT**

**REPORT TO:** Governance and Policy Committee

**DATE:** February 26, 2025

**SUBJECT:** Trustee Expenses Policy

**PAGE:** 1 of 1

**ORIGIN:** Patrick Cotter, General Counsel

The Durham District School Board recognizes Indigenous rights are distinct. In the exercise of those rights, Indigenous staff and students shall not be subjected to actions with the aim or effect of depriving these distinct rights.

The Durham District School Board is committed to providing learning and working environments that centre human rights and equity and are safe, welcoming, respectful, equitable, accessible, inclusive, and free from all forms of discrimination, oppression, harassment, and harm.

**1.0 Purpose**

The purpose of this report is to provide the Governance and Policy Committee with the current Trustee Expense Policy for information and to support discussion around annual trustee discretionary funding allocation.

**2.0 Conclusion**

This report is provided to the Governance and Policy for information and to support discussion.

**3.0 Appendices**

Appendix A: Trustee Expense Policy

Report reviewed and submitted by:



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Patrick Cotter, General Counsel

# POLICY

## BUSINESS

### **Trustee Expense Policy**

#### **1.0 Rationale**

As elected officials, school board Trustees are guardians of the public trust. The establishment of a Trustee expense policy promotes financial integrity, accountability and transparency all of which improves public confidence in Ontario's public education system.

#### **2.0 Objective**

The objective of this policy is to establish the parameters for reimbursement of eligible expenses incurred by Trustees in the course of their duties.

#### **3.0 Definitions**

In this Policy,

- 3.1 Board refers to the Board of Trustees for Durham District School Board.
- 3.2 District refers to the corporate entity of Durham District School Board.
- 3.3 Staff refers to any individual who is employed by Durham District School Board.

#### **4.0 Responsibilities**

- 4.1 Trustees: Trustees are responsible for setting the strategic direction of the Board and developing and maintaining policies. They are also responsible for monitoring and evaluating the effectiveness of policies developed by the Board in supporting the Multi-Year Strategic Plan.
- 4.2 Director of Education: The operations of the District are the responsibility of the Director of Education (and designates) and include measures to operationalize and ensure compliance with Board policies by adopting and implementing appropriate procedures and by providing professional learning and training to staff to support implementation. A focus on enhancing understanding of Indigenous rights, human rights, anti-oppression, anti-racism and anti-discrimination, and addressing discriminatory assumptions, stereotypes, biases, barriers, experiences and outcomes is required.

#### **5.0 Policy**

- 5.1 On an annual basis, Trustees shall establish and approve an appropriate budget for Trustee expenses as part of the established budget process for the District.
- 5.2 For the duration of a Trustee's term in office, their expenses shall be posted publicly on

the Durham District School Board website on a quarterly basis, based on approved expense claims.

5.3 Reimbursable expenses are those that are directly related to Board business and may be claimed for reimbursement in accordance with the Procedure adopted under this Policy, as may be amended from time to time. The Procedure shall align with procedures for District staff, with appropriate modification to apply to Trustees. All claims for reimbursement of expenses must be submitted within three weeks of the fiscal year end to be eligible for reimbursement.

5.4 The following rules apply to define expenses related to Board business:

5.4.1 Community Expenses

- i. Donations to political or community activities or charitable/fundraising events are not eligible for reimbursement;
- ii. Attendance at community activities or other similar events as a representative of the Board are eligible for reimbursement when approved in advance by the Board;

5.4.2 Gifts

- i. Gifts are generally not provided by individual Trustees. With prior approval by resolution of the Board, Trustees may be reimbursed for gifts of appreciation that are of nominal value;

5.4.3 Communications, Technology, Office

- i. A cell phone shall be provided to any Trustee that requests it. Costs associated with the provided cell phone, replacement, and refresh cycle will be subject to the same terms as for District staff;
- ii. For those Trustees that do not request that a cell phone be provided by the District, the monthly cost of a cell phone shall be eligible for reimbursement, up to \$100 per month, excluding taxes. Cell phone costs incurred for Board business above \$100 per month are eligible for reimbursement as a discretionary expense (under clause 5.4.5 below);
- iii. If appropriate cellular coverage is not available at the Trustee's primary residence, the cost of one dedicated telephone line to the primary residence (including call answering and call display services) for the purpose of Board business is eligible for reimbursement;
- iv. Long distance calls related to Board business are eligible for reimbursement. The cost of personal long distance and fax calls are not eligible;
- v. The cost of a high-speed internet connection to the Trustee's primary residence is eligible for reimbursement;
- vi. To facilitate communication with the Board, its schools and the community through access to the Board's network and e-mail system and the Internet, a board-standard laptop computer and related computer equipment/supplies (printer, paper, replacement printer cartridges, and



