



SCHOOL DISTRICT 5
S O U T H E A S T K O O T E N A Y

BOARD POLICY HANDBOOK

School District No. 5
Southeast Kootenay

February 13, 2024

This Board Policy Handbook has been developed to highlight and support the very important governance function of the Board. In addition to clearly defining the role of the Board, the role of the Superintendent, role of the Secretary Treasurer and the delegation of authority from the Board to the Superintendent and Secretary Treasurer, it includes the following as policies:

1. Foundational statements which provide guidance and direction for all activities within the District;
2. Directions for how the Board itself is to function and how individual trustees are to conduct themselves; how Board committees and representatives are to function;
3. Statements as to how appeals and hearings will be conducted;
4. Non-delegable matters such as policy-making and school closures; and
5. Specific matters which the Board has chosen not to delegate to the Superintendent or Secretary Treasurer.

This Board Policy Handbook is intended to be supplemented by an Administrative Procedures Manual; the primary written document by which the Superintendent or Secretary Treasurer directs staff. The Administrative Procedures Manual must be entirely consistent with this Board Policy Handbook.

The development of two separate and distinct documents is meant to reinforce the distinction in this District between the Board's responsibility to govern and the Superintendent's or Secretary Treasurer's executive or administrative duties.

It is to be noted that the electronic versions of both the Board Policy Handbook and the Administrative Procedures Manual as well as any other handbooks/manuals referenced are always the most current documents available.

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FOUNDATIONAL STATEMENTS

1. Our Vision

Students love to learn here, staff love to work here, families love to gather here

2. Our Mission

Our students will graduate with dignity, purpose and options

3. District Values

The following values shall be cultivated within our School District as both a responsibility and a right:

- Respect: the special esteem or consideration in which we hold others;
- Vision: imagining how things could be; imaginative foresight;
- Fairness: respect for others' rights and needs of others;
- Collaboration: working together on work of an intellectual nature;
- Integrity: complete disclosure and the absence of falsehood; and
- Inclusion: an environment in which all individuals are able to fully participate in a meaningful manner.

4. The District Logo Design and Use



SCHOOL DISTRICT 5

S O U T H E A S T K O O T E N A Y

- The logo depicts an adult and a student and highlights the District focus on teaching, learning and relationships. The green background represents the Kootenay area's natural beauty and pristine environment.
- The District logo shall only be used by external organizations with prior approval of the Superintendent or Secretary Treasurer.

5. Aboriginal Logo Design



- Circle - The circle is meant to symbolize the Community/Family Support and Protection surrounding the student.
- Smaller Circles - The smaller circles symbolize the four directions, the four senses of self and the four elements. Bringing a sense of balance to the student. The Bottom circle depicts Earth (physical self), the Top circle depicts Air (mental self), the Right circle depicts Fire (spiritual self), and the Left circle depicts Water (emotional self).
- Tree - The tree inside of the student is meant to represent personal growth, with the roots anchored to show a sense of being “grounded” in self and culture.
- Inukshuk & Infinity Symbol - The Inukshuk is meant to acknowledge our Inuit students and families. The infinity symbol is meant to acknowledge our Métis students and families.
- Feathers - The feathers are meant to represent the Elders/Traditional/Ancestral Knowledge.
- The Student - The student’s head, the heart and the earth symbol/roots are connected to one another. The heart holds a “fire of determination and purpose”.
- Sun and Mountain Range - The Sun represents a New Beginning, Hope and a Lit Path moving forward. The Mountain Range is to give a sense of the Kootenay area.

This logo was collaboratively developed by the Board of Education and Indigenous Peoples within this area.

6. District Legal Name

- The Board of Education of School District No. 5 (Southeast Kootenay)

Legal Reference: Sections 65, 75, 85 School Act
Date: August 15, 2021

ROLE OF THE BOARD

The School Act requires that a Board must appoint a Superintendent of Schools and a Secretary Treasurer. The Act further provides that the Board may delegate specific and general administrative roles and management duties to one or more of its employees. The Board has adopted a dual authority model meaning the Superintendent of Schools and the Secretary Treasurer report directly to the Board.

The Board of Education School District No. 5 (Southeast Kootenay) is the corporate entity established by provincial legislation and is given authority by the School Act and attendant Regulations to provide overall direction and leadership to the District. It is accountable for the provision of appropriate educational programs and services to enrolled students of the District to enable their success, in keeping with the requirements of government legislation.

The Board is charged with the responsibility for providing an education system that is organized and operated in the best interests of the students it serves. The BC School Act provides that the Board is responsible for the improvement of student achievement in the school district.

Specific Responsibilities

1. Accountability to the Provincial Government

The Board shall:

- 1.1 Act in accordance with all statutory requirements of provincial legislation to implement educational standards and policies
- 1.2 Perform Board functions required by governing legislation and existing Board policy

2. Developing and maintaining a Culture of Student Learning

The Board shall:

- 2.1 Ensure Board agendas reflect the Board's commitment to improving student success
- 2.2 Ensure the District's strategic plan identifies student learning key results
- 2.3 Ensure the Framework for Enhancing Student Learning is reviewed at least annually including identification of trends and issues, including supporting data where required
- 2.4 Ensure resources for approved initiatives to improve student outcomes are included in the annual operating budget
- 2.5 Ensure the effectiveness of the Superintendent's leadership in improving student outcomes is assessed annually as per Policy 12 Appendixes A and B
- 2.6 Annually approve and submit to the Ministry a report regarding the Enhancement of Student Learning

3. Employee Relations

The Board shall:

- 3.1 Establish processes and provide opportunities for ongoing dialogue with employee groups

4. Accountability to and Engagement of Community

The Board shall:

- 4.1 Make decisions that address needs for all district students
- 4.2 Establish processes and provide opportunities for community engagement
- 4.3 Report District student learning outcomes at least once annually to the community
- 4.4 Develop procedures for and hear appeals as required by statute and/or Board policy
- 4.5 Seek to meet regularly with municipal, Regional District of East Kootenay, First Nation Bands and provincial government representatives and as required with other entities to achieve desired educational outcomes
- 4.6 Model a culture of respect and integrity

5. Strategic Planning

The Board shall:

- 5.1 Provide overall direction for the District by establishing foundational statements
- 5.2 Annually review District priorities and key results as indicated in the District's Strategic Plan
- 5.3 Annually ensure evaluation of the effectiveness of the District in achieving established priorities and key results
- 5.4 Approve the District strategic plan and any adjustments thereto

6. Policy

The Board shall:

- 6.1 Identify how the Board is to function
- 6.2 Delegate authority to the Superintendent and Secretary Treasurer and define commensurate accountabilities
- 6.3 Identify the purpose to be achieved and the criteria for any new policies
- 6.4 Make the final decision as to the approval of all policy statements
- 6.5 Develop, assess, review and revise policies as required to ensure intended results are being achieved and that policies are consistent with legislation
- 6.6 By motion, waive policy in exceptional circumstances when it is viewed to be in the best interest of the District to do so
- 6.7 Ensure motions which are intended to have continuing effect are integrated into existing or new policy statements

7. Board/Superintendent Relations

The Board shall:

- 7.1 Select and hire the Superintendent
- 7.2 In accordance with the District's dual authority model, provide the Superintendent with clear Board direction within areas of assigned responsibility: general supervision and direction of educational staff of the District as per Board approved organizational chart; the improvement of student achievement; the general organization, administration, supervision and evaluation of all educational programs provided by the Board; and the duties articulated in legislation and in Board policy as amended from time to time
- 7.3 Delegate in writing, administrative authority and identify responsibility subject to the provisions and restrictions in provincial legislation and regulations
- 7.4 Annually evaluate the Superintendent in accordance with a pre-established performance appraisal mechanism. The Board may, by resolution, defer an evaluation for a period of one year (maximum)
- 7.5 Annually review Superintendent compensation
- 7.6 Respect the authority of the Superintendent to carry out executive action and support the Superintendent's actions which are exercised within the delegated discretionary powers of the position
- 7.7 Ensure all Board members interact with the Superintendent in a respectful professional manner

8. Board/Secretary Treasurer Relations

The Board shall:

- 8.1 Select and hire the Secretary Treasurer
- 8.2 In accordance with the District's dual authority model, provide the Secretary Treasurer with clear Board direction within areas of assigned responsibility: general supervision and direction of business related staff of the District as per Board approved organizational chart; fiscal management including but not restricted to operating and capital budget preparation, implementation and reporting; facilities/maintenance; transportation; grounds; and custodial
- 8.3 Delegate in writing, administrative authority and identify responsibility subject to the provisions and restrictions in provincial legislation and regulations
- 8.4 Annually evaluate the Secretary Treasurer in accordance with a pre-established performance appraisal mechanism. The Board may, by resolution, defer an evaluation for a period of one year (maximum)
- 8.5 Annually review Secretary Treasurer compensation
- 8.6 Respect the authority of the Secretary Treasurer to carry out executive action and support the Secretary Treasurer's actions which are exercised within the delegated discretionary powers of the position
- 8.7 Ensure all Board members interact with the Secretary Treasurer in a respectful professional manner

9. Political Advocacy/Influence

The Board shall:

- 9.1 Make decisions regarding British Columbia School Trustee Association (BCSTA) and British Columbia Public School Employers' Association (BCPSEA) issues
- 9.2 Advance District positions and priorities, including through BCSTA as applicable
- 9.3 Annually develop an Advocacy Plan to support the District's Strategic Plan. Such an advocacy initiative shall identify the Board's preferred future relative to a specific matter, who needs to act in order to bring this about, and what actions the Board will take to increase the likelihood of achieving the desired result
- 9.4 Promote timely, frank and constructive communication with locally elected officials
- 9.5 Work collaboratively with elected provincial/federal government officials and First Nations Bands to communicate and identify supports for the District's priorities and directions

10. Board Development

The Board shall:

- 10.1 Annually develop **Board** development activities aligned with District priorities and Board evaluation outcomes.
- 10.2 Annually evaluate the Board's effectiveness

11. Fiscal Accountability

The Board shall:

- 11.1 Approve a budget process and timelines annually
- 11.2 In collaboration with the Secretary Treasurer and Superintendent, identify budget assumptions and draft priorities to be used in the creation of the draft annual operating budget
- 11.3 Approve the annual budget and allocation of resources to achieve desired results, including strategic priorities
- 11.4 Annually approve the District's updated Five-Year Capital Plan
- 11.5 Appoint the auditor and approve the terms of engagement
- 11.6 Select the firm to provide banking services
- 11.7 Review annually the audit report and management letter and approve those recommendations to be implemented
- 11.8 Approve the acquisition and disposition of District land and buildings
- 11.9 Approve the spending plan for the annual facilities grant
- 11.10 Approve the amended annual budget
- 11.11 Approve salary grids for excluded staff
- 11.12 Monitor the fiscal management of the District through receipt of at least quarterly fiscal accountability reports

- 11.13 Approve borrowing for capital expenditures within provincial restrictions
- 11.14 Approve any purchase over \$100,000 that has not been included in the approved operating or capital budget

Additional Responsibilities

The Board Shall:

1. Approve the Aboriginal Enhancement Agreement and the Local Education Agreement
2. Approve the District calendar in accordance with legislation and collective agreements
3. Approve Board Authority Authorized Courses
4. Recognize students, staff, previous employees and community members
5. Approve contracts and agreements as required by legislation
6. Hear unresolved student or staff complaints of discrimination or harassment that cannot be heard by the Superintendent or Secretary Treasurer
7. Approve the initiation and cessation of programs of choice
8. Approve parameters for negotiations and ratify Memoranda of Agreement with bargaining units
9. Review and approve District expense rates annually
10. Review Board compensation following receipt of stakeholder representative recommendations at the end of each term
11. Approve changes to catchment areas for schools and District programs
12. Approve changes in grade configurations
13. Approve the reopening of a closed school
14. Approve Locally Approved Titles of learning resources
15. Approve partnership agreement with external organizations or entities in excess of one year
16. Approve field trips outside Canada and the continental USA
17. Approve exempt staff leaves to attend professional development outside of Canada
18. Provide direction at the commencement of a naming or renaming process and approve the naming or renaming of district facilities and land. When naming new district facilities, the Board will only consider place-based names.

Legal Reference: Sections 22, 23, 65, 74, 74.1, 75, 75.1, 76.1, 76.3, 76.4, 77. 79.2, 82, 82.1, 84, 85, 86, 96, 112, 112.1, 113, 145, 147, 158 School Act

Revised: November 15, 2023

BOARD ANNUAL WORK PLAN

August

Regular Board Meeting Agenda Items

- Review and assess the audit report and management letter and Financial Statement Discussion and Analysis to ensure fiscal accountability quality indicators are met and assess that the following quality indicators are met;
 - Quality Indicators relative to Fiscal Responsibility
 - Ensures accepted (PSAB) accounting principles are being followed
 - Ensures all deficiencies identified in the previous audit report and management letter have been remediated to the satisfaction of the auditor
 - Ensures adequate internal financial controls exist and are being followed
 - Ensures all collective agreements and contracts are being administered and interpreted so staff and contracted personnel are being paid appropriately and appropriate deductions are being made
 - Ensures an internal audit process is developed and implemented regarding school-based funds and an annual report provided to the Board
 - Acknowledge the contributions of students, employees and community on a monthly basis

- Review fiscal accountability report. (Committee Meeting)
- Conduct Superintendent evaluation and compensation review
- Conduct Secretary Treasurer evaluation and compensation review
- Complete facilitated Board self-evaluation
- Review the Public Interest Disclosure Act (PIDA) accountability report (month to be confirmed)
- Review all achievements of Framework for Enhancing Student Learning (FESL)
- Review return to school operations (pandemic protocols)
- Review roles, responsibilities and appointments of Trustees

Events

- Committee Meetings: Advocacy/Education, Student Services, Policy, Public Finance/Operations/Personnel, In-camera Finance/Operations/Personnel, Media/Communications

- Review list of calendar dates for deadlines, meetings and required reporting for upcoming school year

September

Regular Board Meeting Agenda Items

- Indigenous Welcome
- Approve the audited financial statements
- Appoint an auditor and review the terms of engagement (3-year term)
- Review and update any revisions to Annual Board Work Plan (including schedule of meeting dates)
- Review the audit report and management letter and approve for implementation the recommendations of the auditor to be implemented
- Review Superintendent Report on school start up
- Review fiscal accountability report. (Committee Meeting)
- Approve the Framework for Enhancing Student Learning for submission to the Ministry
- Review or update major and minor capital timelines
- Superintendent's Report to the Board (including FESL update)

Events

- Attend Committee Meetings: Advocacy/Education, Student Services, Policy, Public Finance/Operations/Personnel, In-camera Finance/Operations/Personnel, Media/Communications
- Attend BCSTA Kootenay Boundary Branch (KBB) meeting
- Review Board Annual Work Plan
- Recognize Truth and Reconciliation Day
- Review FESL initiatives at Advocacy/Education meeting

October

Regular Board Meeting Agenda Items

- Review fiscal accountability report (Committee Meeting)
- Recognize World Teachers' Day
- Recognize Indigenous week
- Review enrollment report and staffing report
- Review International student program report
- Review Student Transportation accountability report
- Superintendent's Report to the Board (including FESL update)

Events

- Committee Meetings: Advocacy/Education, Student Services, Policy, Public Finance/Operations/Personnel, In-camera Finance/Operations/Personnel, Media/Communications
- Attend and participate in BCSTA Provincial Council Meeting
- Attend and participate in BCPSEA Symposium
- Attend Ministry partner meetings/Board Chair's meeting
- Review FESL initiatives at Advocacy/Education meeting

November

Regular Board Meeting Agenda Items

- Review fiscal accountability report (Committee Meeting)
- Recognize World School Support Staff day
- Recognize non-teaching staff
- Superintendent's Report to the Board (including FESL update)

Events

- Committee Meetings: Advocacy/Education, Student Services, Policy, Public Finance/Operations/Personnel, In-camera Finance/Operations/Personnel, Media/Communications
- Attend and participate in BCSTA Academy
- Attend Remembrance Day Celebrations
- Review FESL initiatives at Advocacy/Education meeting

December

Regular Board Meeting Agenda Items

- Review fiscal accountability report (Committee Meeting)
- Approve committee/representative appointments after chair's recommendation in an election year
- Elect Chair/Vice Chair
- Inaugural Board meeting
- BCPSEA Provincial Rep and BCSTA Provincial Councillor
- Superintendent's Report to the Board (including FESL update)

Events

- Acknowledge the contributions of students, employees and community on a monthly basis
- Review and approve SOFI report

- Deadline for submission of financial disclosure (SOFI)
- Deadline for submission of financial statements with auditors report for public
- Review FESL initiatives at Advocacy/Education meeting

January

Regular Board Meeting Agenda Items

- Review fiscal accountability report (Committee Meeting)
- Approve Budget development process and timelines for next year's annual Budget
- Review facilities report
- Provide direction through Board representative to BCSTA Provincial Council Meeting regarding provincial policy matters
- Superintendent's Report to the Board (including FESL update)

Events

- Committee Meetings: Advocacy/Education, Student Services, Policy, Public Finance/Operations/Personnel, In-camera Finance/Operations/Personnel, Media/Communications
- Attend and participate in BCSTA Provincial Council
- Attend and participate in BCPSEA Annual General Meeting
- Review Amended Annual Budget (including enrolment changes)
- Submit Trustee financial disclosures
- Review FESL initiatives at Advocacy/Education meeting
- Kootenay Boundary Branch motion building session

February

Regular Board Meeting Agenda Items

- Review fiscal accountability report (Committee Meeting)
- Approve Amended Annual Budget for Current Fiscal Year and make any required adjustments
- Review policy positions for submission to BCSTA Annual General Meeting
- Approve Board Authority Authorized Courses
- Ensure all deficiencies identified in the management letter and audit report have been remediated to the satisfaction of the auditor
- Review and assess Students Learning Surveys
- Superintendent's Report to the Board (including FESL update)

Events

- Committee Meetings: Advocacy/Education, Student Services, Policy, Public Finance/Operations/Personnel, In-camera Finance/Operations/Personnel, Media/Communications
- Stakeholder budget presentations
- Attend and participate in BCSTA Provincial Council Meeting
- Submit extraordinary motions
- Review FESL initiatives at Advocacy/Education meeting

March

Regular Board Meeting Agenda Items

- Review fiscal accountability report (Committee Meeting)
- Review and assess stakeholders input for forth coming budget
- Approve budget assumptions, and Board priorities for the annual budget for the coming year
- Superintendent's Report to the Board (including FESL update)

Events

- BCSTA Branch Meeting
- Review school projections for upcoming year

April

Regular Board Meeting Agenda Items

- Review fiscal accountability report. (Committee Meeting)
- Review draft budget for the upcoming year and provide any required direction regarding adjustments or further consultation prior to approval
- Approve first reading of the annual budget bylaw for next fiscal year
- Approval of District calendar for the next school year
- Approve school-based fees
- Review and assess Personnel Management Accountability report
- Review and approve Value for Money Accountability report
- Superintendent's Report to the Board (including FESL update)

Events

- Committee Meetings: Advocacy/Education, Student Services, Policy, Public Finance/Operations/Personnel, In-camera Finance/Operations/Personnel, Media/Communications
- Attend and participate in BCSTA Annual General Meeting

- BCSTA Leadership workshop
- Review FESL initiatives at Advocacy/Education meeting

May

Regular Board Meeting Agenda Items

- Review fiscal accountability report (Committee Meeting)
- Review annual staffing accountability report and assess Personnel Quality Indicators (re: Policy 12)
- Approve the final reading of the annual budget bylaw
- Superintendent's Report to the Board (including FESL update)

Events

- Committee Meetings: Advocacy/Education, Student Services, Policy, Public Finance/Operations/Personnel, In-camera Finance/Operations/Personnel, Media/Communications
- Participate in school graduation ceremonies and awards nights
- Participate in district scholarship selection
- Review FESL initiatives at Advocacy/Education meeting

June

Regular Board Meeting Agenda Items

- Review fiscal accountability report (Committee Meeting)
- Review internal audit accountability report
- Approve proposed Trustee calendar for Board meetings and related functions for the coming year
- Approve 5-year capital plan and annual facilities grant plan (AFG)
- Approve needs budget for submission to Ministry of Education
- Approve the Select Standing Committee presentation
- Recognize National Aboriginal Day
- Superintendent's Report to the Board (including FESL update)

Events

- Host Retirement Recognition Awards Ceremony
- Participate in school graduation ceremonies
- Review FESL initiatives at Advocacy/Education meeting

July

ON GOING

- Advocate for public education and the School District's role in the community
- Advocate for PAC/DPAC/DSAC
- Health and safety governance
- Attend Trustee development/orientation sessions
- Attend school functions (as invited)
- Hear appeals as needed
- Approve disbursements from and contributions to the Local Capital Reserve Fund and Surplus operation fund
- Approve purchase and disposition of real property (lands and buildings)
- Advance Board positions through BCPSEA
- Initiate meetings with other elected officials
- Purposefully meet with government MLA's and Ministers, Regional District of East Kootenay, First Nation Bands and municipal councillors
- Receive for information purposes Principal and Vice Principal transfer report
- In an election year in the first week of September host an information meeting for those who express interest in running for the position of School Board Trustee
- Attend Cranbrook Chamber of Commerce and other organization meetings as approved
- Respond to community groups as approved
- Indigenous Truth Work as a pathway to Reconciliation

Legal Reference: Sections 65, 74, 74.1, 75, 75.1, 76.1, 76.3, 76.4, 77, 79.2, 82, 82.1, 84, 85, 86, 96, 112, 112.1, 113, 145, 147, 158 School Act.

Revised: September 23, 2021

Revised: February 14, 2023

Revised: November 15, 2023

FACILITATED BOARD SELF-EVALUATION PROCESS SCHOOL DISTRICT NO. 5 (SOUTHEAST KOOTENAY)

Process

The annual externally facilitated Board self-evaluation process shall be completed subsequent to the Superintendent evaluation and the Secretary Treasurer evaluation processes.

Purpose

The purpose of the facilitated Board self-evaluation is to answer the following questions:

1. How well have we fulfilled each of our defined roles as a Board during the evaluation period?
2. How do we perceive our interpersonal working relationships?
3. How well do we receive input and how well do we communicate with those we represent?
4. How would we rate our Board-Superintendent and Board Secretary Treasurer relations?
5. How well have we adhered to our governance policies?
6. What have we accomplished this past year to improve student learning? How do we know? What else have we accomplished this past year?
7. What actions shall the Board take during the next year to become more effective?

The answers to these questions provide the data for the development of a positive path forward.

Evaluation principles

The following principles form the basis for the Board self-evaluation process:

1. A learning organization is focused on the improvement of student learning.
2. A commitment to continuous improvement is a sign of organizational health.
3. An effective evaluation process provides for growth and accountability.

The annual Board evaluation process shall model the Board's commitment to principles 1-3.

A pre-determined process for evaluation strengthens the governance function, builds credibility for the Board and fosters an excellent Board/Superintendent and Board/Secretary Treasurer relationship. An evidence-based approach provides objectivity to supplement the subjectivity involved in evaluation processes.

Context

The Board has chosen to retain the ten areas of responsibility articulated in Policy 2 in order to carry out the Board's governance role. These include: Accountability to the Provincial Government, Development and Maintaining a Culture of Student Learning, Accountability to and Engagement of Community, Strategic Planning, Policy, Board/Superintendent Relations, Board-Secretary/Treasurer Relations, Political Advocacy/Influence, Board Development, Fiscal Accountability. The annual

facilitated Board self-evaluation process is focused on Board performance in relation to these nine areas.

Facilitated Self-Evaluation of Performance

Part 1: The Act provides the Board with significant authority including the authority to delegate. The Board must decide the authority it wishes to delegate and the authority to be retained. The Board is the only body in the District which can hold the Board accountable for performing its legally defined role.

With reference to Policy 2 Role of the Board, Policy 2 Appendix A Annual Board Work Plan, and the minutes from Regular, In-camera, and Special meetings held during the evaluation period, Trustees will assess the corporate Board's effectiveness relative to each role area. The objective is to identify areas of strength on which to build and specific changes the corporate Board is committed to make during the next evaluation period.

Evaluation Tool: Collect, collate and analyze responses to a Role of the Board questionnaire completed by all Trustees.

Part 2: The Board functions as a corporate entity. Individual Trustees have only the authority granted them by the corporate Board. Therefore, the interpersonal working relationships between and among Trustees is vital to the effective functioning of the Board.

Evaluation Tool: Collect, collate and analyze responses to a Board Interpersonal Working Relationships questionnaire completed by all Trustees.

Part 3: The Board is elected for a four-year term. One key role is to represent the electorate within the boundaries of the district and effectively communicate to the electorate between elections in a manner which creates accountability and builds confidence in the work of the Board.

Evaluation Tool: Collect, collate and analyze responses to a Communications/Representation questionnaire completed by all Trustees.

Part 4: With reference to the functioning of the First Team (Board, Superintendent, Secretary Treasurer) during the evaluation period Trustees will assess Board/Superintendent and Board/Secretary Treasurer relationships. In other words, is the Board effectively performing its role to make the First Team effective?

Evaluation Tool: Collect, collate and analyze responses to a Board/Superintendent and Board/Secretary Treasurer questionnaire completed by all Trustees.

Part 5: The Board's Policy role is critical to provide direction for the district, to delegate to and hold staff accountable through the offices of the Superintendent and Secretary Treasurer, and to promote and protect public education. Regular review of Board policies is required to ensure the currency and effectiveness of such policies.

Evaluation Tool: Review the schedule of policy review to ensure the entire Handbook is subjected to review and revision once per term of office, identify any lack of alignment of practice with policy (e.g. from review of minutes) and make revisions as required in policy or practice as deemed appropriate.

Part 6: Reviewing Board actions at least annually to determine perceived corporate Strengths, Weaknesses, Opportunities and Threats (SWOT) can assist in defining a positive path forward and avoid repetition of less effective functioning.

Evaluation Tool: Conduct a Strengths, Weaknesses, Opportunities and Threats (SWOT) analysis in light of Board minutes and direct Board observations.

Part 7: Board approves of the directions to be taken during the next evaluation period to strengthen Board functioning.

Part 8: Board assesses success or lack thereof addressing the Positive Path Forward (PPF) approved as a result of the last evaluation and includes any required actions in the current PPF.

Part 9: Board reviews the process tools and process structure and identifies any changes desired for the next evaluation period.

Part 10: Board approves the Positive Path Forward (PPF) by formal motion.

Note in the second and subsequent years the evaluation process will commence with an accountability review of the previous year's Positive Path Forward (PPF) to ensure actions were taken as required and desired results achieved.

