



# Bylaw No. 101

## ORGANIZATION AND OPERATION OF THE BOARD

### BYLAW STATEMENT

This bylaw provides the Board of Education for School District No. 87 (Stikine) with direction regarding the organization and operation of their School District Board as suggested through the School Act.

### GUIDING LEGISLATION/REGULATIONS

- *School Act*
- *Public Schools Act*

### REGULATIONS

#### **1. School Board Legal Status**

- a. The governance of education in School District No. 87 (Stikine) shall be the responsibility of an elected Board of School Trustees.
- b. The Board of Education for School District No. 87 (Stikine) is composed of five members, one from each of the School Attendance Zones at Dease Lake, Iskut, Lower Post/Good Hope Lake, Telegraph Creek, and Atlin.
- c. The members are elected by the electors of School District No. 87 (Stikine) to administer the educational affairs of the whole district. The Board will abide by Part 4 of the School Act, in respect to its operation and conducting of its affairs.
- d. The Board is considered to be a body politic and corporate, with perpetual succession and a common seal, having the rights, powers, duties and liabilities set forth in the Public Schools Act. Only the legally constituted Board and not committees of trustees or individual trustees is endowed with such authority.
- e. The Board exercises its authority in delegating specific and general administrative duties to appropriate employees of the Board, and individual trustees will respect the lines of communication established by the whole Board.

#### **2. Inaugural Meeting**

- a. Time of Meeting
  - i. The Inaugural Meeting of the Board shall be held at the first meeting following each general election and yearly thereafter. At this time, the Oaths and Declarations shall be stated and signed as per Section 67 of the School Act.
- b. Election of Officials

- i. The Secretary Treasurer, or designate, shall call the meeting to order and shall preside at such meeting until a Chairperson has been elected.
- c. Election of Chairperson
  - i. The presiding official shall then conduct the election of a Chairperson according to the rules provided herein.
    - 1. Any trustee may be nominated by any other trustee and no seconder shall be required.
    - 2. Nominations shall be called three times unless a motion is passed that nominations cease.
    - 3. A motion that nominations cease shall always be in order and, upon being seconded, shall be voted on without debate.
    - 4. All voting shall be by ballots.
    - 5. Should more than two nominations be received, balloting shall continue until one trustee receives a clear majority of the votes. The name of the trustee receiving the least number of votes shall be dropped from the list of nominees for each succeeding ballot. In the event of two trustees being tied for the least number of votes, a special ballot shall be taken for the purpose of determining which name shall be retained.
- d. Election of Vice-Chairperson
  - i. Upon election, the Chairperson shall assume the chair and shall immediately conduct the election of the Vice-Chairperson, according to the procedures provided for above.
- e. Appointment to Committees and Special Responsibility
  - i. Upon election, the Chairperson shall assume the chair and shall immediately conduct the election to appoint trustees to Committees and positions of Special Responsibility, according to the procedures provided for above.

### **3. Meetings**

- a. Regular Meetings of the Board
  - i. The Board may, by ordinary motion, set regular meeting dates and may vary such regular meeting dates from time to time.
- b. Public Meeting
  - i. All business of the Board, except that specifically designated as In-Camera business will be conducted at a meeting open to the public. The order of business at all Regular Public Meetings, unless varied by motion, shall be:
    - 1. Call to order
    - 2. Adoption of Agenda
    - 3. Adoption of Public Meeting Minutes
    - 4. Adoption of In-Camera Meeting Summary

5. Receive delegations (if applicable)
6. Superintendent Reports
7. Finance
8. Buildings and Grounds
9. Other
10. Trustee Reports
11. Public Question Period
12. Adjourn Meeting

c. In-Camera

- i. The order of business at all In-Camera Meetings unless varied by motion, shall be:

1. Call to order
2. Adoption of Agenda
3. Adoption of In-Camera Meeting Minutes
4. Superintendent Report on confidential matters
5. Personnel
6. Legal
7. Land and Property
8. Adjourn Meeting

- ii. Board members are duty-bound not to disclose any details of discussions held In-Camera sessions.