Office suite of software) shall be provided by the District to each Trustee for use during their term. Personal purchases of such items are not eligible for reimbursement;

- vii. At the end of the Trustees' term, all District issued equipment shall be returned, or may be purchased by the Trustee for fair value;
- viii. Other supplies related to the role of Trustee (i.e. business cards, office supplies) shall be provided by the District on the same terms as for District staff. Personal purchases of such items are not eligible for reimbursement;

#### 5.4.4 Conferences and Workshops

- i. Trustees are entitled to claim reimbursement for reasonable expenses incurred in attending Ontario Public School Boards' Association (OPSBA) events, including the Annual General meeting, the Provincial Education Symposium, the Labour Relations Symposium, the Mental Health Symposium, and Regional Meetings;
- ii. Student Trustees are entitled to claim reimbursement for reasonable expenses incurred in attending four annual Ontario Student Trustees' Association – l'Association des Eleves conseillers et conseillieres de l'Ontario (OSTA-AECO) conferences;

#### 5.4.5 Discretionary

A Trustee is entitled to reimbursement of up to a total of \$1,000 per year for:

- i. Expenses incurred for attendance at Professional Development sessions or Conferences, provided the attendance has been pre-approved by resolution of the Board in public session; and;
- ii. Childcare expenses incurred in order to attend Board or committee meetings; and
- iii. Cellphone expenses as stipulated in clause 5.4.3 ii. above.

- 5.5 Approved Trustee expenses shall be paid in accordance with regular practices for District staff and the Procedure adopted under this Policy. A Trustee has the right to submit a request for reimbursement of any disallowed expense directly to the Board for re-consideration and potential approval under this Policy at any public meeting of the Board.

## 6.0 Evaluation

- 6.1 This Policy is subject to review and revision as may be deemed appropriate by the Board, but it shall be brought to the Board for review at least every four years.

## 7.0 Reference Documents

- 7.1 Trustee Procedure
- 7.2 Education Act 191.2

**8.0 Appendices:**

None

**Effective Date**

2005-04-19

**Amended/Reviewed**

2006-08-08

2009-11-16

2013-01-25

2017-11-29

2021-05-17

## DURHAM DISTRICT SCHOOL BOARD ADMINISTRATIVE REPORT

**REPORT TO:** Governance and Policy Committee

**DATE:** February 26, 2025

**SUBJECT:** Committees Rising and Reporting

**PAGE:** 1 of 2

**ORIGIN:** Patrick Cotter, General Counsel

The Durham District School Board recognizes Indigenous rights are distinct. In the exercise of those rights, Indigenous staff and students shall not be subjected to actions with the aim or effect of depriving these distinct rights.

The Durham District School Board is committed to providing learning and working environments that centre human rights and equity and are safe, welcoming, respectful, equitable, accessible, inclusive, and free from all forms of discrimination, oppression, harassment, and harm.

### 1.0 Purpose

The purpose of this report is to provide the Governance and Policy Committee with information applicable to whether it is necessary for meetings of the Committee of the Whole, closed session, to conclude with the adoption of a motion to “rise and report.”

### 2.0 Background and Analysis

#### **Robert’s Rules**

Typically, a meeting is closed by adopting a motion “to adjourn” (RONR 12<sup>th</sup> 8:9). However, there are times when certain committees will conclude a meeting by adopting a motion to “rise and report”.

Robert’s Rules (RONR 12<sup>th</sup>) outlines scenarios where the adoption of a motion to “rise and report” may be appropriate:

50:23, When a special committee has finished the business assigned to it, a motion is made for the committee to “rise” which is equivalent to the motion to adjourn, and for the Chair or other member of the committee to make its report to the assembly (Board).

However, section 50:23 concludes by stating:

The motion to rise is never used in standing committees until they are ready to go out of existence.

So, while a motion to “rise” is in effect the same as a motion to adjourn, a motion to “rise and report” signifies that the committee is ready to go out of existence. As footnote 12 in section 52:9 of RONR 12<sup>th</sup> explains:

As applied to committees in general, the word *rise* simply describes the parliamentary step of ceasing to function as a committee, preparatory to making a report. As stated in 50:23, the motion to rise is not used in ordinary standing committees, and in ordinary special committees it is used only when the committee is ready to make its final report and go out of existence. In a committee of the whole, on the other hand, the word *rise* applies to any case of the committee’s returning to the status of the assembly, whether temporary or permanent.