ROLE OF THE TRUSTEE

Trustees are elected in accordance with the Local Government Act. The British Columbia School Act prescribes eligibility requirements for running for the office of school Trustee.

The role of the Trustee is to contribute to the Board as it carries out its legislated mandate. The oath of office taken by each Trustee when they assume office binds that person to work diligently and faithfully in the cause of public education. A Trustee must first and foremost be concerned with the interests of the Board.

The Board of Education is a corporation. The decisions of the Board in a properly constituted meeting are those of the corporation. The School Act gives no individual authority to Trustees. As members of the corporate Board, Trustees are accountable to the public for the collective decisions of the Board, and for the delivery and quality of educational services. A Trustee must serve the community as an elected representative, but the Trustee's primary task is to act as a member of a corporate Board. School Board Trustees collectively and individually have a public duty to carry out their responsibilities and the work of the Board in good faith and with reasonable diligence. Trustees have one overarching responsibility – a shared public duty to advance the work of the school Board. A Trustee's fiduciary duties are owed to the Board (not to themselves, their family or friends) which is, in turn, accountable to the electorate.

The Trustee must balance the governance role with the representative role participating in decision making that benefits the whole District while representing the interest of their community.

A Trustee who is given corporate authority to act on behalf of the Board may carry out duties individually but only as an agent of the Board. In such cases, the actions of the Trustee are those of the Board, which is then responsible for them. A Trustee acting individually has only the authority and status of any other citizen of the District.

The Board shall indemnify a Trustee in accordance with Policy 16 Indemnification By-Law.

Specific Responsibilities of Individual Trustees

The Trustee shall:

1. Become familiar with District policies and procedures, meeting agendas and reports in order to participate in Board business.
2. Support a majority vote of the Board to advance the work of the Board and monitor progress to ensure decisions are implemented.
3. Refer governance queries, issues and problems not covered by Board policy to the Board for corporate discussion and decision.
4. Refer administrative matters to the Superintendent or Secretary Treasurer as appropriate.

5. The Trustee, upon receiving a complaint or an inquiry from a parent, staff member or community member about operations, will refer the parent, staff member or community member back to the teacher, Principal, or District Office personnel and will inform the Superintendent or Secretary Treasurer of this action.
6. Keep the Board and the Superintendent/Secretary Treasurer informed in a timely manner of all matters coming to their attention that might affect the District.
7. Provide the Superintendent/Secretary Treasurer with counsel and advice, giving the benefit of the Trustee's judgment, experience and familiarity with the community.
8. Attend meetings of the Board; participate in, and contribute to, the decisions of the Board in order to provide the best solutions possible for the education of children enrolled in the District.
9. Attend Committee meetings or meetings as a Board representative, as assigned, and report to the Board in a timely manner.
10. When delegated responsibility, will exercise such authority within the defined terms of reference in a responsible and effective way.
11. Participate in Board/Trustee development sessions so that the quality of leadership and service in the District can be enhanced.
12. Strive to develop a positive and respectful learning and working culture both within the Board and the District.
13. Continue to carry out duties with integrity and responsibility during an election period.
14. Become familiar with, and adhere to, the Trustee Code of Conduct.
15. Faithfully perform the duties of their office, abide by the School Act and not allow any private interest to influence their conduct in school matters.
16. Attend all meetings of the Board and any Board Committees (on which the Trustee sits) to the best of their ability.
17. Inform the office of the Secretary Treasurer if unable to attend a Board or Committee meeting.
18. When possible, subject to available Trustee development funding, attend workshops, conferences, conventions, and Branch meetings within and out-of-District.
19. Visit any school in order to:
 - 19.1 Become knowledgeable with respect to its location, size, facilities, programs and services;
 - 19.2 Represent the Board at school functions; and
 - 19.3 Attend productions and special events.
20. Each Trustee will be assigned to one or more schools as the Trustee contact for the Board.

Orientation

As a result of elections, the Board may experience changes in membership. To ensure continuity and facilitate a smooth transition from one Board to the next following an election, Trustees must be adequately briefed concerning existing Board policy and practice, statutory requirements, initiatives and approved plans.

The Board believes an orientation program is necessary for effective trusteeship.

1. The District will offer an orientation program for all Trustees following an election that provides information on:
 - 1.1 Role of the Trustee and the Board;
 - 1.2 Organizational structures and procedures of the District;
 - 1.3 Board policy, agendas and minutes;
 - 1.4 Existing District initiatives, annual reports, budgets, financial statements and long-range plans;
 - 1.5 District programs and services;
 - 1.6 Board's function as an appeal body;
 - 1.7 Statutory and regulatory requirements, including responsibilities with regard to conflict of interest; and
 - 1.8 Trustee remuneration and expenses.
2. The District will provide financial support for Trustees to attend British Columbia School Trustees Association (BCSTA) sponsored orientation seminars.
3. The Board Chair, Superintendent and Secretary Treasurer are responsible for ensuring the development and implementation of the District's orientation program for Trustees. Each Trustee shall have access to the Board Policy Handbook and Administrative Procedures Manual at the organizational meeting following a general election or at the first regular meeting of the Board following a by-election.

Legal Reference: Sections 49, 50, 52, 65, 85 School Act
Local Government Act
A Guide for School Trustee Candidates 2018 BCSTA

Date: August 15, 2021

SERVICES, MATERIALS AND EQUIPMENT PROVIDED TO TRUSTEES

1. District-owned Laptop or \$240 per annum in lieu
2. Remuneration of work-related cellphone charges

Date: August 15, 2021

TRUSTEE CODE OF CONDUCT

The *School Act* states that the rights, powers, duties, and liabilities of the Board rest only with the legally constituted Board as a whole, not with committees of the Board or with individual Trustees. Members of the Board exercise their powers and responsibilities as a matter of public trust, and only when the Board is officially in session.

However, it is recognized that Board members hold considerable influence as a result of being elected to public office as a Trustee. It is also understood that the Board's ability to influence public policy in matters of education is related to the community perception of the Board as an effective corporate entity through its conduct of the public business.

Therefore, it is important that the Board and its individual members operate in an ethical and business-like manner. This commitment includes proper use of authority, appropriate decorum in individual and group behaviour and fair and respectful treatment of students, parents, staff, members of the community and other Board members.

The Board, representing all members of the community wishes to operate under the highest of ethical standards. Therefore, the Board has established the following Standards of Conduct to help provide the conditions necessary for effective Board operations.

1. The Trustee shall become familiar with the School Act, Regulations and Ministerial orders of the Ministry of Education and School District No. 5 (Southeast Kootenay) policies, regulations and contracts.
2. The Trustee will recognize that, although they are elected from a particular area of the District, their responsibility is to ensure that decisions are made in the best interests of all district students as a whole including Indigenous communities and First Nations on whose traditional territories the schools operate.
3. The Trustee shall have a general knowledge of education mandates, goals and objectives of the system, both provincially and within the District. The Trustee shall abide by the policies of the Board, all applicable legislation and regulations, in particular the School Act and the Oath of Office.
4. The Trustee will do everything possible to maintain the integrity, confidence, and dignity of the office of School Trustee
5. The Trustee shall represent the Board in all Board-related matters with proper decorum and respect for others.

6. The Trustee shall conduct Board business in the spirit of openness, cooperation and trust working harmoniously with other Board members without trying either to dominate the Board or neglect their share of the work.
7. The Trustee shall be accessible to the public and devote the necessary time, thought, and study to the Board's duties, responsibilities, and committee work in order to render effective and creditable service.
8. The Trustee shall make an effort to attend all required meetings of the Board of Education and meetings at which they are representing the Board.
9. The Trustee shall represent the Board and School District No. 5 (Southeast Kootenay) to the public only in such a way as to promote both interest in and support for public education. This includes, but is not limited to, all communication such as verbal, written or electronic media.
10. The Trustee shall understand the needs and operations of the entire school system to support effective educational programs for students and to deal with issues in a fair and impartial manner.
11. The Trustee shall refer concerns following appropriate district policies and procedures.
12. The Trustee shall promote the mission, vision and values of the District.
13. The Trustee shall model respect and a spirit of collaboration for and with all partner groups to support the District's vision of working and learning together supporting all students to achieve a successful future.
14. The Trustee recognizes that the expenditure of Board funds is a public trust and, therefore, will ensure that all such funds shall be expended efficiently, economically, and for the best interest of students.
15. The Trustee will not attempt to exercise individual authority over or to act on behalf of the District except as explicitly set forth in Board policies or specific Board motion.
16. The Board recognizes the right of Trustees to express their disagreement with Board decisions, however, Trustees will endeavour to work with fellow Trustees in a spirit of harmony and cooperation in spite of differences of opinion that may arise during debate. Trustees will observe proper decorum and behaviour; encourage full and open discussion in all matters with their fellow Trustees; treat them with respect and consideration; and will not withhold or conceal from them any information or matter with which they should be concerned.
17. The *School Act* requires trustees to voluntarily and immediately declare any pecuniary conflict of interest (direct, indirect or deemed) in matters before the board or a committee of the board. To be consistent, it is further recommended that the words "The trustee will not use their role as Trustee for their own personal advantage or for the advantage of friends, supporters, or business." If the Trustee becomes aware that they are in a position that creates a conflict of interest (direct, indirect;

statutory or common law), they will declare the nature and extent of the conflict at a meeting of the Board of Education and abstain from deliberating or voting on the issue giving rise to the conflict.

18. Trustees shall preserve the confidentiality of information discussed at closed school board or committee meetings and shall not release privileged information in any format to anyone until the Board has made such information public in an official capacity or has specifically authorized the trustee to share such information as part of the trustee's delegated responsibilities."

19. The Trustee will use technology applications and social media in a responsible and appropriate manner which does not bring the Board, other Trustees, or the District into public disrepute or ridicule.
 - 19.1 It is the responsibility of all District Trustees, using the District's Information and Communication Technology (ICT) and technology services, to keep their passwords confidential to protect themselves, their data and the District data.
 - 19.2 Accounts or personal information must never be shared or distributed to others and must never use another person's account.
 - 19.3 District ICT and technology services must be used in a legal, ethical, responsible and professional manner. (Distributing obscene, abusive, racist, threatening, unsolicited e-mail messages, or sexual, harassing and/or bullying messages or material is unacceptable).

20. The Trustee shall report to the Board Chair, in good faith, unlawful conduct by another Trustee.

Legal Reference: Sections 49, 50, 55, 56, 57, 58, 59, 62, 65, 85, 94, 95 School Act

Revised: November 15, 2023

TRUSTEE CODE OF CONDUCT SANCTIONS

1. Trustees shall conduct themselves in an ethical and prudent manner in compliance with the Trustee Code of Conduct, Policy 4. The failure by Trustees to conduct themselves in compliance with this policy may result in the Board instituting sanctions.

Code of Conduct Sanctions other than a Failure of Security

2. A Trustee who believes that a fellow Trustee has violated the Code of Conduct may seek resolution of the matter through appropriate conciliatory measures prior to commencing an official complaint under the Code of Conduct.
3. Conciliatory measures will normally include:
 - 3.1 The Trustee who believes a violation has occurred will engage in an individual private conversation with the Trustee affected.
 - 3.2 Failing resolution through the private conversation the parties will engage the Board Chair, Vice Chair to gain resolution. If the concern is with the Board Chair, the concern is to be raised with the Vice Chair.
 - 3.3 The Chair and at the Chair's option the Chair and Vice Chair will attempt to resolve the matter to the satisfaction of the Trustees involved.
4. A Trustee who wishes to commence an official complaint, under the Code of Conduct shall file a letter of complaint with the Board Chair within thirty (30) days of the alleged event occurring and indicate the nature of the complaint and the section or sections of the Code of Conduct that are alleged to have been violated by the Trustee. The Trustee who is alleged to have violated the Code of Conduct and all other Trustees shall be forwarded a copy of the letter of complaint by the Board Chair, or where otherwise applicable in what follows, by the Vice Chair, within five (5) days of receipt by the Board Chair of the letter of complaint. If the complaint is with respect to the conduct of the Board Chair, the letter of complaint shall be filed with the Vice Chair.
5. When a Trustee files a letter of complaint, and a copy of that letter of complaint is forwarded to all Trustees; the filing, notification, content and nature of the complaint shall be deemed to be strictly confidential, the public disclosure of which shall be deemed to be a violation of the Code of Conduct. Public disclosure of the complaint and any resulting decision taken by the Board may be disclosed by the Board Chair only at the direction of the Board, following the disposition of the complaint by the Board at a Code of Conduct hearing.
6. To ensure that the complaint has merit to be considered and reviewed, at least one (1) other Trustee must provide to the Board Chair within three (3) days of the notice in writing of the complaint being forwarded to all Trustees, a letter indicating support for having the complaint heard at a Code of Conduct hearing. Any Trustee who forwards such a letter of support shall not be disqualified from attending at and deliberating upon, the complaint at a Code of Conduct hearing convened to hear the matter, solely for having issued such a letter.

7. Where no letter supporting a hearing is received by the Board Chair in the three (3) day period referred to in section 5 above, the complaint shall not be heard. The Board Chair shall notify all other Trustees in writing that no further action of the Board shall occur.
8. Where a letter supporting a hearing is received by the Board Chair in the three (3) day period referred to in section 5 above, the Board Chair shall convene, as soon as is reasonable, a closed (in-camera) meeting of the Board to allow the complaining Trustee to present their views of the alleged violation of the Code of Conduct.
9. At the closed (in-camera) meeting of the Board, the Board Chair shall indicate, at the commencement of the meeting, the nature of the business to be transacted.

Without limiting what appears below, the Board Chair shall ensure fairness in dealing with the complaint by adhering to the following procedures:

- 9.1 The Code of Conduct complaint shall be heard at a Code of Conduct hearing, at a closed (in-camera) Board meeting convened for that purpose. All preliminary matters, including whether one (1) or more Trustees may have a conflict of interest in hearing the presentations regarding the complaint, shall be dealt with prior to the presentation of the complaint on behalf of the complaining Trustee.
- 9.2 The sequence of the Code of Conduct hearing shall be:
 - 9.2.1 The complaining Trustee shall provide a presentation which may be written or oral or both;
 - 9.2.2 The respondent Trustee shall provide a presentation which may be written or oral or both;
 - 9.2.3 The complaining Trustee shall then be given an opportunity to reply to the respondent Trustee's presentation;
 - 9.2.4 The respondent Trustee shall then be provided a further opportunity to respond to the complaining Trustee's presentation and subsequent remarks;
 - 9.2.5 The remaining Trustees of the Board shall be given the opportunity to ask questions of both parties;
 - 9.2.6 The complaining Trustee shall be given the opportunity to make final comments; and
 - 9.2.7 The respondent Trustee shall be given the opportunity to make final comments.
- 9.3 Following the presentation of the respective positions of the parties, the parties and all persons other than the remaining Trustees who do not have a conflict of interest shall be required to leave the room, and the remaining Trustees shall deliberate in private, without assistance from administration. The Board may, however, in its discretion, call upon legal advisors to assist them on points of law or the drafting of a possible resolution(s).
- 9.4 If the remaining Trustees in deliberation require further information or clarification, the parties shall be reconvened and the requests made in the presence of both parties. If the information is not readily available, the presiding Chair may request a recess or, if necessary, an adjournment of the Code of Conduct hearing to a later date.
- 9.5 In the case of an adjournment, no discussion by Trustees whatsoever of the matters heard at the Code of Conduct hearing may take place until the meeting is reconvened.

- 9.6 The remaining Trustees in deliberation may draft a resolution(s) indicating what action, if any, may be taken regarding the respondent Trustee.
 - 9.7 The presiding Chair shall reconvene the parties to the Code of Conduct hearing.
 - 9.8 All documentation that is related to the Code of Conduct hearing shall be returned to the Superintendent immediately upon conclusion of the Code of Conduct hearing and shall be retained in accordance with legal requirements.
 - 9.9 The presiding Chair shall call for a resolution(s) to be placed before the Board.
 - 9.10 The presiding Chair shall declare the closed (in-camera) Board meeting adjourned.
10. A violation of the Code of Conduct may result in the Board instituting, without limiting what follows, any or all of the following sanctions:
 - 10.1 Having the Board Chair write a letter of censure marked “personal and confidential” to the offending Trustee, on the approval of a majority of those Trustees present and allowed to vote at the closed (in-camera) meeting of the Board;
 - 10.2 Having a motion of censure passed by a majority of those Trustees present and allowed to vote at the closed (in-camera) meeting of the Board;
 - 10.3 Having a motion to remove the offending Trustee from one (1), some or all Board Committees or other appointments of the Board passed by a majority of those Trustees present and allowed to vote at the closed (in-camera) meeting of the Board.
 11. The Board may, in its discretion, make public its findings where the Board has not upheld the complaint alleging a violation of the Board’s Code of Conduct or where there has been a withdrawal of the complaint or under any other circumstances that the Board deems reasonable and appropriate to indicate publicly its disposition of the complaint.

Failure of Security

12. The Trustee Code of Conduct requires that Trustees shall respect the confidentiality appropriate to issues of a sensitive nature. Failure to comply with this requirement constitutes a failure of security. An individual Trustee may bring a suspected breach of security to the attention of the Board, at a closed meeting of the Board. If by majority vote the Board agrees that a failure has occurred, the failure shall be recorded by the Board and the following procedure shall be invoked:
 - 12.1 The Board Chair shall request that the Secretary Treasurer, as head of the District under the Freedom of Information and Protection of Privacy Act (FIPPA), appoint an independent investigator to review this matter. This request may occur only after such a motion has been discussed and agreed to by a majority of Trustees present at a closed meeting of the Board. This decision shall immediately be approved in a public meeting of the Board.
 - 12.2 The independent investigator shall conduct an investigation and submit a report of findings and recommendations to the Board Chair and to the Secretary Treasurer.
 - 12.3 The Board Chair shall present at a closed meeting of the Board, the report of the independent investigator. At this time, the Trustee in question shall have an opportunity to present any additional, relevant information.
 - 12.4 If it is determined by a majority vote of the Board that a willful violation of security has occurred, for a first occurrence, a motion to write a letter of censure marked “Personal

and Confidential” is required to be discussed and agreed upon by a majority of Trustees present at a closed meeting of the Board. This decision requires immediate approval by a majority vote of Trustees at a public meeting of the Board.

- 12.5 For subsequent occurrences, a motion of censure against the Trustee in question may be brought directly to a public meeting of the Board. This motion shall be approved by a majority vote of Trustees present at such a meeting.

Restoration of Relationships

13. The Board will attempt to take restorative actions such as attempting to come to agreement with the offending trustee on a public statement regarding the resolution of the matter.

Legal Reference: Sections 49, 50, (Part 5 Sections 55-64), 65, 85, 94, 95 School Act

Revised: November 15, 2023

ROLE OF THE BOARD CHAIR

The Board of Education shall at its inaugural and annual meetings and in the event the position of Chair becomes vacant *elect* one of its members to serve as Board Chair, to hold office at the pleasure of the Board. Voting shall be by secret ballot unless the position is acclaimed.

A majority of the Board may elect a new Chairperson or Vice Chairperson at any time. [SA s.67(4)]

The Board entrusts the Chair primary responsibility for safeguarding the integrity of the Board's processes and representing the Board to the broader community.

The Chair has no authority to either make decisions beyond policy created by the Board or to supervise or direct staff.

Specific Responsibilities

The Board delegates and assigns to the Chair the following powers and duties:

1. Prior to each Board meeting, meet with the Vice Chair, the Superintendent and Secretary Treasurer to determine the items to be included in the agenda, and to become thoroughly familiar with them.
2. To chair all public and closed Board meetings and ensure that such meetings are conducted in accordance with the *School Act*, the bylaws, policies and procedures as established by the Board.
3. To perform the following duties during Board meetings:
 - 3.1 Preside at all meetings in accordance with Board policy and, in the absence of policy, with Robert's Rules of Order;
 - 3.2 Maintain the order and proper conduct and decorum of the meeting so that motions may be formally debated;
 - 3.3 To ensure that issues being presented for the Board's consideration are clearly articulated and explained;
 - 3.4 Display firmness, courtesy, tact, impartiality and willingness to give everyone an opportunity to speak on the subject under consideration in order that a Board decision can be reached;
 - 3.5 To direct the discussion by Trustees to the topic being considered by the Board;
 - 3.6 Decide questions of order and procedure, subject to an appeal to the rest of the Board;
 - 3.7 Determine disposition of each motion by a formal show of hands except where a ballot is required/used"; and
 - 3.8 Provide a monthly report at each Board meeting.

- 3.9 Vacate the Chair to enter debate or propose or second a motion in which case the Vice Chairperson, if present, or another member appointed by the Chairperson, shall preside.
4. To convey directly to the Superintendent or Secretary Treasurer as appropriate any concerns or questions as are related to the Chair by Trustees, parents, students or employees which may significantly affect the administration of the District.
5. To be in regular contact with the Superintendent and Secretary Treasurer to maintain a working knowledge of current issues and events within the District.
6. To bring to the Board all matters requiring a corporate decision of the Board.
7. To act as chief spokesperson for the Board by stating positions consistent with Board decisions and policies (except for those instances where the Board has delegated this role to another individual or group).
8. To act as ex-officio non-voting member of all standing and ad hoc Board Committees.
9. To act as a signing authority for Board minutes.
10. To act as a signing authority for the District as follows:
 - 10.1 As required by the government of BC
 - 10.2 As required by financial institutions
11. To serve as an officer of the Board authorized to witness the use of the Board's corporate seal.
12. To represent the Board, or arrange alternative representation, at Board events, meetings with other levels of government or other organizations or at hearings. When representing the Board at official meetings or in an official function, the Chair is limited to speaking for positions the Board has determined through passing motions. The Chair shall bring back issues to the Board for consideration if the Board has not yet adopted motions on the matter or provided direction. The Chair shall share with the Board all information from meetings with other levels of government or external organizations at which the Chair attended as the Board's representative.
13. To ensure that the Board engages in regular assessments of its effectiveness as a Board.
14. Provide, on behalf of the Board, appropriate public comment on Board actions when requested to do so (or when, in the Chairperson's judgment, comment will improve public understanding of Board action) and written correspondence passed as motions by the Board;
15. To recommend to the Board Trustee appointments to:
 - 15.1 School liaison appointments;
 - 15.2 Representative to external organizations; and
 - 15.3 Board Committees.
16. To address inappropriate behaviour on the part of a Trustee as per policy 4 sanctions.

17. To assist with the Board orientation program for new Trustees.
18. To approve or deny all Trustee development requests, subject to Board appeal, and to bring to the Board for approval any personal Trustee development requests.
19. To manage the Superintendent and Secretary Treasurer contracts on behalf of the Board by bringing any relevant matters to the Board's attention in a timely manner. In addition, each month the Board Chair shall sign off on the expenses as well as vacation and sick leave, days earned, taken and accumulated for these two positions.
20. To approve all leaves for attending professional development for the Superintendent and Secretary Treasurer within Canada.

Legal Reference: Sections 65, 67, 69, 70, 85 School Act
Date: August 15, 2021

ROLE OF THE VICE CHAIR

The position of Vice Chair will be shared, on an alternating basis over the course of the year, amongst Trustees wishing to act as Vice Chair. The appointment and term of each Vice Chair shall be (equitably) determined by the Chair of the Board after the Board Chair has consulted with all Trustees.

Specific Responsibilities

1. The Vice Chair shall act on behalf of the Board Chair, in the latter's absence or when asked to do so by the Board Chair and in such an event shall have all the duties and responsibilities of the Board Chair.
2. If the Vice Chair is absent or unable to act, the Trustees present shall elect one of the members present to preside at the meeting.
3. The Vice Chair shall assist the Board Chair in ensuring that the board operates in accordance with its own policies and procedures and in providing leadership and guidance to the Board.
4. Prior to each Board meeting, the Vice Chair will be invited to review the Board Annual Work Plan, proposed agenda items and meet with the Board Chair, the Superintendent and the Secretary Treasurer and become thoroughly familiar with items included in the agenda.
5. The Vice Chair shall be an alternate signing officer of the Board Chair for the District.

Legal Reference: Sections 65, 67, 85

Date: August 15, 2021

BOARD OPERATIONS

The Board's ability to discharge its obligations in an efficient and effective manner is dependent upon the development and implementation of a sound organization design. In order to discharge its responsibilities to the electorate of the District, the Board shall hold meetings as often as necessary. A quorum, which is a simple majority of the number of Trustees, must be present for every duly constituted meeting.

The Board has adopted policies so the business of the Board can be conducted in an orderly and efficient manner. All points of procedure not provided for in this Board Policy Handbook shall be decided in accordance with Robert's Rules of Order (11th Edition).

The Board's fundamental obligation is to preserve, if not enhance, the public trust in education, generally, and in the affairs of its operations in particular. Consistent with its objective to encourage the general public to contribute to the educational process, Board meetings will be open to the public. Towards this end, the Board believes its affairs must be conducted in public to the greatest extent possible.

There are times when BC Freedom of Information and Protection of Privacy Act (FIPPA) legislation requires or when the Board determines that public interest is best served by private discussion of specific issues in in-camera sessions.

In order to carry out its responsibilities effectively, the Board will hold periodic meetings of several types. Formal meetings, at which all formal and legal business of the Board as a corporate body shall be done, may be designated as Inaugural, regular, or special meetings, or in-camera sessions.

The Board has adopted specific policy governing Board operation and the conduct of its formal meetings.

1. Board Composition and Elections

In accordance with Policy 7 Appendix Elections Bylaw.