- iii. All matters coming before the Board shall be considered in public sessions except the following:

1. **Personnel Matters** such as salary claims and negotiations, efficiency, discipline, or retirement of employees, and employee promotion or termination.
2. **Legal Matters** such as accident claims, legal actions brought by or against the Board, and legal opinions respecting any matters which are to be considered in In-Camera.
3. **Student Matters.**
4. **Property Matters** such as negotiations regarding purchase, lease or sale of property, and future site planning and designation.
5. **Medical Matters** respecting individual students or employees.
6. Such other matters as the Board may determine.

d. Special Meetings

- i. A special meeting of the Board may be called by:

1. the Chairperson; or
  2. the Secretary Treasurer, upon request by a majority of the trustees holding office.
- ii. No business other than that for which the meeting was called shall be conducted at a special meeting.

e. Electronic Meetings

- i. The Board will hold their meetings according to provisions of this Bylaw and the School Act. The Board recognizes that there may be circumstances where it is practical or necessary to hold a meeting through electronic means. Accordingly, at the call of the Chairperson, Board meetings may be held using electronic arrangements providing that such arrangements be in accordance with the following:
1. Electronic meeting arrangements include video conferencing, telephone or other such technology, and will only be made where;
    - a. it is practical to do so,
    - b. does not involve significant expense or human resources,
    - c. all Trustees and Officers of the Board attending or participating in the meeting, are able to communicate with each other.
  2. Where circumstances are such that attendance at a meeting does not permit any or all Board members and its Officers to be physically present and, where participation in proceedings could be arranged to allow for all, or a greater number of Board members and Officers to participate.
  3. It is practical to hold a meeting of the Board and its Officers using electronic means to deal with matters that require immediate attention, have significant time constraints, are straight forward or procedural in nature, emergencies that are more efficiently handled using electronic means, collective bargaining matters, legislative requirements or other similar circumstances.
  4. For purposes of determining a quorum, at the start of a meeting or during a meeting, the Chairperson shall count as present any trustees who are connected to the meeting by electronic means.
  5. Trustees who will be present at a meeting by electronic means shall advise the Secretary Treasurer of the contact number where a telephone will be used or other contact arrangements that are necessary for connections to be made.
  6. In the absence of pre-circulated material, the Board Chairperson and Officers of the Board as required, shall brief the meeting regarding the matter, or matters before it and shall read the resolution requiring Board consideration and voting.
  7. Voting shall occur by each Trustee identifying themselves and indicating their vote either for or against the resolution.

8. The meeting otherwise shall be conducted in accordance with the Policies of the Board.
9. Minutes of the Board shall indicate that the meeting was held pursuant to this provision, indicate which Trustees and Officers were connected electronically and in which manner the electronic meeting was held.
10. Except for Inaugural meetings of the Board, electronic arrangements may be made for any Public, In-Camera or Special meetings of the Board.

f. Notice of Meetings

- i. Forty-eight hours' notice in writing shall be given of each Public and Special Public meeting of the Board, which notice must be posted publicly and given to each trustee by delivery of the same at the place designated by him/her for notice, or failing any such designated place, then at his/her address as set out in his/her nomination paper.
- ii. Written notice of any In-Camera or Special In-Camera meeting of the Board may be waived by Board motion or provided that reasonable steps shall be taken to notify all trustees of the meeting.

g. Quorum

- i. A quorum shall be a majority of trustees holding office at the time of the meeting.
- ii. The meeting shall stand adjourned if, thirty minutes after the time appointed for the meeting of the Board, there should not be a quorum present. It shall stand adjourned to a date in the month of the adjourned meeting, to be called by the Chairperson, or, in default of the Chairperson's calling the same, until the next regular meeting. The Secretary Treasurer shall record the names of the members present at the expiration of the thirty minutes.
- iii. No act or proceeding shall be valid or binding on the Board unless such act or proceeding shall have been adopted at a regular, Caucus or special meeting which has included a quorum of the Board.

#### **4. Board Meeting Minutes**

- a. Minutes of all Board meetings shall be recorded as required under Section 94-72 of the School Act.
  - i. Except for minutes of In-Camera meetings from which persons other than trustees or officers of the board, or both were excluded, approved minutes of Board meetings shall be made available to the public within five (5) business days of Board approval.
  - ii. In-Camera meeting minutes shall be recorded and approved in accordance with the School Act and such minutes shall not be made available to the public.
  - iii. Approved summaries of In-Camara meetings of the Board shall be made available to the public.

## **5. Public Attendance at School Board Meetings**

- a. The Board welcomes and encourages parents and interested citizens to attend public School Board meetings in order to become better informed about the role of School Trustees and of the educational programs for School District No.87 (Stikine) students.
- b. Visitors to meetings are welcome to observe the proceedings. Limited copies of the agenda will be provided.
- c. A recess may be called by the Chairperson, as required, during the meeting. Visitors wishing to speak to individual Trustees or Administrators may utilize this time.
- d. Citizens wishing to address the Board may be placed on the agenda by applying in writing to the Secretary Treasurer at least one week prior to the meeting (the nature of business is to be stated in the application). Any written briefs to the Board are to be filed with the Secretary Treasurer at this time. The Secretary Treasurer will advise the person(s) concerned regarding the time and meeting at which the delegation will be heard.
- e. Delegations must appoint a spokesperson who will present the main issue to the Board.
- f. Delegations will be permitted 15 minutes to present, and 15 minutes will be devoted to discussion.
- g. The number of delegations to be heard at any one meeting will be decided by the Board.
- h. In general, the Board will make a decision and plan a course of action regarding each presentation prior to the next scheduled Board meeting.
- i. In the event the Chairperson is of the opinion that a person is disrupting the meeting, the Chairperson will warn the individual and if the behaviour continues the person will be asked to leave. If the person does not comply with this request, the Chairperson will adjourn the meeting, and the Secretary Treasurer will ensure the removal of the individual.