### **DDSB Application**

The Board’s Consolidated Bylaws provide a detailed and standard process through which Committees of the Board report their actions and recommendations. Section 5.4 of the Consolidated Bylaws deal expressly with reporting to the Board from closed session meetings of the Committee of the Whole.

In the result, as the Board’s Consolidated Bylaws already provide for mandatory reporting to the board out of Committee of the Whole, a motion to “report” is not necessary. The Bylaws also stipulate when and how ad hoc committees are dissolved (without reference to the adoption of a motion to “rise and report”).

Given that mandatory reporting structures for committees are laid out in the Board’s Consolidated Bylaws it may be appropriate to adopt a more consistent practice of adopting a motion to “adjourn” committee meetings, rather than a motion “to rise and report”.

It would appear that no amendments are needed to the Bylaws, but that trustees may wish to adopt a common practice when they act as the Presiding Officer during committee meetings.

### **3.0 Conclusion**

This report is provided to the Governance and Policy for information and to support discussion.

Report reviewed and submitted by:



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Patrick Cotter, General Counsel

## **DURHAM DISTRICT SCHOOL BOARD ADMINISTRATIVE REPORT**

**REPORT TO:** Governance and Policy Committee

**DATE:** February 26, 2025

**SUBJECT:** Bylaws – Cycle and Scheduling of Board  
and Standing Committee Meetings

**PAGE:** 1 of 2

**ORIGIN:** Patrick Cotter, General Counsel

The Durham District School Board recognizes Indigenous rights are distinct. In the exercise of those rights, Indigenous staff and students shall not be subjected to actions with the aim or effect of depriving these distinct rights.

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### **1.0 Purpose**

The Durham District School Board (DDSB) Bylaws set out the annual cycle and schedule of Board and Standing Committee meetings. This report outlines the current terms of the bylaws to support discussion around the possibility of moving the first Standing Committee meeting in September so that it does not fall on the first day of school.

### **2.0 Background and Analysis**

The relevant section of the Bylaws provides as follows:

4.2.4 The Committee of the Whole shall also meet regularly on the first (1st) Monday of the month (which shall be referred to as “The Committee of Whole – Standing”) except in the summer months of July and August, and in December when a Regular Meeting will take place. Should the date of such a meeting fall on a statutory, civic, or school holiday, the meeting will be held on the Tuesday of the same week or the Monday of the following week.

In order to address the concerns around the September Standing Committee meeting falling on the first day of school, consideration may be given to amending section 4.2.4 be amended to provide as follows:

4.2.4 The Committee of the Whole shall also meet regularly on the first (1st) Monday of the month (which shall be referred to as “The Committee of Whole – Standing”) except in the months of July, August, and December. Should any regular meeting of the Committee of the Whole-Standing fall on a statutory, civic, or school holiday, the meeting will be scheduled to be held on the Tuesday of the same week or the Monday of the following week, as the Board may deem appropriate when it approves the annual calendar of meetings, subject to the fact that the September meeting may not be scheduled for the first day of school.

The Board may vary the schedule for regular Committee of the Whole-Standing meetings on resolution of a two-thirds majority of the members present and voting.

### 3.0 **Conclusion**

This report is provided to the Governance and Policy for information and to support discussion.

Report reviewed and submitted by:



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Patrick Cotter, General Counsel

## **DURHAM DISTRICT SCHOOL BOARD ADMINISTRATIVE REPORT**

**REPORT TO:** Governance and Policy Committee

**DATE:** February 26, 2025

**SUBJECT:** Bylaws – Report on Abstention

**PAGE:** 1 of 2

**ORIGIN:** Patrick Cotter, General Counsel

The Durham District School Board recognizes Indigenous rights are distinct. In the exercise of those rights, Indigenous staff and students shall not be subjected to actions with the aim or effect of depriving these distinct rights.

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### **1.0 Purpose**

The purpose of this report is to provide the Governance and Policy Committee with information around abstaining from a vote.

### **2.0 Background and Analysis**

The Board's Consolidated Bylaws provide in relevant part as follows:

*5.11.9 A member, who is present and fails to vote on a motion, will be deemed to have abstained from voting.*

Therefore, abstaining from a vote reduces the number of “yes/in favour” votes required to pass a motion (as the denominator will be reduced).

Concern has been raised that members participating virtually may not be certain if their vote is being recognized or if they are being treated as abstaining. For close votes, this problem can be addressed by calling for a recorded vote. Otherwise, consideration may be given to amending the Bylaws to require that those participating virtually must declare an abstention, otherwise they will be asked to properly indicate their vote.

### **3.0 Conclusion**

This report is provided to the Governance and Policy for information and to support discussion.

Report reviewed and submitted by:



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Patrick Cotter, General Counsel