1.1 Nine Trustees are elected from five electoral areas as follows:

Trustee Electoral Area 1 – The Corporation of the City of Fernie – 1 Trustees

Trustee Electoral Area 2 – District of Sparwood – 1 Trustee

Trustee Electoral Area 3 – District of Elkford – 1 Trustee

Trustee Electoral Area 4 (Electoral Area B of the RDEK)– Regional District of East Kootenay (Jaffray and South Country) – 1 Trustee

Trustee Electoral Area 5 – The Corporation of the City of Cranbrook and the Regional District of East Kootenay (Electoral Area C of the RDEK) – 5 Trustees

2. Inaugural Board Meetings and Subsequent Annual Meeting

- 2.1 After the general local election of Trustees, the Secretary Treasurer for the School District shall convene a first meeting of the Board as soon as possible, and in any event, within 30 days from the date that the new Board begins its term of office. [SA s.67(1)] The term of office “begins on the first Monday after November 1 following the election, or when the person takes office in accordance with section 50(3), whichever is later” (s.67).
- 2.2 An annual meeting of the Board shall be held each year at the time and place determined by the Board.
- 2.3 The Secretary Treasurer of the Board shall call the Inaugural meeting to order and shall preside at such meeting until the selection of Board Chair is completed. The presiding official shall report the returns of the election, if any, as certified by the Chief Election Officer and shall report whether or not the Trustees-Elect, if any, have completed the declarations required by the School Act, and confirm that all Trustees have taken the oath of office as required by the School Act, [SA s.50 (1)], or shall administer, or cause to be administered, the oath of office to Trustees present who have not taken it.
- 2.4 The Secretary Treasurer shall call for nominations for Board Chairperson (seconding is not necessary) and conduct a vote by ballot in which that person receiving a clear majority shall be elected Board Chairperson for the ensuing year. If no person receives a clear majority (five or more votes) further ballots shall be taken until the same is achieved or, if, after a second ballot, a tie shall occur, the election shall be decided by drawing of lots. A vote by ballot will not be required if only one candidate is nominated for the position of Board Chairperson.
- 2.5 The Chairperson so elected shall assume the chair for the remainder of the meeting.
- 2.6 A similar election shall then be conducted by the presiding official for the positions of Board Representative to the British Columbia School Trustees Association Provincial Councillor and alternate, the British Columbia Public School Employers Association Representative and alternate, and Board representative to CUPE bargaining team.
- 2.7 For each of the above elections balloting shall continue until one Trustee receives a clear majority. At each successive ballot the name of the Trustee receiving the least votes on the previous ballot shall be dropped. If two or more candidates are tied and no candidate received a majority of the votes cast, a second ballot will be taken. If after a second ballot two or more candidates receive an equal number of votes, lots will be drawn to determine which candidate is eliminated. If after lots are drawn, two or more candidates remain, voting will proceed with further ballots until one candidate receives a majority of the votes cast. Spoiled ballots will not be considered as cast ballots.
- 2.8 Following the elections, the order of business shall include:
 - 2.8.1 passage of banking resolutions and appointments of signing officers;
 - 2.8.2 appointment of time and place for meetings.
 - 2.8.3 schedule of Regular meetings for the year including time and place

3. Regular Meetings

- 3.1 A regular public meeting shall be held at least once a month, September to June, on the second (2nd) Tuesday of the month or upon such other day as the Chairperson may decide.
- 3.2 A quorum of the Board is a majority of the Trustees holding office at the time of the meeting [SA s.66]

- 3.3 At the appointed time for commencement of a meeting, the presiding officer shall ascertain that a quorum is present before proceeding to the business of the meeting. If a quorum has not been made within one-half hour after the appointed time, the meetings shall stand adjourned until the next regular meeting date or until another meeting shall have been called in accordance with this bylaw.
- 3.4 After a meeting has commenced, if notice is drawn to a lack of quorum, the presiding officer shall ascertain whether there is a lack of quorum and, if determined, adjourn the meeting to the next regular meeting date or to another meeting called in accordance with this bylaw.
- 3.5 The agenda and notice of meetings shall be prepared by the Secretary Treasurer under the direction of the Chairperson who shall consult with the Superintendent. In developing the agenda primary consideration shall be given to the Board annual work plan as approved by the Board. The Agenda for each meeting shall specify those items of business which shall be dealt with in private session. Written notice of each meeting, together with the proposed agenda, shall be given at least forty-eight (48) hours in advance to each Trustee by delivery to the place designated by him or her. Non receipt by a Trustee shall not void the proceedings. Whenever possible, Trustees wishing to have an agenda item or a motion placed on a Board meeting agenda shall submit their request to the Secretary Treasurer's office.
- 3.6 The order of business at all regular meetings shall be:
 - 3.6.1 Commencement of Meeting
 - 3.6.2 Call to Order
 - 3.6.3 Greeting – "I want to acknowledge that we have gathered here in the Homelands of the Ktunaxa people."
 - 3.6.4 Chairperson's Opening Remarks and Recognitions
 - 3.6.5 Opening Round
 - 3.6.6 Consideration and Approval of Agenda
 - 3.6.7 Approval of the Minutes
 - 3.6.8 Receipt of Records of Closed Meetings
 - 3.6.9 Receiving of Delegations/Presentations
 - 3.6.10 Committee Reports/Trustee Representative Reports
 - 3.6.11 Secretary Treasurer's Report to the Board
 - 3.6.12 Superintendent's Report to the Board
 - 3.6.13 Chairperson's Report
 - 3.6.14 New Business
 - 3.6.15 Closing Round
 - 3.6.16 Items for Information/Correspondence
 - 3.6.17 Question Period
 - 3.6.18 Late Items
 - 3.6.19 Adjournment
- 3.7 A change to the order of business may be proposed by any Trustee and shall require a minimum of a two-thirds majority vote.

- 3.8 Minutes of the proceedings of all meetings shall be maintained in electronic format and in a minute book, certified as correct by the Secretary Treasurer or another employee designated by the Board under Section 69(4) of the School Act, and signed by the Chairperson or other member presiding at the meeting or at the next meeting at which the minutes are adopted. [SA s.72 (1)(C)]
- 3.9 Except for minutes of a meeting or portion of a meeting from which persons other than Trustees or Officers of the Board, or both, were excluded, the minutes shall be open for inspection at all reasonable times by any person, who may make copies and extracts, on payment of a fee set by the Board [SA s.72(2)].
- 3.10 All meetings shall stand adjourned at three hours after their commencement unless a resolution is passed by a two-thirds majority vote to extend the hour of adjournment.
- 3.11 Meetings of the Board shall be open to the public unless, in the opinion of the Board, the public interest requires that persons other than Trustees be excluded. [SA s.69(2)]
- 3.12 The Secretary Treasurer, or another employee designated by the Board if the Secretary Treasurer is unable to attend the meeting or if the meeting concerns the work performance or employment of the Secretary Treasurer, must be present at the time a decision of the Board is rendered and must record any decision. [SA s.69(3)]
- 3.13 The Chairperson or other members presiding at a meeting may expel from the meeting a person, other than a Trustee, that the Chairperson or other members presiding at the meeting, whose conduct is considered inappropriate. [SA s.70(1)] A majority of the Trustees present at a meeting of the Board may expel a Trustee from the meeting for improper conduct. [SA s.70(2)]
- 3.14 Question Period
 - 3.14.1 At the beginning of each question period the Chairperson shall determine how many people wish to present a question(s). If the number is high, one question shall be taken from each person, after which each person may present subsequent questions in turn.
 - 3.14.2 All questions shall be directed to the Chairperson, who may refer the question to the appropriate committee Chairperson, Superintendent or Secretary Treasurer.
 - 3.14.3 The response to a question will be made immediately, when possible, or deferred until a later date when information becomes available. If a Trustee wishes further debate on an issue, an appropriate opportunity will be scheduled by the Secretary Treasurer's office.
 - 3.14.4 Although the Board welcomes questions of a general nature during this part of the meeting, this forum is for questions regarding policies or operations.
 - 3.14.5 Questions regarding specific personnel or students must be raised with the Superintendent or Secretary Treasurer privately.
 - 3.14.6 Individuals addressing the Board shall assume personal responsibility for all statements made to the Board.
 - 3.14.7 The Chairperson may use discretion to terminate any speaker's privilege or exclude a speaker from the meeting if, after due warning, the speaker persists with conduct or remarks which damage the character or reputation of any employee or member of the public.

3.14.8 Comments that are critical of either the Board or a Trustee's Board-related action shall be accepted within reasonable limits. The Chairperson shall use judgment to stop such comments when they are considered to be extreme or would be better discussed in a different forum.

3.14.9 If the Chairperson accepts, during a public presentation, comments which are accusatory or highly critical of an individual Trustee's action, the Trustee can choose to respond at the same meeting or at a future meeting.

4. Special Meetings

4.1 A Special Meeting is any meeting of the Board which was not scheduled at the inaugural meeting of the Board.

4.2 Special meetings of the Board, or a Standing Committee, either public or in-camera, may be called in addition to the regular meetings to deal with emergency issues or items requiring considerable time for debate.

4.3 A special meeting of the Board may be called by the Chairperson or, upon written request by a majority of the Trustees, shall be called by the Secretary Treasurer. No business other than that for which the meeting was called shall be conducted at the meeting.

5. In-Camera Session and Board's Duty of Confidentiality

5.1 If, in the opinion of the Board, the public interest so requires, persons other than Trustees may be excluded from a meeting or from part of a meeting. The Secretary Treasurer or other employee designated under Section 69(4) of the School Act must be present at the time that a decision of the Board is rendered and must record such decision. [SA s.69(2), (3) & (4)]

5.2 Regular in-camera meetings shall occur on the second (2nd) Tuesday of the month prior to the regular public meeting of the Board. Additional meetings shall be held at the call of the Chair.

5.3 No Trustee shall disclose to the public, the proceedings of an in-camera session unless a resolution has been passed at the in-camera meeting to allow such disclosure, except such as might be necessary to enforce the conflict of interest provisions of the School Act. (SA: Part 5)

5.4 The Board shall prepare a record containing a statement as to the general nature of the matters discussed at a meeting from which persons other than Trustees or Officers of the Board or both were excluded, and the record shall be presented at the next meeting of the Board open to the public and shall be open for inspection at all reasonable times by any person, who may make copies and extracts on payment of a fee set by the Board. [SA s.72(3)]

5.5 All matters coming before the Board and its standing and ad hoc committees shall be considered public unless the public interest requires otherwise. Accordingly, the following matters shall be considered at an in-camera session unless the Board determines otherwise:

5.5.1 Personnel matters including contract and collective agreement negotiations; matters pertaining to individual employees including medical matters, appointment, promotion, discipline, suspension, termination or retirement; grievances and requests

of employees, Board officers or their bargaining agents or representatives; plans that relate to the management of personnel or other administration of the Board and that have not yet been implemented or made public;

- 5.5.2 Legal matters: accident claims and other matters where Board liability may arise; legal opinions and advice respecting the liability or interest of the Board or respecting any matter to be considered at an in-camera session; information or action regarding legal actions brought by or against the Board;
 - 5.5.3 Matters pertaining to individual students including medical matters and the conduct, discipline, suspension or expulsion of students;
 - 5.5.4 Acquisition and disposition of real property prior to finalization including: future site planning and designation; negotiations regarding purchase, lease, sale or exchange of real property; purchase of real property; consideration of appraisal reports and claims by owners; determination of Board offers; expropriation procedures;
 - 5.5.5 Matters pertaining to the safety, security or protection of Board property;
 - 5.5.6 Other matters where the Board decides that the public interest so requires.
- 5.6 Notwithstanding any rule limiting reconsideration of the agenda, a Trustee may make a motion to move a matter from the agenda of an in-camera meeting or session to the agenda of the open meeting, or the reverse. The motion requires a seconder, is debatable and requires a simple majority to pass.
- 5.7 Agenda for in-camera meetings: Order of business at an in-camera meeting shall generally be as follows:
- 5.7.1 Adoption of previous Minutes
 - 5.7.2 Adoption of Agenda
 - 5.7.3 Appeals
 - 5.7.4 In Camera Reports from Committees
 - 5.7.5 Reports from Secretary Treasurer
 - 5.7.6 Reports from Superintendent
 - 5.7.7 Reports from the Chair
 - 5.7.8 New Business
 - 5.7.9 Trustee Inquiries
 - 5.7.10 Correspondence
 - 5.7.11 Adjournment

6. Minutes for Regular, Special and In-Camera Meetings

- 6.1 The Board shall maintain and preserve by means of minutes a record of its proceedings and resolutions.
 - 6.1.1 The minutes shall record:
 - 6.1.1.1 Date, time and place of meeting;
 - 6.1.1.2 Type of meeting;

- 6.1.1.3 Name of presiding officer;
- 6.1.1.4 Names of those Trustees and senior administration in attendance and attendance of those Trustees attending via electronic means;
- 6.1.1.5 Names of Trustees absent or excused;
- 6.1.1.6 Approval of preceding minutes;
- 6.1.1.7 All resolutions, including the Board's disposition of the same, placed before the Board, are to be entered in full;
- 6.1.1.8 Names of persons making the motions;
- 6.1.1.9 Appointments;
- 6.1.1.10 Receipt of reports of Committees;
- 6.1.1.11 Recording of the vote on all motions;
- 6.1.1.12 Trustee declaration of conflict of interest pursuant to the School Act;
- 6.1.1.13 Departure and re-entry times of Trustees and administration; and
- 6.1.1.14 The time of adjournment.

6.2 The minutes shall:

- 6.2.1 Be prepared as directed by the Secretary Treasurer;
- 6.2.2 Be reviewed by the Secretary Treasurer prior to submission to the Board;
- 6.2.3 Be considered an unofficial record of proceedings until such time as adopted by a resolution of the Board; and
- 6.2.4 Upon adoption by the Board, be deemed to be the official and sole record of the Board's business.

6.3 The Secretary Treasurer shall ensure, upon acceptance by the Board, that appropriate initials are affixed to each page of the minutes, and that appropriate signatures are affixed to the last page of the minutes.

6.4 The Secretary Treasurer will establish and maintain a file of all Board minutes.

6.5 As part of its ongoing effort to keep staff and the public fully informed concerning its affairs and actions, the Board directs the Secretary Treasurer in consultation with the Superintendent to institute and maintain effective and appropriate procedures for the prompt dissemination of information about decisions made at all Board meetings.

6.6 The approved minutes of a regular or special meeting shall be posted to the website as soon as possible following approval. The Secretary Treasurer is responsible to distribute and post the approved minutes.

7. Motions:

7.1 No act or proceeding shall be valid or binding upon the Board unless such act or proceeding was adopted at a meeting called and held as herein provided.

- 7.2 At all meetings of the Board, all questions shall be decided by a majority of the votes of the members present and voting except as otherwise provided by bylaw, by contracts approved by the Board or by the *School Act*;
- 7.3 In the event of an equality of votes for and against a motion, the question is resolved in the negative.
- 7.4 The Board Chairperson shall declare the result of all votes; the names of those who vote in the minority on a question shall be entered on the minutes and the nature of the minority vote indicated. In the event of an equality of votes, the negative votes shall be recorded.
- 7.5 A motion, when introduced, brings business before the meeting for possible action. A motion should be worded in a concise, unambiguous and complete form and, if lengthy or complex, should be submitted in writing.
- 7.6 The Chairperson may divide a motion containing more than one subject and it shall be voted on in the form in which it is divided.
- 7.7 All motions shall be seconded except in Committee.
- 7.8 An amendment is a motion to modify the wording of a pending motion. An amendment must be germane, i.e. closely related to or having a bearing on the subject of the motion to be amended. A motion can be amended more than once, however, there can be only one amendment on the floor at a time and it shall be dealt with before another amendment is presented or the motion is decided. An amendment to an amendment must be germane to the first amendment and cannot be amended.
- 7.9 A motion to reconsider a decision can be made the day on which the original motion was voted upon, by a member who voted on the prevailing side. It may be seconded by any member. It is debatable if the motion proposed to be reconsidered is debatable and the debate can be on the merits of the original question. No question can be reconsidered twice.
- 7.10 Motions to rescind or to amend something previously adopted will be considered only if notice has been given at the previous meeting or in the call for the present meeting and if no action has been taken which it is too late to undo. Such motions are debatable and debate can go into the merits of the original question. There is no time limit for these motions and they can be moved by any member.
- 7.11 Motions to rescind or to amend something previously adopted for which notice has been given require a majority vote to pass. However, if the original motion required a two-thirds vote or a majority vote of the Board, the same vote is required on a motion to amend or rescind.
- 7.12 When the Board Chairperson, or other presiding officer, is called upon to decide a point of order or practice, the decision and the rule applicable to the case shall be given. An appeal from the ruling of the Board Chairperson shall be decided by a majority of the members of the Board present. When an appeal of a ruling of the Board Chairperson is raised, the question shall without debate be put in the following words: "Shall the ruling of the Chair be sustained?" and the Board Chairperson shall have the right to state reasons for the decision given.

- 7.13 No Trustee shall leave the Board Meeting before the close of the session without first notifying the Board Chairperson.
- 7.14 Any Trustee requesting extra data, reports, or services which would involve considerable work by the staff must do so by motion of the Board.
- 7.15 All rules and procedures not specifically covered in either the preceding or the School Act shall be determined as set out in Roberts Rules of Order, Newly Revised, 11th Edition, 2011.

8. Bylaws

- 8.1 Unless expressly required by legislation to be exercised by bylaw, all powers of the Board may be exercised by bylaw or by motion.
- 8.2 The following matters shall be dealt with only by bylaw:
 - 8.2.1 adoption of the budget, [SA s.113(1)];
 - 8.2.2 a capital bylaw, [SA s.143(1)];
 - 8.2.3 the acquisition or disposal of property, [SA s.96(2)];
 - 8.2.4 ordinary rules of procedure of the Board and rules relative to the organization of meetings of the Board;
 - 8.2.5 amendment to bylaws;
 - 8.2.6 where required by the School Act.
- 8.3 Written notice of intention to propose a bylaw shall be given at the meeting prior to first reading and in the notice of the meeting where the bylaw is to be proposed.
 - 8.3.1 Every bylaw shall be dealt with in the following stages:
 - 8.3.2 First reading: no debate or amendment;
 - 8.3.3 Second reading: discussion of the principle of the bylaw;
 - 8.3.4 Committee stage: if the question for second reading passes, the bylaw may be referred to the Committee of the whole for detailed consideration unless a motion is passed for referral to a Standing Committee;
 - 8.3.5 Third reading: consideration of amendments made in Committee and final decision.
- 8.4 When a bylaw has been amended in Committee, it shall be reprinted as amended and shall not be further proceeded with, except by a two-thirds majority vote, until the amended version has been distributed.
- 8.5 Subject to 8.7, at each of the three readings of a bylaw, the bylaw must be read in full. [SA s.68(2)].
- 8.6 A reading of a bylaw may, if a written or printed copy of a bylaw is in the possession of each Trustee and is available to each member of the public in attendance at the meeting at which the bylaw is to be read, consist of a description of the bylaw by (a) its title, and (b) a summary of its contents. [SA s.68(3)]

- 8.7 The Board shall not give a bylaw more than two readings at any one meeting unless the members of the Board who are present at the meeting unanimously agree to give the bylaw all three readings at the meeting. [SA s.68(4)]
- 8.8 The Secretary Treasurer shall certify on a copy of each bylaw the readings and the times thereof and the text of any amendment passed in Committee.
- 8.9 A bylaw may be withdrawn at any stage with unanimous consent of the Board.

9. Rules of Order

- 9.1 The current edition of Robert's Rules of Order shall govern points of order and procedures not provided for in the School Act or in this bylaw. Where there is an inconsistency between the School Act and this bylaw, the School Act shall apply.
- 9.2 The Board may adopt a procedural rule for one or more meetings by resolution approved by a two-thirds majority of the Trustees present at the meeting. A rule, other than the requirement for notice of meetings, may be suspended by unanimous consent of the Trustees present.
- 9.3 The rules contained in this bylaw may be amended by bylaw only, at a meeting of which notice of intention to propose the amendment has been given at the previous meeting and in the notice of the meeting.
- 9.4 The presiding officer's ruling on a point of order shall be based on rules of order as stated in paragraph 8.1. The ruling shall be subject to an appeal to the Board if requested by a Trustee immediately after the ruling and before resumption of business.
- 9.5 An appeal of a ruling of the presiding officer shall be decided without debate by a majority vote of the Trustees present. A successful appeal does not necessarily set a precedent.
- 9.6 A copy of the Board's procedural bylaw shall be available for inspection at all reasonable times by any person. [SA s.67(5)]
- 9.7 Should the Board Chairperson, during any meeting of the Board, desire to leave the chair for the purpose of taking part in debate or for any other reason acceptable to a majority of the Trustees present, the Vice Chairperson or in the absence of the Vice Chairperson, some other member of the Board shall be asked to take the Chair. Any member occupying the Chair temporarily shall discharge all duties of and enjoy the rights of the Board Chairperson.
- 9.8 The Secretary Treasurer or another employee designated by the Board must be present at the time that a decision of the Board is rendered and must record any decision. If the Secretary Treasurer is unable to attend a meeting or if the meeting concerns the work performance or employment of the Secretary Treasurer, the Board may designate another employee of the Board to attend the meeting in place of the Secretary Treasurer to perform the duties of the Secretary Treasurer at the meeting.

10. Debate

- 10.1 Debate shall be strictly relevant to the question before the meeting. The Chairperson shall warn speakers who violate this rule or who persist in tedious or repetitious debate.

- 10.2 Speakers shall be recognized by the Chairperson and shall address all remarks to the Chairperson.
- 10.3 Each Trustee has the right to speak twice on the same question on the same day but cannot make a second speech so long as any Trustee who has not spoken on that question desires to speak. No Trustee shall speak for more than five minutes at one time.
- 10.4 A matter of privilege (dealing with the rights or interests of the Board as a whole or of a Trustee personally) may be raised at any time and shall be dealt with forthwith before resumption of business.
- 10.5 No Trustee shall interrupt another Trustee who has the floor except to raise a point of order, a point of privilege or to disclose a conflict of interest.

11. Voting

- 11.1 It is expected that all Trustees present at a meeting will vote on each issue. However, a Trustee has a right not to vote on any question. If a Trustee has a conflict of interest, the Trustee must not vote and such an abstention shall be recorded. If a Trustee wishes to abstain for any other reason or to have a negative vote recorded, he or she must so request before or immediately after the vote is taken.
- 11.2 Voting shall be by show of hands and only the results recorded unless a member requests recording of names before the vote is taken. Where names are recorded, both positive and negative votes shall be recorded.
- 11.3 All questions shall be decided by a majority of the vote of the Trustees present and voting unless otherwise provided by the School Act.
- 11.4 The presiding officer is entitled to vote on all matters.

12. Conflict of Interest

- 12.1 If a Trustee has any pecuniary interest in any matter and is present at a meeting of the Board at which the matter is considered, the Trustee:
 - 12.1.1 shall, at the meeting, disclose their pecuniary interest and the general nature of the pecuniary interest;
 - 12.1.2 shall not take part in the discussion of or vote on any question in respect to the matter; and
 - 12.1.3 shall not attempt in any way, whether before, during or after the meeting, to influence the voting on any question in respect of the matter. [SA s.58(1)(C)]
- 12.2 If the meeting is not open to the public, in addition to complying with these requirements, the Trustee shall immediately leave the meeting or the part of the meeting during which the matter is under consideration. [SA s.58(2)]
- 12.3 If the pecuniary interest of a Trustee is not disclosed as required above by reasons of the Trustee's absence from the meeting, the Trustee shall disclose the pecuniary interest and otherwise comply with the requirements at the first meeting of the Board attended by the Trustee after the meeting referred to above. [SA s.58(3)]

- 12.4 The requirements of paragraphs 11.1-11.3 do not apply to any pecuniary interest referred to by the School Act as exempt from the disclosure requirements of the School Act. [SA s.60]
- 12.5 “Pecuniary interest” means, with respect to a Trustee, an interest in a matter that could monetarily affect the Trustee and includes an indirect pecuniary interest referred to in section 56 of the School Act.
- 12.6 The pecuniary interest of a spouse or of a parent or child of the Trustee shall, if known to the Trustee, be deemed to be also a pecuniary interest of the Trustee. [SA s.55]
- 12.7 If a meeting is open to the public, every disclosure of pecuniary interest and the general nature of it shall be recorded in the minutes of the meeting. If a meeting is not open to the public, the fact that a disclosure of pecuniary interest was made, but not the general nature of that interest, shall be reported to and recorded in the minutes of the next meeting that is open to the public. [SA s.72]
- 12.8 The Trustee is expected to be conversant with Conflict of Interest Sections 55 to 60 of the School Act.
- 12.9 In accordance with the Financial Disclosure Act all Trustees shall file disclosure forms by January 15 of each year.

13. Delegations

13.1 General provisions

- 13.1.1 Individual or groups who wish to present to the Board must make the application through the appropriate presentation request form which addresses the following:
- 13.1.1.1 Preferred date of presentation (scheduled Board meeting date only)
 - 13.1.1.2 Purpose of request to present (why is it important for you to present to the Board)
 - 13.1.1.3 Overview of organization presenting (who do you represent)
 - 13.1.1.4 Brief summary of content to be presented (what are the high-level themes you intend to present)
 - 13.1.1.5 Intended outcomes from the presentation (what are you seeking from the Board)
 - 13.1.1.6 The application shall be referred to the Secretary Treasurer for study and recommendation as to how it is to be handled but the Chair will retain authority to make the final decision on the application.
- 13.1.2 The presentation will be subject to approval of the Chair;
- 13.1.3 Authors of any written submissions shall assume personal responsibility for all statements in the submission to the Board. Each presenter or delegation will be limited to ten minutes, followed by questions and comments from Trustees.
- 13.1.4 Trustees who are asking questions must limit themselves to seeking clarification and must not engage in a debate on the merits of issues.

- 13.1.5 The Board normally will not make any decision in regard to a presentation at the same meeting where the presentation is made.
- 13.1.6 The request and supporting written documents must be provided to the office of the Secretary Treasurer by the end of the business day on the Wednesday preceding the Tuesday Board meeting.

13.2 Unacceptable topics

- 13.2.1 Topics that will not be permitted to be addressed by a delegation are bargaining, grievances, personnel matters and topics listed in the Rules of Order for discussion at in-camera Board meetings.
- 13.2.2 Presentations at regular meetings may include objective criticism of school operations and/or programs but may not include complaints about school personnel or other persons

14. Audio/Video Recording Devices

- 14.1 The Board requires that anyone wanting to use recording devices at a public Board meeting must obtain prior approval of the Board Chair. This shall be communicated by the Board Chair at the beginning of the Regular or Special Meeting.

15. Trustee Participation in Meetings through Electronic Means

A Trustee may participate in a meeting of the Board by electronic means or other communication facilities if the electronic means or other communication facilities enable the Trustees participating in the meeting and members of the public attending the meeting to hear each other.

- 15.1 Trustees participating in a meeting of the Board by electronic means or other communication facilities are deemed to be present at the meeting.
- 15.2 The Chair of the Board may refuse to allow a Trustee to participate in a meeting by electronic means or other communication facilities where the required electronic equipment is not available or where meetings are held in private and or for the purpose of hearing appeals or conducting hearings related to employee matters, or any Board matters which attract the principles of natural justice.
- 15.3 Trustees who connect to a meeting of the Board by video conference, teleconference or other means of electronic transmission will be considered in attendance at the meeting and form part of the quorum.