## **6. Committees and Representatives**

- a. Committees of the Board are Standing Committees and Ad Hoc Committees. Board representatives to other organizations may be appointed by the Board Chairperson as required.
- b. Should a vacancy occur on any Committees of the Board, the Chairperson of the Board shall appoint a trustee to fill the vacancy as per section 2.e of this bylaw.
- c. Committee and Special Position appointees shall report to the Board.
- d. No action shall be taken on any report or recommendation until formally approved by the Board, unless the Board, by majority vote, has given the committee or appointee power to act in certain clearly defined cases.
- e. The Superintendent of Schools and/or the Secretary Treasurer shall confer with and keep all Chairperson of committees informed on matters within the jurisdiction

of the committee, and if not sitting members, shall meet with the committee at such times as the committee may desire.

- f. All previous committee appointees of the Board shall be automatically discharged at the Inaugural meeting of each year or at such earlier date as the work of the committee has been completed.

- i. Standing Committees

- Standing Committees shall be formed to perform Board business of an ongoing nature that recurs year after year. The Standing Committees shall include:

- 1. Policy Committee
      - 2. Negotiation Committee

- ii. Ad Hoc Committees

- Ad Hoc Committees may be formed to perform Board business of an ongoing nature that has a timeline for completion.

- iii. Positions of Special Responsibility

- Special Responsibility appointments are representatives of the Board to specified affiliated organizations. These include but are not limited to:

- 1. BCSTA Provincial Council
      - 2. BCPSEA Liaison

## **7. Presiding Officers of the Board**

- a. The Chairperson shall preside at all meetings of the Board but may vacate the chair in order to enter debate or propose or second a motion.
- b. The Vice-Chairperson shall preside in the absence of the Chairperson or when the Chairperson vacates the chair.
- c. In the event that neither the Chairperson nor the Vice-Chairperson are able or willing to take the chair, the presiding officer shall be such person as the Board may elect for that meeting.
- d. The Chairperson and the Vice-Chairperson shall be elected for a term of one year at the Inaugural Meeting each year.
- e. The presiding officer shall rule on all points of order and shall state his reasons and the authority for ruling when making a ruling. The presiding officer's ruling shall be subject to appeal to the Board. An appeal may only be requested immediately after a ruling and before resumption of business.
- f. The Chairperson shall vote in accordance with paragraph 11.c.

## **8. Rules of Order**

- a. Where these rules are silent and where not inconsistent with these rules, Robert's Rules of Order shall apply to the conduct of meetings, provided further, that where both these rules and Robert's Rules of Order are silent, the Standing Orders of the

British Columbia Legislature shall be followed.

- b. The Board may adopt a procedural rule for one or more meetings by resolution of a majority of two-thirds (2/3) of the trustees present at the meeting. A rule other than the requirement for notice of a public meeting may be suspended by unanimous consent of the trustees present.
- c. The rules 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.
- d. The presiding officer's ruling on a point of order shall be based on Rules of Order as stated in paragraph 8.a herein.
- e. An appeal of a ruling of the presiding officer shall be decided without debate by a majority of trustees present. When an appeal is successful it does not necessarily set a precedent.
- f. All questions shall be decided by a vote on motion.
- g. The Board's procedural bylaw and all amendments thereto shall be made available to the public.

## 9. Motions

- a. Motions shall be phrased in a clear and concise manner so as to express an opinion or achieve a result. A preamble does not form part of a resolution when passed.
- b. The presiding officer may divide a motion containing more than one subject if s/he feels this would produce a fairer or clearer result and the same shall be voted on in the form which it is divided.
- c. No motion other than to postpone consideration of a question, or a procedural motion, shall be repeated during the calendar year except by the reconsideration process.
- d. All motions shall be seconded.
- e. All motions are debatable except the following:
  - i. Motion for adjournment of debate or for adjournment of a meeting unless such a motion contains a time for recommencement of debate or for a new meeting;
  - ii. Motion to fix a time for adjournment of a meeting;
  - iii. Motion to proceed to the next business; and
  - iv. Motion to go into an In-Camera-session.
- f. All motions shall be subject to amendment except the following:
  - i. Motion that the question be now put;
  - ii. Motion for adjournment of debate or adjournment of a meeting;
  - iii. Motion to table unless such a motion contains a date for further consideration of the matter tabled;
  - iv. Motion to refer to committee; and

- v. Motion to proceed to next business.
- g. An amendment to a motion does not require notice. Only one amendment to an amendment shall be allowed and the same shall be dealt with before the amendment is decided. Amendments must be strictly relevant to the main motion and not alter in a material way or be contrary to the principle embodied in the main motion.
- h. A question may be reconsidered if reconsideration is approved by a two-thirds (2/3) majority.