16. Trustee Remuneration

- 16.1 In accordance with the provisions of the *School Act*, Trustees shall receive an annual stipend paid on a monthly basis, the amount of which shall be set by Board resolution. Additional amounts, also set by Board resolution, shall be paid to the Chair and Vice Chair respectively.
- 16.2 During the Board term of office ending November 2018, the Board established a committee of stakeholders (the presidents of the three unions, the District Parent Advisory Council (DPAC) president and two representatives of the Principals/Vice Principals Association to study and recommend the stipend to be paid to Trustees, the Chair and Vice Chair). The annual stipends recommended and approved are as follows:

Year	Trustee	Chair Allowance	Vice Chair Allowance	Chair (Total)	Trustee (Total)
July 2020-2021	\$ 14,629.00	\$ 2,925.00	\$ 146.00	\$ 17,554.00	\$ 14,775.00
July 2021-2022	\$ 14,922.00	\$ 2,984.00	\$ 149.00	\$ 17,906.00	\$ 15,071.00

16.3 Prior to the conclusion of each subsequent four-year term, the Board shall establish a similar committee with the same Terms of Reference regarding remuneration for the following term of office.

17. Trustee Development

- 17.1 School Trustees, subject to budget limitations, shall be allowed to attend two (2) Trustee development seminars during each year of service with the School District.
- 17.2 Attendance at the British Columbia School Trustees Association Annual General Meeting will be considered attendance at a Trustee development seminar.
- 17.3 Trustees shall be entitled to attend the British Columbia School Trustees Association's "New Trustee Academy". Such attendance will not be considered attendance at a Trustee development seminar.
- 17.4 Attendance at the British Columbia School Trustees Association Branch meetings will not be considered attendance at a Trustee development seminar.
- 17.5 Additional attendance at Trustee development seminars may be approved by a two-thirds (2/3) majority vote of the Board.
- 17.6 Expenses related to attendance at Trustee development seminars shall be reimbursed in accordance with approved District rates.
- 17.7 Trustees are to provide the Board with a brief summary of the Trustee development sessions attended.

18. Trustee Expense Reimbursement

- 18.1 The Board shall establish all expense claim rates annually to be effective July 1. All reimbursements must be supported by a standard District Expense Claim Form.
- 18.2 The District expense reimbursement rates shall be reviewed by the Secretary Treasurer annually. Rate adjustments shall be approved by the Board.
- 18.3 Business use of private vehicles shall be reimbursed at a rate per kilometre that is inclusive of all costs incurred by the employee. The rate per kilometre will be established on July 1st of each year based on the federal government's maximum allowable mileage rate, as defined under Regulation 7306 of the Income Tax Act.
- 18.4 Reimbursement of accommodation costs must be as evidenced by appropriate hotel receipts. Only standard level room costs and applicable taxes will be covered. A claim of \$50.00 per day will be considered if the accommodation is at a friend's residence in lieu of a hotel room.
 - 18.4.1 Other expenses supported by appropriate itemized receipts e.g. tolls, parking, ferry rates, taxis, telephone calls, etc.
 - 18.4.2 Registration, course, or other fees supported by appropriate itemized receipts.

18.4.3 Per diem amounts will be reduced if meals are included or paid for by another individual, group, or company.

19. Travel/Expense allowances will be reviewed by the Board during the Annual Budget Process.

20. General

20.1 Out of District travel within Canada must be approved in advance by the Board Chair for Trustees, Superintendent and Secretary Treasurer.

20.2 District credit cards are not to be used for personal expenses.

20.3 Business expenses for special circumstances involving visitors, guests or extraordinary meetings within or outside the District must be authorized by the Board Chair.

20.4 Employees and Trustees are responsible for verifying and double checking their expenses claimed and expenses paid.

20.5 All travel/expense claim reimbursement forms will be scrutinized and authorized for processing by the Secretary Treasurer and/or Board Chair.

20.6 Alcohol expenses will not be reimbursed.

20.7 Certified travel/expense claim forms must be submitted within 30 days of the function/event.

20.7.1 An advance may be claimed for approved travel and is subject to the allowable rates in the policy. The accounting department requires two weeks-notice for processing advance cheques.

20.8 In the event of travel/accommodation changes and/or cancellations due to emergency circumstances, all associated expenses will be reimbursed. Expenses that are claimed must include itemized receipts or invoices pertaining to the emergency circumstances.

20.9 Receipts are required for all expenses claimed except for per diem meal, incidental and kilometre allowances.

21. Transportation (Personal Vehicle)

21.1 When a person's privately owned vehicle is used for authorized School District business transportation expenses will be reimbursed at the School District rate.

21.2 Whenever possible every effort should be made by Trustees going on School District business to travel together with only one person reimbursed for the transportation expense.

21.3 In the event a Trustee chooses to travel by personal car rather than air, the District will pay the most economical travel.

21.4 The School District provides a business use insurance coverage that will allow employees/Trustees to drive personal vehicles up to 1600 km per year.

21.5 The School District will not reimburse anyone for losses incurred from accidents, parking violations, or traffic violations.

22. Transportation (Vehicle Rentals)

22.1 Vehicle rentals are only acceptable in circumstances where it is the most economical option to travel to a meeting or event site.

22.2 The most economical and appropriate option available should be rented.

22.3 Receipts for the cost of the rental, the appropriate insurance and the cost of fuel must be included with the submitted expense claim.

23. Transportation (Other):

23.1 Other transportation such as ferries, bridge tolls, causeway tolls, bus transits, park fees and parking fares require receipts to be included with the submitted expense claim.

23.2 Cost of transportation to and from an airport to the meeting or event site may be claimed. It is expected that airport shuttles, airport bus or transits would be used with taxis as a last resort and preferably with other School District personnel. Consideration of employee safety is respected when choosing the transportation option. Applicable receipts must be included with the submitted expense claim.

24. Transportation (Air):

24.1 School District air travel shall be in economy class at the lowest fares available.

24.2 Trustees must use the best method of travel to minimize time away and keep costs to the School District at a minimum.

25. Per Diem Meals and Incidentals:

25.1 Trustees traveling out of the District on authorized School District business may claim reimbursement for meals that are not otherwise provided or paid for by the program or covered by the registration fee.

25.2 Depending upon the Trustee's departure from home and arrival back home reasonable meal allowances may be claimed.

25.2.1 Breakfast will be paid in cases where travel is required prior to 7:00 am or ends after 9:00 am.

25.2.2 Lunch will be paid in cases where travel is required prior to 11:00 am or ends after 1:00 pm.

25.2.3 Dinners will be paid in circumstances where travel is required prior to 5:00 pm or ends after 7:00 pm.

25.3 For each day or part day in travel status on authorized School District business, Trustees may claim an Incidental expense of \$15.00 for each night of hotel accommodation.

25.4 Per diem rates are:

25.4.1 Breakfast: \$20.00 Lunch: \$25.00 Dinner: \$35.00

25.4.2 Per diem meal and Incidental allowances do not require receipts. Trustees claiming a per diem meal and/or Incidental allowances must submit a per diem form for reimbursement.

26. Accommodations:

26.1 Accommodation expenses include only the hotel rate taxes and fees.

26.2 Trustees shall stay at the designated accommodation sites with the most reasonable Ministry, BCSTA or School District rate. The cost of upgrading will be the responsibility of Trustees.

26.3 Depending on event scheduling and scheduled air flights it may be required to travel the evening before and/or travel the morning after the event. These circumstances require preauthorization of the Secretary Treasurer or Board Chair.

26.4 The allowance for overnight accommodation at the home of family or friends is \$50.00.

Legal References: 50, 56, 57, 58, 59, 66-71, 71(1), 72 School Act
Financial Disclosure Act
Income Tax Act

Date: August 15, 2021

TRUSTEE ELECTION BYLAW

A bylaw to provide for the determination of various procedures for the conduct of general school elections and other Trustee elections.

Preamble

Under the *School Act*, the Board of Education may, by bylaw, determine various procedures and requirements to be applied in the conduct of Trustee elections.

In School District No. 5 (Southeast Kootenay) Trustee elections are held in the following Trustee electoral areas:

<u>Trustee Electoral Area</u>	<u># of Trustees</u>	<u>Trustee Electoral Area Description</u>
Trustee Electoral Area 1	1	The Corporation of the City of Fernie
Trustee Electoral Area 2	1	District of Sparwood
Trustee Electoral Area 3	1	District of Elkford
Trustee Electoral Area 4 (Electoral Area B of the RDEK)	1	Regional District of East Kootenay
Trustee Electoral Area 5 (Corporation of the City of Cranbrook and Electoral Area C of the RDEK)	5	The Corporation of the City of Cranbrook and the Regional District of East Kootenay

The Board of Education wishes to establish various procedures and requirements under the authority of the *School Act* for Trustee elections.

[References: School Act, s.37, s.38(4)]

The Board of Education, in an open meeting of the Board, enacts as follows:

1. Definitions

The terms used shall have the meanings assigned by the *School Act* and the *Local Government Act*, except as the context indicates otherwise.

‘Board or Board of Education’ means the Board of Education of School District No. 5 (Southeast Kootenay).

‘By-election’ means a Trustee election to fill a vacancy on the school board.

‘Election’ means a Trustee election.

‘General Voting Day’ means the date on which general voting for a Trustee election is to take place, whether part of the general school elections or a by-election.

‘Minister’ means the Minister of Education.

‘Regional District’ means the Regional District of East Kootenay.

2. Application

This bylaw applies to both general elections and by-elections, except as otherwise indicated in this bylaw.

3. Order of Names on Ballot

The order of names of candidates on the ballot will be alphabetical.

[References: School Act s. 46(4), Local Government Act s. 116]

4. Resolution of Tie Votes After Judicial Recount

In the event of a tie vote after a judicial recount, the tie vote will be resolved by lot in accordance with the *Local Government Act*.

5. Number of Nominators Required

As per Section 86(1)(a) of the *Local Government Act*, the minimum number of qualified nominators for a Trustee candidate in School District No. 5 (Southeast Kootenay) is two.

6. Trustee Elections Conducted by Local Governments

6.1 In Trustee Electoral Area 1, if the City of Fernie conducts all or a part of the Trustee election, the elections bylaws of the City of Fernie, as they may be amended from time to time (including bylaws that address the use of voting machines), apply to that Trustee election or part of the Trustee election, except for any bylaws determining the minimum number of nominators, the order of names on the ballot, the resolution of tie votes after judicial recount, requiring a nomination deposit, or any other matter on which the local government bylaws may not by law apply to a Trustee election.

6.2 In Trustee Electoral Area 2, if the District of Sparwood conducts all or a part of the Trustee election, the elections bylaws of the District of Sparwood, as they may be amended from time to time (including bylaws that address the use of voting machines), apply to that Trustee election or part of the Trustee election, except for any bylaws determining the minimum number of nominators, the order of names on the ballot, the resolution of tie votes after judicial recount, requiring a nomination deposit, or any other matter on which the local government bylaws may not by law apply to a Trustee election.

6.3 In Trustee Electoral Area 3, if the District of Elkford conducts all or a part of the Trustee election, the elections bylaws of the District of Elkford, as they may be amended from time to time (including bylaws that address the use of voting machines), apply to that Trustee election or part of the Trustee election, except for any bylaws determining the minimum number of nominators, the order of names on the ballot, the resolution of tie votes after judicial recount, requiring a nomination deposit, or any other matter on which the local government bylaws may not by law apply to a Trustee election.

- 6.4 In Trustee Electoral Area 4, if the Regional District of East Kootenay conducts all or a part of the Trustee election, the elections bylaws of the Regional District of East Kootenay, as they may be amended from time to time (including bylaws that address the use of voting machines), apply to that Trustee election or part of the Trustee election, except for any bylaws determining the minimum number of nominators, the order of names on the ballot, the resolution of tie votes after judicial recount, requiring a nomination deposit, or any other matter on which the local government bylaws may not by law apply to a Trustee election.
- 6.5 In Trustee Electoral Area 5, if the City of Cranbrook conducts all or a part of the Trustee election, the elections bylaws of the City of Cranbrook, as they may be amended from time to time (including bylaws that address the use of voting machines), apply to that Trustee election or part of the Trustee election, except for any bylaws determining the minimum number of nominators, the order of names on the ballot, the resolution of tie votes after judicial recount, requiring a nomination deposit, or any other matter on which the local government bylaws may not by law apply to a Trustee election.
7. Website Access to Candidate Nomination Documents and Campaign Financing Disclosure Statements
- 7.1. The Board authorizes public access, during the regular office hours at the Board's office, to nomination documents of Trustee candidates by internet or other electronic means until 30 days after declaration of the election results.
- 7.2. In accordance with the *Local Elections Campaign Financing Act*, the Board will make available to the public for inspection during the regular office hours of the Board's head office, the Trustee candidates' campaign financing disclosure statements and supplementary reports until 5 years after general voting day for the election to which the Trustee's campaign financial disclosure statements and supplementary report relate either by providing
- (a) access by internet, or
 - (b) a copy of that information for inspection
- 7.3. Before providing the services under section 7, the Board, requires the person requesting the service to:
- (a) satisfy the Board that any purpose for which personal information is to be used is permitted by section 63 of the *Local Elections Campaign Financing Act [restrictions on use of personal information]*, and
 - (b) provide a signed statement that
 - (i) the individual, and
 - (ii) if applicable, any individual or organization on whose behalf the first individual is accessing, inspecting or obtaining the copy or other record will not use personal information included in the copy or other record except for a purpose permitted under the *Local Elections Campaign Financing Act*.

Title

This bylaw may be cited as 'School District No. 5 (Southeast Kootenay) Trustee Election Bylaw-2018'.

School District No. 5 (Southeast Kootenay) Trustee Election Bylaw No 2014 is hereby repealed.

Read a first time the 10th day of April, 2018

Read a second time the 10th day of April, 2018

Read a third time, passed and adopted the 10th day of April, 2018

Chairperson of the Board

Corporate Seal

Secretary Treasurer

I hereby certify this to be a true and original copy of School District No. 5 (Southeast Kootenay) Trustee Elections Bylaw adopted by the Board on the 10th day of April, 2018.

Secretary Treasurer

BOARD COMMITTEES

As much as possible, the Board's business of governance will be conducted by the full Board of Education. The Board may establish committees of the Board when necessary to assist it with governance functions. Committees of the Board shall never interfere with delegation of authority from Board to Superintendent or Secretary Treasurer. The Board may delegate specific powers and duties to committees of the Board that are established by the Board, subject to the restrictions on delegation in the *School Act*.

The primary purpose of all committees of the Board shall be to act in an advisory capacity to the Board. Unless specific powers have been delegated by the Board the power of all committees shall be limited to making recommendations to the Board and shall not include that of acting on behalf of the Board unless specifically authorized for individual issues. The Chair of the committee shall place all recommendations before the Board at a regular business meeting of the Board in the form of a proper motion. No action of any committee of the Board shall be binding on the Board until the action is formally approved by the Board.

Trustees not appointed to a committee may attend meetings as non-voting participants.

A quorum shall be a majority of the Trustees appointed to the Committee.

General Requirements

1. The Board may establish Standing Committees and Ad Hoc Committees and shall prescribe their purpose, powers and duties, number of members and meetings.
2. The Chair of the Board shall be an ex-officio non-voting member of all Board committees to which the Chair has not been appointed. The Board Vice Chairperson may act as ex-officio in the absence of the Board Chairperson. The Board Chairperson may take the place of any Trustee member or alternate who is absent to complete the committee quorum.
3. The Chairperson shall appoint members and Co-Chairs of each Standing Committee at the first regular meeting of each calendar year or as soon thereafter as possible. The Chairperson may fill vacancies as they occur on any standing committee.

Standing Committees

1. The Board has approved the following Standing Committees:
 - 1.1 Policy
 - 1.2 Finance/Operations/Personnel
 - 1.3 Advocacy/Education
 - 1.4 Student Services
 - 1.5 Audit

1.6 Communications/Media

2. Standing Committees shall hold regular and in-camera meetings as often as is necessary to transact the business of the Board.
3. Trustees may attend meetings of any committee of the Board and may be allowed to take part in any discussion or debate but may not vote.
4. The Chairperson of a committee may make recommendations and speak to any question during committee meetings without leaving the Chair.
5. The rules applying to regular or special meetings of the Board shall be observed in committee of the whole and in Standing Committees so far as they are applicable.
6. Recommendations in Committee need not be seconded, and members are not limited as to the times of speaking. Speeches in committee of the whole must be strictly relevant to the item or clause under consideration.
7. Committees of Trustees or individual Trustees may not exercise the rights, duties and power of the Board. [SA s.65(3)]
8. On completion of deliberations, a committee shall report its findings to the Board and such report cannot be acted upon unless approved by the Board.
9. Standing Committees consist solely of Trustees and are established to assist the Board with work of an ongoing or recurring nature. Trustees normally shall be appointed to Standing Committees following the annual Inaugural Meeting and subsequent Annual Meeting to serve at the pleasure of the Board, and thereafter, at any time determined by the Board.
10. Standing Committees are usually established or confirmed annually at the Inaugural Meeting or subsequent Annual Meeting. The appointed member shall serve on the Committee until replaced by a subsequent appointment.
11. The number of Trustees appointed to a committee other than a committee of the whole shall not constitute a quorum of the Board.
12. Each Standing Committee shall establish, at the first meeting of the committee the meeting schedule for the year. The Chairperson of the Committee may cancel regularly scheduled meetings for proper cause. Proper cause will include insufficient business to require a meeting of the Committee. The Chairperson of the Committee may also call special meetings of the Committee not included on the schedule. All Board members will receive notification as well as the agenda for any regularly scheduled or special meetings of the Committee.
13. The resource staff assigned to each committee by the Superintendent or Secretary Treasurer shall keep minutes of each committee meeting, prepare the agenda, and distribute material to be considered by the Committee.
14. Committee minutes shall be distributed to all members of the Board at the Board Meeting at which the Committee Report is given.

15. The Committee agenda and accompanying material shall be distributed at least two full days before any regular meeting of the Committee. A copy of each Committee agenda shall be distributed to all members of the Board. Items may be added to the Committee agenda of any regular or special meeting of the Committee at the beginning of each meeting with the consensus of those committee members present.
16. All recommendations to the Board shall be by majority vote of the Committee members. The minutes shall be circulated in draft form to all Committee members to ensure an accurate final record, shall be approved at a subsequent meeting of the Committee and shall be distributed to the Board of Education. The Chairperson of each Standing Committee will report to the Board on the business of the Committee at the first regularly scheduled Board meeting following the Committee meeting.
17. Agenda items of Standing Committees may be referred to a committee by the Board or may be initiated by staff in consultation with the Chairperson of the committee. Standing Committees of the Board may refer items to other Standing Committees. The agenda for each meeting shall be developed by the chair in consultation with the resource person assigned to assist the Committee.
18. Finance/Operations/Personnel Committee
 - 18.1 Purpose
 - 18.1.1 The purpose of the Committee is to assist the Board by providing for more focused Board discussion of issues pertaining to the District's financial and personnel accountabilities.
 - 18.1.2 The Committee shall review and make recommendations regarding any financial or personnel issues referred to it by the Board.
 - 18.2 Powers and Duties
 - 18.2.1 Fiscal matters to be addressed may include:
 - 18.2.1.1 Operation Budgets
 - 18.2.1.2 Capital Budgets
 - 18.2.1.3 Debt Services
 - 18.2.1.4 Maintenance
 - 18.2.1.5 Transportation
 - 18.2.1.6 Facilities/Property
 - 18.2.1.7 Safety
 - 18.2.1.8 Municipal/Regional Government Liaison
 - 18.2.1.9 Auxiliary Services
 - 18.2.1.10 Any other such items as are deemed financial/operational by the Committee.
 - 18.2.2 Personnel matters may be those related to:
 - 18.2.2.1 Employees
 - 18.2.2.2 Negotiations
 - 18.2.2.3 Working Conditions

18.2.2.4 Collective Agreements and Employee Contracts

18.2.2.5 Any other such items as deemed personnel related by the Committee

18.2.3 The Committee meetings have a public and an in-camera portion with public items brought forward, with minutes, to Board public meetings.

18.3 Membership

18.3.1 Four Trustees appointed by the Chairperson of the Board

18.4 Meetings

18.4.1 At least three times annually

19. Advocacy Education Committee

19.1 Purpose

19.1.1 The purpose of the Committee is to assist and make recommendations to the Board to advocate on behalf of District student needs and achievement and for the requisite funding requirements.

19.2 Powers and Duties

19.2.1 To serve as a vehicle for discussion of educational matters and make recommendations to the Board on such educational matters referred to them.

19.2.2 To review progress relative to key results associated with the Five-Year Strategic Plan.

19.2.3 Determine educational topics to be presented at the monthly public meeting of the Board.

19.2.4 Educational matters may relate to:

19.2.4.1 Curriculum

19.2.4.2 Program and student assessment and evaluation

19.2.4.3 School programs and services

19.2.4.4 Non-Instructional days

19.2.4.5 Post-secondary institutes

19.2.4.6 Any other items as are deemed educational by the Committee.

19.3 Membership

19.3.1 Four Trustees selected by the Chairperson of the Board

19.4 Meetings

19.4.1 At least three times annually

20. Policy Committee

20.1 Purpose

20.1.1 Ensure the review of all Board Policies within the Board's four year term of office.

20.1.2 To prepare recommendations for additions/amendments/deletions to Board Policy.

20.2 Powers and Duties

- 20.2.1 To obtain advice on revision of current policy and to generate new or revised policies to recommend to the Board.
- 20.2.2 To review Board Policies on a schedule which would at minimum provide for the review of all policies at least once in a four year board term of office and make recommendations to the Board regarding amendments, changes and deletions.
- 20.2.3 Ensure adherence to Policy 10 Policy Making
- 20.2.4 At the request of the Board, will fulfill a liaison function with community groups.
- 20.2.5 Address matters referred to it by the Board.

20.3 Membership

- 20.3.1 Four Trustees appointed by the Chairperson of the Board

20.4 Meetings

- 20.4.1 At least three times annually

21. Student Services Committee

21.1 Purpose

- 21.1.1 To serve as a vehicle for discussion of Student Services issues and shall report to the Board at its public meetings.
- 21.1.2 To review and make recommendations regarding matters referred to the Committee by the Board.

21.2 Powers and Duties

Student Services matters for review may be those relating to:

- 21.2.1 Inclusion/accessibility
- 21.2.2 Early intervention
- 21.2.3 Service without designation
- 21.2.4 Assessment and identification of students
- 21.2.5 Student Services funding
- 21.2.6 Examples of service delivery models:
 - 21.2.6.1 Blended special education and learning assistance
 - 21.2.6.2 Alternate programs
 - 21.2.6.3 School Based Team
 - 21.2.6.4 Caseload and workload of staff
- 21.2.7 Itinerant services
- 21.2.8 Support staff development
- 21.2.9 Transitioning planning – into and between schools, and out to community
- 21.2.10 Cross agency cooperation
- 21.2.11 Any other such items as are deemed Student Services by the Committee or the Board.

21.3 Membership

21.3.1 Four Trustees appointed by the Chairperson of the Board

21.4 Meetings

21.4.1 At least three times annually

22. Audit Committee

22.1 Purpose

22.1.1 The Audit Committee (the Committee) is a committee of the whole of the Board of Education. The purpose of the Committee is to monitor, evaluate, advise or make recommendations, in accordance with these terms of reference or any other directions of the Board, on matters affecting the financial and operational control policies and practices relating to the District, including external, internal or special audits thereof.

22.2 Powers and Duties

22.2.1 The Committee has the authority to retain, at the expense of the District, outside advisors and consultants within the District's reasonable availability of financial resources.

22.2.2 Assess the processes related to identification of the District's risks and effectiveness of its control environment.

22.2.3 Oversee financial reporting.

22.2.4 Evaluate the District's internal control systems for financial reporting.

22.2.5 Evaluate the internal and external, and any special audit processes.

22.2.6 Provide an avenue of communication amongst the External Auditor, Management and the Board.

22.2.7 Review and assess the adequacy of these terms of reference annually in April and submit any recommended changes to the terms of reference to the Board of Education for approval.

22.2.8 Review the District's Annual Audited Financial statements before such statements are submitted to the Board of Education for approval.

22.2.9 Review should include discussion with management and the external auditors of significant issues regarding accounting principles, practices and judgements.

22.2.10 Consideration should also be given as to whether they are complete and consistent with information known to Committee members.

22.2.11 In consultation with management, the external auditors and the internal auditor consider the integrity of the District's financial reporting processes and controls including information technology security and control.

22.2.12 Discuss significant financial risk exposures and the steps management has taken to identify, monitor, control and report such exposures.

22.2.13 Review significant findings prepared by the external together with management responses.

- 22.2.14 Review the financial consent and completeness of information of the District's public disclosure documents of a financial nature, which require approval by the Board, before release.
- 22.2.15 Review with management, the external auditors, and, if necessary, legal counsel any material litigation claim or other contingency that could have a material effect upon the financial situation or operation results of the District and the manner in which these will be disclosed in the financial statements.
- 22.2.16 Monitor the appropriateness of accounting policies, especially critical accounting policies, and financial reporting used by the District to review any actual and perspective changes in financial reporting and accounting policies and practices to be adopted by the District and to review and assess any new or proposed developments in accounting and reporting standards that may affect or impact on the District.
- 22.2.17 Review other direct or indirect external audit reports (e.g. Office of the Auditor General) toward making recommendations to the Board for policy or procedural changes for the School District.
- 22.2.18 Make recommendations to the Board as to potential policy or procedural changes arising out of audit recommendations.
- 22.2.19 The minutes of the Committee meetings shall record the decisions reached by the Committee. The Secretary Treasurer, or such other person as may be designated by the Committee, shall keep minutes of the proceedings of all meetings of the Committee. The minutes shall be distributed to the Committee members with copies to the Superintendent, the external auditor and others as directed by the Committee.
- 22.2.20 Deliberations and information received from the attendance at an Audit Committee meeting will be treated as private and confidential information, and shall not be published, released or disclosed in any manner to any persons other than to Trustees of the Board, the Superintendent and Secretary Treasurer, or as determined by the Committee, or in pursuance of specified duties under the School Act, the District's Organizational Bylaw or the Freedom of Information and Protection of Privacy Act.
- 22.2.21 Risk Management Oversight means identifying and analysing and managing risks that may prevent the District from achieving its objectives. The Committee's oversight responsibility for risk management is primarily concerned with financial risks that may affect financial reporting.
- 22.2.21.1 Assess whether management has implemented policies ensuring that the District's financial risks are identified and that controls are adequate, in place and functioning properly.
- 22.2.21.2 Assess whether management has implemented policies and controls to prevent, detect, and deter fraud.
- 22.2.21.3 Review all reports concerning any significant fraud or non-compliance that occurs in the District. This review should include consideration of the internal controls that should be strengthened to reduce the risk of a similar event in the future.
- 22.2.21.4 Assess compliance with specific regulations pertaining to the District.
- 22.2.21.5 After Committee assessment, appropriate recommendations will be made to the Board if required.

- 22.2.22 On at least an annual basis, review with the District appointed legal counsel any legal matters that could have a significant impact on the District's financial statements, the District's compliance with applicable laws and regulations, and inquiries received from the regulators or government agencies.
- 22.2.23 Recommend to the Board the establishment of a code of ethical conduct (the Code), periodically review and recommend to the Board of Education updates to the Code and ensure that management has established a system to enforce the Code.
- 22.2.24 Additional requirements could include reviewing management's monitoring of the District's compliance with the Code and ensuring that management has the proper review system in place to ensure that the District's financial statements, reports and other financial information disseminated to the Government organizations and the public satisfy legal requirements.
 - 22.2.24.1 Periodically perform a self-assessment of Committee performance.
 - 22.2.24.2 Review financial and accounting succession planning within the District.
 - 22.2.24.3 Perform any other activities consistent with these terms of reference, the District's bylaws and governing policies as the Committee or the Board of Education deems necessary or appropriate.
 - 22.2.24.4 Establish procedures for receiving, retaining and responding to complaints relating to accounting or auditing matters, on a basis that protects the confidentiality of the complainer.
- 22.2.25 Role of the Audit Committee with the External Auditor
 - 22.2.25.1 Appointment of auditor must be in accordance with Board procurement procedures and s.158 of the School Act. Of particular note is responsibility of Board in appointing the auditor and how this role is subordinate to the Auditor General Act.
 - 22.2.25.2 Review the annual appointment of the external auditor, for recommendation to the Board for approval giving consideration to matters such as:
 - 22.2.25.2.1 Independence and whether to retain such auditor for each fiscal year after consultation with appropriate management and the internal auditor.
 - 22.2.25.2.2 The fees paid to the external auditor on an annual basis and any non-auditing services performed by the external auditor.
 - 22.2.25.3 On an annual basis, review and discuss with the external auditor all significant relationships with the District that could impair such auditor's independence.
 - 22.2.25.4 Review the planning and results of the external audit, including:
 - 22.2.25.4.1 the auditor's engagement letter
 - 22.2.25.4.2 the reasonableness of the estimated audit fees
 - 22.2.25.4.3 the scope of the audit, including materiality, audit reports required, areas of audit risk, deadlines and coordination with internal audit staff.

- 22.2.25.4.4 the post audit management letter together with management's responses, and
- 22.2.25.4.5 any other matters the external auditor brings to the attention of the Committee.

- 22.2.25.5 Meet with the external auditor at least annually and preferably at each Committee meeting or as requested by the auditor (internal or external) without management representatives present.
- 22.2.25.6 Receive and review all follow up action or status reports relating to the recommendations of the external auditor and internal auditor.

22.3 Membership

- 22.3.1 The Audit Committee is a committee of the whole which includes all Trustees. The Chair of the Committee shall be the Chair of the Board.

22.4 Meetings

- 22.4.1 The Committee shall meet as determined by the Board. A quorum at meetings of the Committee shall be a majority of its members.
- 22.4.2 The Committee Chair shall prepare an agenda in consultation with the Secretary Treasurer.
- 22.4.3 Attendance at the Committee meetings by District Personnel will be determined by the Secretary Treasurer and Superintendent who normally will both be present together with a recording secretary.

23. Communications/Media Committee

23.1 Purpose

- 23.1.1 To communicate Board direction, district successes, recognition, key messages and to write letters to advocate for the District.

23.2 Powers and Duties

- 23.2.1 Draft, review, edit and distribute media and advocacy messages approved by the Board.
- 23.2.2 Develop the draft Board Advocacy Plan for consideration by the Board

23.3 Membership

- 23.3.1 Minimum of two Trustees appointed by the Chairperson of the Board

23.4 Meetings

- 23.4.1 At least three times annually

Ad Hoc Committees

Ad hoc Committees may be established to assist the Board on a specific project for a specific period of time. The terms of reference for each ad hoc committee shall be established by Board motion at the time of the formation of the Committee. Such ad hoc Committees shall cease to exist when the purpose has been achieved.

The Chair of the Board shall appoint Trustees to ad hoc Committees. Currently the following ad hoc Committees have been approved:

- Mount Baker Secondary School Building Replacement

Resource Personnel

The Superintendent or Secretary Treasurer shall appoint resource personnel to work with ad hoc Committees and shall determine the roles, responsibilities, and reporting requirements of the resource personnel.

Legal Reference: Sections 65, 85 School Act
Auditor General Act

Date: August 15, 2021

BOARD REPRESENTATIVES

In response to requests from external organizations or agencies, the Board will give consideration to naming representatives to various external committees, agencies and organizations. Such representation is established at the discretion of the Board to facilitate the exchange of information on matters of mutual concern and/or to discuss possible agreements between the District and other organizations.

The Board will determine the terms of reference for each representative. The Board shall be guided by the following principles when naming representatives to other organizations:

- The Board's decision-making role can be exercised only by the Board as a whole, not by an individual Trustee or Committee;
- The Board's function is governance, rather than administration;
- Responsibilities placed on Trustees are to be closely related to the Board's central role as per Policy 2.

The Superintendent or Secretary Treasurer may appoint resource personnel to work with the representative and shall determine the roles, responsibilities and reporting requirements of resource personnel.

The following organizations/committees will have Board representation as identified normally at the annual Inaugural Meeting or alternatively at a subsequent meeting of the Board.

External Committees

1. British Columbia School Trustees Association (BCSTA) Provincial Council

1.1 Purpose of the Provincial Council

- 1.1.1 Act as a forum for discussion of relevant, timely and emerging issues identified from individual Boards, BCSTA Board of Directors, Ministry of Education and other sources.
- 1.1.2 Discuss, and/or develop, policy issues for submission at the Annual General Meeting.
- 1.1.3 Establish interim policies of the Association between general meetings.
- 1.1.4 Address matters as outlined in BCSTA bylaws, including Association budget approval.
- 1.1.5 Act on action requests from BCSTA Board of Directors.

1.2 Powers and Duties of the Board Representative

- 1.2.1 Attend Provincial Council meetings.
- 1.2.2 Represent the Board's positions and interests at the provincial level.

- 1.2.3 Communicate to the Board the work of the Provincial Council.
- 1.2.4 Bring recommendations to the Board as and when necessary.
- 1.2.5 Build positive relationships.
- 1.3 Membership
 - 1.3.1 One (1) Trustee; one (1) alternate.
- 1.4 Meetings
 - 1.4.1 As called by Provincial Council. (Usually 4 per year, one at the AGM)
- 2. British Columbia Public School Employers' Association (BCPSEA)
 - 2.1 Purpose of the BCPSEA
 - 2.1.1 Act as the accredited bargaining agent for the BCSTA's members.
 - 2.1.2 Assist in carrying out any objectives and strategic directions established by the Public Sector Employers' Council.
 - 2.1.3 Coordinate collective bargaining objectives, benefit administration, human resource practices and out-of-scope compensation matters amongst members.
 - 2.2 Powers and Duties of the Board Representative
 - 2.2.1 Attend the BCPSEA meetings as required.
 - 2.2.2 Represent the Board's positions and interests at BCPSEA meetings.
 - 2.2.3 Communicate to the Board the work of BCPSEA.
 - 2.2.4 Bring recommendations to the Board as and when necessary.
 - 2.2.5 Build positive relationships.
 - 2.3 Membership
 - 2.3.1 One (1) Trustee; one (1) alternate.
 - 2.4 Meetings
 - 2.4.1 As called by BCPSEA.
- 3. BCSTA Kootenay Boundary Branch
 - 3.1 Purpose of the BCSTA Kootenay Boundary Branch
 - 3.1.1 Receive reports from the BCSTA Board of Directors.
 - 3.1.2 Discuss and/or develop policy issues for submission at the Annual General Meeting.
 - 3.1.3 Act as a forum for discussion of Kootenay Boundary Branch issues.
 - 3.1.4 To provide Trustee learning and development.
 - 3.2 Powers and Duties of the Board Representatives
 - 3.2.1 Attend BCSTA Kootenay Boundary Branch Committee Meeting; Branch Chairs Committee Meeting, Aboriginal Education Representatives Meeting, Resolutions Committee Meeting, and Professional Learning Committee Meeting
 - 3.2.2 Represent the Board's positions and interests at BCSTA Kootenay Boundary Branch meetings.

3.2.3 Communicate to the Board the work of the BCSTA Kootenay Boundary Branch.

3.2.4 Bring recommendations to the Board as and when necessary.

3.2.5 Build positive working relationships with other Boards.

3.3 Membership

3.3.1 Any Trustees may attend the Branch Meeting; however, one (1) trustee is assigned as representative to the Branch Committee.

3.4 Meetings

3.4.1 Four (4) meetings per year or as called by Kootenay Boundary Branch, as scheduled.

4. Other Local Representation

4.1 Appointments:

4.1.1 From time to time the Board is invited to appoint representative(s) to committees or other entities external to the school district. Currently these include:

4.1.1.1 Aboriginal Council on Education

4.1.1.2 Cranbrook Fernie Teachers' Association (CFTA) Bargaining Support Team

4.1.1.3 Chamber of Commerce Cranbrook

4.1.1.4 Canadian Union of Public Employees (CUPE) Bargaining Support Team

4.1.1.5 Parent Advisory Council (PAC)/District Parent Advisory Council (DPAC)

4.1.1.6 Early Years Committee Cranbrook

4.1.1.7 Early Years Committee Elkford

4.1.1.8 Early Years Committee Fernie

4.1.1.9 Early Years Committee Sparwood

4.1.1.10 Fernie Leisure Services

4.1.1.11 Humanity Network

4.1.1.12 Key City Theatre

4.1.1.13 Legacy of Learning

4.1.1.14 Social Planning Society

4.2 Purpose:

4.2.1 The purpose of sending representatives to represent the Board on such external committees or entities is to strengthen communication and understanding with the external organization.

- 4.3 Powers and duties of the representative is to:
- 4.3.1 Represent the Board's positions and interests. If no board position has been determined the representative will refrain from expressing a personal opinion and will seek a board position.
 - 4.3.2 Communicate to the Board the work of the external entity and any opportunities which may exist for mutual benefit involving the Board and the entity.
 - 4.3.3 Build positive relations between the entity and the Board corporate.
- 4.4 Representatives:
- 4.4.1 One representative shall be appointed to each of the Committees or entities.
- 4.5 Meetings:
- 4.5.1 As determined by the external committee or entity
- 4.6 The Board shall review annually the efficacy of continued Board representation on such committees or entities.

5. School Liaison Trustee Role

The Chair shall make school liaison assignments

School liaison responsibilities shall not:

- Inhibit or circumvent administrative authority or responsibility
- Include any decision-making authority

Parent Advisory Councils as per section 8 of the School Act may advise the Board and the principal and staff of a school. If the Parent Advisory Council wishes to advise the Board corporate, that advice is to be sent to the Board.

The role of liaison Trustee is to provide visual support for school activities including but not limited to athletic competitions, fine arts performances and displays, school celebrations, and recognition events. The role allows Trustees to become knowledgeable of public school events while keeping manageable the time demands should there not be some limiting of expectations for Board or Trustee attendance at such public events.

6. Contractual Committees

Only those Trustees named, or their appointed alternate may attend. The respective collective agreements prescribe the Committees' purpose, powers and duties, membership and meetings.

6.1 Currently Contractual Committees consist of:

6.1.1 CUPE Grievance

6.1.2 CFTA Grievance

Legal Reference: Sections 8.4, 8.5, 22, 65, 74, 85 School Act
Ministry of Education website

Date: August 15, 2021

POLICY MAKING

Policy development is a key responsibility of the Board. Policies constitute the will of the Board in determining how the District will be operated and communicate the Board's values, beliefs and expectations. Policies provide direction and guidelines for the action of the Board, the Superintendent, Secretary Treasurer, staff, students, electors and other agencies. Policies also serve as sources of information and guidelines to all who may be interested in or connected with the operation of the District. Adoption of new Board policies or revision of existing policies is solely the responsibility of the Board.

The Board shall be guided in its approach to policy making by ensuring adherence to the requirements necessary to provide public education and compliance with the School Act and provincial as well as federal legislation.

Board policies shall provide an appropriate balance between the responsibility of the Board to develop the broad guidelines to guide the District and the opportunity for the Superintendent to exercise professional judgment in the administration of the District.

The Board may choose to utilize the Policy Committee in carrying out its policy role.

The Board believes in the establishment and review of policy which reflects its values and perspectives.

The Board shall adhere to the following stages in its approach to policy making:

1. Planning

The Board, in cooperation with the Superintendent and Secretary Treasurer, shall assess the need for a policy, as a result of its own monitoring activities or on the suggestion of others, and identify the critical attributes of each policy to be developed.

2. Development

The Board may develop the policy itself or delegate the responsibility for its development to the Superintendent or Secretary Treasurer.

3. Implementation

The Board is responsible for the implementation of policies governing its own processes. The Board, Superintendent and Secretary Treasurer share the responsibility for implementation of policies relating to the Board/Superintendent and Board/Secretary Treasurer relationships. The Superintendent and Secretary Treasurer are responsible for the implementation of the other policies.

4. Evaluation

The Board, in cooperation with the Superintendent and Secretary Treasurer, shall evaluate each policy in a timely manner in order to determine if it is meeting its intended purpose. The Board shall review its policies following a schedule that results in all policies in the Board Policy Manual being reviewed at least once in a Board term of office.

Specifically

1. Any Trustee, employee, parent, student or other community member may make suggestions regarding the possible development of a policy or the need for policy revisions on any matter by presenting a proposal for a policy or revisions, in writing, to the Superintendent or Secretary Treasurer. The proposal shall contain a brief statement of purpose or rationale.
2. The Superintendent or Secretary Treasurer will inform the Board of the request for policy development/revision. The Board will determine the action to be taken including the option of referring the matter to the Policy Committee. Should the Board determine that the matter is administrative in nature rather than a board policy issue the Board may refer the matter to the Superintendent or Secretary Treasurer to have it addressed in an administrative procedure.
3. When appropriate, the Superintendent or Secretary Treasurer shall seek legal advice on any policy matter.
4. Policy drafts shall be brought by the Superintendent or Secretary Treasurer to the Board for consideration and possible approval.
5. The Board will determine whether further information or consultation is required. In the event the policy directly affects a stakeholder group(s), it will be sent to such stakeholders for review and feedback.
6. If further consultation is required, comments and suggestions on the policy draft will be reviewed by the Superintendent or Secretary Treasurer and the Board.
7. Once comments have been considered and any information needs satisfied (if so determined), the policy will be recommended to the Board for approval.
8. Only those policies which are adopted and recorded in the minutes constitute the official policies of the Board and added to the Board Policy Handbook.
9. In the absence of existing policy, the Board may make decisions, by resolution, on matters affecting the administration, management and operation of the District. Such decisions carry the weight of policy until such time as specific written policy is developed.
10. If the Board adopts a motion which has continuing applicability the Board shall seek means to include the direction of such motion as part of an existing policy or to develop a free-standing policy to reflect the direction contained in the motion.

11. The Board may request the Superintendent or Secretary Treasurer to change an administrative procedure to a draft Board policy and will in such an instance provide the rationale for same.
12. The Superintendent or Secretary Treasurer shall develop administrative procedures as specified in Policy 11 – Board Delegation of Authority and may develop such other procedures as deemed necessary for the effective operation of the District.
13. The Board may also delete a policy and subsequently delegate the Superintendent or Secretary Treasurer authority over this area. The Superintendent or Secretary Treasurer may choose to then develop an administrative procedure relative to this matter.
14. The Superintendent or Secretary Treasurer must inform the Board of any substantive changes to administrative procedures as an information item in a Board agenda.
15. The Superintendent or Secretary Treasurer shall arrange for all Board policies and administrative procedures and subsequent revisions to be posted on the District’s website, in a timely manner, for staff and public access.
16. The Board shall review and revise its policies on a rotational basis which provides for all policies being reviewed at least once per term of office.

Legal Reference Sections 65, 74, 85 School Act
Date: August 15, 2021

BOARD DELEGATION OF AUTHORITY

The School Act allows for the Board to delegate certain of its responsibilities and powers to others.

The Board authorizes the Superintendent and Secretary Treasurer to do any act or thing or to exercise any power that the Board may do, or is required to do, or may exercise, except those matters which, in accordance with provincial legislation, cannot be delegated. This delegation of authority to the Superintendent and Secretary Treasurer specifically:

- Includes any authority or responsibility set out in the School Act and regulations as well as authority or responsibility set out in other legislation or regulations;
- Includes the ability to enact administrative procedures required to carry out this authority; and also
- Includes the ability to sub-delegate this authority and responsibility as required.

Notwithstanding the above, the Board reserves to itself the authority to make decisions on specific matters requiring Board approval. This reserved authority of the Board is set out in Board policies, as amended from time to time.

Further, the Board requires that any significant new provincial, regional or local initiatives must be initially brought to the Board for discussion and determination of decision-making authority.

Specifically

1. The Board expressly delegates to the Superintendent and Secretary Treasurer and, at their discretion, a designate, the authority to discipline, suspend or dismiss an employee, subject to the limitations of legislation, collective or contractual agreements and Board policy.
2. Where a Superintendent suspends or dismisses a teacher, the Board shall be promptly advised. Where the Secretary Treasurer suspends or dismisses a non-teaching employee, the Board shall be promptly advised.
3. The Superintendent and Secretary Treasurer are directed to develop administrative procedures to fulfill Board obligations created by any federal or provincial legislation.

Legal Reference: Sections 22, 65(2)c, 74, 85 School Act
Date: August 15, 2021

ROLE OF THE SUPERINTENDENT

In accordance with the School Act, the Superintendent, under the general direction of the Board has general supervision and direction over the educational staff of the District and is responsible to the Board for the improvement of student achievement. Further the Superintendent is responsible for the general organization, administration, supervision and evaluation of all educational programs provided by the Board. The Superintendent shall perform the duties articulated in legislation and in Board policy as amended from time to time.

Specific Areas of Responsibility

1. Student Learning

- 1.1 Provides leadership in all matters relating to education in the District.
- 1.2 Implements directions established by the Minister.
- 1.3 Ensures that learning environments contribute to the development of skills and habits necessary for the world of work, post-secondary studies, life-long learning and positive citizenship.
- 1.4 Reports annually on student results achieved.

2. Student Well-Being

- 2.1 Ensures that students are provided with a safe and caring environment that encourages respectful and responsible behaviour.
- 2.2 Ensures the safety and welfare of students while participating in school programs or while being transported to or from school programs on transportation provided or approved by the District.
- 2.3 Ensures the facilities safely accommodate District students.

3. Fiscal Responsibility

- 3.1 Ensures fiscally responsible management of budgets allocated to areas of assigned responsibility.
- 3.2 Works in a complementary and cooperative manner to facilitate the Secretary Treasurer financial management role.

4. Personnel Management

- 4.1 Provide supervisory oversight, coordination, and support for all staff within areas of assigned responsibility.

4.2 Utilize education staff to maximum advantage of students.

5. Policy/Administrative Procedures

5.1 Provide guidance, recommendations and support to the Board in their planning, development, implementation, evaluation and revision of policies.

6. Superintendent/Board Relations

6.1 Respects and honours the Board's role and responsibilities and facilitates the implementation of that role as defined in Board policy.

6.2 Provides the information and counsel which the Board requires to perform its role.

6.3 Attends all Board meetings and makes recommendations on educational matters requiring Board action by providing accurate information and reports as are needed to ensure the making of informed decisions.

7. Strategic Planning and Reporting

7.1 Leads in collaboration with the Secretary Treasurer the development and implementation of the strategic planning process.

7.2 Involves the Board appropriately and collaboratively in the development of the Board's Strategic Plan (Board identification of priorities and key results, and final Board approval of the plan in conjunction with the annual budget).

7.3 Reports at least annually on results achieved.

8. Leadership Practices

8.1 Practices leadership in manner that is viewed positively and has the support of those with whom the Superintendent works most directly in carrying out the directives of the Board and the Minister.

Legal Reference: Section 22, 85 School Act

SUPERINTENDENT EVALUATION PROCESS CRITERIA AND TIMELINES

Evaluation Process

Provides for accountability, growth, and the strengthening of the relationship between the Board and the Superintendent. The written evaluation report shall affirm specific accomplishments and identify growth areas where applicable. Some growth goals may address areas of weakness while others will identify areas where greater emphasis is required due to changes in the District's environment.

1. Provides for an annual written evaluation of the Superintendent's performance.
2. Recognizes that the Superintendent is held accountable for work performed primarily by other senior administrators.
3. Emphasizes the need for and requires the use of evidence for evaluation purposes. Evaluations are most helpful when the evaluator provides concrete evidence of strengths and/or weaknesses. The Performance Assessment Guide identifies quality indicators (QI), which describe expectations in regard to each assigned role expectation (RE).
4. Is aligned with and based upon the Superintendent's roles and responsibilities.
5. Is aligned with the District's Strategic Plan and the key results assigned to the Superintendent and contained therein.
6. Sets out standards of performance. The quality indicators (QI) in the Performance Assessment Guide set out initial standards. When growth goals are identified, additional standards will need to be set to provide clarity of expectations and a means of assessing performance.
7. Is also a performance-based assessment system. Such an evaluation focuses on improvement over time. The second and subsequent evaluations include an assessment of the Superintendent's success in addressing growth areas identified in the previous evaluation.
8. Uses multiple data sources.
9. Elicits evidence to support subjective assessments.
10. Ensures Board feedback is provided regularly. Such feedback normally will be provided annually and will focus on areas over which the Superintendent has authority.

The Superintendent will maintain an electronic evidence binder which will be provided to the Board approximately one week prior to the evaluation workshop. The purpose of the evidence binder is to provide evidence that the quality indicators identified in Appendix B have been achieved. Therefore, evidence will be organized in regard to the quality indicators.

The Board and the Superintendent will be present during the facilitated evaluation session. The Superintendent will ensure the Board has full information and may choose to enter into discussion to ensure the evidence provided has been understood. The Superintendent will only be absent from the room just prior to the evaluation and for the period when the Board constructs the conclusion section. The evidence examined will be in the form of internal reports or external reports. An external report is one from an external source such as the consultant who would conduct Leadership Practices interviews. An internal report is one that comes through the Superintendent. A prime example would be a student learning accountability report. The Board will review the indicated evidence and determine whether, or to what extent, the quality indicators have been achieved. In addition, the Board will supplement the evidence contained in the evidence portfolio with agreed-upon direct Board observations. For example, this would be most evident in the section Superintendent/Board Relations.

During the evaluation workshop, a written evaluation report will be facilitated by the external consultant, which will document:

- The evaluation process;
- Evaluation context;
- Assessments relative to the criteria (quality indicators) noted in Appendix B;
- An examination of progress made relative to any growth goals or redirections identified in the previous year's evaluation;
- Identification of any growth goals if deemed appropriate for the coming year; and
- A "conclusion" section, followed by appropriate signatures and dates.

The assessments contained in the evaluation report will reflect only the corporate Board position. This report will be approved by Board motion. The actual report is a confidential document. A copy signed by the Board will be provided to the Superintendent and a second signed copy will be placed in the Superintendent's personnel file held by the District.

Evaluation Criteria

The criteria for the first evaluation will be those set out in Appendix B: the Performance Assessment Guide. In subsequent evaluations, the criteria will be those defined by the Performance Assessment Guide as listed or revised after each evaluation, plus any growth goals provided by the Board in previous written evaluation report(s). Such growth goals may be areas requiring remediation or actions which must be taken to address trends, issues, or external realities. For the Role Expectation "Leadership Practices", an external consultant will collect data relative to leadership practices by interviewing all principals and all "direct reports". "Direct reports" are defined to be those individuals who report directly to the Superintendent on the District's organizational chart. Leadership practices will normally be completed once in a Board term of office as determined by the Board.

Appendix B is the Performance Assessment Guide, which is intended to clarify for the

Superintendent the performance expectations held by the Board. This guide is also intended to be used by the Board to evaluate the performance of the Superintendent in regard to each job expectation. The Board will review the indicated evidence and will determine whether, or to what extent, the quality indicators have been achieved.

Timelines for Evaluations

Evaluations will be conducted annually, commencing with the 2019-2020 year.

Legal Reference: Section 22, 85 School Act

SUPERINTENDENT PERFORMANCE ASSESSMENT GUIDE

1. Student Learning

Role Expectations:

- RE 1.1 Provides leadership in all matters relating to education in the District.
- RE 1.2 Implements directions established by the Minister.
- RE 1.3 Ensures that learning environments contribute to the development of skills and habits necessary for the world of work, post-secondary studies, life-long learning and citizenship.
- RE 1.4 Reports annually on student results achieved.

Quality Indicators relative to Student Learning:

- QI 1.1 Annually conducts an analysis of student success and ensures school principals develop action plans to address concerns.
- QI 1.2 Identifies trends and issues related to student achievement to inform the strategic planning process, including the implementation of innovative means to improve measurable student achievement.
- QI 1.3 There is measurable improved student achievement over time.

2. Student Well-Being

Role Expectations:

- RE 2.1 Ensures that students are provided with a safe and caring environment that encourages respectful and responsible behaviour.
- RE 2.2 Ensures the safety and welfare of students while participating in school programs or while being transported to or from school programs on transportation provided or approved by the District.
- RE 2.3 Ensures the facilities safely accommodate District students.

Quality Indicators relative to Student well-being:

- QI 2.1 Develops measurements and monitors progress relative to providing a safe and caring environment.
- QI 2.2 Provides an annual student well-being accountability report.

3. Fiscal Responsibility

Role Expectations:

- RE 3.1 Ensures fiscally responsible management of budgets allocated to areas of assigned responsibility.
- RE 3.2 Works in a complementary and cooperative manner to facilitate the Secretary Treasurer financial management role.

Quality Indicators relative to Fiscal Responsibility:

- QI 3.1 Ensures value for money for allotted budgetary funds within areas of assigned responsibility.
- QI 3.2 Provides the Secretary Treasurer with required financial information in a timely manner.

4. Personnel Management

Role Expectations:

- RE 4.1 Provides supervisory oversight, coordination, and support for all staff within areas of assigned responsibility.
- RE 4.2 Utilizes education staff to maximum advantage of students.

Quality Indicators relative to Personnel Management:

- QI 4.1 Develops and effectively implements quality recruitment, orientation, staff development, disciplinary, evaluation and supervisory processes.
- QI 4.2 Models commitment to personal and professional growth.
- QI 4.3 Fosters high standards of instruction and professional improvement
- QI 4.4 Provides for training of administrators and the development of leadership capacity within the District (e.g. mentorship).