#### **10. Debate**

- a. Debate shall be strictly relevant to the question before the meeting and the presiding officer shall warn speakers who violate this rule.
- b. No trustee shall speak until recognized by the Chairperson.
- c. No person shall speak more than twice to a question except the mover of a motion, who shall have the right to make a reply when all other trustees who wish to speak have spoken. No trustee shall speak for a period in excess of five minutes at one time. The Chairperson may caution a trustee who persists in tedious and repetitious debate and may direct him to discontinue if he persists.
- d. A matter of privilege (a matter 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.
- e. No trustee shall interrupt another trustee who has the floor except to raise a point of order<sup>i</sup> or a "point of privilege"<sup>iii</sup>.

#### **11. Voting**

- a. All trustees present at a meeting must vote, although a trustee must abstain from voting in the event that s/he has a conflict of interest by reason of having a direct pecuniary interest in a vote. A trustee may also abstain from voting if s/he states at the meeting his/her reasons thereof.
- b. Voting shall be by a show of hands and only results recorded unless a trustee requests recording of their name and vote.
- c. The Chairperson shall vote at the same time as the other members of the board and, in the case of equality of votes for and against a motion, the question is resolved in the negative and the Chairperson shall so declare.
- d. All questions shall be decided by a majority of the votes of the trustees present unless otherwise stated by these bylaws of the School Act.

#### **12. Bylaws and Resolutions**

- a. All matters shall be dealt with by resolution or bylaw. A resolution shall have only one reading whereas a bylaw shall have three readings.
- b. The following matters shall only be resolved by bylaw:

- i. Amendments to bylaws;
  - ii. The rules of procedure of the Board and rules relative to the organization of meetings of the Board;
  - iii. Regulation and control of property owned and administered by the Board; and
  - iv. Where required by the School Act.
- c. Written notice of intention to propose or change a bylaw shall be given at the meeting prior to first reading.
- d. Every bylaw shall be dealt with in the following stages:
  - i. First reading - no debate or amendment.
  - ii. Second reading - discussion of the principle of the bylaw, and amendments made.
  - iii. When a bylaw has been amended it shall be reprinted as amended and shall not be further proceeded with until the amended version been distributed except by vote of a two-thirds (2/3) majority.
  - iv. Third reading - consideration of amendments made and, if no further amendments, then a vote is taken.
- e. Every bylaw shall receive three readings on different days. A bylaw may be advanced two or more stages in one day by a two-thirds (2/3) majority vote.
- f. The Secretary Treasurer shall certify on a copy of each bylaw the readings and the times thereof and the context of any amendment passed.
- g. The trustee who introduced a bylaw may withdraw the same at any stage with a two-thirds (2/3) majority vote.

### **13. Location of and Travel to Meetings of the Board of Education**

- a. Due to the extreme geographical spread of the Stikine School District, the Board desires to hold its meetings from time to time in each of the communities which comprise the District in order that communication with and access to the Board may be facilitated.
- b. Due to the severe climatic conditions that prevail throughout much of the year, travel by the Board to a community may be curtailed by marginal weather conditions. The Board will err on the side of discretion when making decisions as regards to travel.

### **14. Public Relations**

- a. The Board of Education for School District No. 87 (Stikine) recognizes the right of citizens to be informed about the operation of the public school system. The Board shall make every effort to encourage the promotion of positive public relations.
- b. All public board meetings will be open to the public and the press. A schedule of regular board meetings will be published on the district's website.
- c. The Superintendent of Schools shall organize and administer a regular information

program to include press releases, newsletters, bulletins, reports, publications and other activities deemed necessary to properly inform the public of the school district.

- d. The Board shall constantly strive to improve communications with employee and parent groups of the school district through formal and informal contacts.

Replaces: Policy #1  
Date: 2009.06.04

Revised: 2025.05.29

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i

*Point of Order - a member rises to draw the Chair's attention to an error in procedure or a lack of decorum in debate.*

ii

*Point of Privilege - a member rises to draw the Chair's attention to a situation affecting the comfort, convenience, rights or privileges of the meeting and/or individual trustee.*