5. Policy/Administrative Procedures

Role Expectations:

- RE 5.1 Provides support to the Board regarding the planning, development, implementation and evaluation of Board policies.
- RE 5.2 Develops and keeps current an Administrative Procedures Manual that is consistent with Board policy and provincial policies, regulations and procedures.

Quality Indicators relative to Policy/Administrative Procedures:

QI 5.1 Ensures system adherence to policies.

QI 5.2 Demonstrates a knowledge of and respect for the role of the Board in policy processes.

6. Superintendent/Board Relations

Role Expectations:

RE 6.1 Respects and honours the Board's role and responsibilities and facilitates the implementation of that role as defined in Board policy.

RE 6.2 Provides the information and counsel which the Board requires to perform its role.

RE 6.3 Attends all Board meetings and makes recommendations on matters requiring Board action by providing accurate information and reports as are needed to ensure the making of informed decisions.

Quality Indicators relative to Superintendent/Board Relations

QI 6.1 Implements Board decisions with integrity in a timely fashion.

QI 6.2 Interacts with the Board in an open, honest, proactive and professional manner.

QI 6.3 Provides the Board with balanced, sufficient, concise information and clear recommendations.

QI 6.4 Ensures Board agendas are prepared and distributed to Trustees in sufficient time to allow for appropriate Trustee preparation for the meeting.

QI 6.5 Keeps the Board informed on sensitive issues in a timely manner.

QI 6.6 Ensures high-quality management services are provided to the Board.

7. Strategic Planning and Reporting

Role Expectations:

RE 7.1 Leads in collaboration with the Secretary Treasurer the development and implementation of the strategic planning process.

RE 7.2 Involves the Board appropriately and collaboratively in the development of the Board's Strategic Plan (Board identification of priorities and key results, and final Board approval of the plan in conjunction with the annual budget).

RE 7.3 Reports at least annually on results achieved.

Quality Indicators relative to Strategic Planning and Reporting:

QI 7.1 Ensures key results identified by the Board are achieved.

QI 7.2 Ensures the strategic planning process involves opportunity for stakeholder input.

8. Leadership Practices (Every Second Year Commencing with 2020-2021)

Role Expectations:

RE 8.1 Practices leadership in manner that is viewed positively and has the support of those with whom the Superintendent works most directly in carrying out the directives of the Board and the Minister.

Quality Indicators relative to Leadership Practices:

QI 8.1 Demonstrates a high commitment to meeting student needs.

QI 8.2. Provides clear direction.

QI 8.3 Provides effective educational leadership.

QI 8.4 Establishes and maintains positive, professional working relationships with staff.

QI 8.5 Unites people toward common goals

QI 8.6 I trust the Superintendent.

QI 8.7 Empowers others.

QI 8.8 Effectively solves problems.

Legal Reference: Section 22, 85 School Act

INTERVIEW GUIDE SUPERINTENDENT LEADERSHIP PRACTICES

Perceptions of Principals and Superintendent “Direct Reports”

Please cite evidence to support or refute each of the following:

1. The Superintendent demonstrates a high commitment to meeting student needs
2. The Superintendent provides clear direction
3. The Superintendent provides effective educational leadership
4. The Superintendent establishes and maintains positive, professional working relationships with staff
5. The Superintendent unites people toward common goals
6. I trust the Superintendent
7. The Superintendent empowers others
8. The Superintendent effectively solves problems

What does the Superintendent do if anything that helps you do your job effectively

What does the Superintendent do, if anything, that makes doing your job more difficult to do effectively

SUPERINTENDENT ORGANIZATIONAL CHART

The Superintendent Organizational Chart may be found [here](#).

SECRETARY TREASURER ROLE AND EVALUATION

The Secretary Treasurer is the Chief Financial Officer and Corporate Secretary of the Board in accordance with the School Act and corresponding regulations. In accordance with the District's dual authority model, the Secretary Treasurer reports directly to the Board of Education. Areas of assigned responsibility include: overall fiscal management including but not restricted to operating and capital budget preparation, implementation and reporting. Other areas of assigned supervisory responsibility include: facilities/maintenance, transportation, grounds, and custodial.

Specific Areas of Responsibility

1. Secretary Treasurer/Board Relations

- 1.1 Establish and maintain positive, professional working relationships with the Board.
- 1.2 Respect and honour the roles and responsibilities of the Board and facilitate the effective implementation of those roles and responsibilities.
- 1.3 Provide the information the Board requires to effectively perform its role including the provision of regular fiscal accountability reports.
- 1.4 Organize, as required, Trustee elections and referenda in accordance with the School Act and the Local Government Act.
- 1.5 Perform such other duties as are assigned by the Board from time to time.

2. Fiscal Accountability

- 2.1 Ensure the District operates in a fiscally responsible manner including adherence to recognized accounting procedures.
- 2.2 Ensure Board assignments, Ministry requirements and other regulatory body requirements are complied with in a timely and effective manner.
- 2.3 Ensure that the annual operating and capital budget processes and other financial planning activities are consistent with Board direction and comply with applicable statutes, and Ministry mandates.
- 2.4 Coordinate the annual District operating and capital budgeting processes including communicating the budget timetable and instructions to District staff, ensuring appropriate budget documentation from departments, analyzing departmental budget submissions, compiling the total District budget, and preparing budget summary reports for use by the District management team and the Board in its budget related decision-making.

- 2.5 Provide leadership and exercise overall responsibility for implementing capital projects approved by the Board.
- 2.6 Work effectively with the Ministry to the advantage of the District in regard to capital funding.
- 2.7 Develop recommended short-term and long-term capital plans to address the requirement for new facilities, renovations and up grading of facilities.
- 2.8 Ensure any deficiencies identified in the audit report and management letter are remediated in a timely manner and follow up reports that document the status of deficiencies and remediation efforts are provided to the Board.

3. Human Resources/Labour Relations

- 3.1 Provide supervisory oversight, coordination, and support for all staff within areas of assigned responsibility.
- 3.2 Act as the lead negotiator for support staff agreements.
- 3.3 Act as the District Management Representative at step three of the support staff grievance process providing advice and recommendations which are in accordance with the terms and spirit of the CUPE 4165 Collective Agreement and which maintain the integrity of the District.
- 3.4 Provide advice to principals and managers concerning the implementation, interpretation or administration of the support staff collective agreements and related labour legislation.
- 3.5 Liaise with the British Columbia Public School Employers' Association (BCPSEA) regarding bargaining and collective agreement administration and ensure that collective agreements (CFTA, CUPE) personal services contracts comply with BCPSEA policies and directives.

4. Organizational Management

- 4.1 Demonstrate effective organizational skills resulting in District compliance with all legal, Ministerial and Board mandates, community partnerships and timelines, including: ensuring the custody of deeds, leases, agreements, contracts, insurance policies, and other corporate documents.
- 4.2 Ensure compliance with all Occupational Health and Safety requirements within areas of assigned responsibilities.

5. Leadership Practices

- 5.1 Practice leadership in a manner that is viewed positively and has the support of those supervised in carrying out the directives of the Board.
- 5.2 Work effectively with all District staff to make the Board's will a reality and to develop and maintain a positive productive work environment in the District.

- 5.3 Work effectively in the District's dual authority structure resulting in strong support for Board direction.
 - 5.4 Develop positive working relationships with other members of District senior management and employee groups.
 - 5.5 Develop effective and productive relationships with all agencies, organizations and institutions with common interests in the District including municipal and regional officials, auditors, bankers, ministries of the provincial government and other school Districts.
6. Communications and Community Relations
- 6.1 Take appropriate actions to ensure positive external and internal communication are developed and maintained within areas of assigned responsibility.
7. Strategic Planning and Reporting
- 7.1 Ensure the budget is developed in accordance with a timeline which ensures the Board's ability to provide informed decision making to support strategic priorities.
8. Policy and Administrative Procedures
- 8.1 Provide guidance, recommendations and support in the planning, development, implementation, evaluation and revision of policies and of administrative procedures within areas of assigned responsibility.
9. Transportation
- 9.1 Ensure that each student is provided with a safe and caring environment that fosters and maintains respectful and responsible behaviour while being transported to or from school programs on transportation provided by the District.
 - 9.2 Ensure student transportation is provided with due regard for safety, efficiency and length of ride.
10. Facilities
- 10.1 Ensure facilities and grounds are provided and maintained in a timely manner with due regard for safety, accommodation of all students and program need.

Legal Reference: Section 22, 85 School Act

SECRETARY TREASURER EVALUATION PROCESS CRITERIA AND TIMELINES

Evaluation Process

Provides for accountability, growth, and the strengthening of the relationship between the Board and the Secretary Treasurer. The written evaluation report shall affirm specific accomplishments and identify growth areas where applicable. Some growth goals may address areas of weakness while others will identify areas where greater emphasis is required due to changes in the District's environment.

1. Provides for an annual written evaluation of the Secretary Treasurer's performance.
2. Recognizes that the Secretary Treasurer is also held accountable for work performed primarily by staff who report to the Secretary Treasurer.
3. Emphasizes the need for and requires the use of evidence for evaluation purposes. Evaluations are most helpful when the evaluator provides concrete evidence of strengths and/or weaknesses. The Performance Assessment Guide identifies quality indicators (QI), which describe expectations in regard to each assigned role expectation (RE).
4. Is aligned with and based upon the Secretary Treasurer's roles and responsibilities.
5. Is aligned with the District's Strategic Plan and the key results contained therein.
6. Sets out standards of performance. The quality indicators (QI) in the Performance Assessment Guide set out initial standards. When growth goals are identified, additional standards will need to be set to provide clarity of expectations and a means of assessing performance.
7. Is also a performance-based assessment system. Such an evaluation focuses on improvement over time. The second and subsequent evaluations include an assessment of the Secretary Treasurer's success in addressing growth areas identified in the previous evaluation.
8. Uses multiple data sources.
9. Elicits evidence to support subjective assessments.
10. Ensures Board feedback is provided regularly. Such feedback normally will be provided annually and will focus on areas over which the Secretary Treasurer has authority.

The Secretary Treasurer will maintain an electronic evidence binder which will be provided to the Board approximately one week prior to the evaluation workshop. The purpose of the evidence binder is to provide evidence that the quality indicators identified in Appendix B have been achieved. Therefore, evidence will be organized in regard to these quality indicators.

The Board and the Secretary Treasurer will be present during the facilitated evaluation session. The Secretary Treasurer will ensure the Board has full information and may choose to enter into discussion to ensure the evidence provided has been understood. The Secretary Treasurer will only be absent from the room just prior to the evaluation and for the period when the Board constructs the conclusion section. The evidence examined will be in the form of internal reports or external reports. An external report is one from an external source such as an auditor. An internal report is one that comes through the Secretary Treasurer. The Board will review the indicated evidence and determine whether, or to what extent, the quality indicators have been achieved. In addition, the Board will supplement the evidence contained in the evidence portfolio with agreed-upon direct Board observations. For example, this would be most evident in the section Secretary Treasurer/Board Relations.

During the evaluation workshop, a written evaluation report will be facilitated by the external consultant, which will document:

- The evaluation process;
- Evaluation context;
- Assessments relative to the criteria (quality indicators) noted in Appendix B;
- An examination of progress made relative to any growth goals or redirections identified in the previous year's evaluation;
- Identification of any growth goals if deemed appropriate for the coming year; and
- A "conclusion" section, followed by appropriate signatures and dates.

The assessments contained in the evaluation report will reflect only the corporate Board position. This report will be approved by Board motion. The actual report is a confidential document. A copy signed by the Board will be provided to the Secretary Treasurer and a second signed copy will be placed in the Secretary Treasurer's personnel file held by the District.

Evaluation Criteria

The criteria for the first evaluation will be those set out in Appendix B: the Performance Assessment Guide. In subsequent evaluations, the criteria will be those defined by the Performance Assessment Guide as listed or revised after each evaluation, plus any growth goals provided by the Board in previous written evaluation report(s). Such growth goals may be areas requiring remediation or actions which must be taken to address trends, issues, or external realities. For the Role Expectation "Leadership Practices", an external consultant will collect data relative to leadership practices by interviewing selected staff who work closely with the Secretary Treasurer, those who report directly to the Secretary Treasurer on the Board approved organizational chart. Leadership practices will normally be assessed once in a Board term of office as determined by the Board.

Appendix B is the Performance Assessment Guide, which is intended to clarify for the Secretary Treasurer the performance expectations held by the Board. This guide is also intended to be used by the Board to evaluate the performance of the Secretary Treasurer in regard to each job expectation. The Board will review the indicated evidence and will determine whether, or to what extent, the quality indicators have been achieved.

Timelines for Evaluations

Evaluations will be conducted annually, commencing with 2019-2020.

Legal Reference: Section 22, 85 School Act

SECRETARY TREASURER PERFORMANCE ASSESSMENT GUIDE

1. Secretary Treasurer/Board Relations

Role Expectations:

- RE 1.1 Establish and maintain positive, professional working relationships with the Board.
- RE 1.2 Respect and honour the roles and responsibilities of the Board and facilitate the effective implementation of those roles and responsibilities.
- RE 1.3 Provide the information the Board requires to effectively perform its role including the provision of regular fiscal accountability reports.
- RE 1.4 Organize, as necessary, Trustee elections and referenda in accordance with the School Act and the Local Government Act.
- RE 1.5 Perform such other duties as are assigned by the Board from time to time.

Quality Indicators relative to Secretary Treasurer/Board Relations:

- QI 1.1 Implements Board decisions with integrity in a timely fashion.
- QI 1.2 Interacts with the Board in an open, honest, proactive and professional manner.
- QI 1.3 In areas of assigned responsibility ensures matters are placed in agendas for Board approval in a timely manner and in such instances provides the Board with balanced, sufficient, concise information and clear recommendations.
- QI 1.4 Ensures Board agendas are prepared and distributed to Trustees in sufficient time to allow for appropriate Trustee preparation for Board meetings.
- QI 1.5 Keeps the Board informed on sensitive issues within areas of assigned responsibility in a timely manner.

2. Fiscal Accountability

Role Expectations:

- RE 2.1 Ensure the District operates in a fiscally responsible manner including adherence to recognized accounting procedures.
- RE 2.2 Ensure Board assignments, Ministry requirements and other regulatory body requirements are complied with in a timely and effective manner.

- RE 2.3 Ensure that the annual operating and capital budget processes and other financial planning activities are consistent with Board direction and comply with applicable statutes, and Ministry mandates.
- RE 2.4 Coordinate the annual District operating and capital budgeting processes including communicating the budget timetable and instructions to District staff, ensuring appropriate budget documentation from departments, analyzing departmental budget submissions, compiling the total District budget, and preparing budget summary reports for use by the District management team and the Board in its budget related decision-making.
- RE 2.5 Provide leadership and exercise overall responsibility for implementing capital projects approved by the Board.
- RE 2.6 Work effectively with the Ministry to the advantage of the District in regard to capital funding.
- RE 2.7 Develop recommended short- and long-term capital plans to address the requirement for new facilities, renovations and up grading of facilities.

Quality Indicators relative to Fiscal Accountability:

- QI 2.1 Ensures Public Sector Accounting Board (PSAB) accounting principles are being followed.
- QI 2.2 Adequate internal financial controls exist and are being followed.
- QI 2.3 All collective agreements and contracts are being administered and interpreted so staff and contracted personnel are being paid appropriately and appropriate deductions are being made.
- QI 2.4 Internal audits of school-based funds are conducted in a timely manner.
- QI 2.5 Provides the Board with quarterly fiscal accountability reports in a format acceptable to the Board including variances, projections, accumulated surpluses, and fiscal issues.
- QI 2.6 Reviews expenditures to ensure continuous improvement in terms of value for money.
- QI 2.7 Any deficiencies identified in the audit report and management letter are remediated in a timely manner and a follow up report that documents the status of deficiencies and remediation efforts is provided to the Board.
- QI 2.8 The Board is informed immediately regarding any litigation brought by or against the District.

3. Human Resources/Labour Relations

Role Expectations:

- RE 3.1 Provide supervisory oversight, coordination, and support for all staff under the direction of the Secretary Treasurer.
- RE 3.2 Act as the lead negotiator for support staff agreements.

- RE 3.3 Act as the District Management Representative at step three of the support staff grievance process providing advice and recommendations which are in accordance with the terms and spirit of the CUPE 4165 Collective Agreement and maintain the integrity of the District.
- RE 3.4 Provide advice to principals and managers concerning the implementation, interpretation or administration of the support staff collective agreements and related labour legislation.
- RE 3.5 Liaise with the British Columbia Public School Employers' Association (BCPSEA) regarding bargaining and collective agreement administration and ensure that collective agreements and employment contracts comply with BCPSEA policies and directives.

Quality Indicators relative to Human Resources/Labour Relations:

- QI 3.1 Works effectively with other District Human Resources personnel to ensure the CUPE 4165 Collective Agreement is interpreted and applied as negotiated.
- QI 3.2 Collective agreements and employment contracts comply with BCPSEA policies and directives.
- QI 3.3 Develops and effectively implements high quality recruitment, orientation, staff development, disciplinary, evaluation and supervisory processes within areas of assigned responsibility.

4. Organizational Management

Role Expectations:

- RE 4.1 Demonstrate effective organizational skills resulting in District compliance with all legal, Ministerial and Board mandates and timelines including: ensuring the custody of deeds, leases, agreements, contracts, insurance policies, and other corporate documents.
- RE 4.2 Ensure compliance with all Occupational Health and Safety requirements within areas of assigned responsibilities.

Quality Indicators relative to Organizational Management:

- QI 4.1 The District is in compliance with Ministerial and Board mandates and timelines.
- QI 4.2 The District is in compliance with Occupational Health and Safety standards.

5. Leadership Practices

Role Expectations:

- RE 5.1 Practice leadership in a manner that is viewed positively and has the support of those supervised in carrying out the directives of the Board.
- RE 5.2 Work effectively with all District staff to develop and maintain a positive productive work environment in the District.
- RE 5.3 Work effectively in the District's dual authority structure resulting in strong support for Board direction.
- RE 5.4 Develop positive working relationships with other members of District senior management and employee groups.
- RE 5.5 Develop effective and productive relationships with all agencies, organizations and institutions with common interests with the District including municipal and regional officials, auditors, bankers, ministries of the provincial government and other school districts.

Quality Indicators relative to Leadership Practices:

- QI 5.1 Provides clear direction to those within areas of assigned responsibility.
- QI 5.2 Provides effective leadership.
- QI 5.3 Establishes and maintains positive, professional working relationships with Staff.
- QI 5.4 Unites people toward achieving District/department goals.
- QI 5.5 Is trusted by staff.
- QI 5.6 Effectively solves problems.

6. Communications and Community Relations

Role Expectations:

- RE 6.1 Take appropriate actions to ensure positive external and internal communications are developed and maintained within areas of assigned responsibility.

Quality Indicators relative to Communications & Community Relations:

- QI 6.1 Represents the District in a positive, professional manner which maintains or enhances the public image of the District.
- QI 6.2 Manages conflict effectively.
- QI 6.3 Interacts with the Ministry of Education officials in a productive manner resulting in a positive professional working relationship between the District and the Ministry.
- QI 6.4 Effectively acts as or designates the Freedom of Information and Protection of Privacy Act (FIPPA) Head for the District.
- QI 6.5 Develops and maintains positive and effective relations with provincial and regional government departments and agencies.

7. Strategic Planning and Reporting

Role Expectations:

- RE 7.1 Ensure the budget to support strategic priorities is developed in accordance with a timeline which ensures the Board's ability to provide informed decision making.

Quality Indicators relative to Strategic Planning and Reporting:

- QI 7.1 In areas of assigned responsibility ensure performance indicators approved by the Board are achieved.
- QI 7.2 Ensure strategic priorities approved by the Board are addressed within the Board approved budget.

8. Policy and Administrative Procedures

Role Expectations:

- RE 8.1 Provide guidance, recommendations and support in the planning, development, implementation, evaluation and revision of policies and administrative procedures within areas of responsibility.

Quality Indicators relative to Policy & Administrative Procedures:

- QI 8.1 Appropriately involves individuals and groups in the administrative procedures and policy development and review processes.
- QI 8.2 Ensures system adherence to policies and administrative procedures within areas of assigned responsibilities.
- QI 8.3 Demonstrates a knowledge of and respect for the Board's responsibility and role in policy processes.

9. Transportation

Role Expectations:

- RE 9.1 Ensure that each student is provided with a safe and caring environment that fosters and maintains respectful and responsible behaviours while being transported to or from school programs on transportation provided by the District.

Quality Indicators relative to Transportation:

- QI 9.1 Annually provides the Board with a transportation accountability report focused on student safety, fiscal efficiency, client satisfaction and length of ride.

10. Facilities

Role Expectations:

- RE 10.1 Ensure facilities and grounds are provided and maintained in a timely manner with due regard for safety, accommodation of all students and program needs.

Quality Indicators relative to Facilities:

- QI 10.1 Facility project budgets and construction schedules are followed or timely variance reports are provided to the Board.
- QI 10.2 Provides an analysis of incident reports related to student injuries and insurance claims including but not restricted to those involving facilities.
- QI 10.3 Annually provides the Board with a facilities report including maintenance accountability report focused on student safety, fiscal efficiency, accommodation of students and programs.

Legal Reference: Section 22, 85 School Act

INTERVIEW GUIDE

SECRETARY TREASURER LEADERSHIP PRACTICES

Perceptions of selected supervised staff and selected co-workers:

Please cite evidence to support or refute each of the following:

- 1.1 The Secretary Treasurer provides clear direction
 - 1.2 The Secretary Treasurer provides effective leadership in areas of assigned responsibility
 - 1.3 The Secretary Treasurer establishes and maintains positive, professional working relationships with staff
 - 1.4 The Secretary Treasurer unites people toward achieving District /departmental goals
 - 1.5 I trust the Secretary Treasurer
 - 1.6 The Secretary Treasurer effectively solves problems
-
2. What does the Secretary Treasurer do, if anything that helps you do your job effectively?
 3. What does the Secretary Treasurer do, if anything, that makes doing your job more difficult to do effectively?

SECRETARY TREASURER ORGANIZATIONAL CHART

The Secretary Treasurer Organizational Chart may be found [here](#).

APPEALS PROCEDURE BYLAW

Decisions Which May Be Appealed

The Board of Education recognizes the right of a student and/or parent of a student under Section 11 of the School Act to appeal a decision of an employee of the Board where such decision significantly affects the education, health or safety of the student.

The following decisions shall be deemed to significantly affect the education, health or safety of a student:

- disciplinary suspension from school for a period in excess of five (5) days;
- refusal to offer an educational program to a student who is sixteen (16) years of age or older;
- requirement to complete all or part of an educational program by distributed learning as a disciplinary measure, where space and facilities are available in a school;
- exclusion from school for a health condition;
- failure to provide an Individual Education Plan (IEP) to a student with special needs;
- failure to offer to consult with a parent regarding the placement or IEP of a student with special needs;
- denial of an educational program by failure to take action in respect of a complaint of bullying, intimidation, harassment, or threat or use of weapons or violence by one or more students against another student; and
- any other decision that, in the opinion of the Board, significantly affects the education, health or safety of a student.

A “decision” for the purposes of this bylaw includes the failure of an employee to make a decision. “Parent” is as defined in Section 1 of the School Act.

Refusal to Hear Appeals

The Board may refuse to hear an appeal where:

- the appeal has not been initiated within a reasonable time of the decision being appealed;
- the student or parent appealing the decision has not first discussed the decision being appealed with any persons identified by the Board; or
- the Board determines that the decision does not significantly affect the student’s education, health or safety.

Appeal Procedure

An appeal must be submitted to the Board in accordance with this Bylaw.

Before Filing an Appeal

Before an appeal is filed, it is the Board's expectation that the student and/or parent will discuss the issue in dispute in a constructive manner with those responsible at the school or district level. In this regard, the Board expects, at a minimum, the following steps will be taken before an appeal is filed:

- Step 1: The student and/or parent will discuss the issue with the principal where the decision was made at the school level, or the responsible administrator, where the decision was made at the district level; and
- Step 2: The student and/or parent will discuss the issue with the Superintendent and/or administrator(s) appointed by the Superintendent.

Time Limit for Filing Appeal

An appeal must be commenced within thirty (30) days of the date the student or parent was informed of the decision being appealed from, unless the student or parent initiating the appeal (the "Appellant") can demonstrate that there are reasonable grounds to extend this time limit.

Filing an Appeal

An appeal shall be initiated by filing a notice of appeal with the Secretary Treasurer to the Board.

The notice of appeal shall include the following information:

- the name, address, email address (if applicable), and telephone phone number of the Appellant, including the student's name, school, grade level, and home room teacher;
- a description of the decision that is being appealed and its effect on the education, health or safety of the student;
- the name of the employee who made the decision;
- the date the Appellant was informed of the decision being appealed;
- the grounds of the appeal and the action requested; and
- the steps that the Appellant has taken to discuss the matter directly with the person who made the decision or with other school or district employees.

Where the Appellant is a student under the age of nineteen (19) years, the Board shall provide a copy of the notice of appeal to the parent(s) of the student.

Upon receiving the notice of appeal, the Secretary Treasurer will notify the Board, the Superintendent and the employee whose decision is being appealed, of the appeal.

The Superintendent may appoint a person to be responsible for carrying out the responsibilities of the Superintendent under this Bylaw.

Pre-Hearing Procedure

The Secretary Treasurer is responsible for reviewing the notice of appeal and for communicating with the Appellant and others on matters related to the appeal.

Where, in the opinion of the Secretary Treasurer, the appeal does not comply with the requirements for an appeal established under this Bylaw or Section 11 of the School Act (e.g. it is not a decision of an employee which significantly affects the student's education, health or safety; the appeal was not filed in a timely manner), the Secretary Treasurer shall refer the preliminary matter to the Board for a determination.

The Board may ask for written submissions from the Appellant and/or the Superintendent on the preliminary matter.

The Board shall notify the Appellant and the Superintendent of any preliminary decision it may make, including a refusal to hear the appeal.

Where, in the opinion of the Secretary Treasurer, there is no preliminary matter to be determined, arrangements will be made for the hearing of the appeal by the Board.

Prior to the date established for the hearing of the appeal, the Superintendent will provide a report to the Board regarding the matter under appeal. The Appellants and the employee whose decision is being appealed shall be entitled to a copy of this report.

The Board may provide directions for the hearing of the appeal.

The Board may, prior to the Board hearing the appeal or at any other time, require the Appellant discuss the decision being appealed with persons directed by the Board.

The Board may establish a committee of one or more persons who have not been involved in the decision under appeal, for the purpose of investigating an appeal and the Committee shall report to the Board as directed.

Board Hearing

The Board may hold an oral hearing in respect of the appeal and/or may decide the appeal based upon written submissions. Oral hearings will be held in a closed session.

The Board may make any interim decision it considers necessary pending the disposition of the appeal.

The Board shall advise the Appellant, the Superintendent and the employee whose decision is being appealed, whether the appeal will be determined based upon written submissions and/or an oral hearing and on any directions established for the hearing of the appeal, including the time frame for oral and/or written submissions.

Where the Board decides to hold an oral hearing, the Appellant, the Superintendent and the employee whose decision is being appealed, shall be provided with written notice of the date, time and location of the hearing.

The Board may ask questions of any person appearing at the appeal hearing.

The Board may adjourn the hearing at any time to obtain additional information where it considers such information would assist the Board in determining the appeal.

During the appeal process, the Appellant may be accompanied by an advocate, support person and/or interpreter/translator.

Decision

The Board shall make any decision that it considers appropriate in respect of the matter that is being appealed and any preliminary matters.

The Board shall decide the appeal based on the oral and/or written submissions presented to it and any other information obtained by the Board in accordance with this Bylaw.

The Board must make a decision within 45 days from the date the notice of appeal was received in an acceptable form.

The Board shall promptly notify the Appellant, the Superintendent and the employee whose decision was appealed of the decision of the Board and shall provide written reasons for the decision as soon as practicable. *

*[*An Appellant may have a right to appeal a decision of the Board made under this Bylaw. For more information contact the Student Appeals Branch of the Ministry of Education.]*

Legal Reference: Sections 6, 11, 11.1, 11.2, 11.3, 11.4, 11.5, 11.6, 11.7, 11.8, 22, 26, 68, 85, 91 School Act
Regulation 24/08 – Appeals Regulation Administrative Tribunals Act
Collective Agreement

Date: August 15, 2021

NOTICE OF APPEAL FORM

(To be completed by the student/parent/guardian filing the Appeal)

Demographic Data

Surname

Given Names

Street No./Street/PO Box

City/Postal Code

Name of Student of parent/guardian (if applicable)

Present School

School Address

Present Grade

Present Teacher

Decision or lack thereof being appealed

Date of Decision/lack thereof

Name of Board employee(s) who made the decision being appealed

Particulars of the effect on the student's education, health or safety

Grounds for the appeal and the action requested or relief sought (i.e.: evidence to support it)

Steps taken to date to resolve the matter

Request for an oral hearing or written submission

Special accommodations required to proceed with the appeal

Student/Parent/Guardian making the Appeal

Date

SCHOOL CLOSURE

At times, the Board may consider permanent closure of schools.

Closing a school permanently means the closing, for a period exceeding twelve (12) months of a school building used for the purposes of providing an educational program to students. The Board may decide to permanently close a school, following a school closure public consultation process, and must provide written notification to the Minister of Education. Closing of a school for the purposes of effecting repairs, renovations or additions to a school building shall not be deemed to be a permanent closure of a school if the board intends to reopen the building upon completion of the repairs, renovations or additions.

The Board shall provide a public consultation process with respect to the permanent closure of a school prior to the Board making its final decision with respect to the closure of that school.

Following the consultation process, the Board will make a decision on the possible closure of the school.

Specifically:

1. Senior Management may recommend to the Board at a public meeting consideration of schools for closure. Any such recommendation will also be communicated to the affected school communities.

Senior Management, in making a recommendation for consideration for closure may assess factors such as (some of which may not be applicable to a specific closure consideration):

- 1.1 Program offerings;
 - 1.2 Space available in nearby schools;
 - 1.3 Distances between schools
 - 1.4 Traffic and travel patterns and safety of access for students being relocated;
 - 1.5 Current and projected enrolment levels;
 - 1.6 Class size;
 - 1.7 Funding formula considerations;
 - 1.8 Age of the building, physical plant maintenance and operating costs of the facility;
 - 1.9 Potential re-uses of school facilities and sites;
 - 1.10 Other factors that may be applicable in the circumstances.
2. The Board will consider the information provided by the Superintendent and either:
 - 2.1 Conclude that no action or further study is required, or
 - 2.2 Initiate a public consultation process by passing a motion at a public meeting of the Board.

3. The Superintendent will notify the Principal(s) and the Parent Advisory Council(s) in writing that the school has been identified for possible closure. The Board will notify the school community and the public about the school closure public consultation process through various means including parent newsletters and information posted on the District website.
4. The Board shall allow a period of at least sixty (60) days for public consultation process to take place.
5. The Board shall take the following steps to ensure that public consultation will take place:
 - 5.1 Make available, in writing, the rationale for the proposed school closure considered by the Board, including, but not limited to information with respect to the following factors:
 - 5.1.1 The number of students who would be affected, at both the school to be closed and surrounding schools;
 - 5.1.2 Enrolment trends and utilization for the school and surrounding area;
 - 5.1.3 Availability of space at receiving schools;
 - 5.1.4 Proximity to possible receiving schools and the routes to schools;
 - 5.1.5 Financial considerations including anticipated cost savings;
 - 5.1.6 Facility age and condition;
 - 5.1.7 District Choice and Special Education programs offered at the school;
 - 5.1.8 Impacts on surrounding schools;
 - 5.1.9 Impacts on community users operating in the schools offered at the school.
6. Once a school closure public consultation process has been initiated, at least one (1) public consultation meeting will be held to discuss the proposed closure.
7. The time and location of the school closure public consultation meeting(s) shall be advertised to notify the community at least 14 days in advance. This may include signage at the school, written notification to parents/guardians of students currently attending and registered to attend the school, notices to neighbouring schools, Parent Advisory Councils, employee groups and information posted on the District website and to social media.
8. The Board shall present the following at the beginning of the public meeting:
 - 8.1 Rationale for the proposed closure, including, but not limited to the pertinent facts and information related to the factors identified within the policy;
 - 8.2 The timing of the proposed closure and the implications for the placement of students; information about future enrolment growth in the district of persons of school age, persons of less than school age and adults
 - 8.3 Possible alternative community use for all or part of the school.

9. Notes will be kept of the public meeting to record concerns or options raised regarding the proposed closure. Following the public meeting(s), the Board will give consideration to all input prior to making its final decision with respect to the school closure.
 - 9.1 The Board shall provide an opportunity for written submissions to the Board regarding the proposed school closure. The Board will provide information and directions on how to submit the written submissions. Written submissions will be summarized and will be acknowledged as received.

 10. The final decision on a school closure will be made through the first, second, and third and final reading of a School Closure Bylaw at a public Board meeting. Following a decision to close a school, the Board will provide, without delay, written notification to the Minister of Education of its decision containing the following information:
 - 10.1 The school's name,
 - 10.2 The school's facility number,
 - 10.3 The school's address, and
 - 10.4 The date on which the school will permanently close.

 11. Alternate use of a closed facility will be determined by the Board after receiving a recommendation from the Superintendent.
-

Legal Reference: Sections 73, 85, School Act
School Opening and Closure Order M194/08 Disposal of Land or Improvements Order M 193/08
Date: August 15, 2021

INDEMNIFICATION BY-LAW

It is in the interest of a responsive and efficient public service that Trustees, officers and employees be protected against a claim of damages arising out of the performance of their duties. None of these individuals should be placed in a position of personal liability for the performance of responsibilities vested in them by the *School Act* or assigned to them by the Board.

By-Law:

1. The Board will indemnify a Trustee, an officer or an employee of the Board
 - 1.1. Against a claim for damages against the Trustee, officer or employee arising out of performance of their duties; or
 - 1.2. Where an inquiry under Part 2 of the *Public Inquiry Act* or other proceeding involves the administration and conduct of the business of the School District and, in addition, the Board may pay legal costs incurred in proceedings arising out of the claim, inquiry or other proceeding.
2. The Board may, by affirmative vote of a majority of not less than 2/3 of all its members, pay
 - 2.1. Any sum required to indemnify a Trustee, an officer or an employee of the Board where a prosecution arises out of the performance of their duties with the Board; and
 - 2.2. Costs necessarily incurred;
But the Board shall not pay a fine imposed on a Trustee, an officer or an employee as a result of their conviction.
3. The Board shall not seek indemnity against a Trustee, an officer or an employee of the Board in respect of any action by the Trustee, officer or employee that results in a claim for damages against the Board except
 - 3.1. Where the claim for damages arises out of the gross negligence of the Trustee, officer or employee; or
 - 3.2. Where, in relation to the action that gave rise to a claim for damages against an officer or employee, the officer or employee willfully acted contrary to:
 - 3.2.1. The terms of their employment, or
 - 3.2.2. An order of a superior.
4. The Board's obligation to indemnify a Trustee, an officer or an employee in respect of matters occurring during their term of office or employment shall continue, notwithstanding that the term of office or employment, as the case may be, has ended.

5. Where the Board decides to pay legal costs incurred in proceedings out of a claim, inquiry under Part II of the *Public Inquiry Act* or other proceedings, the Board has the right to conduct the defense of the matter and, in its discretion, to compromise and/or settle the claim.
6. The Board shall not indemnify a Trustee, officer or employee against:
 - 6.1. Liability and legal fees incurred as a result of an action or other proceeding taken by the Board against the Trustee, officer or employee, or as a result of an action or proceeding taken by the Trustee, officer or employee against the Board;
 - 6.2. Liability to pay a fine, penalty or order imposed as a result of the conviction for an offence;
 - 6.3. Legal fees incurred as a result of a prosecution where the Trustee, officer or employee is convicted of an offence or obtains a conditional discharge;
 - 6.4. Legal fees incurred in an appeal of any conviction, sentence, judgment or order, unless the Board, by an affirmative vote of a majority of its members, so agrees;
 - 6.5. Liability and legal fees incurred by a Trustee where the Court determines that the Trustee knowingly contravened the School Act;
 - 6.6. Liability incurred by a Trustee, officer or employee where the Court determined that the Trustee, officer or employee knowingly permitted or authorized an expenditure not authorized by an enactment;
 - 6.7. Liability incurred by a Trustee as a result of any restitution ordered pursuant to Section 62 of the School Act; and
 - 6.8. Those matters for which the Board may seek indemnity from an employee pursuant to its authority under Section 95 of the School Act.
7. The Board may enter into individual indemnity agreements with its officers and employees not inconsistent with provisions of the *School Act*.

Legal Reference: Section 95, School Act
Date: August 15, 2021

ACCUMULATED OPERATING SURPLUS

The District's objectives in terms of its accumulated operating surplus is set out in this Accumulated Operating Surplus Policy (Policy). By reaching a clear understanding of its operating surplus objectives, and by continually measuring progress towards achieving those objectives, the District can attain greater fiscal stability and better support educational goals.

Specifically

1. The following principles form the basis for this Policy:

- 1.1. Healthy surplus levels are important in achieving educational goals including financial health and stability;
- 1.2. Actual surplus balances need to be benchmarked with other school districts and jurisdictions and with pre-determined targets on an ongoing basis to gauge whether financial health is being achieved;
- 1.3. Surplus goals need to be consistent with and supportive of realistic longer-term financial plans

2. Internally Restricted Operating Surplus

Unique to other organizations in the public sector, school districts are permitted to incur annual deficits as long as they have sufficient accumulated operating surplus to cover the annual deficit. An accumulated operating surplus indicates that a school district has net resources that can be used to provide future services. It is achieved by spending less than the revenue it receives. The Secretary Treasurer will recommend amounts that are internally restricted at year-end. Boards of education are required by legislation to prepare balanced annual operating budgets, which may include use of (appropriation of) prior year accumulated surplus.

2.1. This Policy will guide:

- 2.1.1. Inter-fund transfers, and ensure that stakeholders are aware of the Policy and understand what it means;
- 2.1.2. General guidelines as to how much (i.e. percentage or dollar amount) could be transferred to other funds;
- 2.1.3. How much might be allocated from current year's resources to be spent in a future fiscal year;
- 2.1.4. Annual planning and reporting of the expected surplus/deficit for the year and the application of the Accumulated Operating Surplus Policy for that fiscal year.
- 2.1.5. The following categories of internally restricted operating surplus have been established for the purpose(s) so identified:

2.2. Operations Spanning Future School Years

To support effective planning, there will be situations where monies will need to be carried over to future years. These could be for categories such as:

- 2.2.1. Future years' Operations/Budget (not beyond the next two fiscal years)
- 2.2.2. Schools and Department surplus/carry-forwards (not beyond the next two fiscal years)
- 2.2.3. Operating projects in progress
- 2.2.4. Technology, utilities, equipment and Capital projects (includes amounts to be transferred to Local Capital, but have not yet been identified for specific initiatives)
- 2.2.5. Purchase order commitments
- 2.2.6. Distributed Learning, International Program

The amount of Accumulated Operating Surplus restricted for Operations Spanning future School Years at the end of a fiscal year should be a minimum of 1.5% and a maximum of 3.0% of actual Operating Expenses of that fiscal year.

2.3. Anticipated Unusual Expenses Identified

To support effective planning, there will be situations where senior management has identified unusual/non-recurring expenses anticipated to be spent in the upcoming fiscal year that will not be funded by revenues of that year. These could be for categories such as:

- 2.3.1. Staffing, labour relations, employee benefits, severance
- 2.3.2. Implementation of new curriculum

The amount of Accumulated Operating Surplus restricted for Anticipated Unusual Expenses Identified at the end of a fiscal year should be a minimum of 0.5% and a maximum of 1.0% of actual Operating Expenses of that fiscal year.

2.4. Nature of Constraints on the Funds

In recognition of some monies having constraints as to how they can be spent funds may need to be internally restricted at the end of the fiscal year. Funds with external restrictions are to be included in Special Purpose Funds. These internal restrictions could be for categories such as:

- 2.4.1. Contractual obligations (i.e. professional development)
- 2.4.2. Aboriginal Education
- 2.4.3. School Generated Funds (not externally restricted)
- 2.4.4. Education Plan
- 2.4.5. Donator named funds (not restricted by the donor)

The amount of Accumulated Operating Surplus restricted for Nature of Constraints on the Funds at the end of a fiscal year cannot be quantified as a range of minimum to maximum.

2.5. Contingency Reserve

- 2.5.1. To support effective planning, there will be situations where contingency funds need to be available for unexpected increases in expenses and/or decreases in

revenues. Budgeted annual operating expenses should be reflective of actual estimated costs or, where applicable, contractual expenditure requirements. The contingency reserve mitigates the risk of actual costs being greater than estimated. These could be for categories such as:

- 2.5.2. For Major Emergent Operating Issues – the District is exposed to major non-recurring costs related to various emergency events or situations, e.g. inclement weather, forest fires, etc. These emergent situations cannot be anticipated and budgeted for and may not be feasible to absorb the cost of such events in other budget areas in any given year.
- 2.5.3. For One-Time and Intermittent Projects – the District undertakes certain one-time and/or intermittent projects that are larger in terms of costs. If these projects were funded from annual per-pupil based Operating grants from the Ministry of Education, annual fluctuations in educational service levels may result; therefore, it is not prudent to fund these projects from current annual per-pupil based Operating grants from the Ministry of Education.
- 2.5.4. To Offset Unrealized Revenues – some of the District's revenue sources, e.g. off-shore student enrolment, rentals, etc., are cyclical in nature and thus are subject to downturns in the economy. The District tries to anticipate economic downturns by budgeting for a base dollar amount of these revenues in its general operations. Despite its best efforts, the District is exposed to the possibility of unrealized revenues and/or to declines in base revenues from year to year. One cannot always count on budgetary savings or other revenues to always offset these shortfalls.
- 2.5.5. The amount of Accumulated Operating Surplus restricted for Contingency Reserves at the end of a fiscal year should be a minimum of 0.5% and a maximum of 1.0% of actual Operating Expenses of that fiscal year.

3. Unrestricted Operating Surplus

- 3.1. The District needs to maintain Unrestricted Operating Surplus balances for working capital purposes, i.e. to provide for operating expenditures before operating grants from the Ministry of Education are received. Maintaining minimum working capital levels eliminates or reduces the need to borrow externally and/or internally for operations.
- 3.2. The District may also require emergency funds from time to time, from its Unrestricted Operating Surplus balance, for unforeseen costs. When this occurs, the School District needs to rely upon sufficient balances being available.
- 3.3. Also included in the Unrestricted Operating Surplus are funds that may be used in budget years beyond the next two fiscal years.
- 3.4. The amount of Unrestricted Operating Surplus at the end of a fiscal year should be a minimum of 0.5% and a maximum of 3.0% of actual Operating Expenses of that fiscal year.

4. Administration

4.1. Increases to Restricted Surplus

- 4.1.1. Annual and/or periodic increases to the restrictions on the Accumulated Operating

Surplus shall be specific to each category of restriction, as approved by the Board through the School District's annual financial planning/budgeting process.

4.2. Minimum and Maximum Surplus Balances

4.2.1. Minimum and maximum surplus balance guidelines have been set for some of the categories of restrictions on the District's Accumulated Operating Surplus and Unrestricted Surpluses as shown in attached Appendix "A". The purpose of each category of Accumulated Operating Surplus is also shown in this Appendix. The minimum balances ensure that the respective balances are not depleted to the degree that those balances are no longer able to serve their intended purpose(s). The maximum balances ensure that the School District's guiding principles are achieved and that the respective balances do not grow beyond their intended purpose(s) and thus create idle assets that could be otherwise utilized for other corporate priorities. A formal comparative review of actual, minimum and maximum fund balances shall be undertaken annually.

4.3. Responsibilities

4.3.1. The District's Secretary Treasurer shall be responsible for:

4.3.2. Recommending the necessary increases/decreases and transfers so that the District's Restricted Operating Surplus and Unrestricted Operating Surpluses are maintained in accordance with this Policy;

4.3.3. Conducting an annual review of all restricted Operating Surplus balances, and Unrestricted Operating Surplus balances including comparing actual levels with the established minimum and maximum levels within this Policy and with other school district and jurisdiction benchmarks, and reporting the results of such a review to the Board of Education;

4.3.4. Recommending changes to the minimum and maximum balance guidelines shown in this Policy; and

4.3.5. Recommending any revisions or amendments to this Policy, as may be required from time to time, as a result of changes in applicable Ministry of Education directives, accounting standards, economic conditions, etc.

4.4. Restriction Increases/Decreases and Transfer of Funds

4.4.1. Increases/decreases in Internally Restricted Operating Surplus for any of the categories identified in Section 2 in excess of \$20,000 will be considered by the appropriate Standing Committee and approved by the Board of Education.

4.4.2. The Secretary Treasurer has the authority to approve increases/decreases in Internally Restricted Operating Surplus up to and including \$20,000. Any such increases/decreases will be reported to the Finance/Operations Committee.

4.4.3. Any transfer of funds between the Operating Fund and Capital Fund not included in the Annual Budget, or Amended Annual Budget, will be considered by the Finance/Operations Committee and approved by the Board of Education.

4.4.4. It is expected that the annual operating budget will allow transfers to local capital, which are sufficient to allow efficient replacement or acquisition of assets consistent with the District's capital plan. Transfers to local capital should be authorized through the budget bylaw or by separate board motion. They should be supported by a planned use of the local capital balance.

4.5. Guide and Transition

4.5.1. The minimum and maximum operating surplus balance guidelines shown in the appendix serve as a guide in moving the District towards the goals or targets it wishes to attain, in terms of individual surplus balances. It is recognized that the District's surplus balances may not be at the minimum or maximum levels at the time of enacting this Policy, however, the District is transitioning towards its maximum targets.

5. Glossary

The following terms used in this Policy are defined as follows:

"Accumulated Operating Surplus" means the accumulated excess of Operating revenues over Operating expenses from prior years.

"Accumulated Operating Deficit" means the accumulated excess of Operating expenses over Operating revenues from prior years.

"Annual Operating Deficit" is the amount by which a fiscal year's Operating expenses exceed that same fiscal year's Operating revenues.

"Operating Expenses" are the total of all expenses in the Operating Fund as disclosed on Schedule 2 of the financial statements.

"Operating Revenue" are the total of all revenue in the Operating Fund as disclosed on Schedule 2 of the financial statements.

"Annual Operating Surplus" is the amount by which a fiscal year's Operating revenue exceeds that same fiscal year's Operating expenses.

"Unrestricted Operating Surplus" means the accumulated Operating surplus built up in the District's Operating fund that has not been designated for specific uses.

Legal Reference: Section 85, School Act

Date: August 15, 2021

ACCUMULATED OPERATING SURPLUS MINIMUMS AND MAXIMUMS BY CATEGORY

Category of Accumulated Operating Surplus	Purpose	Minimum Level	Maximum Level	Jun.30.17 Balance
Operations Spanning Future School Years	For future years' operations (not beyond 2 years), school/department carry-forwards, projects in progress, etc.	1.5% of actual operating expenses of that fiscal year	3.0% of actual operating expenses of that fiscal year	
Anticipated Unusual Expenses Identified	For unusual/non-recurring expenses anticipated to be spent in upcoming fiscal year that will not be funded by revenues of that year.	0.5% of actual operating expenses of that fiscal year	1.0% of actual operating expenses of that fiscal year	
Nature of Constraints on the Funds	For monies that have constraints on how they are to be spent. Does not include monies with external restrictions.	N/A	N/A	
Contingency Reserve	For unexpected increases in expenses and/or decreases in revenues. Related to major emergent operating issues, one-time and intermittent projects, and to offset unrealized revenues.	0.5% of actual operating expenses of that fiscal year	1.0% of actual operating expenses of that fiscal year	
Unrestricted Operating Surplus	For working capital purposes within the Operating Fund, for unforeseen general operating emergency expenditures, and future school years beyond the next two years.	0.5% of actual operating expenses of that fiscal year	3.0% of actual operating expenses of that fiscal year	

RECRUITMENT AND SELECTION OF PERSONNEL

The Board believes strong leadership and administration at the District and school levels are essential to the effective and efficient operation of the school system.

Specifically

1. Any changes to the organizational structure shall be approved by the Board prior to the commencement of recruitment and selection process.

Superintendent

2. The Board, in the case of the Superintendent, or the Superintendent or Secretary Treasurer, in all other instances, shall have sole responsibility for initiating the advertising process and shall make reasonable effort to ensure that all current District employees are made aware of staff vacancies.
3. The Board has the sole authority to recruit and select an individual for the positions of Superintendent and Secretary Treasurer and anyone who is expected to act in the place of the Superintendent or Secretary Treasurer for a period in excess of one hundred and eighty (180) days.
4. In order to protect the Board from sudden loss of the Superintendent's or Secretary Treasurer's services, the Superintendent and Secretary Treasurer shall ensure that staff are designated to perform the services of the Superintendent or Secretary Treasurer respectively in the case of a short-term or prolonged absence, and that the Chair is advised of the delegation.

Non-School Based Positions

5. The following process shall be followed for the following senior District management positions Assistant Superintendent, Director, Accountant and Manager positions:
 - 5.1 The Superintendent or Secretary Treasurer shall commence the recruitment process for these positions within the limitations of legislation, budget allocations and collective agreements.
 - 5.2 The Superintendent or Secretary Treasurer shall engage in a consultative process in order to assist in the development of an ideal candidate profile.

- 5.3 These positions shall have a written role description and the person ultimately selected will only be offered a written contract of employment consistent with the Board approved template contract.
 - 5.4 Compensation will be determined based on BCPSEA compensation guidelines. The Board shall approve any applicable salary grid and the Superintendent or Secretary Treasurer shall determine the successful applicant's placement on the grid.
 - 5.5 The Superintendent and Secretary Treasurer will serve on the selection panel. The Chair shall select Trustees to sit on the selection panel for these positions and so inform the Superintendent or Secretary Treasurer as to those selections in a timely manner. The panel shall be involved in the short-listing and interview processes. The panel will attempt to achieve consensus regarding the successful candidate. If this is not possible the majority position shall be upheld providing the Superintendent or Secretary Treasurer, whomever is in a reporting relationship with the position being selected is in the majority.
6. The Superintendent or Secretary Treasurer is delegated full authority to recruit and select staff for all other non-school based positions within the limitations of legislation, budget allocations, contracts and collective agreements.

Principal and Vice-Principal Positions

7. The Superintendent will make recommendations regarding transfers/reassignments of Principals and Vice-Principals. The Board will approve these prior to any individual competitions being held for specific Principal or Vice-Principal positions.
8. Principal and Vice-Principal mobility
 - 8.1 The Board of Education believes that changes in Principal and Vice-Principal assignments can be positive for professional growth and the strengthening of system leadership.
 - 8.2 The Superintendent shall recommend such changes in assignment for Board approval.
 - 8.3 Consideration for transfer may be initiated at the request of either the Principal or the Superintendent. Normally, such consideration shall be given after the Principal has held an appointment for a reasonable period of time, and there is value to be gained by a transfer.
 - 8.4 Once mobility transfers have been completed the Superintendent shall inform the Board of these new assignments.
9. Vice-Principal Hiring Pool
 - 9.1 The District shall maintain a Vice-Principal/Principal (District Eligible Administrator) Pool.
 - 9.2 Internal applicants may remain in the pool for two (2) years. External applicants remain in the pool for one (1) year. After one (1) year, the external applicants shall be reviewed and their references checked. Positive references may allow external applicants to remain in the eligibility pool for a second year.

10. Competition for a Posted Vacancy for Principal or Vice-Principal Positions

- 10.1 The Superintendent is delegated authority for all aspects of the selection processes for the positions of Principal and Vice-Principal except as otherwise provided for in this policy. This delegated authority includes but is not restricted to: developing an ideal profile, recruitment, advertising, reviewing applications, short-listing, developing interview processes, communications with candidates, chairing the interview process including directing the questions to the candidates and facilitating the panel's review of short-listed candidates, determining the preferred candidate, making the appointment, and ensuring appropriate contractual arrangements for the successful candidate signing the Board approved template contract. The Superintendent shall develop a consultation process prior to the initiation of the competition, based on the position being filled, ensuring staff are included in such consultation.
- 10.2 For Principal competitions, the Superintendent shall determine the selection panel providing the panel includes Trustees selected by the Chair of the Board. The Secretary Treasurer and a PAC representative must have the opportunity to be a member of such selection panels. Trustee availability shall be such that the process is not impeded or delayed. Further, selected Trustees must be available for the entire interview process. The panel composition shall comply with the CFTA Collective Agreement.
- 10.3 For Vice-Principal competitions, the Superintendent shall determine the selection panel providing the panel includes the local Trustee(s) and the Secretary Treasurer has the opportunity to be involved.
- 10.4 Reference checks shall be completed for all short-listed candidates.

11. The Superintendent and Secretary Treasurer shall have full responsibility to recruit and select for all other positions within their respective organizational charts.

- 11.1 All salary grids must be approved by the Board and the Superintendent and Secretary Treasurer have the authority to determine the selected candidate's position on the respective salary grid.
- 11.2 Role descriptions must be provided to all selected candidates.

Legal Reference: Sections 15, 19, 20, 21, 22, 23, 24, 65, 85 School Act
Date: August 15, 2021

SEXUAL ORIENTATION/GENDER IDENTITY

The Board believes that all public schools in this district shall be safe for everyone. We recognize and value the diversity found within its school communities and believe that each individual contributes to the strength of the District's culture. The Board also recognizes that students and school community members, including those identifying as lesbian, gay, bisexual, transgender, two-spirit, intersex, queer, or questioning, face a unique set of challenges within our schools and communities. In accordance with this policy, and all relevant laws of more senior governing bodies, the Board:

- prohibits any form of discrimination, intimidation or harassment against any person based on sexual orientation, gender identity or gender expression;
- expects members of the school community to welcome, include and support all others regardless of their sexual orientation, gender identity or gender expression;
- instructs the Superintendent to ensure that all schools in the District put in place procedures and practices that support this Board policy.

The Board will provide an environment for all members of the school community to work and learn, free from fear, discrimination, and harassment, while also promoting proactive strategies and guidelines to ensure that sexual or gender minority students, employees and families are welcomed and included in all aspects of education and school life and are treated with respect and dignity.

The purpose of this policy is to:

- outline appropriate behaviours and actions in order to prevent discrimination and harassment through greater awareness of and responsiveness to their harmful effects;
- ensure that all complaints are taken seriously and dealt with expeditiously and effectively through consistently applied policy and procedures;
- raise awareness and improve understanding of the lives of people who identify themselves on the basis of sexual orientation, gender identity or gender expression.

By valuing diversity and respecting differences, students and staff act in accordance with Ministry established principles related to diversity.

In this policy, all references to “sexual or gender minority” persons will include lesbian, gay, bisexual, transgender, transsexual, two-spirit, intersex, queer or questioning persons; persons who are labeled as such, whether they are or not; and persons with immediate family members who are of a sexual or gender minority.

1. Board Directives

- 1.1. The Board will ensure that all staff will be able to identify individual discriminatory attitudes and behaviours. The Board will also work to eliminate the systemic inequities and barriers to learning for students who identify themselves on the basis of sexual orientation, gender identity or gender expression, and demonstrate accountability for their removal so that all students are treated with fairness and respect.
- 1.2. School based administrators will be informed of and familiar with all Ministry and District policies relating to violence, discrimination and Codes of Conduct and will inform their school communities about these policies.
- 1.3. All staff will be sensitive to sexual or gender minority issues when creating and updating District and School policies, and when formulating disciplinary and corrective actions related to incidents of discrimination, harassment, bullying, or exclusion. Corrective actions include both correcting inappropriate behaviour (remediation) and correcting damage done as a result of inappropriate behaviour (restoration).
- 1.4. The Board will ensure that all teaching and support staff receive necessary in-service training to assist them to acquire knowledge, understandings, skills, attitudes and behaviours related to:
 - 1.4.1. information and issues surrounding sexual and/or gender minorities (which may include students, family members and staff);
 - 1.4.2. the scope and impact of discrimination related to sexual orientation, gender identity or gender expression;
 - 1.4.3. incorporating information and issues into curriculum.
- 1.5. It is the responsibility of all administrators, teachers and support staff to work together to build school communities which are positive and welcoming. They will:
 - 1.5.1. foster respect, inclusion, fairness and equity;
 - 1.5.2. set, communicate and establish clear expectations for acceptable conduct;
 - 1.5.3. provide students, through various techniques, information that will lead to greater understanding, acceptance and support for sexual or gender minority students.
- 1.6. Social responsibility, including information, issues and attitudes related to the sexual or gender minority population, is not assigned to a particular grade or subject area; instead, it is a responsibility shared among all staff.
- 1.7. The Board will ensure that age-appropriate resource materials (books, pamphlets, posters, etc.) are available and visible in all schools (for example, in counseling areas, libraries, classrooms). Ministry and/or locally approved resources should be chosen or updated in order to accurately reflect the range of Canada's sexual or gender minority population.
- 1.8. Within each school, staff will take concrete actions to ensure that the school is more welcoming and safe for sexual or gender minority students.

- 1.9. The Board will direct schools to specifically include the prohibition of fear promoting, harassing or discriminatory language and behaviour in their student codes of conduct. Any language or behaviour that degrades, denigrates, labels, stereotypes, threatens or incites hatred, prejudice, discrimination or harassment towards students, employees, or others on the basis of their real or perceived sexual orientation, gender identity or gender expression will not be tolerated.

2. Professional Development and Training

As needed, the Board will strive to ensure that professional development and training is provided for staff to develop the awareness, knowledge, skills and attitudes necessary to:

- 2.1. deliver an LGBTTTQ+ inclusive curriculum (including anti-homophobia and anti-transphobia education);
- 2.2. stay current on acceptable language and terminology;
- 2.3. identify and address homophobic and transphobic discriminatory attitudes and behaviours; and
- 2.4. support and advocate for the needs of staff and/or students whose real or perceived identity is LGBTTTQ+.

3. Counselling and Student Support

The Board will ensure that:

- 3.1. counsellors are trained to respond competently to the needs of LGBTTTQ+ students and students with LGBTTTQ+ family members;
- 3.2. counsellors and staff are provided with information, directly from Ministry-supported initiatives or directly from the District, on support programs or services for students and families;
- 3.3. all secondary schools are supported in establishing and maintaining Gay or Queer/Straight Alliance clubs.

4. Curriculum Learning Resources

The Board is committed to:

- 4.1. ensuring that staff utilizes language and educational resources and approaches that are inclusive, developmentally appropriate, and respectful of diverse sexual orientations, gender identities, and gender expressions;
- 4.2. enabling all LGBTTTQ+ students and families to see themselves and their lives positively reflected in the curriculum, through the provision of curricular and media centre/library resources.

5. Communications

The Board will:

- 5.1. when applicable, acknowledge through its communication to students, staff, and the community that some students live in LGBTTTQ+ families and need to be positively recognized and included as such; and

ensure that school forms and communications reflect the diversity of sexual orientation, gender identity or gender expression of students, staff and parents/guardians.

6. Transgendered Students

To support the safety, health, and educational needs of students whose real or perceived identity is transgendered, staff shall adhere to the following practices:

6.1. Consultation

- 6.1.1. School staff are encouraged to consult with district staff, to review best practices for supporting transgendered students.

6.2. Confidentiality and Privacy

- 6.2.1. A student's transgendered status, legal name, or gender assigned at birth may constitute confidential personal information that will be kept confidential unless its disclosure is legally required or unless the student or the student's parent(s)/guardian have given authorization.

- 6.2.2. Students' rights to discuss and express their gender identity and/or gender expression openly and to decide when, with whom, and how much private information to share will be respected.

6.3. Official Records and Student Information

- 6.3.1. Whenever possible and permitted by law, requests made by a student, or the parent/guardian, to change the student's official record to reflect their preferred name and/or gender identity will be accommodated.

- 6.3.2. Whenever possible, at the request of a student or of a students' parent(s)/guardian, the student's preferred name and/or gender identity will be included on class lists, timetables, student files, identification cards, etc.

- 6.3.3. Unless the student or the student's parent/guardian has specified otherwise, communications between school and home shall use a student's legal name and the pronoun corresponding to the student's gender assigned at birth.

- 6.3.4. Student preference will take precedence following the ages (12 and older)

7. Names and Pronouns

- 7.1. Students will be addressed by the names and pronouns they prefer to use.

8. Dress

- 8.1. Students have the right to dress in a manner consistent with their gender identity or gender expression. This includes students who may dress in a manner that is not consistent with societal expectations of masculinity/femininity.
- 8.2. Such dress must adhere to school dress code standards.

9. Access to Physical Education and Sports

- 9.1. Where possible, students will be permitted to participate in any sex-segregated recreational and competitive athletic activities, in accordance with their gender identity. Due to issues of disclosure and safety, students may also choose to participate in a sex-segregated activity that is not aligned with their gender identity.
- 9.2. Any such participation in competitive BC School Sports competition must adhere to BC School Sport Regulations.
- 9.3. Transgendered students shall be provided the same opportunities to participate in physical education as all other students, shall not be asked or required to have physical education outside of the assigned class time, and shall be permitted to participate in any sex-segregated activities in accordance with their gender identity if they so choose.
- 9.4. In situations where students are segregated by sex, transgendered students will have the option to be included in the group that corresponds to their gender identity.

10. Washroom and Change Room Accessibility

- 10.1. The use of washrooms and change rooms by transgendered students shall be assessed on a case-by-case basis with the goals of maximizing the student's social integration, ensuring the student's safety and comfort, minimizing stigmatization and providing equal opportunity to participate in physical education classes and sports.
- 10.2. Transgendered students who desire increased privacy will be provided with a reasonable alternative washroom and/or changing area. Any alternative arrangement will be provided in a way that protects the student's ability to keep their transgendered status confidential.
- 10.3. The decision with regard to washroom and change room use shall be made in consultation with the transgendered student.
- 10.4. The Board will strive to make available single stall gender-neutral washrooms at all school locations and worksites.

11. Glossary

- 11.1. **Asexual:** A person who is not sexually attracted to any gender or sex. Asexual people may still be romantically attracted to people of a variety of genders and sexualities and have romantic, non-sexual relationships.

- 11.2. **Bisexual:** A person who is attracted to both women and men.
- 11.3. **Gay:** A person who is attracted to someone of the same sex and/or gender as themselves. This word can be applied to all genders of relationships but has primarily been used in reference to men.
- 11.4. **Gender:** A socially constructed concept of identity based on roles, behaviours, activities, and appearance such as masculine, feminine, androgynous, etc.
- 11.5. **Gender expression:** The ways a person presents their sense of gender to others (for example, through clothes, hairstyle, mannerisms, etc.).
- 11.6. **Gender identity:** A person's internal sense of being a man, a woman, gender queer, etc. This is not the same thing as a person's biological sex and may not be consistent with how they are perceived by others.
- 11.7. **Gender nonconforming:** A term that often refers to children who express gender in ways that differ from societal expectations of the sex and gender assigned to them at birth. For the purposes of this policy and accompanying regulations gender nonconforming children are included under the term trans*.
- 11.8. **Homophobia:** The fear, ignorance and mistreatment of people who are, or are perceived to be, lesbian, gay or bisexual. This often leads to bias, discrimination, hatred, harassment and violation of the human rights of lesbian, gay or bisexual people. Homophobic bullying can also be targeted against any individual, regardless of perceived sexual orientation.
- 11.9. **Intersex:** Refers to people whose reproductive or sexual anatomy is not easily defined as male or female. There are a variety of ways someone can be intersex, ranging from having ambiguous genitalia to having mixture of XX and XY chromosomes. Intersex individuals have historically been mistreated in North American society (i.e. being forced to have "corrective" genital surgeries as infants). The term Disorders of Sexual Development is being used increasingly amongst medical professionals in reference to intersex conditions, however, this term has not been fully adopted by intersex communities at the time this policy is being written. The word hermaphrodite was historically used to describe intersex individuals; however, this term is considered highly offensive.
- 11.10. **Lesbian:** A woman who is attracted to other women.
- 11.11. **LGBTQTQ+:** An acronym that in this case stands for lesbian, gay, bisexual, trans*, Two-Spirit, and queer/questioning. There is a wide range of other terms often included in this acronym (often referred to by queer communities as "the alphabet soup") such as asexual, and this acronym tends to vary depending on the source. The plus sign (+) indicates the inclusion of all sexual and gender identities.
- 11.12. **Pan-Sexual:** Is the sexual attraction to a person of any sex or gender.
- 11.13. **Perceived as LGBTQTQ+:** Refers to someone who is treated as if they are LGBTQTQ+ even if they do not identify as such.
- 11.14. **Pronouns:** The words one uses to refer to themselves (e.g. he/him/his; she/her/hers; they/them/theirs; xe, xem, xyr, etc.)

- 11.15. **Queer:** An umbrella term (often used in place of the LGBTTTQ+ acronym) used to describe individuals who identify as being part of sexual and gender diverse communities (e.g. lesbian, gay, transgender).
- 11.16. **Sex:** A biological classification based on physical attributes such as sex chromosomes, hormones, internal reproductive structures, and external genitalia. At birth, it is used to identify individuals as male or female. For those whose sex is not easily categorized as male or female see Intersex.
- 11.17. **Sexual Orientation:** Refers to a person's attraction towards a particular gender or sex. Someone may identify as lesbian, gay, bisexual, queer, pansexual, etc. It is important to remember that sexual identity and gender identity are separate.
- 11.18. **Trans*:** (also Trans, Transgender, Transsexual) An umbrella term that can be used to describe people whose gender identity and/or gender expression differs from what they were assigned at birth. Some trans* people may choose to medically transition by taking hormones, having surgery. Some trans* people may choose to socially transition by changing their name, clothing, hair, etc.
- 11.19. **Transphobia:** Fear, ignorance and mistreatment of people who are, or are perceived to be, trans* or gender nonconforming. This often leads to bias, discrimination, hatred, harassment and violation of the human rights of transgender or gender nonconforming people. Transphobic bullying can also be targeted against any individual, regardless of perceived gender expression.
- 11.20. **Transition:** A term most commonly used to refer to someone transitioning from one gender to another. Transition often consists of a change in style of dress, selection of a new name, and a request that people use the correct pronoun when describing them. Transition may, but does not always, include medical care like hormone therapy, counseling, and/or surgery.
- 11.21. **Two-Spirit:** An Aboriginal term describing the embodiment of both masculine and feminine spirits. This identity is not limited to gender expression or sexuality but encompasses them both while incorporating a spiritual element. It is a standalone identity, not an Aboriginal term for gay or lesbian.

Legal Reference Section 65, School Act
B.C. Human Rights Code

Date: August 15, 2021
Revised: May 10, 2022

TRANSPORTATION OF STUDENTS

Within British Columbia, transportation to and from school is the responsibility of parents and guardians. However, recognizing that school buses provide the safest way for students to attend school and reduce barriers for school attendance, the District endeavours to provide a safe, efficient, inclusive and cost-effective system of school bus transportation for families.

Ridership Eligibility

Transportation services will be available for those students enrolled in the District and will be defined by community in the Administrative Procedure Manual.

There are inherent limitations transporting students, in accordance with the School Act, bus transportation for students is provided at the discretion of the Board. Consistency and transparency are critical to this policy. The routes will be reviewed and adjusted as needed through the Administrative Procedure Manual. It is recognized that bus transportation routes will not suit the requests of all parents/guardians.

The Board will pay transportation assistance to the parents/guardians of students who qualify for transportation and for whom it is not cost effective practical, or possible to provide bus service.

Courtesy Riders

Transportation services may be provided to courtesy riders if there is space available, provided at no additional cost where no scheduling or routing adjustments have to be made. The approval and protocols for courtesy riders are provided in the Administrative Procedure Manual.

Safety and Travel Responsibilities

Safety is our highest priority. Parents/guardians are responsible for student safety up until the moment the student boards the school bus at the beginning of the day and from the moment that the student disembarks from the school bus at the end of the day. The District is responsible for the safety of students while being transported by school bus.

The operation of the transportation department is dynamic and the decision making process is delegated to the Secretary Treasurer to ensure the safety of the students and employees.

Communication with schools, students and bus families is of utmost importance to ensure that service is equitable, safe and efficient.

PUBLIC INTEREST DISCLOSURES

The Board of Education is committed to honesty, integrity, and accountability in its operations, programs, and services and to promoting a culture of openness and transparency. The District encourages and supports all employees in bringing forward reports of unlawful acts and acts of wrongdoing in a manner consistent with the provisions of the Public Interest Disclosure Act (PIDA).

The purpose of this Policy and related Procedures is to establish a process, in compliance with the PIDA, for employees to report, in good faith, wrongful or unlawful conduct without fear of retaliation or reprisal.

This Policy applies to alleged wrongdoing related to the District's operations or personnel. This Policy does not displace other mechanisms set out in District Policy and Procedures for addressing and enforcing standards of conduct, disputes, complaints, or grievances, including issues of discrimination, bullying and harassment, occupational health and safety, or disputes over employment matters or under collective agreements.

Definitions

Advice: means advice that may be requested in respect of making a Disclosure or a complaint about a Reprisal under this Policy or the PIDA;

"Discloser" means an Employee who makes a Disclosure or seeks Advice or makes a complaint about a Reprisal;

"Disclosure" means a report of Wrongdoing made under this Policy and includes allegations of Wrongdoing received by the School District from the Ombudsperson or another government institution for investigation in accordance with PIDA;

"Employee" refers to a past and present employee of the School District;

"FIPPA" means the *Freedom of Information and Protection of Privacy Act*, and all regulations thereto;

"Investigation" means an investigation undertaken by the School District under this Policy or by the Ombudsperson under PIDA;

"Personal Information" has the same meaning set out in FIPPA, namely "recorded information about an identifiable individual," and includes any information from which the identity of the Discloser or any person who is accused of Wrongdoing or participates in an Investigation can be deduced or inferred;

"PIDA" means the *Public Interest Disclosure Act* of British Columbia, and all regulations thereto;

“Procedure” means the School District’s Administrative Procedure associated with this Policy, as amended; **“Reprisal”** means the imposition of, and any threat to impose, discipline, demotion, termination or any other act that adversely affects employment or working condition of an Employee because they made a Disclosure, sought Advice, made a complaint about a Reprisal or participated in an Investigation; and

“Wrongdoing” refers to:

- a. a serious act or omission that, if proven, would constitute an offence under an enactment of British Columbia or Canada;
- b. an act or omission that creates a substantial and specific danger to the life, health or safety of persons, or to the environment, other than a danger that is inherent in the performance of an employee’s duties or functions;
- c. a serious misuse of public funds or public assets;
- d. gross or systematic mismanagement;
- e. knowingly directing or counselling a person to commit any act or omission described in paragraphs (a) to (d) above.

1. Statement of Principles

- 1.1. The District is committed to supporting ethical conduct in its operations and seeks to foster a culture in which Employees are encouraged to disclose wrongdoing, including by receiving, investigating and responding to disclosures and by providing information and training about the PIDA, this policy and the procedures.
- 1.2. The District will investigate disclosures that it receives under this policy. Investigations under this policy will be carried out in accordance with the principles of procedural fairness and natural justice.
- 1.3. The District will not commit or tolerate reprisals against any employee who, in good faith, makes a request for advice, makes a disclosure, participates in an investigation or makes a complaint under this policy.
- 1.4. The District is committed to protecting the privacy of disclosures, persons accused of wrongdoing and those who participate in investigations in a manner that is consistent with its obligations under the PIDA and FIPPA.

2. Privacy and Confidentiality

- 2.1. All personal Information that the District collects, uses or shares in the course of receiving or responding to a disclosure, a request for advice, a complaint of a reprisal, or conducting an Investigation will be treated as confidential and will be used and disclosed as described in this policy, the procedures, the PIDA or as otherwise permitted or required under FIPPA and other applicable laws.

3. Reporting

- 3.1. Each year, the Superintendent, in consultation with the Secretary Treasurer, shall prepare, in accordance with the requirements of the PIDA, and make available, a report concerning any disclosures received, Investigations undertaken and findings of wrongdoing. All reporting under this policy will be in compliance with the requirements of FIPPA.

4. Responsibility

- 4.1. The Superintendent is responsible for the administration of this policy and shall ensure that training and instruction is available to all employees concerning this policy, the procedures and the PIDA.
- 4.2. In the event that the Superintendent is unable or unavailable to perform their duties under this policy, the Superintendent may delegate their authority in writing to the Secretary Treasurer or other senior members of personnel.

Legal References: Section 22, 23, 65, 85 School Act
Freedom of Information and Protection of Privacy Act
Public Interest Disclosure Act

[Policy 21 Annual Report](#)

[AP 403](#)

[AP 403-1](#)

PROVISION OF CHILD CARE PROGRAMS

The purpose of this policy is to provide guidance with respect to how the Board will promote the use of Board property for the provision of child care programs between the hours of 7 am and 6 pm on business days by either the Board or third party licensees.

The use of Board property by licensed child care providers must not disrupt or otherwise interfere with the provision of educational activities including early learning programs and extracurricular school activities.

Definitions

In this Policy, the terms “Board property,” “business day,” “child care program,” “educational activities” and “licensee” have the meanings given to those terms in the School Act.

Direct and indirect costs shall be determined by the Secretary Treasurer, however, must include the following:

- Utilities;
- Maintenance and repair;
- An allowance for the cost of providing custodial services;
- An allowance for time school district administrators and other staff spend on matters relating to the use of Board property by licensed child care providers.

Specifically

1. The Board Chair in consultation with the Superintendent shall establish advisory (fact finding/information gathering) sub-committees in each of the following five communities: Cranbrook, Fernie, Elkford, Jaffray, and Sparwood in order to assess the need for before and after school child care programs, services and delivery. The sub-committees shall make recommendations to the Standing Finance and Operations Committee. The Standing Finance and Operations Committee shall make recommendations to the Board. The Superintendent shall designate individuals/groups to be consulted and the District resource staff required to facilitate the recommendations to the Standing committee.

2. If child care programs are to be provided on Board property, the Board will consider, on an ongoing basis, whether those programs are best provided by licensees other than the Board, the Board, or a combination of both.
3. Child care programs, if operated by the Board, will be operated for a fee no greater than the direct costs the Board incurs in providing the child care program.
4. Fees for the use of Board property by licensees other than the Board will not exceed the direct and indirect costs the Board incurs in making Board property available for the child care program.
5. If child care programs are operated by a licensee other than the Board, the Board will require the licensee to agree to comply with this Policy.
6. In selecting licensees other than the Board to operate a child care program, the Board will give special consideration to the candidates' proposals to:
 - 6.1 provide inclusive child care; and
 - 6.2 foster Indigenous reconciliation in child care.
7. If the Board decides to operate a child care program, the Board will ensure that it is operated in a manner that:
 - 7.1. Fosters Indigenous reconciliation in child care. In particular, the child care program will be operated consistently with the following principles of the British Columbia Declaration on the Rights of Indigenous Peoples Act:
 - 7.1.1. Indigenous peoples have the right, without discrimination, to the improvement of their economic and social conditions, including in the area of education; and
 - 7.1.2. "Indigenous peoples have the right to the dignity and diversity of their cultures, traditions, histories and aspirations which shall be appropriately reflected in education"; and
 - 7.2. Is inclusive and consistent with the principles of non-discrimination set out in the British Columbia Human Rights Code.
8. Any contract with a licensee other than the Board, to provide a child care program on Board property must be in writing and subject to review no less than every five years. The contract must contain:
 - 8.1. A description of the direct and indirect costs for which the licensee is responsible;
 - 8.2. An agreement by the licensee to comply with this policy and all other applicable policies;

- 8.3. A provision describing how the agreement can be terminated by the Board or the licensee;
 - 8.4. An allocation of responsibility to ensure adequate insurance is in place to protect the interests of the Board;
 - 8.5. A statement that the agreement can only be amended in writing, signed by the Board and the licensee;
 - 8.6. A requirement for the licensee to maintain appropriate standards of performance; and
 - 8.7. A requirement that the licensee must at all times maintain the required license to operate a child care facility.
9. Prior to entering into or renewing a contract with a licensee other than the Board to provide a child care program on Board property, the Board will consider:
- 9.1. Whether it is preferable for the Board to become a licensee and operate a child care program directly;
 - 9.2. The availability of school district staff to provide before and after school care;
 - 9.3. Whether, with respect to a licensee seeking renewal or extension of a contract, the licensee has performed its obligations under this Policy and its contract with the Board, with specific regard to performance in respect of providing an inclusive child care program and one that promotes indigenous reconciliation in child care.

Legal References: British Columbia *Declaration on the Rights of Indigenous Peoples Act*
Freedom of Information and Protection of Privacy Act
School Act Sections 85.1, 85.2, 85.3, 85.4
Ministerial Order M326, the Child Care Order
Declaration on the Rights of Indigenous Peoples Act
British Columbia *Human Rights Code*.

Date: August 15, 2021

FINANCIAL PLANNING AND REPORTING

The Board of Education (“Board”) recognizes its responsibility for the effective use of public funds in providing the best possible education to the students in the communities it serves. The Board has a duty to govern the district in a fiscally responsible manner, while carrying out the strategies required to achieve its goals.

The annual operating budget is aligned with the three-year financial plan that the Board must develop, implement and provide to the Ministry reflecting the implementation and maintenance of the Board’s educational and operational objectives including enhanced student educational outcomes. The financial allocations included in the budget should be consistent with the strategic directions identified in the Board’s Strategic Plan and the three-year financial plan.

To comply with the Ministry of Education and Child Care [Financial Planning and Reporting Policy](#), when the Board is developing its multi-year financial plans, it will post information on its website about how, where and when the local community and education partner groups, including local First Nations and the Metis Nation BC, can participate in developing multi-year financial plans. The Board will also report the Board’s progress on aligning funding and resources with their strategic plans and other operational needs of the school district, including enhancing student educational outcomes, by posting annual information on its website (i.e. through an existing or new annual report).

For planning purposes, to help the Board develop multi-year plans, it can request a tailored-to-each School District Excel workbook estimator tool/program by e-mailing [the Funding Allocation Unit](#).

In accordance with [Section 156\(12\) of the School Act](#), the Board must not incur a deficit of any kind unless the Board has approval of the Minister of Education or meets criteria prescribed by order of the Minister of Education. The *Budget Transparency and Accountability Act*, that applies to school districts, provides further guidance on enhancing accountability and transparency.

Under [Section 156\(1\) of School Act](#), the Board is required to maintain budgetary control over expenditures, develop an annual budget and submit it to the Ministry of Education in a prescribed form at the time required by the Minister of Education.

A budget reflects the best estimate of planned revenues and expenses as of a point in time. Salary and benefit increases, inflation and other estimated changes must be budgeted. In addition, the budget must include all recurring and one-time revenues and expenditures for the full fiscal year.

The Board will use the existing Ministry financial reporting framework (including a Financial Statement Discussion and Analysis Report) to annually report on boards’ progress towards meeting board objectives as outlined in their multi-year financial plans (for example, enhanced student educational outcomes and other operational needs of the board).

1. Authority

The Board authorizes the Secretary Treasurer to develop and implement all procedures required for the development and monitoring of budgets for approval by the Board.

2. Responsibilities for Managing the Budget

The Secretary Treasurer is delegated responsibility for the overall management of the educational and operational programs that are supported by the annual budgets. The Secretary Treasurer is specifically responsible for the financial management of the budget, and all financial reports for approval by the Board.

Legal Reference: Section 156, [School Act](#)

Approved: June 14, 2022